

NO. VII.

THE ANTIQUITY OF THE BRITISH CLAIM OF IMPRESSING THEIR SEAMEN ON THE HIGH SEAS OUT OF NEUTRAL MERCHANT SHIPS.

THE clamour which has been raised on this subject, arising from the occasional abuses of the exercise of this unquestioned right, has led many persons to suppose, that this is an usurpation on the part of Great-Britain, of *modern date*, and applied particularly against us. If it were generally known that this is an ancient usage, founded on universally admitted principles, and applied by her to *all nations*, even *before this country existed* as a nation, all moderate and reasonable men would say that it could not and ought not to be expected; that an old and powerful nation should yield up its ancient usages merely because we saw fit to find fault with them. Judge Blackstone, who wrote before the separation of the two countries, and could therefore have no allusion to the present contest, lays it down as a settled maxim of the law of England, that "natural allegiance is perpetual and cannot be affected by a change of time, *place* or circumstance, nor can it be changed by *swearing allegiance* to another sovereign—The subject may to be sure by such means *entangle himself*, but he cannot unloosen the bands which connect him with his native country." He cites a famous case of M'Donald, who went to France in his infancy, and had a commission from the French king, but being found in arms against his native country, he was tried and convicted of treason; nor does it appear that France ever complained or retaliated his conviction, as she probably contended, and we shall shew she has always contended, for the same principle. We have adduced these opinions and this case as an answer to a plausible objection made by Mr. Madison, and seized with avidity by many persons, that as Great-Britain *naturalizes* foreign seamen after two years service in her navy, she is inconsistent in refusing us the same right.—But the question is wholly misunderstood by some, and, we fear, purposely misstated by our cabinet.—Great-Britain does not deny our right to naturalize her sailors, but she denies our right to *protect* them against her prior and superior claims.—Her laws admit that a man may emigrate, be naturalized, and owe allegiance to a foreign state, but they deny that these facts absolve him from his first and natural allegiance.

In order to make out the case of inconsistency against her, we ought to shew, that she *protects foreign* sailors naturalized in her country against their own natural sovereign—We challenge any and every man in the country to produce such an instance—No—With all her sins and oppressions, it will not be found that she has contradicted the principles on which her marine power reposes—principles consecrated by the universal practice of nations—by the decisions of her courts—by the writings of her most eminent jurists, and by her long diplomatick discussions with this country.