

application of an
 stated upon, as a
 riment admits a
 quate force is ap-

this new ground,
 ever purpose in-
 his however, can
 w the principle ;
 e law of nations,
 eforth, the exist-
 ust depend upon
 f the blockading

whatever there is
 1806, or in the
 not be set up as a
 out, as a cause of
 ource of any new,
 d, by our govern-

source of discon-
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 h decrees. Cer-
 crees, form a sys-
 grounds of com-
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 the undersigned
 ncil, as they now
 ify the selection of
 a declaration of

expedience, seems
 in this hopeless,

Neither France,
 e defended, on the
 rticular necessity.
 the general law of
 position, and pro-
 belligerent, there
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owing to the de-
 rich and extensive,
 onrbe thus states the

the ordinary course of
 unless it be support-
 expose to hazard all

1811, also says, The
 the orders in coun-
 ain it by the special
 ng so continued, or

ere seemed, as little wisdom s. gation to yield, solid and certain
 ilitics, for unattainable pretensions. The rights of retaliation, as ex-
 ing, in either belligerent, it was impossible for the United States, con-
 tent, with either its duty, or interest, to admit. Yet such was the
 te of the decrees, and orders of the respective belligerents, in rela-
 to the rights of neutrals, that, while, on the one hand, it formed no
 ification to either, so on the other, concurrent circumstances, for-
 a complete justification to the United States, in maintaining
 ithstanding these encroachments, provided it best comported with
 interests, that system of impartial neutrality, which is so desirable
 heir peace and prosperity. For if it should be admitted, which no
 se of argument can maintain, that the Berlin decree, which was in-
 on the 21st of November, 1806, was justified, by the antecedent
 rs of the British admiralty, respecting the colonial trade, and by
 order of blockade of the 16th of May, preceding, yet, on this ac-
 nt, there resulted no right of retaliation to France, as it respected
 United States. They had expressed no acquiescence either in the
 ish interference with the colonial trade, or in any extension of the
 ciples of blockade. Besides, had there been any such neglect on
 part of the United States, as warranted the French emperor in adopt-
 his principle of retaliation, yet in the exercise of that pretended
 nt, he past the bounds of both public law and decency; and, in this
 y extravagance of that exercise, lost the advantage of whatever
 our the British had afforded to his pretences. Not content with
 opting a principle of retaliation, in terms limited, and appropriate,
 e injury of which he complained, he declared, "all the British
 ands, in a state of blockade; prohibited all commerce and corres-
 ndence with them, all trade in their manufactures; and made law-
 prize of all merchandize, belonging to England, or coming from
 manufactories, and colonies." The violence of these encroach-
 ta was equalled only by the insidiousness of the terms, and man-
 in which they were promulgated. The scope of the expressions
 e Berlin decree, was so general that it embraced within its sphere,
 whole commerce of neutrals with England. Yet Decree, Minister
 e Marine of France, by a formal note, of the 24th December, 1806,
 red our minister Plenipotentiary, that the imperial decree of the
 November, 1806, "was not to affect our commerce, which would
 ll be governed by the rules of the treaty, established between the two
 untries." Notwithstanding this assurance, however, on the 18th
 tember following, Regnier, Grand Minister of justice, declared
 at the intentions of the Emperor were that, by virtue of that decree,
 rench armed vessels, might seize in neutral vessels, either English prop-
 erty, or merchandize preceeding from the English manufactories;
 d that he had reserved, for future decision the question whether they
 ight not possess themselves of neutral vessels going to, or from Eng-
 and, although they had no English manufactures on board." Preten-
 s, so obviously exceeding any measure of retaliation that, if the
 edent acts, of the British government, had afforded to such a re-
 any colour of right, it was lost in the violence, and extravagance
 these assumed principles.

To the Berlin decrees succeeded the British orders in council, of the
 of January, 1807, which were merged in the orders of the 11th of
 ember following. These declared "all ports, and places belonging
 France, and its allies, from which the British flag was excluded,