

proclamation of neutrality was still in the view of the British minister, an order of the 8th of June, 1793, issued from the cabinet, by virtue of which, "all vessels loaded wholly, or in part, with corn, flour, or meal, bound to any port in France, or any port occupied by the armies of France," were required to be carried, forcibly, into England; and the cargoes were either to be sold there, or security was to be given, that they should only be sold in the ports of a country, in amity with his Britannic majesty.* The moral character of an avowed design, to inflict famine upon the whole of the French people, was, at that time, properly estimated throughout the civilized world; and so glaring an infraction of neutral rights, as the British order was calculated to produce, did not escape the severities of diplomatic animadversion and remonstrance. But this aggression was soon followed by another of a more hostile cast. In the war of 1756, Great Britain had endeavored to establish the rule, that neutral nations were not entitled to enjoy the benefits of a trade with the colonies of a belligerent power, from which, in the season of peace, they were excluded by the parent state. The rule stands without positive support from any general authority on public law. If it be true, that some treaties contain stipulations, by which the parties expressly exclude each other from the commerce of their respective colonies; and if it be true, that the ordinances of a particular state, often provide for the exclusive enjoyment of its colonial commerce; still Great Britain cannot be authorized to deduce the rule of the war of 1756, by implication, from such treaties and such ordinances, while it is not true, that the rule forms a part of the law of nations; nor that it has been adopted by any other government; nor that even Great Britain herself has uniformly practised upon the rule; since its application was unknown from the war of 1756, until the French war of 1792, including the entire period of the American war. Let it be, argumentatively, allowed, however, that Great Britain possessed the right, as well as the power, to revive and enforce the rule; yet, the time and the manner of exercising the power, would afford ample cause for reproach. The citizens of the United States had openly engaged in an extensive trade with the French islands, in the West Indies, ignorant of the alleged existence of the rule of the war of 1756, or unapprised of any intention to call it into action, when the order of the 6th of November, 1793, was silently circulated among the British cruisers, consigning to legal adjudication, "all vessels laden with goods, the produce of any colony of

* See the order in council of the 8th of June, 1793, and the remonstrance of the American government.

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