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The following interesting extracts on NEUTRAL RIGHTS are taken from a work lately published at Paris, entitled "L'Etat de la France a la fin de l'an VIII," or the situation of France at the close of the 8th year of the Republic—said to be written by a person in an official situation, and to have been submitted, previous to its appearance, to the council of state. From these considerations, independent of the intrinsic merit of the performance, it is deserving of attention, as an exposition of the general views of the French Government.

"I HAVE already noticed the maritime superiority of England; this superiority has given to that power an opportunity of bringing forward pretentions which the relative weakness of neutral States had almost enabled her to establish as rights. The result of this has been two distinct maritime codes—one of which is the code of every other nation, the other that of England only. The general maritime right of nations demands, in time of war, an unlimited freedom of navigation for neutral powers. This general right, which is acknowledged and well guaranteed, there would result a broad system of moderation and reciprocity in commerce, which (finding a perfect security in the territories and under the flag of neutrals) would there unfold all its powers, fix the centre of exchange, concentrate all the springs of general reproduction; and would preserve inviolate all the elements of industry, until the moment when peace should restore that harmony of commercial intercourse which unites all nations. But this object of public right *has never been realized*, and it still remains among the theories on which philosophers delight to meditate, and which politicians hesitate but little to overturn. Neutral states cannot reproach France, as the first, of all the maritime powers, has the least fought at any time to harrass the commerce of nations with which she is at peace. France has been the first to propose that neutral navigation should be forever liberated from every species of restraint. That all cruising against trading vessels should be abolished. That contraband, with all its agents and relative advantages, should be privileged and protected under every possible circumstance from the violence of war. Every thing that I have said in relation to commerce, its grand and general extension, shews how intimately the politics of France are naturally connected with the independence and the prosperity of all other nations. Before, at the period when this liberal proposal was brought forward by France, there was by no means in a situation which allowed her to regulate her measures by the principles of deliberate policy; she acted from the impulse of the national character more than from the judgment of those who held the reins of government.

"It has fared with this as with all other wishes, which have been hitherto formed by public morality or natural justice, to enjoy protection to weakness against violence, and to subject the strong to reason. These wishes abound in all the writings of the professors of public law; they are read and approved; they are even sanctioned by liberal legislations; but they remain treaties; but England has adopted a different theory, and this theory, at first established by means of her maritime superiority, is now become a right founded on usage, her pretensions, and the general compliance of other states.

"From this right it results, first, that cruizing against trading vessels, and the barbarous code upon which this arbitrary mode of warfare is founded, are the indispensable consequences of all the wars between England and the maritime powers of the Continent.

"Secondly, That England arrogates to herself, in every war, the right of harrassing neutral trade; of attacking the commercial intercourse of every country trading with the power with which she is at war, and of intimidating those governments who wish to enjoy the rights of neutrality (and whose duty it is to maintain at every risk, the commerce of their country in the entire freedom of that intercourse) that the nations at war with England find themselves under the necessity of foregoing the rights of neutrality, and of considering the liberty of trading uninterruptedly with England alone, as the exclusive privilege of that power; the latter attempt with any other nation being considered by her as an act of hostility on the part of the neutral power.

"Thirdly, The commerce of neutrals, in time of war, becomes subject to a foreign jurisdiction, arbitrary and of course illiberal. Their merchants are amenable to a variety of military tribunals, which, although they are declared to be founded for the simple purpose of deciding on the legality or illegality of certain acts of hostility, present, nevertheless, the idea of the disruption by a single nation, of a right which ought to be common to all, and a forced acquiescence of every power at peace in the will of a power at war.

"Fourthly, That nothing exists to the rights or to the obligations of neutrals, is defined: that a simple act of government, a letter from the king of England to neutrals, is sufficient to overturn, or to infringe the general rights of navigation; that even the meaning of words is changed; that sometimes one article, sometimes another, is declared contraband; that a particular port is blockaded, even while no exterior force is able to prevent ships from entering it; and that by a written declaration, an entire country, a thousand leagues of coast, is put into a state of blockade like a single town.

"Fifthly, That neutrals are now accoustomed to consider war as an evil, which by the advantage of one over the other of the belligerent powers, prevents all intercourse with the other; that they are afraid to expose themselves to the refusal of one of the most powerful; and that they are most submissive in their concessions to that nation which is the most extravagant in its demands; that their commerce is limited by confusion, and their powers are degraded by such acts of compliance and concession.

"Sixthly, That the vessels of the belligerent powers find, not so much the place of conquest, as the profit of capture; they cruize lets to protect their own commerce than to harrass that of neutral powers; the mutual aim at war look forward to naval victories, not only as the means of establishing their relative superiority, but with the view of enabling them to dictate upon the ocean, as a conquered province; that the protection of the superiority of their flag is carried to the most remote quarter of the globe, and is maintained wherever resistance is not made to it; that they even carry to the armed vessels of neutral states, the right of convoying their merchant vessels, and to sovereigns the right of opening their ports, as an asylum to foreign vessels, for all defending, by their batteries, those who have placed themselves under their protection.

"Seventhly, That the harbours of the belligerent powers are filled with the seamen of all countries, detained either on suspicion or pretext of being subjects of a hostile nation; that these unfortunate men, induced by wretchedness or forced by violence, allow themselves to be enrolled in the service of a power at war, and are thus obliged to give their assistance in running and opposing the commerce of their native country, and those and wife Governments, by their fellow-citizens, to enter the same service; that at this moment there are more than forty thousand neutral seamen under the British flag, whose Britishness is forced, without advantage, and without honour, to all the hazard of war.

"Eighthly, That Commerce finding there is no longer security in good faith, and having nothing to expect on the part of Neutral Governments but an indolent, precarious, and insufficient protection, is obliged to look for safety in fictitious. Hence the assumption of different colours, of false papers, invoices and consignments, has become a practice sanctioned by custom, which authorizes the most hubbis of a profession which of all others cannot exist without honesty, the deadly poison of a system of fallacious measures.

"Commerce is degraded by the open exercise of those shameful subterfuges, and is disgraced by their success, and that a maritime War of conniverance becomes to those who are engaged in it a school for rapacity and plunder, and to those who are exposed to suffer by it, that of baseness, imposture, and treachery.

Such is the subistance of the maritime law, to which every nation in Europe (England by her acts, and the rest by their tolerance) have given their sanction, and for the reform of which, France demands the attention of every nation, and invokes the wisdom of every Government. I have called this law the maritime law of England because it has arisen out of the naval wars of the present century; and because all the naval wars, during the course of it, have been excited, maintained, directed, and managed by England. The advantages which England has derived from the exercise of this right, are the strongest proofs of its having been imposed by that Power upon the assent of all other nations. The difficulties which present themselves in an attempt to refrain this code of oppression and barbarity, leave no doubts of its origin in the claims alleged by England, and the efforts which there is too much reason to expect to preserve it, are the only obstacles to the establishment of a system of public law confident with the true principles of free navigation, and equally applicable to the situation of every Power.

"By a reference to what I have already observed relative to the influence of maritime commerce on the trade of the Continent, and to that of commercial relations on those of politics, we must immediately be sensible of the great importance of establishing a general code of maritime law. The defects of the present European system, owe their origin to the abuses which I have opposed; they can only be remedied by a reform of those abuses.

"France has been the first to propose this reform to all other nations interested in it—success at the commencement of the present war, has prepared the only measure which could relieve commerce from its fetters, and neutral Powers from their state of slavery. Since that period, France, harrassed by the evils of her situation, exasperated by the animosity of her enemies, distigured by the indifference of those who ought to assist her, and irritated by the partiality of those who ought at least to have remained neutral in the struggle, in which she was engaged, did not feel herself warranted in supporting a system of moderation which, in the critical state of her affairs would have bordered upon folly. She, in her turn, began to impose severe laws, and thereby contributed to the loss of neutrals and the general confusion of commerce. I do not mean all to justify a fault which she has had the glory to acknowledge, and the merit of repairing: a fault which resulted from a general error and from the conduct of other States as well as the whole of Europe, remained for a long time, as to the true principles of public power and the proper application of the rules of public law. But since a more inferene day has dawned upon the destiny of France, since Frenchmen have felt how great an accession of force is to be gained by conciliation, and of energy, by submission to the wisdom and wise Government, the first result of the union of domestic interests has been a general disposition of confidence and liberality towards other Powers. The same sentiments of cordiality and sincerity, which induced factions to dissolve, and all good citizens to unite, have enabled us to reduce to their true value, and to fix in their proper lights, the causes of jealousy, heart-burning and external irritation. Our general relations with Foreign Powers have felt the benefit of the harmony of our interior situations. Our allies have been invited to a connection founded upon more liberal sentiments: neutrality has been relaxed from its heavier fetters; the barbarous code of naval war has been friended, and every nation must have perceived, that the French Government, in deviating from the common line of conduct, has manifested a brighter example of generosity and justice, in proportion as her means of offence have acquired strength, and those of defence, have been increased.

"France has hitherto done every thing in her power to establish a maritime code. She was the first to feel the necessity of beginning this noble work, but not being of herself able to abolish the general practice of cruizing against trading vessels, the has done all that depended upon her, with a view to this object. She has *reformed* her own regulations on the subject; and has rendered them subservient to the principles of modern neutrality which hitherto existed in theory only: Her maritime regulations, and the engagements she is on the point of contracting with the United States, are the best proofs of her respect for the commercial nations, and of her wishes that they may at length feel the necessity of breaking the fetters which shackle their industry; but as nothing could be more foolish than to undertake to emancipate a people who possess the sentiments sufficient to feel the full value of liberty and of the active spirit to acquire that blessing, so it would be equally absurd to break the yoke of those maritime navigations oppressed, if the various Governments should forward to the advantages of the new system, are at the same time deficient in courage to explain and are unwilling to contribute their affiliation to the cause of independence. The Neutral Powers, then, and those States who, at this moment, are fighting for a cause inimical to their own might be placed in so many different views, that I might, without danger of repetition, swell at considerable length on the discussion of the motives which ought to determine the different Governments to adopt these principles of conduct, as the foundation by which their rights should be regulated; but that excessive distrust of the judgment of the men in whose hands are the fate of nations, must no longer be suffered to prevail. Disorganization is now arrived at such a pitch, that every possible evil becomes an impending danger; the dangers of the future are converted into real and present evils; and the feeling for what Governments and Nations may have till to suffer (embarrassing every thing which may be an object of detriment or injury) no longer leaves room for foresight or calculation. The present war has acquired a peculiar character of exaggeration and violence, which has exemplified, in a very remarkable degree, the character and the principles of all existing Governments. Those which were powerful, have explained, without reserve, the object to which their ambition aspired; those inclined to domineer, have displayed all their arrogance; the weaker Governments have shewn how far they could carry their condescension; and those, in fact, from their first evils which have been produced by insatiable avarice on the one hand, and by the greatest degree of weakness on the other, there has resulted, at least to all the Maritime States, the advantage of understanding the whole force, extent, and consequence, of the oppression under which they suffer, and that of feeling the indispensable necessity of changing their situation.

(To be continued.)

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JOSIAS W. KING.

May 29, 1801. At the Capitol. eptf