NATIONAL INTELLIGENCER,
AND
WASHINGTON ADVERTISER.

VOL. VI. — WASHINGTON CITY, PRINTED BY SAMUEL HARRISON SMITH, PENNSYLVANIA AVENUE. — No. DCCCXXX.

FIVE DOLLARS PER ANNUM. — MONDAY, FEBRUARY 3, 1806. — *PAID IN ADVANCE.*

MESSAGE

From the President of the United States, communicating a report of the Secretary of State respecting "new principles interpolated into the law of nations," made in pursuance of a request of the Senate of the 10th inst.

To the Senate of the United States.

ACCORDING to the desire of the Senate, expressed in their resolution of the 10th inst. I now communicate to them a report of the secretary of state, with its documents, stating certain new principles attempted to be introduced on the subject of neutral rights, injurious to the rights and interests of the U. S. These, with my message to both Houses of the 17th inst. & the documents accompanying it, fulfil the desires of the Senate, as far as can be done by any information in my possession which is authentic and not publicly known.

TH: JEFFERSON.

Jan. 27, 1806.

REPORT.

The Secretary of State, to whom the President has been pleased to refer the resolution of the Senate, dated on the 10th inst. has the honor to make the following

REPORT...

THE most important of the principles interpolated into the law of nations, is that which appears to be maintained by the British government and its prize courts, that a trade open to neutrals by a nation at war, on account of the war, is unlawful.

The principle has been relaxed, from time to time, by orders, allowing, as favors to neutrals, particular branches of trade, disallowed by the general principle; which orders have also, in same instances, extended the modifications of the principle beyond its avowed import.

In like manner, the last of these orders, bearing date the 24th of June, 1803, has incorporated with the relaxation, a collateral principle, which is itself an interpolation, namely, that a vessel on a return voyage is liable to capture by the circumstances of her having on the outward voyage, conveyed contraband articles to an enemy's port. How far a like penalty attached by the same order to the circumstance of a previous communication with a blockaded port, would likewise be an interpolation, may depend upon the construction, under which that part of the order has been, or is to be carried into execution.

The general principle first above stated, as lately applied to re-exportations of articles imported into neutral countries from hostile colonies, or vice versa, by considering the re-exportation in many cases, as a continuation of the original voyage, forms another interpolation, deeply affecting the trade of neutrals. For a fuller view of this and some other interpolations, reference may be had to the documents communicated with the message to Congress of the 17th inst.

The British principle, which makes a notification to foreign governments of an intended blockade, equivalent to the notice required by the law of nations, before the penalty can be incurred; and that which subjects to capture vessels arriving at a port, in the interval between a removal and return of the blockading force, are other important deviations from the code of public law.

Another unjustifiable measure is the mode of search practised by British ships, which instead of remaining at a proper distance from the vessel to be searched, and sending their own boat with a few men for the purpose, compel the vessel to send her papers in her own boat, and sometimes with great danger from the condition of the boat, and the state of the weather.

To these instances, without adverting to others of an inferior or less definite character, in the practice of Great Britain, must be added the assumed right to impress persons from American vessels, sailing under the American flag on the high seas. An explanation of this practice will be found in the extract from the instructions to Mr. Monroe, communicated with the message of the President above referred to.

Among the interpolations introduced by the French government, is a decree, dated 6 June, 1805 [18 Prairial, 13 year] importing that every privateer of which two-thirds of the crew should not be natives of England, or subjects of a power the enemy of France, shall be considered as pirates.

Another is evidenced by the result of an application made by the deputy consul of the U. S. at Cadiz, through the French consul to admiral Villeneuve, for the liberation of some seamen of the U. S. who were on board the French fleet under his command. The answer of the admiral, dated 29 Aug. last, [11 Fructidor, 13 year] states, that "A decision of his imperial and royal majesty provides, that every foreigner found on board the vessels of war or of commerce of the enemy, is to be treated as a prisoner of war, and can have no right to the protection of the diplomatic and commercial agents of his nation."

Other unjustifiable innovations on the law of nations, are exemplified in the decree of general Ferrand, lately passed at the city of St. Domingo, a translation of which is annexed.

The irregular mode of search above described is also practised by the cruizers of France and Spain.

The cruizers of the two latter powers have harassed the commerce of the U. S. in various other forms, but as it is not known, or believed that their conduct has been prescribed or sanctioned by the public authority of their respective nations, they are not considered as falling within the purview of the resolution of the Senate.

All which is respectfully submitted.

JAMES MADISON.

Department of State, Jan. 25, 1806.

DECREE
Of General FERRAND.

IN THE NAME OF THE EMPEROR.

DECREE.

At the head quarters of Santo Domingo, the 20th Vendemaire, 14 year, (6th June, 1805.)

We, LOUIS FERRAND, general of brigade, commander in chief, captain general (pro tempore) member of the legion of honor.

WHEREAS our decree of the 8th Thermidor, in the 12th year, and 13th Messidor of the 13th year, as well as our instructions to the owners and captains of privateers of the 29th Prairial in the same year, can have left no doubt of the sentiments which we have repeatedly expressed, for the respect due to the freedom of navigation and neutral rights; that those principles have been scrupulously adhered to, by the administrative and judicial authorities under our directions, in several decisions or judgments rendered by them in cases of capture, and releasing several captured vessels.

Considering that we had a right to hope from our candor, a just reciprocity on the part of the government of the neighboring neutral countries, and their concurrence, by the measures which are in their power to cause to be observed by their subjects, the treaties which bind them to France, as also to restrain the infamous cupidity of those who, contrary to the law of nations, supply the revolted blacks by means of a trade, the suppression of which is required by our personal responsibility to the emperor of the French.

Considering, that far from having obtained the end which we expected from this frank and loyal conduct, the rigor of our principles in favor of neutral flags, has become to many a stimulus to their rapacity, and that it results from papers found on board of prizes lately condemned, that the greater proportion of neutral vessels sailing from the rebel ports are very carefully and methodically cleared for the ports of Dominique, Tobago, St. Thomas, Curacoa, Jamaica, Havanna, Baracoa, Saint Jago de Cuba, &c.

Considering that the officers of the customs in several ports of the United States of America, have even had the impudence to give official clearances to neutral vessels for the ports occupied by the rebels, and that in many instances of this kind, they have used the signature of President Jefferson, whose justice was doubtless surprized.

Considering that from the voluminous correspondence found on board the captured vessels, since our decree of the 23d Messidor, it results that several of the most respectable mercantile houses of New York, Philadelphia, Baltimore, &c. have for a long time past kept up a continued intercourse with the revolted blacks, and have habitually supplied them with every sort of provisions and warlike stores.

Considering that powerful equipments of neutral vessels for war and merchandize, have been made in the ports of the United States to protect this infamous commerce; that the brig Jane of Baltimore, capt. Kennedy, of 18 guns, and sailing from a port of the rebels, has lately been boarded and captured, after a bloody engagement, by the French privateer the Superb, capt. Dominique.

Considering that it is notorious that the America of 52 guns, the Connecticut of 22, the Indostan of 14, and several other American vessels of that description, are not only engaged in that execrable commerce, but actually transport the arms and ammunition of Dessaline's army from one port to another, thereby becoming the auxiliaries of the black rebels against France.

Considering that such conduct on the part of the subjects of the United States of America, cannot be avowed by that government, without acknowledging explicitly the independence of the black rebels of Saint Domingo, and provoking an open rupture with France.

Considering that the 26th article of the convention of the 30th Sept. 1800, ratified 31st July, 1801, expressly prohibits the citizens of both the contracting parties, to receive, protect, conceal, harbor, or assist any pirate; and that notwithstanding, vessels armed under the American flag, daily convoy and sail in concert with vessels of the negroes, bearing a flag unknown amongst the civilised powers, and consequently pirates: which is evidently an infraction of that article of the convention, of which we have carefully executed the clauses within the extent of our government.

Considering finally, that it is our duty, and for which we are responsible, to put a stop, by every effort in our power, to such outrageous abuses, which tend to furnish profusely the black rebels with the means of carrying on their rebellion, and opposing an obstinate resistance to his imperial majesty's arms, when they shall be directed against them.

HAVE DECREED, & DO DECREE.

ART. 1. All vessels taken either with direct clearances for ports occupied by the rebels, or coming out from them with clearances from the custom house, or plausibly suspected of a masked clearance, the better to ensure their communication with the rebels, may be conducted into the ports of neighboring islands, either neutral or allied, shewing nevertheless a legitimate cause opposing their carrying them directly to St. Domingo or Samana, derogatory in that instance from our decree of the 13th Messidor last. The captains general, governors, and commanders in these islands, who can no longer doubt the obligations, whereby all nations ought to concur in measures to suppress the rebellion in that of Saint Domingo, shall be invited to authorise the entry of these vessels into their ports.

2. In this case, conformably to our instructions of the 29th Prairial last, the functions of our agents or delegates, are limited to the putting on or taking off the seals, selecting the documents found on board, receiving the declarations and interrogatories, authorising provisional sales if there should be imminent danger of damage, which shall be proved, and in which case they shall make a process verbal of the unloading, an inventory of appraisement, and judicial sale by adjudication at auction; the proceeds of which shall be deposited either in the hands of a solvent merchant, or in those of the delegate, to be remitted after definitive judgment, to the party in whose favor the judgment shall be rendered.

3. The suit being concluded, the above mentioned proceedings relative thereto, as well as the ship's papers inventoried (without subtracting under any pretext whatever, the invoices or bills of lading) shall be addressed to the chief of administration of the marine of Santo Domingo, in original, who shall transmit them to the competent tribunal to take cognizance thereof, and as the original papers might be lost, it shall be the duty of the agent, or delegate of St. Domingo, to deposit in his office, collated copies thereof, which copies, in such case legally proved, shall acquire the full effect and force of the original papers.

4. It shall besides be their duty to join to the above mentioned papers an order or demand, agreeing with the invoices, bills of lading, process verbal of the unloading, appraised inventory, and provisional sale, on which order, or demand, shall be stated the amount of duties due to government, calculated at 5 per cent. which duties shall be rigorously paid at Santo Domingo, by the certifier of the security of the letter of marque, before granting a copy of the judgments of condemnation; and it is expressly forbid that the registers deliver it without a certificate from the collector of the duties of invalids, testifying the receipt of those duties which shall be attached to the original of the said judgment.

5. Conformably with the decree of the 12th Vendemaire, 11th year, (3d Oct. 1803) all the prizes made in contravention of the provisions of the laws and regulations concerning foreign commerce with the colony, shall continue to be adjudged by the ordinary tribunal of first instance at Santo Domingo, with an appeal to the special commission established conformably with the same decree for deciding in the last resort; but having regard to the just representations of the owners of privateers, and on account of the considerable expense their equipments occasion, they shall not be liable to the expense of the process, further than to the mere fee for copies of the judgment, fixed at 44 frs. for each of the secretaries, both of the tribunal of first instance and the special commission of appeal. There shall be raised, upon the produce of the duties paid in the bank of invalids of the marine, a sum to be divided in the form of a gratification among the members of the tribunal of first instance and those of the commission of appeal, designated by us to participate therein. This sum may not, in any case, exceed the fifth of that paid into the bank, for the duties of any one prize; derogating thus far from the 88 and 89 articles of our regulation upon the organization of the judiciary, dated the 5th of last complementary day, of which we suspend, as to those kinds of judgments only, the execution until peace, when they shall resume their force and vigor. We moreover promise, that we will take care, that the greatest celerity be used in all the proceedings relative to prizes.

6. Our agents or delegates in the neighboring neutral islands, in cases wherein they have proceeded to the institution of process concerning prize, shall receive for their fee of agency, half per cent. upon the amount of the sales, but they shall not demand any fee of attendance for the crier employed in them.

7. In case of a judgment of condemnation, the agents or delegates of Santo Domingo are bound to state, within three months, the accounts of liquidation and distribution of the proceeds of sales in the form prescribed by the laws, and to address them to the colonial inspector, in order that he may superintend their verification and registry or deposit.

8. At the time of the transmission of the proceedings and ship's papers to Santo Domingo, our agents or delegates are to send us, as soon as possible, the captains, supercargoes, mates, sailors and passengers who shall have been taken on board of vessels defined in the act and in evident communication with the ports of the rebels, appearing by clearances, which they may have for those ports or by those they may have received from the rebels; in order that they may be prosecuted according to the rigor of the laws.

As to captains, whose contravention may not be evidenced by the documents found on board, they shall be informed of the transmission of the ship's papers and proceedings to Santo Domingo, with the offer to go with them, if they think proper, and with an express summons in every case to appear, by procuration or in person, within fifteen days, before the judges, who are to take cognizance of the stopping of the vessel, in order there to defend their rights. Mention shall be made of their acquiescence, or refusal, in the declaration which shall be taken from them for the purpose.

9. The agents or delegates of Santo Domingo are required to collect, with the greatest care all the letters and documents, which shall be found in vessels detained for communication with the rebels; to take away for the purpose of annexing to the process, only those which may give elucidations, concerning the validity of the capture; and to transmit directly to us the remainder, by the most prompt and safe opportunities.

10. These letters and documents shall be dissected in our secretary's office by the interpreters of the government; the documents shall be separated, which shew the owners, insurers, freighters, merchants, dealers, captains, supercargoes, and others, connected by commercial relations, or interests with the revolted blacks; which documents specially marked by the President regent of the imperial audience, or court of appeal, filling here the station of commissary of justice, shall be deposited as proofs of the offences, with those which are already in the registry of the special commission of appeal, established by the decree of the government of the 12th Vendemaire, 11th year, to adjudge the captures for contravention of the provisions of the laws and regulations concerning foreign commerce with the colony.

11. A list shall be drawn up by the same magistrate, of the owners, insurers, freighters, merchants, traders, captains, supercargoes, and others, connected by commercial relations or interests with the rebels, and designated in the correspondence and documents deposited as proofs of the offences; at the head of this list shall be placed the owners and others interested in the vessels, stopped in the fact, and condemned as such from their clearances, either directly for the ports of the rebels or proving that they are coming therefrom by receipts of duties, &c. The same operation shall take place every month. Copies of these lists shall be delivered to every cruiser bearing our letters of marque.

12. Every vessel whatsoever, under whatsoever flag it may navigate, on board of which shall be found invoices, bills of lading, and other documents, having direct relation to one or more of the persons contained on the lists directed by the preceding article, shall be provisionally detained, without any regard to the distance of the territorial sea, or place in which it may have been found, and shall be carried into port to be there examined. There, after the most exact researches, which shall be made by the competent tribunals, it shall be decided whether there be or not a ground of confiscation and condemnation, either of the vessel, or of the whole, or part of the cargo only; but in no case may the captain claim from the capturing cruiser any indemnity, for the deviation from his route or the delay in his voyage. Even the costs of suit shall in this case be borne by the captains.

13. Every cruiser, which shall take a vessel at anchor in a port occupied by the rebels or navigating under the *indegine* flag, shall be exempt from all duties for his prize.

14. Every cruiser, which shall enter at Santo Domingo, and convey provisions thither in case of a siege, shall enjoy the same exemption during a cruise of six months:

15. The present decree shall be transcribed upon the registers of the colonial inspection, of the tribunals of first instance and of the special commission of appeal, adjudging in the last resort captures for contravention of the provisions of the laws and regulations concerning foreign commerce with the colony; it shall be transmitted to our agents and delegates, with an injunction to conform thereto; to the governors and commandants of allied and neutral islands; to the minister plenipotentiary of France, to the United States of America; and finally to his excellency Monseigneur the minister of marine and the colonies; in order to avail ourselves of every effort, in order to repress a shameful and hostile traffic which tends to nourish the most odious of rebellions.

(Signed) L. FERRAND.

1500 DOLLARS REWARD.

HIGHWAY ROBBERY.

YESTERDAY about 11 o'clock in the forenoon, Mr. JOHN PETER, an Officer of the BANK OF COLUMBIA, was stopped on horseback on the road between this town and Alexandria, and within about 2 miles of the latter place, by some unknown villain, shot through the body with a pistol, and robbed of a sum of money in his possession belonging to this Institution which he was taking to Alexandria, for the purpose of exchanging with the banks there.

The whole sum taken amounted Eighteen Thousand One hundred and Fourteen Dollars and Sixty five Cents made up in several packages, among which were,

	Dol. C
1 post note of the Bank of Virginia, for	800
1 do. of the same, for	500
1 do. of the same, for	500
1 do. of the same, for	450
1 do. of the Bank of Potomac in favor of Joseph Riddle by him endorsed to Washington Bowie, dated 6 July, 1805. No 117	149 05

A check of the Union Bank, on the Bank of Alexandria, drawn by R. Higinbotham, cashier, in favor of Greetham and Deveraux, by them endorsed and by Benj. Stoddart, and C. Smith, Teller.

There were also a parcel of post notes of the Bank of Alexandria for 100 dolls. and for 50 dolls each. The remainder was in current notes, principally of the banks of Alexandria and Potomac, and some few of the Bank of Virginia of different sizes and denominations.

As the attack was sudden, and the wound received of a nature to deprive Mr. Peter instantly of his senses, (altho' it is now hoped he will recover) the description obtained may not be very accurate — as far as we are informed — the man who perpetrated the act, is of middle stature, good countenance, and had a genteel appearance. He had on a dark blue or black coat, nankeen pantaloons, shoes, and a black hat, he was on foot and alone at the time, but may have had accomplices concealed, and will probably change his clothes.

FIVE HUNDRED DOLLARS will be given to any person or persons, who will detect and bring to conviction the robber; and ONE THOUSAND DOLLARS additional for the recovery of the whole of the money, or in proportion for any smaller sum recovered — should there be accomplices, and one of them make a discovery, so that it leads to the conviction of the robber, or to the recovery of the money he shall receive the above reward, and interest will be made to obtain his pardon.

WILLIAM WHANN, Cashier of the Bank of Columbia.

George Town, July 31—

PHILADELPHIA IRON FOUNDERY.

THE subscriber has taken the Philadelphia Iron Foundery, situate in Southwark between Front and Second and Queen and Christian streets, for the conveniency of executing his own castings for his steam engines, &c. But proposes to execute any orders that he may be favored with in that line; either for engines, mill-works, sugar Rollers, Rolling slitting Mills Forge Work, Cranks, Gudgeons, Cogwheels, Kettles, Pans, &c in short all casting of iron, either in sand or loam——He wishes to draw the attention of millers to their own interest, by adopting for all the running geers of a mill, cast iron cog wheels, of spur and bevel geer, they will come cheaper in the first instance and last for ages. He means to have made by an experienced workman, a set of the most perfect moulds from which all the necessary movements for bolting reels and the machinery for merchant flour MILLS may be produced. He will undertake to assist in the arrangement of the suitable sizes of wheels to produce the proper motions, upon being informed of the number of revolutions per minute, and number of cogs in the wheel, by which the machinery is to be put in motion. He makes Steam engines on his new and simple principles, for any purpose for which they may be wanted; their cost will be about half that of the old construction and consume less fuel. He keeps for sale as usual, Stone Coals, Burr Millstones, and bolting cloths of the best quality. Application to be made either at the Furnace or his Counting house, near the corner of Ninth and Market-streets.

OLIVER EVANS.

Jan. 1. 2awjw