FOR THE NATIONAL INTELLIGENCER.

ORATION

Delivered by John Nicholas of the state of New York, on the 10th June.

Fellow Citizens—

This day brings us to a stage in our public affairs, from which both prudence and duty require us to look back. Our country has been pressed between the most powerful nations of the earth, one controuling the continent of Europe, the other absolute in every sea; nations seeking each other's destruction with such fury, that no intervening right was regarded, no innocence respected, and concurring in a hatred to us, which made them equally indifferent to our sufferings. The happiness we enjoy under our popular government, where no personal interests are provided for, where no object is legitimate but the general welfare, where the splendour of kings and nobles is found unnecessary, has excited a malignant hatred to us, which willingly seizes on any occasion of injuring us. But thanks be to God, the danger has passed and is passing off. He has chosen this as a fit occasion to manifest himself to the world, to shew that the greatest human power exists but by his permission and must act within the limits he has assigned, and that he can bring it down by the humblest instruments. We have hitherto been saved by his goodness from national guilt, and the blessing which he has granted on the wise and pacific counsels of our government, in saving us from an entrance on that trade in blood, by which other nations have filled up the measure of their iniquities, gives us a well grounded hope that our beloved country may continue happy for a long, long time to come. I have said that the danger has passed or is passing off, and this I mean as to France as well as to Great Britain. In retracting errors, the first steps are the most difficult, and where there is great pride, are never taken but from necessity and with full preparation for all the consequences. The surrender of the great property, which had been arrested by the French embargo, and the returning civility to our minister at Paris, convince me that the day is not far distant, when both the nations, with which we are at variance, will wholly abandon the policy which has lately annoyed us.

After ascribing the glory to God, the proper improvement to be made of our blessings is to ascertain, as precisely as possible, the means which he has condescended to bless, to retrace our own conduct, in order to determine whether we have not yielded to unreasonable doubts of our rulers or to selfish interests, and to make full amends by bearing testimony to their merits. A more painful task is to enquire how far government has been embarrassed by others, to expose improper views and principles, which, always more or less, display themselves in times of public difficulty, and to take advantage of their defeat, to disarm them of all dangerous influence. After this, as far as it is possible, consistently with the benefits of experience and the defence of truth, we should promote an oblivion of all differences in society. We are sufficiently instructed in the danger of keeping up divisions, and that any class of people, of considerable numbers, however thoroughly tried, may become formidable in time of public calamity. We should remember that the greatest part of any considerable section of the people must be honest and intend to promote the public good, and that if they have adopted any erroneous principles, they have been engrafted on good ones by the selfish and designing, and that persecution tends but to combine them more strongly.

I am aware that there is a class of people to whom it may be said with effect and to whom the designing will say, that the topics I have hinted at should not be stirred, that to enquire into the conduct of any foreign nation, with which negociations are depending, has a tendency to prevent reconciliation and that the struggles of parties should be forgotten in the general joy. No man in the community values more the blessings of peace and of social intercourse than I do, and nobody would make greater personal sacrifices to obtain them, but in the present case, I consider my country as imperiously demanding, that now, when we can see through the whole of the late interesting crisis, we should inform ourselves, whether her interests have been betrayed, whether those to whom they have been entrusted, have from ignorance or corruption mismanaged them. She demands too that we should ascertain, for the benefit of ourselves and our posterity, what were the means by which the storm, that threatened us, has been averted. And shall we, my friends, who have seen our rulers walk steadily in the path of duty, regardless of every personal interest, and in their struggles for their country's welfare, though loaded down by the malice and ambition of their opponents, triumphing, greatly triumphing, shall we suffer doubts which have been artfully excited against them to lessen their well earned applause? If we believe that we have been snatched from the brink of destruction, shall we shut our eyes on the means of our deliverance and leave ourselves and our posterity, as unprepared to encounter similar dangers as before we passed through them? And why this injustice and improvidence? From complaisance to deadly enemies, or weak unstable friends? No. I chuse to have the utmost pleasure of forgiving by first ascertaining the extent of the injury—to heighten the enjoyment of peace by knowing what jeopardy it has been in. The forbearance recommended is proper in your Chief Magistrate and by him it is nobly practised—in his communications to Congress, we find no offensive triumph over G. Britain. He has done but scanty justice to the undeviating principles of the former government and to the success of its measures. And even this he perhaps might have omitted, if it had not been necessary to silence the compliments of the federalists, which are really more insulting than their open abuse. In our spheres a different conduct is proper. There should be, I confess, no unnecessary irritation of foreign nations or of one another, but all the time and pains, we can bestow upon public affairs, illy fit us to guard our rights; and if a time, particularly favorable to acquiring information, arrives, it should be improved to the utmost; besides we are compelled to a thorough examination of these subjects by the daily misrepresentations made of them by the opponents of government and those who act the part, if they do not acknowledge the character, of British partizans. We do not see a federal paper, which does not assert in behalf of Great Britain some fact which G. Britain has herself disproved, some principle which she has abandoned, some claim to triumph which would raise a blush even on the cheek of the British Secretary.

We must examine into the pretensions of G. Britain and the conduct of our government towards her, to be able to decide on any of the points, which have been and are so warmly contested in this country. It is asserted, by the opponents of the administration, that G. Britain has been driven by our acquiescence in the violation of our neutral rights by France, into the measures of which we complain: that G. Britain has always been willing to settle with us, on the terms the settlement is now made, and that it has been heretofore prevented by a disposition in our government to aid France and embarrass G. Britain, and so far from the system which was adopted by our government being the cause of the settlement, that it was produced by federal energy and the change in public opinion, producing a correspondent change in the measures of government. I recollect no other opinions but those I have quoted, though there may be others of the same description. If there are I beg my hearers to bear them in mind, during the examination I am about to make, as I have no doubt that every thing which leads to a justification of G. Britain will have an ample refutation.

I shall commence with the treaty negociated by Messrs. Monroe and Pinkney as the first fruitful source of complaint against our government. It is necessary however to premise, that the classes of people who are hostile to the U. States in G. Britain had gone far in producing a national sentiment, that our commerce was the support of her enemy, and was as to G. B. *war in disguise*. Although the prosperity of our commerce is sensibly felt in Great Britain and may be considered as the same with the prosperity of British commerce, yet it does not follow that there are no classes of her people who have interests opposed to ours. All who carry on the same business with our citizens, must have looked with an evil eye on the wealth we were accumulating by our neutral character and which they hoped might flow in its old channels, if the respect to neutrals was at an end. It was not necessary that these classes should form a majority. Great Britain, from repeated disappointments in her efforts against France, was brought to a situation in which, as we have seen, minorities act with great force and can seize on public confidence by pretending to a discovery of of the causes of public distress and promising relief.—To the exertions of those classes and to those of the perpetual enemies of this country, because to the perpetual enemies of freedom, we are to attribute the instructions to their cruizers and to the admiralty courts in 1805 to put an end to the trade of our merchants in colonial produce, and the sweep made in consequence of them of our unsuspecting navigators. Here you must indulge me, for a moment, in leaving my immediate subject to enquire into the causes of that extreme sensation, which was excited throughout our mercantile tribe, by this outrage on a single branch of their commerce with the continent of Europe & of the apathy which the same people discovered when the whole was prohibited. The difference could not arise from their tracing it to causes in ourselves, because, as I shall shew you, this is not founded in truth; and it could not be, because they ascribed our sufferings to the embargo, which preceded the measures of Great Britain a few days only and evidently saved from her grasp the immense property which would have been sent out. It is only to be ascribed to their being party men as well as merchants. They could co-operate with the government, in the first instance, as merchants, without sacrificing party interests. The case itself was more particularly felt in the seaports and not likely to excite a very lively interest elsewhere. But when the case happened which called for all our energies and was to be met only by withholding all our commerce, a fine field was opened for federal exertion and a great harvest seemed to be in the grasp of their party. Then it was convenient to charge on the embargo the mischiefs to trade which would have immediately resulted, with tenfold force from the capture of our ships. Then did they condescend to represent a struggle, made primarily for the benefits of the shipping interests and likely to bring them more security than they ever enjoyed, to a hatred of commerce and a devotion to France.

But to return to my subject. The unfriendly temper in Great Britain, of which I am speaking, shewed itself in increasing hostility to a ministry, which was supposed not to be sufficiently inimical to us, from their being actually engaged in digesting the terms of a treaty by which the interests of neutrals must in some measure be protected. This growing hatred to neutral commerce, and jealousy of their ministry, got to its hight on the publication of the Berlin decree, which was known in Great Britain just as the treaty was ready for signing. It is necessary here to remind you, that our first non-intercourse law was passed as a retaliation for the injuries we suffered under the new admiralty principles of Great Britain, that this law is sometimes considered as a principal cause of our embarrassments with Great Britain, and now it is said to be one of the sacrifices to appease her. To those who believe that this treaty would have been ratified by Great Britain, no answer is necessary to this suggestion, and indeed the credit of effecting the treaty might well be claimed for the non-intercourse law and the suspension which regularly took place, as a hope of accommodation arose. Of those, who think the treaty would not have been ratified in Great Britian, I beg a little attention and I doubt not I shall shew such views of policy in the British government, as will put at rest all apprehension, that their conduct was decided by the existence of this law. Even if it had an effect on their conduct I shall claim for this measure, when I have got through my examination, the credit of being the beginning of a system, which was the only one which could conquer a deep rooted enmity and a system of policy highly injurious to us & shew to G. Britain that it is her interest to be at peace with us.

I come now fairly to the treaty, which was offered to our government and rejected by President Jefferson.

The limits, I must necessarily prescribe to myself, now prevent going ing into an examination of the merits of this treaty and I leave it to the objections and justifications which have heretofore appeared. I shall confine myself to the note which was annexed to the treaty by the British commissioners, after the appearance of the Berlin decree. This note is the first disclosure of the commercial warfare we were to suffer from G. B. which although it had shewn itself in very injurious operations, had never assumed the appearance of system till the Berlin decree furnished a pretext for it. I call it a pretext, for in truth it was nothing more with respect to G. Britain, though highly offensive to the U. S.

I will read to you so much of that note as shews the British construction of the Berlin decree and the expectations they had formed on the U. S. on the fulfillment of which their ratification of the treaty was to depend—

"By such allegations, unfounded as they are, the enemy attempts to justify his pretentions of confiscating as lawful prize all produce of English industry and manufacture, though it be the property of neutrals; of excluding from his harbors every neutral vessel which has touched at any port of his majesty's dominions, though employed in an innocent commerce; and of declaring Great Britain to be in a state of blockade, though his own naval port and arsenals are actually blockaded and he is unable to station any naval force whatever before any port of the united kingdom. Such principles are in themselves extravagant and repugnant to the law of nations; and the pretentions founded on them, though professedly directed against Great Britain, tend to alter the practice of war amongst civilised nations and utterly to subvert the rights and independence of neutral powers. The undersigned cannot therefore believe that the enemy will ever seriously attempt to enforce such a system. If he should, they are confident that the good sense of the American government, will perceive the fatal consequences of such pretention to neutral commerce and that its spirit and regard to national honor will prevent its acquiescence in such palpable violations of its rights and injurious encroachments on its interest.

"If however, the enemy should carry these threats into execution, and if neutral nations, contrary to all expectations, should acquiesce in such usurpations, his majesty might probably be compelled, however reluctantly, to retaliate in his just defence, and to adopt in regard to the commerce of neutral nations, with his enemies, the same measures which they shall have permitted to be enforced against their commerce with his subjects. The commissioners of the U. S. will therefore feel, that at a moment when his majesty and all neutral nations are threatened with such an extension of the belligerent pretensions of his enemies, he cannot enter into the stipulations of the present treaty without an explanation from the U. S. of their intention, or a reservation on the part of his majesty in the case abovementioned if it should occur.

"The undersigned considering that the distance of the American government renders any immediate explanation on this subject impossible, and animated by a desire of forwarding the beneficial work in which they are engaged, are authorised by his majesty to conclude the treaty without delay. They proceed to the signature under the full impression that, before the treaty shall be returned from America with the ratification of the U. S. the enemy will either have formally abandoned or *tacitly relinquished* his unjust pretensions or that the government of the U. S. by its conduct or assurances, will have given security to his majesty, that it will not submit to such innovations on the established system of maritime laws: and the undersigned have presented this note from an anxious wish, that it should be clearly understood on both sides, that without such an abandonment of the pretensions on the part of the enemy or such assurances or such conduct on the part of the U. S. his majesty will not consider himself bound, by the present signature of his commissioners, to ratify the treaty or precluded from adopting such measures as may seem necessary for counteracting the designs of his enemy."

(To be Continued.)

On the 7th inst. departed this life at his seat at Lebanon, his Excellency JONATHAN TRUMBULL, Esq. Governor of the state of Connecticut, aged 66.

Sixty-four persons died at Philadelphia, last week: of whom 19 fell victims to the cholera-morbus, 2 to the malignant fever, and 1 to drunkenness. One person, who died of age, was between 110 and 120 years old.

New York, Aug. 10.

On Saturday the Hon. John Q. Adams sailed from Boston, on his mission to Russia. The ship left Charlestown about 12 o'clock, and was saluted in passing the Navy Yard, Fort Independence, and the Chesapeake frigate, lying in the outer harbor.

Paris, 4th July. 1809

"The messenger is just leaving Paris for L'Orient, in order to embark in the Mentor, for the United States. I have the particular satisfaction to acquaint you, that I have just had an interview with our minister, by whom I am authorised to say, that a courier has arrived from the emperor, ordering the charge des affairs of M. Champagny (this must mean the gentleman who takes charge of the chief bureau in Champagny's absence) to treat on the American affairs; that the dispatches by the Mentor were favorably received by his majesty; that negociations are now open; that the government evinces an evident disposition not only to re-establish our commercial relations on a good but a much more advantageous footing, than has heretofore been; and that to judge from present appearances, all existing differences will very soon be amicably adjusted.

"When the negociation is terminated, it is to be submitted to the emperor for his approbation, after which the result will be made known."

Extract of a letter from John M. Forbes, esq. American Consul at Hamburg, to a gentleman in this city, dated 20th June, 1809.

"We have three arrivals at Tonningen and its vicinity, all from Baltimore. The Danish government has permitted them to unload, and has replied to my enquiries, that vessels bearing Danish consul's certificates of the neutrality of the property, and not having, *under any pretext whatever*, touched in England, will be freely admitted to land and sell."

Philadelphia Gazette.

From Jamaica papers, to 15th ult. received at the Office of the N. York Gazette, by the ship American Packet, Morris, from Kingston.

KINGSTON, (Jam.) JULY 15.

The brig Mars, which arrived here on the 6th inst. from Curo, picked up on the 16th of May, in lat. 15, a small two oared boat, having an oar up for a mast, with a female's petticoat for a sail. Not a soul on board. There were a watch, 2 quadrants, a dressing box, some silver coin, and a pocket book, in her, containing a parcel of private papers, and the clearance of the schooner Three Brothers, signed by Sir Charles Brisbane, Knt. on the 14th April, permitting her to depart from the Island of St. Vincent for Martinique. It is supposed the boat belonged to the Three Brothers, that the captain and some of the crew had taken to it from an accident befalling the schooner, and that they perished. It must have been at sea from 12 to 15 days, as it was full of barnacles.

The Tweed sloop of war, of 18 guns, Captain Symonds, arrived from Santo Domingo, having on board Brigade-Major Twigg, aid-de-camp to Major-General Carmichael, charged with dispatches to his grace the duke of Manchester, and the Vice-Admiral Rowley, announcing the surrender of the place to his Majesty's arms.

We learn by the Tweed, that the Major-General landed on the 18th ult. with 500 men, about 30 miles to leeward of the city, and marched forward, when he was met by an aid-de camp of General Dubarquier, offering to surrender on certain conditions, which were, however, rejected. Several other offers of surrender were also made, but all refused. On the 6th instant the British troops had advanced within 600 yards of the city, when a message was sent by the enemy to the Commander in Chief signifying his intention to submit to an unconditional surrender, which was of course accepted. On the following morning the terms of capitulation were agreed upon and signed, which we understand are merely that the garrison should lay down their arms as prisoners of war, to be sent to France at the expence of the British government, for the purpose of being exchanged, although we have no doubt they will meet with the same reception on their arrival as the garrison of Martinique has already experienced, and will consequently remain in England until the conclusion of a peace. Private property of every description to be respected.

The whole of the French force in Santo Domingo, at the time of its surrender, consisted of about 600 regulars, belonging to the 5th legion, and about 300 militia under the command of General Dubarquier and col. Aussenac. There were upwards of 200 soldiers sick in the hospital and the place exhibited the most distressing picture of famine, the inhabitants not being able to obtain a sufficiency of the most loathsome food.

Some of the expedition had not reached their destination when the Tweed sailed. Last Monday, at a short distance from the city she fell in with a brig and two schooners, with troops, supposed to be part of the second division. A few hours after she spoke the Heider frigate and Bramble schr. all well.

The schooner Diego, which sailed with the first division of the expedition, put into Jacmel, from whence all the officers embarked in her were forced to proceed in boats to the place of destination.

Frankfort, June 26.—The Austrians entered Leipsic on the 22d, but made no stay there. We expect every moment to hear of a battle.

Prince Gagarin, who passed through here, two days ago, is general-aid-de-camp to his majesty the emperor of Russia. He is going to the head-quarters of his majesty the emperor of the French.

Cassel, June 24.—The king arrived at Artern with his guard, the regiment of Berg and the Dutch division. Gen. d'Albignac, with his division, has this day joined the Saxons, who are on the Saale, at Weissenfels. The enemy is said to be at Leipsic: if so, general d'Albignac will attack them to morrow, and it is probable the enemy will not remain there long.