

an admission of the principles, that the goods of an enemy, carried under a neutral flag, shall be treated as neutral;—that neutral property, under the flag of an enemy, shall be treated as hostile;—that arms and warlike stores alone (to the exclusion of ship-timber and other articles of naval equipment) shall be regarded as contraband of war;—and that no ports shall be considered as lawfully blockaded, except such as are invested and besieged, in the presumption of their being taken, [en prevention d'être pris], and into which a merchant ship cannot enter without danger.

By these and other demands, the Enemy in fact requires, that Great Britain, and all civilized nations, shall renounce, at his arbitrary pleasure, the ordinary and indisputable rights of maritime War; that Great Britain, in particular, shall forego the advantages of her naval superiority, and allow the commercial property, as well as the produce and manufactures of France, and her confederates, to pass the ocean in security; whilst the subjects of Great Britain are to be, in effect, proscribed from all commercial Intercourse with other nations; and the produce and manufactures of these realms are to be excluded from every country in the world, to which the arms or the influence of the enemy can extend.

Such are the demands to which the British Government is summoned to submit, to the abandonment of its most ancient, essential, and undoubted maritime Rights. Such is the Code by which France hopes, under the cover of a neutral flag, to render her commerce unassailable by sea; whilst she proceeds to invade or to incorporate with her own dominions all states that hesitate to sacrifice their national interests at her command; and in abdication of their just rights, to adopt a code, by which they are required to exclude, under the Mask of municipal Regulation, whatever is British from their dominions.

The pretext for these extravagant demands is, that some of these Principles were adopted by voluntary compact in the Treaty of Utrecht; as if a Treaty once existing between two particular countries, founded on special and reciprocal considerations, binding only on the Contracting Parties, and which in the last Treaty of peace between the same Powers, had not been revived, were to be regarded as declaratory of the public law of Nations.

It is needless for His Royal Highness to demonstrate the injustice of such pretensions. He might otherwise appeal to the Practice of France herself,

in this and in former wars; and to her own established Codes of maritime law: It is sufficient that these new demands of the enemy form a wide departure from those conditions on which the alleged repeal of the French Decrees was accepted by America; and upon which alone, erroneously assuming that repeal to be complete, America has claimed a revocation of the British Orders in Council.

His Royal Highness, upon a review of all these circumstances, feels persuaded that so soon as this formal declaration, by the Government of France, of its unabated adherence to the principles and provisions of the Berlin and Milan Decrees, shall be made known in America, the Government of the United States, actuated not less by a sense of justice to Great Britain, than by what is due to its own dignity, will be disposed to recall those measures of hostile exclusion, which, under a misconception of the real views and conduct of the French Government, America has exclusively applied to the commerce and ships of war of Great Britain.

To accelerate a result so advantageous to the true interests of both countries, and so conducive to the re-establishment of perfect friendship between them; and to give a decisive proof of His Royal Highness's disposition to perform the engagements of His Majesty's Government, by revoking the Orders in Council, whenever the French Decrees shall be actually and unconditionally repealed; His Royal Highness the Prince Regent, has been this day pleased, in the name and on the behalf of His Majesty, and by and with the advice of His Majesty's Privy Council, to order and declare:

“That if at any time hereafter, the Berlin and Milan Decrees shall, by some authentic act of the French Government, publicly promulgated, be absolutely and unconditionally repealed; then and from thenceforth, the Order in Council of the 7th day of January 1807, and the Order in Council of the 26th day of April 1809, shall, without any further order be, and the same are hereby declared from thenceforth to be wholly and absolutely revoked: and further, that the full benefit of this Order shall be extended to any ship or cargo captured subsequent to such authentic Act of repeal of the French Decrees, although, antecedent to such repeal such ship or vessel shall have commenced, and shall be in the prosecution of a voyage, which, under the said Orders in Council, or one of them, would have subjected her to capture and condemnation, and the claimant of any ship or