I OBSERVED some shameful mis-fratements of the writerin your Gazette under the fignature of Phocion, respecting the conduct of Mr. Jefferson while governoor of Virginia in the year 1781, and having been derionally present, in actual service, through all the active seems of that year, from its commencement, and before, until after the termination of the stege of York, I can state what that conduct really was, with more truth and certainty than either Phocion or his friend Charles. Simms, neither of whom appear to know much about what they have written, and were certainly until the off them in Virginia at the special of the word of the state of them and the state of them of the state of the stat

arms had been supplied for the defence of North Carolina, and Arnold's invasion found the State, almost totally defenceles. The state of things was little better in a few months afterwards when Cornwallis' invasion happened, and the Marquis Fayette took the command, since it is well known, that thro' the whole of that campaign, the Marquis thro' want of arms never had more than three or four thousand militia badly armed, in aid of the few continental troops that were detached from the Northern army to Virginia, such was the deplorable situation both of the State and Continent, for want of arms. In respect to Tarleton's sudden march to Charlottf. ille, during that campaign, in order to surprise the Governor and Asiembly, it will be remembered that the Marquis' army was inserior to Cornwallis', and had sew or no cavalry attached to it, that at Charlotts'ille there was not even a single company of militia, and that Tarleton made a rapid march of about 60 miles thro' the country at the head of about 500 cavalry. The writer of this was also prefent at Charlotts'ille at the time, and saw Mr. Jefferson, and his Executive Council attending their duty at tillat place with the Assembly; it will not be pretended then, under the circumstances stated, that Mr. Jefferson 's fed before a few light horsemen, and samefully abandoned his resp.' as is falsely affected by Phocion.

But, Mr. Ecnno, why do the enemies of Mr. Jefferson, cavil at his honourable acquittal alone by the Assembly of Virginia, from groundless and unfounded charges? they well know that at the end of that very year, his brave and gallant successor in proceed misconduct in office, and honorably acquitted by the same body, in the same manner precisely, and with an unanimous vote of thanks, as in the ease of Mr. Jefferson. No proof appeared against either, the accusation in each case was declared to be groundless, and the honorable reputation of both, stand or fall by the verdict of the same body. I leave it with a candid public to form their own respections.

26th October, 1795.

A SUBSCRIBER.

For the CAZETTE of the UNITED STATES.

- PHOCION-No. XI.

WE has feen that the first advice given by Mr. Jefferson to the people of Virginia, relative to the constitution, was not to adopt, but to try a second convention; his subsequent advice was, to adopt or not, on a contingency, that is, to adopt if nine states delphia, the object and tendency of which were to had not previously adopted, to reject, if that number of flates had previously adopted, in other words, to risque an allimate dismemberment of the states in tion of it (except in the single department of which an experiment, to obtain the alterations which he deemed necessary. On examination this advice will ing of the Bill of Rights—"However, if we do not have them now, I have so much confidence in my countries.

If the four hall deliberating states (particularly

ratify the constitution, what might not have been the consequence? Would the affenting states have tamely suffered themselves to be coerced into the amendments, which the diffenting Autes might have dicated? Could may thing but objections to the conditution of the most tender kind have justified the hazarding an eventual folism in the union, in for great a degree as would have attended the advive given by Mr. Jefferson? Can it be denied that the person who entertained these objections was strongy opposed to the conflication?

The opponents of the constitution (or the antifederalists as they were called) acknowledged, like Mr. Jefferson, the necessity and utility of union, and generally speaking, that the constitution contained many valuable scatures; like him, they only contended that it wanted fome effential alterations to render it a fafe and good government; like him, they only wanted a fecund convention, to alter the confitution, fo as to remove all the objections which had been made, by what they called the people, but in truth, by a few factions diforganizers or visionary theorifts in the feveral states.

If Mr. Jefferson's advice was not dangerous, it certainly was ridiculous in the extreme. According to that advice, the question before a state convention would not have been on the merits or demerits of the conflitution, but the only question would be, in what numerical order the slate stood: if she were the ninth state, then it was unseccisary to discuss the merits of the instrument; it must be adopted at all events; but if the happened to be the tenth, it must then be rejected at all events, without any discussion. It would have been simply necessary to have ascertained, how many states had adopted, which fall being known, the adoption or rejection followed of course; and the in other cases, it should seem that the more states had adopted a measure, the stronger would be the recommendation, as an evidence of the approbation of the people, yet in this case, the ingenious Jefferson reversed the rule, and the more flates had adopted, the less credit ought it to have with the remainder.

But when this very fage advice was given, it hap-pened never to occur to its author, that two conventions might be in fession at the same time, and that either of them, by its adoption, would make the ninth : what was to be done in this dilemma? if his advice was proper for Virginia, it was proper for all the other states, how would they settle the etiquette, which was to adopt without amendments, and which was to reject, to obtain them? it would have required conferences and negotiations, in which not a syllable would have been said, respecting the merits of the constitution, but the whole discussion would have turned on, which ought to adopt, to complete the magical number, nine.

If the contest had occurred between a large and a small state, Virginia and Delaware, for instance, the dispute indeed might casily have been settled; Virginia would say, do you adopt, and we'll drive them into amendments: little Delaware would not contend with the antient dominion : But a ferious difficulty would have arisen, had the contest been between Virginia and Pennsylvania, and both were determined to adopt or reject : if no compast could have been concluded between them, I cannot see how Mr. Jefferson's scheme could have operated: if both resused to adopt, there would not have been the magic number; if both determined to adopt, then ten slates would have adopted, and no amendments obtained.

And all this, thought Mr. Jefferson, might be accomplished with ease, and without schifm! Suppose the four largest states, Virginia, Pennsylvania, Massachuset s and New-York, had rejeded the conflitution, and infifled upon all the amendments which their feveral conventions required: is it proother nine states would, without a ftruggle, have relinquished their opinions, and been brow beat into a ftring of amendments, which they, in accepting the conflitution, had deemed frivolous, unnecessary or dangerous? or on the other hand, had the four fmall states withheld their consent, in order to coerce the nine others into amendments, is it likely the latter would have been swayed, by any apprehensions, to alter a conflitution, on which they had rested their hopes of suture happines?

In reviewing the featiments of Mr. Jefferson, especting the constitution, we are compelled to ascribe the contradictions and absurdities they discover, to a natural unsteadiness of principle, on the subject of government, and to a disposition, which is very manifest, to please both parties, uncertain, for a time, which would preponderate. Thus bit opinions, like fome law cases, were often quoted by both fides. At the first appearance of the constitution, he had very serious objections to it and recommended another convention-when he found that it was likely to be adopted, his objections diminished, and he advised the adoption by nine states-when he found that the constitution was a favorite with the people, then his objections nearly vanished, and he was content that Congress\* should recommend amendments where they should be found necessary, he deprecated another convention.

If at the latter stage of the business he found it expedient to acquiesce in the will of the majority, it remains to enquite, whether he has, fince the operation of the federal government, continued his acquiescence, or whether, finding in this country, on his return from France, a party, unfriendly to that government and to the conflitution, from which it emanated, his former enmity has not broke out again, and displayed itself in hostile acts, too con-

fpicuous to have escaped notice and censure.

To prove that Mr. Jesserson has been for many years a determined opponent of the federal confti-tution and of the measures which have flowed from it, under the administration of Washington, I will now proceed to shew that he was the institutor and patron of the National Gazette, published in Philawilify and depreciate the government of the United States, to mifrepresent and traduce the administra-

trymen, as to be fatisfied that we shall have them, as If the four half deliberating flates (particularly foon as the degeneracy of our government shall render they had happened to be states in geographical them necessary."

contiguity, which was very possible) had refused to the was the head) implicating in the most virulent, censure the majority of both houses of congress, the heads both of the treasury and war departments. and sparing not even the chief magistrate himself that in the fupport of this paper, thus hostile to the government, in the administration of which he held so important a trust, he did not seruple to apply th money of that very government; departing by this conduct from the rules of official propriety and obligation, and from the duty of a discreet and patri-

This charge is supported in several ways.

1st. By direct proof of an official connection between the secretary of slate and the editor of the National Gamette - a little antecedent to the first establishment of that paper.

2d. By direct proof, as we have feen, of the fecretary's being opposed to the present govern-ment of the United States, while it was under the confideration of the people.

3d. By his avowed opposition to the principal measures which have been adopted in the course of is administration, particularly those relating to the

As to the connection between the secretary of state and the editor of the National Gazette, neither of the following sacts can or will be disputed.

If the the editor of the National Gazette was a clerk in the department of state for foreign languages, and as such, received a salary of two bundred and stiffs dellars a sear ollars a year.
2d. That he, became for antecedently to the establish-

ment of his Gazette, having actually received his falary from the 17th August, 1791, and not having published the first number of his paper till the 31st October

3d. That at the time he became fo, there was another character, a elerk in the fame department, who understood the French language; and that the editor of the National Gazette was a translator of that language

4th. That the appointment was not made under any special provision, marking out a particular clerkship of the kind, its duties, or its emoluments; but under a general authority to appoint clerks, and allow them salaries, not exceeding the average of five hundred dol-

sth. That the editor of the National Gazette, immediately preceding the establishment of that paper, was the superintendant or condustor of a paper belonging to Childs and Swaine, printed at New-York.

These are the facts: the conclusion is irreststable: the secret intentions of men being in the repositories of their own breasts, it rarely happens, and is therefore not to be expected, that direct and positive proof of them can be adduced.

can be adduced.

Prefumptive facts and encumftances must afford the evidence, and when these are sufficiently strong, they ought to decide.

We find the bead of a department taking the editor of a Gazette into his employment, as a clerk, with a state state, not for any special purpose, which tould not have been accomplished otherwise; for besides his own competency to translate from the French, and his general practice, he had, at the time, in his department, a clerk, who was capable of performing the very service required, and could, without difficulty, have procured others similarly qualified: nor, from any particular necessity arising from a too limited allowance, or any other cause; for he had it in his power to allow an adequate compensation to a character who

ance, or any other cause; for he had it in his power to allow an adequate compensation to a character who might have been regularly attached to the department. The very existence of such a connection, then, is alone a sufficient foundation for believing, that the delign of the arrangement was to secure an instance over the paper, the editor of which was so employed. But the circumstances which attend it, explain the nature of it beyond a doubt. That which has been just mentioned, namely, there having been previously a clerk in the department, qualified to render the service, is a weighty one. The coming of a new printer from another state, to institute a new paper—his having been appointed a clerk in the department prior to his removal to this city—his having been compensated before he was even present to satisfy the appearance of rendering service;—these circumstances give a point and energy to the language of the transaction, which render it unequivocal. There, perhaps, never was a more stims over view of the carting for the carting in the carting for the carting of a new was a more stims over view of the carting for the carting f There, perhaps, never was a more flimsy covering for the pensioning of a printer. Some ostensible ground for giving him the public money, was necessary to be contrived. The clerkship of foreign languages was deemed a plausible pretext: but no man acquainted with human nature, or with the predigate with a factorial to the contribution of the predigate with the predigate wi nature, or with the ordinary wiles of political intrigue,

can be deceived by it.

The medium of negociation between his friend, the fecretary of flate, and Mr. Freneau, in order to the inflitution of his paper, is well known, and documents are possessed which ascertain the person; but they are withheld, from particular confiderations. These are the more readily yielded to, because the facts which have been stated, render it unnecessary to exhibit them. Those sacks must prove, to the fatisfaction of every impartial mind, that Mr. Fesserson was the institutors and patron of the National Gazette.

The complexion of tendency of that Gazette are

The complexion and tendency of that Gazette, are fufficiently known. There was no man who loved the government, or was a friend to the public order and tranquility, but reprobated it as an incendiary and per-

nicious publication, and condemned, with indignation, the auffices under which it was supported.

It is unnecessary to add what is equally well known, that this incendiary paper expired about the time of Mr. Jesterson's retirement from office.

PHOCION.

FOR THE GAZETTE OF THE UNITED STATES. Mr. FENNO,

Will the Citizens of Pennsylvania be dictated to and controuled by the Democratic Club of the Capital, in their choice of Electors of President and Vice-President ?

The foundation of the late western insurre &ion was laid in the publications of that club. Previous to its breaking out-the agents of that club diffeminated thre' the interior country their

inflammatory addreffes. They fluck them up on trees-feattered them on the road; they filled every public-house with them. They were dispatched in packets by hired men by

post and other conveyances. Lies and slanders formed their contents. The result is well known. The SAME AGENTS OF MISCHIEF are now at work. The expence of printing handbills, &c. will amount to " fome thousands of dollars."

The trees on the road, and the door and gate posts of every house through the country is placarded with the lies, abuse and slander of these enemies of the Federal Government.

Let us remember that the machinations of thefe fame perfons, have cost us one million of dollars, and many lives.

Hand Bills, Post Bills, and Pocket Bills to the amount of one hundred thousand have been already fent off by the members of the club. If the anti-federal ticket fucceeds who governs the people?

The Democratic Ciub.

FOR THE GAZETTE OF THE UNITED STATES.

Mr. FENNO, The retirement of George Washington from public life will lead to a crifis of a magnitude fo inter-efting as to demand the ferious attention of every friend to his country: for on his faccessor will in a great measure depend the future peace and happiness of America. If in seasons of profound tran-quility, the duties of the important office of President of the United States call for much wildom, how much more necessary will it be to fix upon a man of talents, virtue, and firmness at this eventful period, when Europe is ravaged with the flames of war, and when the peculiar features that marks the conduct of parties leaves not a doubt of the endeavors which have been used, by interesting the seelings and inflaming the refentment of our citizens, to induce a conduct on our part which must infallibly lead us into a war, ruinous in the extreme, whether attended with victory or defeat. It is not my wish, Mr. Printer, to enter into a comparison of the merits of individual candidates; events are every day arising of an important nature, and which wery day ariling of an important nature, and which may, between the day allotted for chusing Electors, and their meeting, have a great and leading influence on their deliberations; I only wish to call the attention of my fellow citizens to the importance of a right choice of Electors, and the necessity of their giving their votes on this occasion. The conduct of the two parties in Congress have been marked by a distinction too strong to escape observation. One of them has uniformly opposed the measures of the present Executive Government he other has with equal firmness, and more success supported those measures. If the opposition of the one had been successfull, its effects must be left to conjecture; but the beneficial effects resulting from the measures adopted by the Executive, are felt by all. It therefore rests with us to determine whether we will chuse for Electors, men who are sensible of the bleffings we enjoy, and who will in the choice of Prefident fix on a man who accords with them in fentiment, and who, following the path pointed out by our illustrious President, will consider the preservation of the peace of our country as his most important duty, and our greatest blessing—Or on men whose conduct has been uniformly marked by an opposition to the measures of our present government, and who will naturally chuse for President. a person of opinion with themselves. In a word, you are to determine whether, satisfied with the present situation of your country, you wish the government to pursue their present line of conduct, or

PHILADELPHIA,

by a change hazard the confequences of a system of untried polities, which may be the ruin of your country, but which cannot increase its prosperity.

SATURDAY EVENING, OCTOBER 29, 1796.

DIED, on Friday, the 21st instant, WALTER MINTO, L. L. D. Professor of Mathematics and Natural Philosophy in the College of Princeton, New-Jersey.

We have received a complete lift of all the American prisoners lately redeemed from Slavery at Algiers, 95 in number; including also the names of those who died at Algiers after the conclusion of the treaty, and on the passage to Marseilles. This interesting document will be published in Monday's Gazette.

ELECTION RETURNS.

Counties of Washington, Allegheny, Westmoreland, and Fayette.
Washington and Allegheuy diffrie.

Congress—Albert Gallatin, John Woods, Thomas Stokeley, Senator-John Hamilton, Thomas Mereton,

Washington county elects four representatives, to the Assembly. The numbers for the respective candidates were as follow: David Achefon, 1819; W. Wallace, 1772; David Johnson, 1611; Wm. Hoge, 1423.

John Heaton, 963; John Hoge, 864; James Brice, 810; William M'Farland, 633; Samuel Hyde, 435;

T. Sedgwick 400. Sheriff—Thomas Hamilton, Jonathan Leet, 958 Commissione John Cotton, Robert M'Cready. Allegheny County.
Affembly—Samuel Ewalt, John Lucas.
Commissioner—Nathaniel Irish.

Westmoreland and Fayette district.
Congress-William Findley.
Westmoreland County.

Affembly-George Smith, Benjamin Lodge, Miael Ruch. Commissioner Dickey.

Fayette County.
Affembly - John Smille, John Cunningham.

The Connecticut Courans of Oct. 24, fays, We hear from New-Haven, that the Hon. Uriah Tracy, Efq. 18 elected a Senator in the Congress of the United States, in the room of the Hon. Jonathan Trumbull, Efq. refigned; and that the Hon. James Hillhoufe, Efq. is elected a Senator to ferve after March next, his appointment in May last expiring in March. We also hear, that all the old representatives for Congress are re-elected, and that Mr. Dana is the new member.—Mr. Davenment is chosen representative new member. - Mr. Davenport is chosen representative for the next six months, in the room of Mr. Hillhouse.

By the DIANA, captain Ports, a geutleman received the London Morning Chronicle, of the 19th September-from which the following articles are taken .--

LONDON, September 19.

From the London Gazette, September 17.

Admiralty-Office, Sept. 13, 1796.

Copy of a letter from commodore fir John Borlase

Warren, K. B. to Evan Nepean, esq. dated on board his majesty's ship La Pomone, Falmouth, the 10th instant.

SIR, I request you will inform their lordships, that on the 22d of August, at ten A. M. a fail was discovered in the s. s. w. quarter. I immediately difpatched the Galatea after her, who made the fignal of her being an enemy's frigate. I therefore fol-