

If it were intended (as doubtless it was) to influence the Executive, it was certainly of the latter kind, and therefore not their business. But it was said the Executive was anxious to receive this opinion; he found nothing of this sort in the speech of the President, and he did not know upon what ground the assertion could be made. It was well known, Mr. C. said, that it was intimated in France that the government and the people of this country had different wills; it therefore became them to act in such a manner as to repel the charge; but if they agreed to the present amendment, the opinion would be strengthened.

Mr. C. concluded by observing, that the unanimity was very desirable upon a question of this sort, yet it was above all things to be avoided, if it were to be at the proposed sacrifice. The gentleman from Pennsylvania had called upon the Committee to convince the French Nation that there was no British influence in that House, but he thought they should not shew them at the same time that there was no American influence. He trusted they should not shew to them that they were all Frenchmen; that they were divided, from the Executive, and had no confidence in it; that the President was under British influence, and that he could not therefore be trusted. This indeed would be re-echoing the calumnies which had been raised against this country.

Mr. Dayton said the tedious length of the debate on the proposition from the gentleman from Virginia, had determined him to have left his amendment to its fate, without taking up the time of the Committee with any observations in favour of it. The criticisms which it had provoked from the gentleman from South Carolina, might, perhaps, have been deemed a sufficient apology for breaking this resolution, if it had not been suggested that a modification of some expressions would render it more agreeable to some members of the Committee, to which he had no objection, as they did not tend to change the sentiment. They were, that instead of "as favorable as" to insert "similar to those of," and after "with us," the words, "if an inequality shall be found to exist."

Mr. D. till yesterday was of opinion, that, however members differed about the mode of doing it, that there were none who did not wish to place France upon the same footing with other nations in respect to treaties. He thought the dispute had been about words and not about substance. He hoped in the remarks he should make, he should be excused from arraigning the French Republic like a criminal at their bar, not only with crimes committed against the interests of the United States, but also with those said to be committed against the different nations of Europe, with whose political connexion we have nothing to do, and for which they would not certainly thank us; to say to them you have enslaved this country, and deceived into vassalage another, were not very pleasant assertions; and this to be said also of sovereign nations as independent as we, at a time when the representatives of those nations were accredited, and received amongst us; and not only received but permitted to sit within their walls, and listen to their debates.

If the question were, into what balance of the powers of Europe we should be cast, as a make weight, such observations might be pertinent; but as he conceived the question related to the maintenance of the peace of this country, he could not see how such remarks could apply. He hoped he should not be accused of a want of spirit, if he did not speak of war as a pallium—of conquering countries, as if it were only to overrun them, to make them our own; or if he did not talk of buckling on our armour, and of DYING IN THE LAST DITCH. To him it appeared better to express ourselves with a becoming spirit of resentment, without using the rage of a MADMAN. It was not necessary to crouch to any nation. But he wished to act as if we wished for peace, and not to stand in the position of GLADIATORS, to found the trumpet of defiance.

He could say that he felt the full force of the indignity offered to this country in the dismissal of our minister. He did not hear with coolness "you shall repeal this act, you shall annul this decree, &c. before we will have any communication with you."—When he heard this language, even from the Republic of France, he felt as an American, but he acknowledged a spirit of conciliation, and a sense of gratitude (not yet extinguished) led him at least to moderate, if not to extinguish this resentment. The recollection of benefits received, would lead him to say to them: "Frenchmen, you were our first and best allies, when the country we called our Mother, endeavoured to reduce us to unconditional subjection; when every nation shrank from us, you, People of France (or, if gentlemen like it better, YOUR MONARCH) supported us;—you reached out a helping hand for our protection,—You at that time entered into a treaty with us; if it now operate hardly upon you, take it back; what you liberally granted to us in 1778, is restored to you in 1797, as it is, in your opinion at least, a source of disquietude; you shall be admitted to all the favours of the British treaty of 1794; neutral ships shall not make neutral goods; the list of contraband articles and the provision article in that treaty, shall be yours, and inserted in your new code." But, in doing this, he would resist the construction put upon the second article of the French treaty. And he would not only grant these privileges to the French nation, but to any nation in the world, that the British treaty put upon an unequal footing, and which, if not altered or modified, would be the cause of war.

As little would he be disposed to agree to the construction which had been practically put upon the provision article by Great Britain. It had not been fully established by writers on the law of nations that there were any instances in which belligerent powers could consider provisions as contraband, except when going to a blockaded or besieged

place. However there would be no difficulty in the case, if the article were given to France in the same way as to Great Britain.

It might be proper to notice, Mr. Dayton said, the opposite objections of the gentleman from South Carolina to the amendment (Mr. Smith.) He said France would be offended at the proposal; if that were true, agreeable to the doctrine of his colleague (Mr. Harper) it would inspire them with respect for us; but he added also that France would LAUGH at the proposal; yet he did not see how they could look upon it with such different sensations at the same time. He went on to say that France was already more highly favoured than other countries; but, before he sat down, he said if this favour were granted to France she ought to allow an equivalent. Where, he asked, was the consistency of such assertions? Mr. D. then took notice of what had been said with respect to the amendment dictating to the Executive and its being unconstitutional, and shewed that it was neither one nor the other, but he trusted that it would be the Harbinger of Peace between the two countries.

The gentleman from Massachusetts had taken the liberty of saying, that the amendment was founded on a perfidious that the President would not do his duty, and that he was under British influence. He submitted it to the committee whether such observations deserved an answer.

Mr. Harper having noticed Mr. Dayton's usual practice of making personal attacks on members in debate, and the frequent instances of it with respect to himself, proceeded to mention the terms MADMAN and GLADIATOR as instances. Mr. Dayton did not deny that these terms had been applied to Mr. Harper. He only asked why that gentleman should take them to himself? Mr. Harper answered that the application of the terms, though not direct, was so made as to be perfectly well understood, and he went on to observe that he had been not only called a Gladiator and a Madman by the gentleman from Jersey, but had also been accused of INDECENCY in referring to Holland and Spain while the ministers of those countries were present. "It is not said Mr. Harper, among the least of that gentleman's inconsistencies that he should accuse others of indecency at the very moment when he was committing it himself. But does he really imagine that the freedom of discussion in this house is to be trampled by the presence of Foreign ministers! Does he seriously suppose that the mouths of members are to be stopped, on topics which they deem relevant and important, because those gentlemen think fit to come and sit in the lobby? If so I can only pity his weakness and his ignorance." [The above communicated.]

Mr. N. SMITH thought members had been more desirous of addressing the people out of doors, than of confining themselves to the subject in debate. He insisted that to express a hope that the President would do a certain thing was to coerce him to it. He denied the constitutional right to do this.—He charged gentlemen with founding their arguments on a warring in the departments of Government; it was his opinion that government could not go on except there was an union of design amongst the different parts of it. One branch of the Gov. ought not to say to the other, you have done wrong, but full faith should be given to each. The answer to the speech of the President should not introduce any new matter, by way of advice, but respond only such sentiments as were addressed to them. He was against offering the advice proposed, because it was saying to France and the world, "we fear our President will not do right, except we direct him." It was said the President met with difficulty in his Negotiations, which was owing to the slanders which had been spread in France, viz. that the Executive was ALL ENGLISH, and the People ALL FRENCH. On this account the French looked upon the Executive with a jealous eye. If the committee thought these things groundless they should assure the French, that the President is LESS ENGLISH, and they LESS FRENCH than have been represented by expressing their confidence in him. But it was said they should give their ultimatum; but that if the amendment passed, he said, would not be the case, because the President would make what ultimatum he judged proper.

He had no doubt that the President would do all that was wished by them to conciliate the French. He did not know but he would do more; nor was he certain it would not be proper to more than had yet been contemplated. He did not know but it would be necessary to deal with France as with Algiers; such questions were questions of expediency, and the ultimatum should be given with care. It was difficult to say what the desires of the French were; he apprehended they wanted to involve us by degrees in a war with her enemy.

Mr. BALDWIN wished, since they must return an answer, that it should be done in the least mischievous way. He believed the majority of the committee was in favor of the principle of the amendment, and differed only about the manner of expressing it. The treaty of 1778 had long been considered as bearing hard upon the French, and propositions had been made for relaxing it, but they had been refused by our Executive. This conduct the House were called upon to approve; but they chose rather, by means of the amendment, to say "you have done right hitherto, but, rather than hazard the peace of the country, we wish France to be put upon the same footing with other nations."

Mr. SEWELL corrected the statement of the gentleman last up, by insinuating that our Executive had entered into a negotiation, and done all in their power to form a new treaty, and that it was entirely owing to the French minister that it was not completed.—Mr. S. complained of the remarks which had fallen from the speaker. If gentlemen were deemed in order by the chair, he did not

think that gentleman was authorized, when out of that situation, to pass his censures upon them. Although the agents of foreign countries were present, he said, they were not to be prevented by this circumstance from expressing their sentiments freely.

Mr. BAKER was not surprised that the gentleman just sat down was displeased with the amendment. He had told the committee, on a former occasion, that he had no hopes of reconciliation; he stated that we had nothing to hope but from our own unanimity, and from the combination of foreign nations with us against the aggressions of the French. He did not therefore address himself to that gentleman, but to those who did not entertain so despicable an opinion of the French nation; to those who believe the irritation subsisting between the two countries might be put a stop to. To them he recommended the amendment as a conciliatory measure. He then examined the different objections which had been urged against it; and insisted upon the right the House had at all times to express their difference of opinion from the other branches of government, since the government was made up of checks.—He also advocated the right that they had to offer an opinion to the Executive upon important occasions, especially in a case in the event of which war might be involved.

Mr. W. SMITH said the doctrine of checks held, as it respected laws, which were passed by the three branches of government; but had nothing to do with business that belonged only to one or two of the branches; for instance, that House had no right to check the President in duties which the constitution has reposed in him. But the gentleman from New Jersey had introduced a new check—a check on the freedom of speech, when particular characters were present. He did not expect to have heard any such observation, particularly from the quarter from whence it came.

Mr. DAYTON wished the gentleman to state what he had said fairly. Mr. D. repeated his expression.

Mr. W. SMITH said members were not to be called to account for what fell from them on that floor, and he hoped a remark of that kind would never again be made. He was not at a loss to know the motive for all the anxiety which appeared for the passing of this amendment. The French had never asked for what was proposed to be granted them; he would undertake to say they had refused it. Mr. S. shewed by the correspondence between Mr. Randolph and Mr. Adet, that there had been a perfect willingness on the part of our executive to make alterations in the existing treaty with that nation agreeably to their wishes, and that it was not owing to any thing on our part that it was not done.

All that could be said for the present amendment, was, that it was left had than the one negated, as there was not a single word in this which altered the sense from the other. He repeated the propriety of making a stipulation for the payment of our twelve millions of loss by spoils, which if the French were not able to pay in money, they might pay in ships of war and frigates. He did not wish France to be put upon the same footing with other countries, because they were stipulations in some of our treaties, which he should not like to see in a French treaty; for instance, in our treaty with Sweden, there was an article which had produced great inconvenience. He meant the embargo article. There was an article also in the treaty with Spain, which, though it may not be injurious as it relates to that country, he should be sorry to see it inserted in a French treaty. By the 16th article of that treaty, the Spaniards were allowed to take great liberties with our vessels: when their ships of war, in want of provisions, met any of our vessels, they are allowed to take out of them such necessaries as they stand in need of, for which they give a receipt, to be paid by their government agents. This liberty he should not like to have given to French vessels, that they might take provisions from our vessels, in exchange for a bit of paper. There was also an article in our treaty with Algiers, in the 12th, which he would not have inserted in a French treaty, viz. "that a citizen found on board an American vessel, having no passport, shall be considered as a lawful prize."

It was very extraordinary that gentlemen were continually calling the British treaty a bad one, and still they wished the French to be put upon the same footing with the British. He would rather give them an equivalent in some other way. The gentleman from Pennsylvania had wished the committee to rally round the standard of peace (by which he meant the amendment before them.) This put him in mind of the story of a recruiting sergeant, who was beating up for recruits when the prince of Wales was a little boy, who seeing some boys playing at marbles, in order to seduce them, said that they would have nothing to do but to play at marbles with the Prince. He doubted not every member in that committee wished for peace; but he trusted they had too much discernment thus to be taken in.

Mr. GALLATIN said, one of the observations made by the gentleman last up, he could not assent to; he did not believe they were all desirous of peace; for, if he must express his opinion, he did not believe that gentleman wished for peace. Mr. C. drew this conclusion from the variety of contradictory objections which he had urged against the amendment. To prove that our Executive wished to have remedied the grievances complained of in the British treaty; he had read letters which passed between the French minister and the secretary of state, in July, 1795.

These letters were written before the British treaty was ratified by the President, and therefore it was not possible they could treat upon the articles contained in that treaty, especially as the powers given to Mr. Adet were given to him before the British treaty was known. The transaction only shewed, therefore, that our Executive was well disposed, at a certain period, to enter into a new commercial treaty with France, more reciprocal than that of 1778. But the offer to treat

was made—with whom? with a man who had no power to treat, and he had not heard that the Executive had sent over to France any person empowered to treat with that government.

But it was said this amendment was big with danger, as it would give to France certain provisions granted in treaties, with other powers, which it is not desirable she should have. An article in the Swedish treaty was mentioned, but gentlemen should recollect that this was an article of reciprocity; we have the same right in a Swedish port that Sweden have in ours; and as we had heard great complaints about embargoes upon our vessels in French ports, if an article of this sort was agreed upon, it would be of great advantage to us. The next objectionable article was one in the Spanish treaty, allowing ships of war in distress to take out provisions from our vessels, on giving a receipt. This, Mr. G. said, was allowed by the law of nations, if there had been no provision of the kind in the treaty, that only provided the manner of paying for what was taken. As to the treaty with Algiers he could see no connection between that and the treaties in question; yet, even in that treaty, free bottoms were allowed to make free goods. Besides, Mr. G. observed, this article was to be sent to our Executive, who knew very well what was meant by the expressions used in the amendment. He charged gentlemen with endeavouring to raise the prejudice of members with respect to the treaty question, in order to get them to rally round the standard of opposition to the amendment. He apologized for having to expressly charged the gentleman from S. Carolina with not wishing for peace, but did not mean to retract the expression.

Mr. W. SMITH said, he wished to relieve the gentleman from the uneasiness he seemed to feel from having made a direct charge against him; but he would tell him, that he did not believe (though he had said so) that if the French were not satisfied with the terms offered in this amendment, he would be willing to go to war. And now he tho't the account set out between them.

Mr. COIT said, that having brought forward a motion similar in its spirit to the one under consideration, which had not been seconded, and intending to vote against the present, it became necessary to give his reasons. He did not think it the same thing. The difference, it was true, was not very great, but it was so great as to induce him not to give his vote for it. It consisted, we believe, in this—in Mr. C's amendment, the words were "on grounds as favorable," and in Mr. Dayton's, "on grounds similar to." But he thought the expression ambiguous.

The question, on Mr. Dayton's amendment, was put and carried, there being for it 52, against it 47.

The committee rose, and had leave to sit again. Adjourned.

The Gazette.

PHILADELPHIA,
THURSDAY EVENING, JUNE 1, 1797.

The persons nominated by the President of the United States, as Envoys to the French Republic, are

- Gen. CHARLES C. PINCKNEY, of South Carolina,
- FRANCIS DANA, Chief Justice of Massachusetts, and
- Gen. JOHN MARSHALL, of Virginia.

THE APOLOGISTS in a certain Assembly, while they hunt up every possible circumstance and resort to a thousand contemptible quibbles to justify the conduct of France and her outrageous piracies, have the audacity to say that there is no such thing existing as FRENCH INFLUENCE. They remind us of SIR PRETUL PLAGIARY, in the CRITIC, who gets into a violent passion to convince his hearers that he is in a very good humor, and not at all ruffled by the criticisms on his works.

GAZETTE MARINE LIST.

PORT OF PHILADELPHIA.
ARRIVED.

- Schooner Weymouth, Guthrie, Norfolk, 4
 - Sloop Driver, Paddock, N. York, 2
 - Sally, Johnson, Baltimore, 10
- CLEARED.
- Schr. Triton, Howard, St. Thomas, Harriet, Sweetser, ditto
 - Sloop Jane, Brown, Baltimore,

A ship is below, name unknown. The vessels arrived last evening came into the capes on Monday, and saw nothing of The Pandour.

Commodore Barney's two frigates were lying at Crany Island on Saturday last.—The Resolution of 74, and Assistance of 50 guns, were at anchor without the capes of Virginia, and the Andromeda, l'Esperance, and Lynx, lay in Hampton roads the same day.

NEW-YORK, MAY 31.
ARRIVED. DAYS

- Ship Neptune, Miller, Calcutta, 193

Capt. Chace from New York, bound to St. Thomas' was spoke May 12, lat. 32, long. 69, six days out—Ship Sylvanus from New York for Bristol, was spoke May 10; Skinner, King, Poll, Sands, and Helseran of New York spoke by Capt. Holland, arrived at Bolton from Bourdeaux.

NORFOLK, May 23.
ARRIVED. DAYS

- Ship Rebecca, Cortan, London 48

St. Andrew's Society.

AT a quarterly meeting of the St. Andrew's Society, held at the Golden Swan, last evening, the following gentlemen were unanimously elected members thereof:

- Lord Henry Stewart,
- The Honorable Thomas M. Donald,
- Mr. William Alexander,
- Capt. Duncanson Rose,
- Mr. James Thorburn,
- Mr. James Stuart, jun.
- Mr. William Gardner,
- Mr. Samuel Campbell, of N. Y.

The treasurer, Mr. Shields, presented to the meeting the statement of the funds of the society; whereupon, it was Resolved, that he be requested to continue his strenuous exertions to collect in the arrears due to the poor fund, and to make report of his success therein at the next quarterly meeting.
Richard Lake, Secretary.

BOSTON, May 26.
On Friday evening, came to town by the way of New York, captain APPLETON, of the schooner Cynthia of this port, lately captured by the French, carried into, and condemned at St. Martins. On falling in with the plundering privateer, three or four of her expert seaboards, were sent on board, who, without enquiring the destination of the vessel, proceeded to break open the chests in the cabin, seizing, with an infernal voracity, upon every thing valuable. Capt. A. begged them to respect the property of the vessel had been fairly adjudged a prize, observing, that by the conduct they were then using, they rifled governments always exacted, before committing plundering privateers: But Pharoah's heart was as full as spring snow to the hearts of these Marauders. They proceeded with their pillaging. The whole of the time which the prize master had possession of the vessel at sea, captain A. was obliged to lodge upon deck, exposed to frequent rains and disagreeable varying winds, and when a murmur escaped his lips at this brutal usage, he suffered under the cowardly blows of these power-proof pirates. After arriving at St. Martins, he was driven on shore without a change of clothing, or any means of procuring sustenance: His application for some relief from his property was treated with the most imperious insolence; oaths and threats of assassination were the mildest treatment he experienced. The vessel's papers were sent to Guadaloupe, and in a few days an order of condemnation was returned; without the least opportunity being afforded capt. A. for defending his property, or knowing the form of trial. It is to the humanity of capt. ROUSELL of Marblehead, that capt. A. was enabled again to reach his native country.

THE FOLLOWING VALUABLE Tracts of Land,

IN the county of Glynn and state of Georgia, will be sold by public sale, at eight o'clock on the evening of Tuesday the 27th day of June next, at the Merchants Coffee-House in this city, unless previously disposed of by private sale, 7th 7000 acres on St. Simons Sound at the confluence of French and Turle rivers, adjoining the commons of the town of Brunswick, originally granted to John Howell, and within 6 miles of the Atlantic ocean.

- 2d. 25,000 acres on the head waters of a branch of the great Satilla, originally granted to Ferdinand O'Neal.
- 3d. 50,000 acres on the waters of the little Satilla river, and of Buffalo and Alexanders Creeks; the great Satilla road passes through these lands, which were originally granted to Ferdinand O'Neal.
- 4th. 50,000 acres on the great Satilla river, which are also intersected by a branch of the little Satilla, and were originally granted to Thomas Spalding.

It appears by authentic certificates from Thomas Davis, surveyor, and from Major Hopkins now residing in Philadelphia, that the body of these lands are not thirty miles from the ocean, and principally within tide water; that the Altamaha is navigable for boats and rafts two hundred miles above, and for large vessels within ten miles of them; that they are chiefly first rate pine lands, producing timber equal in quality to any in the state of Georgia, possessing the same advantages of navigation. The above mentioned certificates, together with the patents, drafts, and other papers respecting the title, which is complete and unincumbered, are in the possession of the subscribers and may be seen by applying to Benjamin R. Morgan, at No. 5, South 4th Street. The terms of payment will be one third cash, the remaining two thirds in good negotiable endors'd notes, payable in three and six months after the sale; a conveyance to be made to each purchaser on the payment of that moiety of the notes received from him which becomes first due.

THOMAS FITZIMONS,
JEREMIAH PARKER,
BENJAMIN R. MORGAN.

Philadelphia, May 31, 1797. coltd.

NOTICE.

THE subscriber having sent by the ship Nancy, Capt. Perry, the following certificates of the United States bank stock, to wit:

- No. 26,025, to 26,014, inclusive, for three shares each—and the said vessel having been captured on her intended voyage to England, which will most probably occasion the loss of the said certificates, gives this public notice,

That he shall apply at the proper offices for a renewal of them; and that means have been taken to prevent any improper transfer.

Henry Philips,
No. 112, South Front-street.
June 1. 3566w

To be disposed of, The time of a black Woman,

WHO has five years and eight months to serve—She is lately from the country, is healthy and strong, a good washer and ironer, and capable of doing all the work of a large family. The present proprietor's motive for parting with her, is such as cannot be deemed an objection by those persons who may wish to purchase her. Enquire at the office of the Gazette of the United States, No. 119, Chestnut-street.
June 1. dtf

LAILSON'S CIRCUS,

South Fifth-Street.

The Performances at the NEW CIRCUS THIS EVENING, June 1, Will begin by a Grand Parade of Equestrian Performers of both sexes.

A grand display of Horfemanship, By Messrs. McDonald, Herman, C. Vandoe'do, Nicholas Currie, M. Donald, the Clown, and Lailson.

Still Vaulting by Mr. Lailson, in which he will execute several difficult exercises, which have never been attempted but by himself.

Mr. SULLY, in the character of Clown, will perform a variety of Comic Feats.

Mr. LAILSON will perform several curious and astonishing exercises, which he will not undertake to enumerate, in order to surprize the spectator; his aim being to please—and nothing shall be neglected to render the exercises worthy the attention of the amateurs of this new art.

BOERHALVS will leap over a table of a very great height and also through a large hoghead, with his rider on his back.

Miss Venice will perform several astonishing feats which has never been attempted but by herself.

At the request of a number of respectable strangers, will be pyffected for the last time, a grand historical pantomime in three acts, called The American Heroine.

The doors will be opened at half past five o'clock, and the performances begin precisely at seven.