

Mr. Fenno,

The apologists for the unprovoked aggressions of the French government, both in and out of Congress, have repelled the charge of French influence in this country, by loudly calling for proofs. If the existence of the facts were to be settled by the kind of evidence required in our courts of law, it might be difficult to substantiate the charge; but as the world has not yet become incredulous as to reject presumptive evidence however strong, I trust it will be easy to show, that these modest apologists, have for once reckoned without their host.

To effect my purpose, it is essential in the first place, that the numerous acts of injustice on the part of France towards this country, should be faithfully and impartially brought into view—they are as follow.

She has endeavored by appealing to our passions to obtain our assistance in promoting her plans of aggrandisement—she has armed our citizens against nations with whom we were at peace—she has erected tribunals within our territory to decide on causes only cognizable by our courts—she has repeatedly violated our neutrality—she has refused to pay for supplies furnished by our merchants in pursuance of solemn contracts made with her agents—she has converted her West-India islands into asylums for pirates, more to be dreaded than the Barbary rovers—she has endangered the very existence of the Southern States, by arming the slaves in those islands against their masters—she has let loose those slaves now become robbers, on our helpless commerce—she has attempted to influence our elections and separate the people from their government—she has by her ministers insulted and calumniated the constituted authorities of the United States—she has permitted the ships or vessels belonging to certain characters who prefer her interest to the interest of their own country, to pass unmolested—whilst the property of persons of a contrary description has been captured and condemned without the formality of a trial—she has imprisoned our seamen, and subjected them to the pains of death for acts over which they could have no control—she has left no means untried short of force, to induce other nations to accede to her system of distrelling us—she has evinced her hostile disposition to this country by resorting to unfounded and ridiculous complaints—and that the measure of her injustice might be full to the brim, she has dismissed our worthy minister with every possible mark of indignity, and declared that she will receive none until the United States have redressed their grievances!

Reader! if you are not British Debtor; if you enjoy no position under the French government;—if your vessels sail without certificates of your submission to French mandates;—if you are not interested in the innumerable contracts for supplying their islands with provisions and receiving the stolen property of your injured fellow citizens in payment;—if you are no fugitive from justice;—if you are neither bankrupt in fame or in fortune;—if you have never cheated your creditors by fraudulent conveyances;—if you have never willingly overdrawn your bankers or correspondents;—if you have never embezzled the public moneys;—but, if on the contrary, you are just and an American by birth and in sentiment, tell me, if the conduct of those persons who are daily palliating, and justifying the long catalogue of insults as before recited, does not produce full conviction in your mind; that they act under FRENCH INFLUENCE. You will say perhaps that you are unacquainted with such monsters, because you do not associate with the enemies of your country, and that your avocations prevent you from attending to the debates in Congress—If so, permit me to call your attention to the following extracts from a lengthy and turgid libel on the judiciary of the United States published in Mr. Baché's paper of the 5th instant, and signed SAM. I. CABELL, in which, speaking of the French nation he says—"I look with a friendly eye on their faults, but I admire their heroism and military prowess—still if that nation or any other on earth, shall invade the independence and freedom of my country, I shall view the attempt as an independent American." Reader! mark well the candor and patriotism of this consistent and patriotic American, the unjustifiable and wicked conduct of the French towards our nation is by him softened down to mere faults—which faults he regards with a friendly eye although they are direct attacks upon our dearest rights. But left you might under a wrong impression, be led to suppose, that there is but one man in the United States, who regards the wrongs done to his country with indifference or rather satisfaction—I recommend to your perusal, the speeches of those members of Congress, who in order to sacrifice at the shrine of the Directory, the claims of their plundered fellow citizens to compensation, attempted to get rid of Mr. KITTERA's proposition by means of the previous question.

JUSTICE.

COMMUNICATION.

Mr. Fenno,

I consider myself bound in justice to Mr. SMITH of SOUTH CAROLINA to contradict the false statement, in *Baché's* paper of yesterday, of his observations concerning the presence of Foreign Ministers in Congress. I was present through the whole of the debate and can therefore attest the following to be a true account of the matter:

Mr. DAYTON, the Speaker, had censured Mr. HARPER, (Mr. Smith's colleague) for making certain observations respecting Foreign nations in the presence of their Representatives. Mr. Smith in answer animadverted on Mr. Dayton for expressions which tended to restrict the privileges of the members. He did not justify or condemn any thing his colleague had said, "but wished merely to vindicate the rights of the house, which he thought attacked by Mr. Dayton's censure." Mr. Smith said that no member ought to feel himself restrained from expressing his opinions freely and disclosing such sentiments as he thought pertinent to the debate, on account of the presence of any foreign minister, that while the member was in order, and so allowed to be by the Chair, the presence of a foreign minister ought to have no influence whatever on him, and that a contrary idea would be repugnant to the protection afforded the members by the constitution, which declared "that they should not be questioned in any other place for any

speech or debate in the house." Mr. Smith I aver did not employ the coarse language ascribed to him by *Baché's* correspondent; he only said, in polite terms, that, "While the members were solemnly deliberating on the great affairs of the nation they should consider themselves as entirely among themselves, and not as addressing their observations to the bystanders, that the house did not invite the audience nor foreign ministers to hear their debates, and that if they attended and heard unpleasant things, the members were surely not to blame; he should be sorry for his part that any foreign ministers should be in that disagreeable predicament, but it nevertheless ought not to check any member from freely delivering their sentiments, which, in his opinion the good of his country required."

As I was, along with many others near me, much pleased with these many and patriotic sentiments, so proper to be inculcated at this critical period, and could not see without disgust, the impertinent reflections of some meddling Foreigner (the evident writer of the piece in question) I have pleasure in paying my tribute of gratitude and justice to an independent member whose exertions for the good of his country were sure to be rewarded with the execrations of its Enemies. A FRIEND TO TRUTH.

CONGRESS.

HOUSE OF REPRESENTATIVES.

THURSDAY, May 24.

Conclusion of Mr. GALLATIN'S Speech on the Amendment proposed by Mr. NICHOLAS.

Gentlemen in this discussion have taken a very wide scope indeed, and the gentleman from South Carolina in particular, who is usually very cool, had indulged himself in a poetical flight; he had indeed forgot himself and launched into assertions for which there was not the least foundation—speaking of the conduct of the several French ministers, he had described Genet as making an appeal to the people, Fauchet as fomenting an insurrection, and Adet as insulting the secretary; the particular point he meant to notice was the fomenting an insurrection;—he was willing to allow that his constituents on that occasion had not behaved well; but it must be in the recollection of many gentlemen in that house, that the common cry and charge against them at the time was, that they were going to join the British, and even the letter of Fauchet himself declares it to be the case; it is true he would not place much reliance on that man who could write on a subject one day and sign a certificate to the contrary another; but he believed he was right in saying it was a poetical flight just made to round a period, he had found poetical occupations for his first and last personage, and it was necessary to find some business for this middle person: indeed this was rendered certain, for he had never heard of but one other authority for the flight, for it was never before asserted but by one PHOENIX and William Willcocks.

The gentleman has with the spirit of a legislator almost as sublime as his poetical character, told us that he should prefer carrying the question with only a majority of one or a casting vote, than not at all; a majority of what, of the representatives of the people; thus then it appears that this gentleman who is at turns recommending unanimity, and the union of the people, is indifferent about an equal division; content with the unanimity of the government—so the Senate and Executive agree with a majority carried only by one, the gentleman cares not if the remaining half of the representatives, and their constituents differ upon the question to be decided—we see then who it is that really wishes to divide the government from the people.

But he hoped that such adverse opinions would not prevail in that house, they were baleful to the very happiness of the country and the due credit of the government, he hoped that a great majority would be found unanimous in refusing the rashness that would drive us to a war; he hoped that there would not be found one man, UNLESS IT WAS THOSE WHO WERE EAGER AFTER POWER OR MONEY, who anticipated in the desolations of war, the realization of riches by plunder, either as agents, contractors, or one or other of those train of wretches, that hover like vultures in rear of battles—then none but such as these would be found eager to involve us in calamities which were too grievous to be yet forgotten among us, and too terrible to be encountered but in the last extremity.

Whatever may be our determination, he said rash or weak men should not divert us from our sober purposes, in the pursuit of measures calculated for accommodation and peace.—We could not be too speedy in our decisions; the events on the other side of the Atlantic, are so rapid, as not to be within our reach or control, we do not know the events which have already taken place; and he would not rely on the generosity of any nation, in particular circumstances; and there is no knowing the extent to which success might lead men, under a mistaken impression of injury; we ought to lose no time; the haughtiness of France has overwhelmed nearly all Europe on land.—What she may do next we know not; whether she is just or unjust, we should at least not lose time in negotiation—and we ought the more readily to do this, because there is no man in America, of what party he may be, who will not resist, if resistance is required; therefore while the conflict is doubtful, we should determine our affairs, and as the amendment appears to furnish the only grounds upon which negotiation is at all likely to be attended with the necessary effect of securing peace and independence, that ought to be preferred.

The amendment had been opposed on various other grounds, and among the most curious was that of the gentleman from S. Carolina (W. Smith)—he says, either we

have or we have not granted a favor to England in the provision article; and his inferences are, if we have not, France cannot complain; but if we have, since she has by her decree of the 2d March last taken the same advantages to herself, she has no right to complain; thus, according to that gentleman's logic, we have done France the kindest favors, whether we meant it or not; he would just observe, and the committee would not forget it, that this sort of argument did not belong to the supporters of the amendment.—we say France has no right to assume those immunities, we do not allow it; we say by virtue of the 2d article of our treaty with France she cannot insist on it;—but supposing we should agree in the gentleman's style, and say either we are resolved to be attached to Great-Britain or we are not, if we were such arguments might be very properly used to cement that union, but if we are not, in the name of common sense why object to the amendment. We who propose the amendment say the British treaty exists, it is the law of the land, and we insist upon keeping it; we confess we have said it was a bad one, and so we say still, but we will not therefore go beyond it with you France, we shall agree to make you equal, but no more. The gentleman appeared to coincide in one particular, that was in their opinion of the British treaty; they felt so sensibly alive to it that they dreaded even to touch it, and yet they insisted that it was universally popular, and that its popularity increased in proportion as it became more known; he would leave gentlemen unmolested in the solacing indulgence of that idea as long as they could persuade themselves into such a phantasy; but he would just suggest to gentlemen, that there did not appear to him a likelihood of its gaining a considerable share of popularity on the western frontier when the memorial of the Spanish minister shall have found its way into that part of the United States.

It has been several times asserted, that all we can say or do on the affairs with France will be now perfectly useless, for she is determined to go to war with us at all events, and various reasons are assigned for this, among others that she is resolved to make us break the British treaty, and to overturn the British trade;—gentlemen might have sufficient authority for these reasonings—and they might not;—indeed he would not argue it with them on this occasion; he would suppose it possible that France would sacrifice her interests with us to injure that trade which is the vital support of Britain, and commence a war with us on that account—but if such is really the opinion of gentlemen, ought it not to be the first and most pressing motive with us to adopt measures likely to extricate us from such difficulties; but do gentlemen believe the fact? Do they, who give the President even more credit than he asks on so many occasions, doubt him on this—or have they better means of information on this subject—if they have, why has he not been made acquainted with it? But he still thinks we may negotiate, and consequently certainties no immediate apprehension of a war; this sentiment is expressed in his speech, and it even makes a part of the report, and consequently those who support that part of the answer, cannot with propriety oppose the same thing in the amendment.

It is also charged against the amendment that it concedes every thing and asserts nothing; now the impression which the amendment made on him, was that if any thing, it took higher ground; we all agree as to an insult being given in the dismissal of our minister, and in the amendment, while we leave open the ground for negotiation proposed by the President, we declare that a repetition of insult will put an end to every friendly relation—and after all, this firm language is said to be degrading.

Mr. W. SMITH begged leave to offer a short reply, he had been accused of indulging a poetical flight, but the gentleman who accused him appeared himself in that particular to have been indulging a poetic license; he had talked of concession as if France had not spoiled; we are not about to conclude a treaty of concession, but to enter on negotiation for a treaty of stipulations for equivalents; if we are to usurp the treaty-making power in this house, he hoped we would not forget to do something for America—as to the poetical flight, he appealed to the recollection of gentlemen who had read Fauchet's letter wherein he pathetically deplores the failure of the Western insurrection by a too early explosion. The gentleman says he is not disposed to make any concession, but is it not evident that force exists; does this not invite hostility, if we say we must concede; do we not admit by this what France seeks, and if she obtains one article of the British treaty by threats, may we not expect to hear her demand all the other articles by similar means—and the repeal of the law of 1794, and all her other insulting demands. The gentleman had made another extraordinary discovery, that the President seeks our advice, he denied it; he gives us a narrative of the state of the Union, and he tells us he means to pursue negotiation, he calls us to defend your country against external attacks, and to be prepared to repel them; but here we work whole days in discussing business that does not belong to us; and perhaps in this great revolutionary change of constitution while we are thus employed the Senate may be doing our duty and debating the means of defence.

Conclusion of the Debate on Mr. KITTERA'S Amendment. FRIDAY, June 2.

[Mr. HARPER was not surprised that the gentleman last up should have so far wandered from the subject; nobody who knew him would be surprised. From what he had said, he should have thought the motion before the house had been a call upon the secretary of state for papers. The reason why the papers the gentleman mentioned were not before them was, they had not been asked for.

He looked with contempt upon what the gentleman had said about the practice of country courts; he thought it indicative of his want of sense and good manners.

Mr. KUTNER wished to make an observation, which though not strictly in order, he trusted he should be permitted to make, as it was in reference to what had fallen from the gentleman last up.

The SPEAKER said he could not be permitted to proceed with remarks not in order.

Mr. W. SMITH supposed that as the gentleman from Maryland had been permitted to make his observations, a reply to them ought to be allowed.

The SPEAKER said the remark of the gentleman from S. Carolina was equally out of order. (He read the rule.) The gentleman having set out with saying what he should offer would not be in order, it was his duty to stop him. He should ask leave of the house for him to proceed. Leave was asked and given.

Mr. RUTLEDGE observed, the gentleman had frequently called for documents with respect to spoiliations. The gentleman could not have read the documents on the table, without seeing major Mountflorencé's papers on that subject, which not only confirmed the taking of vessels, but also the refusal of an old law requiring the protection of seamen to be counter-signed by the officers of government.—He should vote against the previous question; but he was for lessening the evil as much as he could, which was a common course taken in passing of bills. If the amendment was adopted, he should vote for the whole.

Mr. S. SMITH answered that he had noticed the documents which had been mentioned, when he was up the other day.

Mr. CRAIK thought there was no necessity for farther proof of the spoiliations committed upon our commerce by the French than they had before them. He thought it right that the stipulation in favor of our citizens should be added, and that the attempt to get rid of it by the previous question was unfair, as a refusal to consider the subject would amount to a justification of the spoiliations, and to a denial of the right of our citizens to satisfaction. He denied that there was any danger of a war in consequence of the French refusing to make the satisfaction here mentioned; nor could he conceive gentlemen need to be alarmed for the loss of the amendment proposed.

Mr. NICHOLAS said, it was his wish to offer France the concession already agreed upon, for the sake of peace, and at the same time to convince them that they had nothing to expect from any party in this country (which it appears they had been led to believe) in support of any unjustifiable claim. The amendment which had been agreed to, he thought well calculated to produce this effect; as it declared what these Frenchmen (as they had been stigmatized) were willing to do; but now gentlemen came forward and wished to tack another proposition to this, viz. that compensation shall be made for spoiliations committed upon our citizens.

It was not doubted that this was a proper subject of negotiation; but when they saw the zeal which was shown by the executive in favor of our own claims, they did not suppose these would be forgotten; but they did think it possible from the complexion of the speech of the President, and the reported answer to it, that it was possible the concessions which they had introduced might not be attended to. They wished, therefore, as they believed the peace of the country depended upon it, to express their wishes on that subject; but if the subject of spoiliations was introduced in the way proposed, it would be to say, "we will have satisfaction for spoiliations, or we will not treat;" for said he, it is either a *sine qua non*, or it is not; if it were, he apprehended war would be the consequence; if it were not, it could not be of any use, but would destroy the claims of the merchants. He denied that gentlemen averse to this proposition were averse to obtaining redress for the merchants; their object was peace, and they did not wish to clog the negotiation with anything which might prevent a continuance of blessings to our country.—Mr. N. defended himself and those who voted with him from the charge of being friends of France. He believed they could challenge gentlemen on the other side to show that they had more reason to be attached to this country than they, he thought their fortunes were as stable and their domestic comforts as great as were those of other gentlemen.

Mr. N. was proceeding on this subject, but was called to order.

[The part included by brackets should have followed immediately after the observations of Mr. Smith, of Maryland, in yesterday's paper.]

Mr. DANA said he was perfectly satisfied with the vote which he had given on the proposition for placing France on the same footing with other nations; he notwithstanding acknowledged the obligation he was under to those gentlemen who seemed to express solicitude at the dilemma in which they supposed those who voted for that question were now placed. However the solicitude of gentlemen on this account was misplaced as to himself, as he did not wish to evade a vote upon the main question. He should therefore vote against the previous question.

It had been said that if the proposition now proposed to be introduced was carried, it would be either pledging the house to go to war, or amount to a relinquishment of the claims of our merchants. If he thought it would pledge them to go to war, if not acceded to, he should be against it. The question having been brought up, if no decision was had upon it, it might be supposed that the house did not consider that any injury had been done to our neutral rights. In case we were disposed to go to war—if this hope was not complied with, we should go on to state, we should proceed to act accordingly against France. To suppose the expressing of the hope in the way proposed would be offensive to France, was perfectly

humiliating. France, said he, has violated our neutral rights, and he hoped she would at least pay our merchants the amount of their losses; and he would have expressed this hope, if the former amendment had not been agreed to; it was saying no more than that he hoped the French would be honest.

Mr. W. SMITH thought it his duty, as representing a large commercial city, to express his sentiments on this occasion. He denied that the construction put upon the proposed amendment by Mr. Gallatin was a just one; it meant no more, he said, than to express a hope that the French would have a disposition to make the injuries done to our neutral rights a subject of negotiation. They had often been told of the justice and magnanimity of the French nation (he believed by that gentleman); and he trusted they would not be so unjust, so atrocious, as, because we express a hope that they will do this, to make war upon us.

Mr. GALLATIN interrupted Mr. S. to say that he had never made use of such sentiments; he had never spoke of the French making war upon us. He never said the expressing a hope would be an ultimatum. He made two propositions of the question (which he explained as before.) He never said any thing either about the justice or magnanimity of the French nation.

Mr. W. SMITH said he would not interrupt the gentleman, because he expected he would confirm what he had asserted. Mr. S. said he was first endeavoring to show how far it would operate with respect to France; because, if that nation was so great and just as she was reported to be, there would be no danger of war on her part; and he was going to show how far war was likely to take place on our part.—In order to support his argument, the gentleman must show that we pledged ourselves to go to war. There was no such thing, and he denied that any such idea existed. No gentleman objected to negotiate; nay, it was known that a nomination had taken place above stairs of negotiators.

They were now, Mr. S. said, doing the business of the other departments of government; but, as it had been so determined, they must consider themselves as in their situation. He therefore supposed that House as forming a council to the President. He supposed that the President might be in the chair, and they were advising him how to act. He asked their opinion. In the first place, said he, we answer, you must concede to France the article respecting free ships, &c. Other gentlemen say, that is not all, you must speak of spoiliations. They sit down, and begin to draw the articles of instruction for the negotiator. They first mention the concession with respect to the British treaty; but say other gentlemen, you must add a hope that payment will be made for spoiliations; but they answer, no; you must not ask France for this, that would be an ultimatum.—This, said Mr. S. would be our situation. He denied however that such a proposition was any more than expressing a hope that the spoiliations would become a feature in the negotiation.

Gentlemen asked why triumph in their dilemma. There was no doubt, they were in one; they confessed it. And why? Because they did not wish to make this claim. Why did not they wish it? It was difficult to say; but they might conjecture, and he believed it was, that to agree to such a proposition, would be to say that there had been injuries done to this country by France.—Do they wish to hold up an idea that France is justified in their spoiliations? Do they think the conduct of our Executive has been such as to provoke them? He hoped not; though the conduct of some gentlemen seemed to imply it. It would be easy to show that this was not the case; and he had to doubt that when our commissioners came to make a candid explanation of that conduct to the French government, there would be a disposition on the part of France to make reparation.

But the gentleman from Maryland said there was not many regular captures; that the vessels taken were mostly going to rebel ports; if so, they would be the easier compensated.

Gentlemen allowed that the first part of the proposition was what it ought to be; but it was improper to say any thing about spoiliations. By this it appeared as if that house intended to entrust the Executive.—Gentlemen say if you demand compensation for spoiliations, it will involve a war; yet they expect the Executive to make a demand on this head. Did not this hold out an idea that the House was for peace, and the Executive for war? He believed, though this was not expressly said, it had all along been intimated. We will usurp the right of making a peace-proposition; but we will throw the obloquy of the war proposition upon the Executive. We will hold out the olive branch; but the Executive shall brandish the sword!

Mr. S. referred to the measures of sequestration and a prohibition of commercial intercourse which were proposed when British spoiliations were complained of; but now, he said, they were not to express a hope for redress.

With respect to the fear of war, Mr. S. asked if France were to send an agent to make a requisition upon them, if the same arguments as were now used would not apply? Suppose, for instance, they should want five millions of dollars, and if not paid within a certain time war would be made upon us.—It might be said, why shall we go to war about this? One campaign would cost more than all this. Would not such language as this, encourage them to make a requisition upon us? If they discovered our utter want of spirit to resent wrongs, they might carry on a mockery of a negotiation, and in the mean time let loose their cruisers upon our commerce. In countries where the French have armies, said Mr. S. they can do all this and more. They say you must raise us so many millions of money, and such a quantity of supplies by such a day; you must do this, or take the consequence.