in his letter of the 18th March to the Engl voys, declared that treaty to be " the principal grievance of the Republic." But now instead of breaking that treaty, France de fires, to be put on the fame footing. This the United States would at any time have done, and the Envoys were now explicitly in-flructed to do: and feven months before, all the Envoys, in their conversation with Mr. Bellamy (Y) the confidential and authorized agent of the French minister, told him "that he might be affured that their powers were fuch as authorized them to place France on equal ground with England, in any respects in which an inequality might be supposed to exist at present between them, to the disad-

vantage of France."

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The Secretary also mentioned the claims of the American citizens on the French Republic : he faid if the latter should be unable to pay them, when adjusted, and the United States would affume and pay them, France would reimburfe the amount thereof. This has the femblance of candor: but on the 4th of March, when the Envoys were in conference with Mr. Talleyrand, and they difclof-ed their principal instructions, "General Pinckney and Mr. Gerry told him they were politively forbidden to affume the debts to our own citizens, even if we were to pay the money directly to them." And doubtless it was, because the proposition was already known to be inadmissible that it was now re-

The Secretary and Mr. Gerry had alfo fome un-important conversation about the Confular Convention. And it is plain that the whole object of the Secretary's vifit was to amuse, by keeping alive Mr. Gerry's hopes of some pacific arrangements.

On the 26th of May, Mr. Gerry had a

conference with the minister; pressing on this, as on former occasions, the necessity of fending a minister to the United States, with powers to negotiate; to which, he fays, the minister acceded; but afterwards explained himself to mean a minister to reside there

after the ratification of the talked-of treaty.

Such are the proceedings of the French government, by its minister, Mr. Talleyrand, before the arrival of the printed difpatches of the Envoys. We discover nothing but a proposition for treating with Mr. Gerry alone—which he had repeatedly declared to be impossible and on terms which Mr Gerry himself, as well as the other Envoys, had long before pronounced to be utterly in-admissible, because directly repugnant to their instructions. We shall now see, by an examination of Mr. Gerry's subsequent com-munications, that the publication of the Envoy's dispatches, far from causing a discontinuance of negotiations with him, or any change in the difpolition of the French government more unfriendly to the United States incomparably greater zeal for negotiating was exhibited afterwards than before.

On the 30th of May, the minister announces to Mr. Gerry the publication of the Envoy's dispatches. In his letter of the 27th of June, he fays this incident only "for a moment fulpended the principal object" the negotiation with Mr. Gerry: and in his letter of June 10th, he declares, that "the French Government, Superior to all the perfonalities, to all the manœuvres of its ene mies, perseveres in the intention of concili ating with fincerity all the differences which have happened between the two countries. On the 11th of June the minister sends him a plan for conducting the negotiation; for the first time states the "three points" on which he says "all negotiations between France and the United States must effentially rest;" and " gives (what he calls) a large ing him to remain at Paris, to accelerate the negotiation—" the drawing together of those ties which the French Republic and the true Americans have regretted to see relaxed."

On the 27th of June, the Minister again writes to Mr. Gerry, and in language the most importunate, such as had never before been used, urges him not to withdraw, " when the French Government, superior to all refentments, and never liftening to any thing but justice, manifests itself anxious to conclude a folid and mutually fatisfactory agreement." The Minister even observes that the first of the "three points" mentioned in his preceding letter (respecting amicable declarations about mutual recriminations) might be postponed—that the third (about the confular convention) would doubtlefs experience no difficulty on either fide, after the fecond should be amicably settled. That it was to the second therefore, they should first attend; it being fo much the more important, as it embraced the fource of all the differences between the two nations. And on the 22d of July, the Minister renounces all de-mands of "loans and explanations on the fubject of speeches;" and even affects to be hurt that Mr. Gerry should have mentioned them: although both he and his private agents had, before, fo long and fo obstinately persevered in demanding them of the Envoys, as the indiffentable preliminaries to a nego tiation. And doubtlefs, it is partly owing to the publication of their dispatches, thereby exposing to the world those shamelefs demands, with the scandalous proposition of the douceur, that they are now relinquished.

In adducing these circumstances to shew the increased zeal of the French Government, fince the publication of the dispatches, to negotiate on its differences with the United States, it is not to be understood, that they afford a shadow of evidence of its fincerity. But as professions, verbal or written, furnished the only ground on which Mr. Gerry could form his opinion, that "before the arrival of the dispatches of the Envoys, the Minister was fincere and anxious to obtain a reconciliation," much more, profefficus stronger and more importunate, afterwards made, afford proportionably higher evidence of finerity. But the prefent details demonstrate that all those professions were merely oftenfible. In the Minister's last mentioned letter, after faying that his " fecond point" was most important, " as it embraced the source of all the differences," and that to this they should first attend—he purposely forgets it, passes it over, and fends

Mr. Gerry a note on the Consular Convention of all possible subjects in difference the most ofignificant; as it would have expired by its own limitation in two years and a half; within which time, the commerce of France, judging from its present state of annihilation, would probably not furnish a fingle ship to visit the ports of the United States. In his next letter, dated July 6th, he purfues his speculations on the Consular Convention, and fends Mr. Gerry two more notes upon it, complaining that he had not transmitted to him his opinion upon his first note, and recommending the two last to his attention; although Mr. Gerry had repeatedly and post tively declined a formal discussion, fuch a the Minister now urged in writing. Gerry states also, that this first note of the Minister on the Confular Convention, wa ent to him fix weeks after he had demanded his paffport, and when his baggage was actually on board the Sophia!

In a word, the more clearly the impeffibi

lity of entering on a formal negociation appeared, the more was it pressed by the French Minister. Mr. Gerry, in his letter to Mr. Talleyrand of July 20th, as juftly as pointedly exposes the boasted zeal of the Minister M. You was the first, you affirm, to prefferroughy the negociation: you will agree with me that the merit would have been greater, had the measure itself been feasible." Again he fays to the Minister, "You fre nently remind me of your exertions [to ne-ourte] which I am disposed as much as posble to appreciate, regretting at the fame time their circuitous direction."

From this detail of facts, the following are the necessary conclusions,

That by the exclusive attentions of the Minister to Mr. Gerry, the French Govern-ment intended to excite the jealousy of his colleagues, to promote diffentions between hem, to separate him from them, and induce him to remain in France; expecting either to seduce him into a formal negociation of a treaty, on terms exclusively advan-tageous to France, and injurious and disho-norable to the United States; or, failing in his, to hold the United States in suspense, and prevent any measures for our securityn the event war; while we, amused and eluded by warm but empty professions of the pacific views and withes of France, and by informal conferences," might wait in spiitless torpor, hoping for a peaceful result:

That by this course of proceeding—this oftentations display of zeal to adjust differences, and restore harmony and a friendly ntercourse between the United States and France, the French Government intended, n case of a rupture, to throw the blame on

It is necessary to make a few observations on the decree of the Executive Directory of

the 31st July 1798.

This decree was fent after Mr. Gerry to Havre, and he supposes that the official impediments, which for several days prevented his failing, are to be afcribed to the minifter's defire of fonding the decree by him. The minifter introduces it as "a part of the measures which he had announced to Mr. Gerry on the 22d of July." In his letter of that date to Mr. Gerry, the minister fays, "By information which the government has just received, it indeed learns that vioences have been committed upon the comhe West Indies, and on their coasts. Do t the juffice to believe that it needs only to know the facts, to disavow all acts contrary A remedy is prevaring for it, and orders will 1796, he states, "That the tribunals on arrive in the West-Indies, calculated to rause every thing to return within its just amits." This "remedy" is the decree of

the 31ft of July.

1. The first article of this decree confines. to the special agents of the Directory, the right of issuing commissions to cruifers; and equires thefe to conform themselves to all he laws relative to cruifing and prizes, and specially to those of the 1st of October 1793. Although the injunction to conform to all the laws of the Republic relative to cruifing was ominous, as the laws most recently promulgated and best known were themselves the sources of the depredations and evils of which we complained; yet not imagining that a decree introduced with formuch folemnity, of which one copy was fent to Mr. Gerry, another to the American Conful General at Paris, and a third to Mr. Letombe, late Conful General of France all to be communicated to the Executive of the United States, and all of which have been received—could be a mere parade f words, I was disposed to conclude that the law of the 1st of October 1793, to which all crusters were especially enjoined to confirm, might contain regulations that would afford some relief from French depredations. by the favour of Mr. Letombe, I obtained copy of that law; and to my aftonishment ound its object, conformably to its title was "To determine the mode of dividing prizes made by French veffels on the enemies of the Republic." And the only redriction, is this lengthy law of fix-and-forty articles, imposed on the individuals, officers and all others, composing the crews of their armed vessels is, "that they shall not sell beforehand their eventual shares of prizes."

2. The fecond article declares that all commissions granted by the agents in the French colonies in America, to fit out ves-sels for cruiters, or for war and commerce, shall be void in thirty days after the publication of the decree in those colonies.

It has been supposed that by this regulation the agents may gather a fresh harvest of fees for new commiffions; and that this would be its only effect. The agents how-ever had before taken care of this; they had been accultomed to limit the duration of privateer's commissions; and if they con

Que determine le mode de Repartition des priles faites par les vaisseaux Français sur les en-nemis de la Rèpublique."

tinued to craile after their expiration, fuch | f allies and neutrals. Tailey privateers should have been considered as rand, in one of his letters before notif they made any captures, as pirates: -but information as having been "just received."

the agents knew their interest better: they But what has been more notorious than but, declaring luch captors to have no title to the captured vessels and cargoes, took the whole to themselves. A remarkable initance occurred in the last year, in the case of the East-India ship New. Jersey, belonging to Philadelphia, to redeem which, the owners have paid to GENERAL HEDOUVILLE, Special Agent of the Executive Directory in St. Domingo, upwards of two hundred thousand dollars in cash Whether any, and what portion of such prize money goes into the chest of the Republic, I am not in-

3. The third article declares that all a. gents and other deputies in the neutral paffessions, appointed to decide there on the va-lidity of prizes taken by the French cruifers, and who shall be suspected of having a diret or indirect interest in the cruifers, shall

be immediately recalled.

It is remarkable that this article, apparently defigned to correct the monstrous a buse of public officers sitting in judgment in their own causes, should be limited to such of the agents and their deputies as were appointed to relide in NEUTRAL places. lo not known that an instance of the kind exists. For although the French privateers and their prizes find afylums in the Swedish and Danish islands, yet the papers are carried thence to Guadalonpe, and there the captured veffels receive their dia ports of Spain and Holland, do not there receive fentence: these cases are de-cided by the agent or his deputies, or other French tribunals, established in the island of St. Domingo, frequently, if not generally, in the absence of the masters and supercargoes. The French agents and judges find no difficulty in this mode of proceeding; justice being administered with more facility and dispatch when only one of the parties is mpliedly allows; the penalty of " recall" peing applicable, as above fuggefied, to fuch agents only as relide in neutral places, if any fuch there be.

proof of the justice of the French governeven France itself, as in her remote possesions. This too many of our citizens well know. For captures and condemnations are not the less abuses, becauses made under the color of municipal laws and decrees which directly violate treaties, the law of nations, and the plainest principles of justice. At present I shall only mention, that in a report made by major Mountsforence, chancellor of the American consulate at Paris, to General Pinckness in December 1 and the french ports, unless carried in by force. After this recital, before the Council of to General Pinckney, in December 1796, and which was laid before Congress in May posed of merchants, and most of them are, directly or indirectly, more or less interested in the fitting out of privateers; and therefore are often concerned in the controversies they are to determine upon."

diously to take care, that the interests and acquired by the consistation of the ships of property of veffels, belonging to neutrals and allies, be ferupuloufly respected.

We have too long witnessed the studious and serupulous care of these gentlemen rethe fame abuses.

5. The fifth article enjoins the Special Agents of the Executive Directory, Confuls and all others invested with powers for that purpose, to cause to be arrested and punished all who shall contravene the provi these Special Agents, Consuls, and their Deputies, are themselves the aggressors, and justify their proceedings under the laws of the Republic and the Decrees of the Executive Directory.

This analysis of the present Decree mani felts its futility; and, with fome remarks on its preamble, will demonstrate it to be a bold imposture; intended to missead the citizens of the United States into a belief that the French government was going to put an end to the depredations of French cruifers on American commerce; while the means proposed are so gross as to be an infult on our understandings.

The Preamble to the Decree fets forth. " that information, recently received from the French colonies and the continent of A. merica, leaves no room to doubt that French cruisers or fach as call themselves French, have infringed the laws of the Republic rehave infringed the laws of the Republic re-lative to cruifing and prizes;" and "that foreigners and pirates have abused the lati-tude allowed at Cayenne and the West-India islands, to vessels fitted out for cruising or for war and commerce, in order to cover with the French flag their extortions and the violation of the respect due to the law of nations, and to the perfous and property

destitute of commissions, and consequently if dated the 22d of July last, I eaks of this

But what has been more notorious than loofe Decree of the Executive Directory p fled the second of July, 1796, declaring that " the flag of the French Republic will treat neutral veffels, either as to confifcation to scarches, or to capture, in the same man-ner as they shall suffer the English to treat

This decree committed the whole commerce of neutrals, in the first instance, to the rapacity of French privateers, and then to the discretion of their Agents, Confuls and Tribunals. These had only to say, truly or falfely, that the English treated neutrals n any given way, and then they were to treat them in the same manner. Accordingly we have feen Santhonax and Raimond, Commissioners of the French Government in

St. Domingo, in their adjudication of, an American vessel, on the 10th of January, 1797, declare, "That the refolution (or decree) passed by the Executive Directory. on the 2d of July, 1796, prescribes to all the armed vessels of the Republic, and the armed vessels belonging to individuals to treat neutral vessels in the same manner as they suffer the English to treat them; 2° and "that it is in confequence of the above resolution of the Executive Directory, and in configurate of the manner in which the English government in the Antilles treats neutral vessels; English por's, to be legal prize." From these facts, and the tenor of the decree itfelf, we can form but one conclusion, That it was framed in such indefinite terms, on pur-pose to give scope for arbitrary constructions and consequently for unlimited oppression and vexa-

But without waiting for this decree, the Commissioners of the French government at St. Domingo began their piracies on the commerce of the United States: and in Fepresent at the trial; especially when the agents or other judges are interested in the privateers; and this the present decree impliedly allows; the penalty of "recall" rectory of the 5th of June) "That having found and the strain of the letter appeared in the official journal of the Executive Directory of the 5th of June) "That having found and the strain of the found no resource in finance, and knowing the unfriendly dispositions of the Americans, and to avoid perishing in distress, they had It is also remarkable, that this decree, armed for cruizing; and that already 87 which was to give the United States a cruizers were at fea; and that for three proof of the justice of the French government (a government, Mr. Talleyrand lays suffice,") and of its desire of a reconciliation with the United States, should be limited to the West-Indies, when as great, if (fay they) the shocking conduct of the Americans, and the Indirect knowledge of the intentions of our government, made it our intentions of our government, made it our duty to order reprifals, even before we had received the official notice of the decree." "They felicitate themselves that American vessels were daily taken; & declare that they had learnt, by divers persons from the continent, that the Americans were persidious,

After this recital, before the Council of 500, Pastoret makes the following rem

kable reflections : commerce in every port of France, take cognizance, in the first instance, of every matter relative to captures at sea;" and "these tribunals (he adds) are chiefly commorals and of laws, commit crimes without shame and without remorfe, and applaud themselves for their robberies, as Paulus E-milius or Cato would have praised themselves for an eminent fervice rendered to their country. Cruifers armed against a friendly 4. The fourth article requires the special ogents of the Executive Directory at Cayenne, St. Domingo, and Guadaloupe, stuhas not taken a fingle veffel of ours! Riches. a people to whom we are united by treaties. and whom no declaration of war had feparated from us!" "The whole discourse of and ferupulous care of these gentlemen re-specting the property of neutrals and al-lies, and experienced its ruinous consequen-buy, I seize: I make myself amends for the property which I want, by the piracy which enriches me: and then I flander those whom I have pillaged." This is robbethem, we can expect only a continuance of inthonax, one of these "robbers," and the chief of those Directorial agents, continued in office, and going a few months afterwards from Saint Domingo to France was received as a member into one of the Legislative

Pattoret alsoadverts to a letter from Mer-in, then Minister of Justice, and now a nember of the Executive Directory, Mr. Skipwith, Conful General of the United States, which also appeared in the Journal of the Directory; and quotes the following passage: "Let your Government break the inconceivable treaty which it concluded on the 19th of November 1794, with our most implacable enemics; and immediately the French Republic will cease to apply in its own favour the regulations in that y in its own favour the regulations in that treaty, which favour England to the injury of France; and I warrant you that we shall not fee an appeal to those regulations, in any tribunal, to support unjust pretentions."

"Have I (says Pastoret) read this rightly?

Unjust Pretentions! Could it be possible that they should thus have been characterized by the Minister who is himself their agent and defender."

After all, this " inconceivable British Treaty," was itself but a prelext to countenance the "unjust pretentions," as Merlin himself calls them, used by the French government in its tribunals, for the purpose of condeming American vessels. The details I have already given prove it. I beg leave toadduce other evidence. It is the tellimony of Mr. Barlow, an American by birth, but for

fi veral years past a citizen of France, a man eknowledged diferement and taleats, de with her leading men. Mr. Barlow has long refided at Paris, and cannot have mildid not punish the piratical captors—they did not declare their captures void, and recially on American commerce, in violation nor the motives of its conduct. Mr. Bartore the property to the neutral owners—of treaties and the law of nations? These low's letter dated at Paris the first of March have been coeval with the existing war in 1798, to his brother in-law, Mr. Baldwin, Europe; but were multiplied under the has doomed the writer to infany; yet when it describes the principles and conduct of the French republic, it merits attention. He fays, " that act of fubmiffion to the British government, commonly called JAY's treaty, is usually considered, both by its riends and enemies, as the fole cause, or at least the great cause of the present hostile disposition of the French republic towards the United States. This opinion (fays he) is erroneous." He then proceeds to an enumeration of a variety of matters which he fays have influenced the conduct of France. But the most provoking, and the most unpardonable of all the offences of the United States against France, was, fortunately, not an act of the government, but an act of the people. The freemen of the United States, "the true Americans," dared to exercise their independent rights, and contrary to the wishes of the French government, and the states of the free government and the wishes of the French government and the states. ment and the endeavors and practices of its Minister Adet, elected Mr. Adams to the office of President. Mr. Barlow's o' fervations on this event further develope the character and the principles of that govern-ment. He lays, "when the election of Mr. ADAMS was announced here, it duced the order of the 2d of March, " which was useant to be little thost of a declaration of war : " " the government here was dedoom under the superintendance of another special agent of the Executive Directory, Victor of the 7th of January, by which they declare all neutral vessels bound to or from sing in the only nerve in which it was presented that the commission passed their resolution termined to prece you or your property of the 7th of January, by which they declare all neutral vessels bound to or from sing in the only nerve in which it was presented. fumed your fensib lity lay, which was your pecuniary interest." And what was this "feeling" to produce? The aufwer is obvious—Suhmission to the will of the French government. The mystery of French politics is here unveiled. The United States did not fubmit: Hence the non-reception of her Envoys, and their haughty treatment : Hence the infulting demands of tribute as a preliminary even to their reception; and hence the expulsion of two of them from

But to return to the Decree of the Executive Directory of the 31st of July laft,

I have already shewn that the mass of de predations on the commerce of the United States, under the French flag, of which we fo justly complain, are not those committed, as the Directory in their preamble infinuate, by "foreigners and pirates" but by French armed vessels commissioned by the Government or its agents; or whether commissioned or not, whose acts in capturing American vessels receive the fanction of French confuls, of French Tribunals, and of the Special Agents of the Directory. I have the that the laws of France and the Directorial Decrees, are themselves the sources of those violations of treaties and the law f nations, which have caused such immense And fo the proofs already offered, that the information of fuch aggressions and acoses, particularly in the West-Indies, and on the coast of America, was not, as the preamble fuggests, but "recently received," I may add, that their "fpecial agents" authorized those depredations and violations of the law of naons, by decrees assuming the laws of the epublic, or the acts of the Executive Directory for their bases—by decrees printed and published, and undoubtedly from time to time reported by those agents to the Directory itself. Further, these outrages on the American commerce have for years past been the theme of every tongue, and filled columes in our newspapers; those newspapers which Mr. Barlow says, "the office of foreign Affairs (at Paris) regularly receives." I will conclude this point with the testimony of Mr. Letombe, late Consul-General of the French republic, and still residing in Philadelphia. He has long since, and repeatedly affured me, that he collected all those depredations and outrages committed by French privateers, and transmit-

ted them to his government at Paris.

In relation to the depredations and outrages committed by the French on the commerce of the United States, I have said that as great, if not as numerous abuses were practised by the French in Europe, and even in France itself, as in her remote possessions: and that this fact was but too well known to our citizens, who had felt feverely their effects. Among these we have seen the case of the ship Hare, captain Hayley; but never in all its disgusting seatures. With this I will close my observations on the preamble of the directorial decree of the 31st July.

Extract of a letter from Rufus King Esq.

Minister of the United States in London ated September 3, 1798 to the Secretary of state of the United States.

"The pretence for this arreté [the Decree of the Directory of July 31it] is of a piece with the vindication of Talleyrand respect-X. Y., and Z. and the justice and finceri-of the Directory should be ascertained, not y their word, but by the following coto

" Hayley, an American citizen, mafter of the American ship Hare, lying in the port of London, laden with a rich cargo, the pro-perty of Americans, and bound to New-York, went with my passport from London to Paris, where, in a personal interview, not with the agents of the minister of marine, but with the Minister bimself, he disclosed his plan of bringing the ship Hare and her argo into France; and to enable him to reeive the profits of the fraud, without risk-

* It will be recollected that this is the Decree of the Executive Directory, ordering the copture and cendermation of American vehicles not having a Role of Equipage—that fruitful fource of plunder to Frenchmen, and of ruin to American citzens; and which also declared all American seamen, making a part of the crew of enemies ships, even when put on hoard them by force, to be Firster, and directed them to be treated as such it.

[For the remainder fee the Supplement.]

^{*&}quot; DECREE de la Convention Nationale In 1. 8 bre 1793. l'an 2d de la Republique Fran-