

Foreign Affairs.

The British Packet Queen Charlotte, Capt. Fergie, arrived at New-York on Thursday last in 38 days from Falmouth, she brought London papers to the 9th of January.

VIENNA, November 25.

THERE is no more talk of peace—our court is resolved to sacrifice every thing rather than yield to France; besides the 20 battalions which are already marching, further orders have been given for 110,000 men. This immense army will require 15,000 horses for the transport of the ammunitions and provisions, and 30,000 men to conduct the waggons, to follow the magazines, &c. The Hungarian army of 72,000 men are already on their march, and are arrived in the environs of Vienna. The Archduke Palatine commands them in person. The Diet of Ratisbon has now given its consent to the triple quota to be furnished by the different States of the Roman Empire. The Elector of Bavaria has already furnished his contingent, which is to rendezvous at Donauwert, and from thence to march straight to Mannheim.

A courier, which arrived on the 26th of November from England, brought very important dispatches relative to the mediation between Austria and France, which England has taken upon herself.

Dec. 15. We have accounts that the Porte is arming against Russia.

MENTZ, Dec. 15.

General Culture has declared this city to be in a state of siege, and has retired to it with 42,000 men, who are determined to defend it to the last. The Prussians and Hessians, with the King and the Landgrave at the head of about 70,000 men, are surrounding us close, with a formidable train of artillery. Our garrison has made a sortie, in which the Prussians lost 15 men and two cannons.

BERLIN, Dec. 15.

Warlike preparations go on here with the utmost alacrity, and every arrangement is making for a most vigorous campaign, to be entered upon as early next spring as possible.

HANOVER, Dec. 17.

The Regency of this Electorate have received orders from his Britannic majesty, our elector, to dispatch for the army which is to be formed in the Empire the contingency of this electorate.

BRUSSELS, Dec. 15.

We have just learned that the day before yesterday an action took place between the French and the Austrians posted on the Heights of Verviers. The battle was supported with great valor on both sides, till the imperialists were obliged to give way, leaving Rechen and Herve to the French, and retiring to the woods of Aix-la-Chapelle.—We expect further details.

PARIS, December 23.

NATIONAL CONVENTION.

WEDNESDAY, December 26.

TRIAL OF LOUIS XVI.

It having been decided on Tuesday, in consequence of a request from the Commandant General of Paris, that the unfortunate Louis should be brought to the bar the next morning, at 9 o'clock, the sitting of Wednesday commenced at that hour.

Within a few minutes afterwards, the President said, "I announce to the Assembly that Louis and his defenders are ready to appear at the bar. I forbid the members or the Spectators to shew any signs of censure or approbation. Louis then appeared at the bar, accompanied by M. M. Lamignon Malherbes, Tronchet, de Seze, the Mayor of Paris, and the Commandant of the National Guards.

The President said, Louis the Convention has decreed, that you should be definitively heard to-day.

Louis. "My Counsel will read to you my defence."

M. de Seze then read for some hours the defence, of which the substance is here given, as exactly as we can collect it, though the whole could by no means be contained within the limits of a newspaper. It began thus:

"Citizen Representatives of the Nation, the moment is then arrived, in which Louis, accused in the name of the French people, and surrounded by the Counsel which humanity and the law have given him, is about to deliver his justification. Even the silence with which we are surrounded, informs me, that the day of justice has succeeded to the day of presumption and pre-judgment. The misfortunes of Kings have something much more affecting and more sacred than those of other men; and he who once occupied the most brilliant Throne in the universe, ought to excite the most powerful interests. You have called him into the midst of you, and he is come, with calmness, with dignity, strong in his innocence, supported by the testimony of a whole life. He has discovered to you such to be his thoughts, by discussing, without preparation, without examination, charges which he could not foresee, and offering an extemporary defence. Louis could only tell you of his innocence; I come to prove it. Would that this circle could increase till the whole multitude of citizens, who have received a dreadful impression against him, could be contained in it, that they might form a different opinion. Louis knows that Europe expects, with impatience, the judgment which you shall give; he knows, that posterity will, one day, investigate it; but he considers only his contemporaries. Like him we forget posterity, and see only the present moment."

M. de Seze then said, that the question might be considered in two points of view, either with respect to Louis before or after

his acceptance of the Constitution. The Nation, he admitted, was the Sovereign, and was free to give itself what form of government it pleased; but the Nation itself could not exercise its own Sovereignty, and must, therefore, delegate it. In 1789 the Nation chose a monarchical government, and decreed the inviolability of its chief. He then shewed that the forfeiture of the throne was the only punishment to which the King, according to the Constitution, could be subject; and that it was only for the crimes committed after this destitution, that he could be tried, like other citizens. Either the crimes of which Louis was accused, were held crimes by the Constitutional Act, and of course, if proved, were to be punished according to that Act, or they were not to be found in it; and were, therefore, not to be punished at all.

He would, however, admit, for argument's sake, that the crimes were all proved, and all mentioned in the Constitutional Act. What then was the punishment? The abdication of the Throne. But it might be said, that the nation had already abolished the Throne, so that there was no further punishment of Louis; were new laws to be made, applicable only to one man, and formed since the accusation itself?

If, however, Louis was to be deprived of his inviolability as a King, he must then, of course, have the right of being judged like a Citizen, and in that case, where were the preservative forms of trial decreed for citizens by the law? Where were the Jurors, those hostages for the lives and honor of Citizens? Where was the proportion of suffrages which the law had so wisely established? Where that silent ballot which included within the same urn, the opinion and conscience of the Judge? "I speak to you," said M. de Seze, "with the freedom of a free man; I search among you for Judges, and I see only Accusers; you would give judgment upon Louis, and you have accused him; you would try him, and you have already expressed your will."

As to the charge of having wished to dissolve the National Assembly. Was it forgotten that Louis had convoked it? Was it forgotten that during 150 years Princes, more jealous of their authority, had constantly refused that convocation? Was it forgotten, that but for Louis—but for the numerous sacrifices to which he had consented, the audience could not then be sitting to deliberate upon the interests of the State?

He would not then speak of the Memoir in which Tallien was said to have the care of producing a Counter Revolution intrusted in part to him; but even upon an ordinary trial, could it be permitted, that papers taken from a citizen, without an inventory and unsealed, by the invasion of his house, should be produced in the evidence against him? In some of these papers mention was made of money which had been expended; but even if it was denied that this expence was for purposes of benevolence, could it be forgotten how easily Kings were circumvented and deceived? The plan of a letter to La Fayette and Mirabeau was spoken of, but this letter had not been sent; and as to the letter of thanks to Bouille, the Constituent Assembly itself had voted thanks to that officer. But the words were still to be uttered which would immediately overthrow the whole series of accusations—they were these: "Subsequent to all these circumstances, Louis accepted the Constitution. The Constitution was the pact of alliance between the People and the King—there was no longer any contention—the pact was forgotten. What had been done subsequent to this acceptance was now to be examined.

"The Constitution had not ordered the guarantee of the King for the Ministers; but, on the contrary had commanded the responsibility of the Ministers for the King; and even if the Constitution was forgotten, the King and his Ministers could not be both accused for the same acts. Louis had been accused of delaying the execution of the decree relative to Avignon—the Minister Deslefort had been accused of the same thing. Louis had been accused of not communicating intelligence of the Treaty of Pilnitz; but was not that the province of the Minister, even if it had been a public instead of a secret transaction? He had been reproached with the troubles of Nimes, Jales, and other places; but was the King to be answerable for all the troubles of a great Revolution? The account given by Narbonne was laid to the charge of Louis; but had not the National Assembly itself declared, that Narbonne carried with him the regrets and the confidence of the Nation? the surrender of Longwy and Verdun were imputed to him; but were not the inhabitants of these places the guilty persons? And who had appointed the Commander of Verdun, who chose rather to die than to yield?—Was it not Louis?"

M. de Seze pursued his speech with much perspicuity, contending and shewing, that either Louis had no knowledge of the circumstances with which he was charged, or that they were not criminal; or that he could not be held responsible for them; or that, if responsible, the punishment could not justly, or even lawfully be greater than the deposition.

With respect to the affair of the 10th of August, he argued, that the King had made no preparation for the defence of his own Palace; that the constitutional magistrates were with him, and that one of those read the article of the law which authorized the opposition of force to force; that when he was invited to the Assembly, he went there, and that the battle did not commence till an hour afterwards. It had been said by many deputies in the Convention, that they had assisted in producing the events of that day: If then, they had been premeditated, how could Louis be accused of them? Louis, who had never given a sanguinary order; who, at Varennes, chose rather to return a captive than to expose the

life of one man; who, on the 20th of June, refused every fort of defence, and chose rather to remain alone in the midst of his people?—Louis, of whom history would be heard to say, that during a reign of twenty years he had borne only an example of moderation justice & economy? who had abolished servitude in his domains; who, when the people wished for liberty, gave it to them?

There was here some murmur; but the Counsel went through several other articles of the accusatory act, which it is less material to notice here, and admonished the Convention that history would judge their judgment.

At the conclusion of the speech Louis rose and said, "Citizens, the means of my defence have been just exposed to you; I shall not refuse them. In speaking to you, perhaps, for the last time, I declare that my conscience reproaches me with nothing. My defenders have said only the truth."

"My heart is torn when I perceive myself suspected of having wished to shed the blood of the people, and especially of being the author of what passed on the 10th of August. I avow, that the multiplied proofs of my love for the people seem to me sufficient to remove me from this charge, and prove, that I have not feared to expose myself that blood might be saved."

The President presenting a note to Louis, asked him if he knew the writing?

Louis—No.

President—Do you recollect these five keys?

Louis—I cannot immediately recollect them: I know I returned some to Thierry when I was at the Convent of the Feuillans, but cannot positively say that these are the same.

President—Have you nothing else to say in your defence?

Louis—No.

President—You may withdraw.

Louis and his Counsel withdrew.

The Assembly remained silent some minutes, when Manuel addressed them as follows:

"Citizens, I require Louis's defence to be deposited in the Court as well as his accusation, and that it, as well as every other proceeding, should be printed, distributed in less than 24 hours to the members of the Assembly, and sent to the different departments. I move likewise, that we adjourn this business for three days."

Genisseux and Thuriot, demanded that the defence of Louis should be signed by him and his Counsel.—Decreed.

Dabem—It is the practice of every tribunal, after having the defence of the accused, to pass immediate judgment. I demand that the nominal appeal shall be immediately taken on this question: Shall Louis suffer death, or shall he not? (Loud applause from the Tribunes.)

The President desired silence.

It was proposed that Louis should be immediately conducted back to the Temple.—Decreed.

Bazire.—I demand that judgment should be passed on Louis before we adjourn. (Loud clapping from the galleries.)

Lanjuinais.—I rise to oppose the motion of Bazire. The time of cruelty is passed; says he, no longer let decrees be forced from us. Is it wished that we should deliberate without having had time to consider the defence? Is it wished that Louis the last should be judged by the conspirators of the famous day of the 10th of August?

(The mountain uttered dreadful cries, and required that the Speaker should be sent to the Abbaye prison.)

Lanjuinais insisted that the members of the Convention could not be at the same time accusers and dispensers of the law. He demanded the report of the decree, which declares that Louis shall be judged by the Convention; and that they should confine themselves to taking proper precautions till they should decree by what tribunal Louis should be judged.

The trial was interrupted by a letter from the defenders of Louis XVIII, in which they observed, that the speech pronounced in favor of the Prince, digested in haste, and filled up in different parts with scratches and alterations, ought not to be considered as the copy of that which should be made public. The Counsel therefore demanded a fight of the proofs before it was published, which was accordingly granted.

Lecointre demanded an arrest of judgment for three days.

Dubem wished it to be settled without adjourning. (Loud applause from the tribunes.)

We are judges, and not hangmen, exclaims Kersaint, give us time to examine. (Hisses.)

The President put the vote of adjournment.

Loud cries from the inhabitants of the Mountain, the cut-throats of the Convention who surrounded the chair, reproved and threatened the President. The galleries joined them.

Julien reproached the President for having held a conversation with Malherbes, and he proposed that he should quit the chair. The President was enabled after some difficulty to explain and justify himself. He offered to give up the chair to Barrere.

In the midst of this confusion, a deputy exclaimed, we wish the destruction of the tyrant of the country, but at the same time we are not willing to be surprised. Another exclaimed, that it had been moved in the Parliament of England, whether an ambassador should be sent to influence the consultations of the Convention.

The Convention, says Ducos, ought no more to attend to the ravings of Burke, than to the manifestos of the Duke of Brunswick.

At length Couthon proposed a decree, which was adopted almost unanimously, "That the discussion should remain open, and that all other business being laid aside, the Convention should entirely apply themselves to the affairs of Louis Capet, till sentence should be finally passed on him."

Amendments were proposed, and fresh tumults ensued. Petion wished to speak, but he was interrupted by cries. The liberty of speaking was however granted him by a decree.—

"We will not have Petion's opinion," exclaimed Bournot. The Bonaditti from the Mountain rose up; two hundred members on the left joined them, and the riot became general. President obtained silence, and desired Petion proceed.

This deputy, after complaining that it utterly impossible for him to approach the bunc without subjecting himself to the most probruous calumny, insisted that the decree adjournment should have no weight in prejudging the question.

Bazire pretended that Petion only confused the business.

The unhappy Louis delivered his few words with an air of the greatest sincerity and emotion shedding tears as he spoke. Himself and Counsel were heard very attentively.

COMMUNE OF PARIS.

December 26. Louis came down from the Tower at 1 past 9; he expressed some uneasiness with regard to the manner in which his counsel would be conveyed to the Convention. He then walked to the coach, and observed with great attention the detachment of cavalry of the militia school that had been formed since his confinement. When he was in the carriage, he took a part in the conversation, which had turned upon literature, and particularly on some La Fontaine authors. One of his attendants said, he did like Seneca, as his excessive love of riches contrasted too much with his pretended philosophy and that he could not be pardoned for having dared to palliate the crimes of Nero in the fests. This reflection did not appear to affect him. Speaking of Livy, Louis said, that he took great pleasure in composing long speeches, which certainly never had been pronounced but in a closet; that his style was very different from that of Tacitus.

When he was arrived in the room where I was to wait till he was introduced, he found his counsel, retired with them into a corner, and conversed with them in private till he was called to appear at the bar, and after his defence he returned into the same apartment where he had been received on his arrival.

He was very uneasy about his counsel D. Seze, who was in a state of perpiration—Louis asked if there was no possibility of procuring him a change of linen, observing that he had spoken more than two hours.

On his return in the mayor's coach, he was as calm and serene as if he had been in a very common situation. As he passed before the place where formerly stood the barracks of the French guards, he remarked with astonishment the superb house that is now erected on the ground.

He said in pleasantry to the secretaire Gresse who had his hat on in the carriage, "the last time you came you had forgot your hat; you have been careful to-day."

The procurator of the commune finding himself a little indisposed, the conversation turned on the hospitals of Paris. Louis made some reflections on the expences of those houses, and on the different plans which had been formed concerning them; he carried his observation further, and expressed a wish that there was or in each section.

The secretaire seemed to be concerned for his fellow-citizens who formed the guard round the carriage, and who were walking in the mud and having saluted some of his acquaintances Louis said to him, "Are those citizens of your section?"—"No, they are some of the members of the general council of the 10th of August whom I see with pleasure."

The mayor holding his snuff-box in his hand he asked him for it, to examine his wife's picture; we observed that she was much handsomer than her picture. Louis desired to look at it. He took the box, and said smiling, that the mayor was a happy man to possess something better than the picture. He enquired of what department was the mayor, and how long he had been married. On his passage some cries were heard *Fermez les fenestres*. Louis said *C'est abominable*. Chaumet informed him that it was a measure of safety the general council had taken. "I thought," said Louis, "they cried *vive la Fayette*, which would be folly."

There were some cries of *a la Guillotine* which did not at all discompose him.

Louis arrived in his apartment about 3 in the afternoon.

Paris is at this time as calm as the present circumstances will admit of. The people are more occupied by the decree relative to the family of the Bourbons than with the fate of Louis.

CONGRESS.

HOUSE OF REPRESENTATIVES.

FRIDAY, February 22.

Mr. Heister, of the committee on enrolled bills, informed the House, that the two bills signed yesterday, have been laid before the President of the United States, for his approbation and signature.

A memorial was read from Arthur St. Clair, praying an adjustment and settlement of an account, presented by him to the late Board of Treasury—Referred to Mess. Fitzsimons, Thatcher and Hindmar.

A memorial from John Rofs was read, praying the settlement of an old account—Referred to Mess. Gerry, Huger and Tucker.

A bill, fixing the time for the next annual meeting of Congress, was twice read, and ordered to be engrossed for a third reading.

A bill, concerning bail process and costs of fees, in the Judicial Courts of the United States was twice read, and committed for Monday next—100 copies to be printed in the interim.

A memorial of Hugh Hughes was read, and referred to the Secretary of the Treasury.

A message from the President, by Mr. Lear, informed the House, that two bills, one in favor of Joseph Henderson, the other in favor of Thomas Wilhart, have received his approbation and signature.

A petition of Hannah Martin was read, praying the renewal of a lost certificate—laid on the table.