

Philadelphia, 13th August, 1795.

MR. PENRO,

MUCH has been said as to the part Mr. THOMAS PINCKNEY, the Minister from the United States resident with the court of London, had in the negotiations which ended in the Treaty of Amity, Commerce and Navigation with that court, lately ratified by a constitutional majority of the Senate of the United States; and the author of a paragraph in the Aurora of Tuesday undertakes to say that the reports of Mr. Pinckney's having approved the Treaty were calumnious to Mr. Pinckney and false.

The enclosed extracts, which are sent to you for publication, will serve to inform the public on this point, and will shew the author of the paragraph in the Aurora that he is mistaken.

I do not suppose that any person of common sense or the smallest information, will consider a Treaty, as good or bad because made or approved by this or that minister. The Instrument should certainly be weighed and judged of by its own intrinsic merits or defects. Nor do I believe that any Senator who voted for the Treaty did so in blind compliance with the opinion of any other man, however respectable the author of that opinion might be.

The integrity and true patriotism of Mr. Pinckney are above all suspicion. His great abilities, his thorough acquaintance with and his anxious attention to the interests of America will never be doubted by those who know him. What then will the opposers of the treaty say when they read the sentiments of a minister whom they profess to admire, who was on the spot, fully acquainted with the real situation of affairs, and the difficulties Mr. Jay had to encounter in the negotiation, and whose letter to the Secretary of State shews in the most plain and unequivocal terms the dreadful alternative A WAR, the United States must have encountered.

CAROLINIENSIS.

Extract of a Letter from Mr. JAY to the SECRETARY OF STATE, dated London, 19th November, 1794.

"I OUGHT not to omit mentioning the acknowledgements due from me to Mr. PINCKNEY, with whom I have every reason to be satisfied, and from whose advice and opinions I have derived light and advantage in the course of the negotiation. His approbation of the treaty gives me pleasure, not merely because his opinion corresponds with my own but also from the sentiments I entertain of his judgment and candor.

"My own opinion of the Treaty is apparent from my having signed it—I have no reason to believe or conjecture, that one more favorable to us is attainable."

Extract of a Letter from Thomas Pinckney, Minister Plenipotentiary to the Secretary of State, dated London, 16th November, 1794.

"Mr. Jay communicated freely with me on this subject during the course of the negotiation, and I have witnessed the great difficulties which have occurred in adjusting several of the articles. Although some points might have been arranged more beneficially for us if the Treaty had been dictated entirely by the United States, yet when it is considered as a composition of differences, where mutual complaints had rendered mutual concessions necessary to establish a good understanding, I think it may fairly be said that as little has been conceded by Mr. Jay, and as much obtained for the United States, as all circumstances considered, could be expected: the business, upon the whole, has been concluded more beneficially for us than I had any hope we could obtain by negotiation six months ago, and, in my opinion, places us in a more advantageous situation than we should have been by becoming parties to the war."

FREEMAN No. 2 To-morrow.

For the GAZETTE of the UNITED STATES.

THOSE who will attentively read a number of papers, published in the Daily Advertiser, under the title of "Features of Jay's Treaty," will discover in them the feeble arts of quibble and perversion, exerted to confuse and pervert a subject of importance, of which the writer himself appears to have a very superficial knowledge; and the weak attempt might pass unnoticed, if, in his 8th and last number, he had not boldly asserted some things untrue, that may injure our national character abroad. In this number he has been false and daring enough to represent "The great host of American people;" (I use his own words) as "rising in mass to condemn" the treaty. If there ever was a wilful misrepresentation; if there ever was a defamation of the American character, this is one, so unjust and wanton, that I am confident he is a foreigner, and insensible of the virtuous feelings of an American, for the reputation of this country.—What! are the sober citizens of the United States become at once so fickle, as to violate that constitution, which they glory in, and are happy under; and so ungrateful as suddenly, without cause, to admit a foul suspicion of the virtue and good-sense of men who had served them faithfully for many years; men who had put their lives and properties at stake, through the ordeal of an unequal war, to defend the liberties of the country; and men who have been elected by the free suffrages of their fellow-citizens to the most eminent stations of the commonwealth? No! I cannot believe either. These men have still our fullest confidence: and we are not ignorant—you know, Mr. Anonymous—for, if I am not much mistaken, you acted a distinguished part at the Philadelphia Town-Meeting: you know, that this kind of assemblies are neither the great body of the people, nor in any sense of words, their representatives. Although I do not suspect that you have candor enough to confess it, you nevertheless know, that a few bold and intemperate men, who undertake to speak, decide and resolve, for all that were present in the State-House Yard, supposed to be about 1500, were very ignorant of the sentiments even of that body. How arrogant

and disingenuous is it then in you, to attempt to palm on the world the rash resolves of a few men, taken amidst confusion and tumult, for an act of the free citizens of Pennsylvania; when, far ought that appears to the contrary, ninety-nine out of a hundred condemn the whole proceeding. And there is every reason to suppose that the sense of the inhabitants of all the other states, which have had any of these tumultuous gatherings, have been collected and communicated to the public in the same uncanid manner. A few men in some capital towns, unqualified and unasked, meet and form resolves; and then attempt to pass them off, as the sense of the American nation; and on a business which demands an universal, serious and mature reflection. I have read of the usurpation of tyrants, and they had their pleas of prescription and power; but this is the usurpation of demagogues, who, in a representative republic, like that of the United States, have no plea at all: nor can they have any object, except it be to destroy the constitution by the instrumentality of mobs.

In the name of liberty, publish; but publish the truth:—and if you have logic enough to persuade the people to pull down the august fabric, which hath cost them so much blood and treasure to raise and cement, I will say you act a fair part at least. But the writer in question hath not acted in this candid sort, as I have clearly proved above; and he seems apprehensive himself that his fallacy will be detected and the scheme fail, without some collateral aid. In order, therefore, to fill up the piece, and give it a fuller effect, he has depicted in the background a group of figures, calculated to terrify those whom he may fail to deceive. The "hostile disposition," and imbecility, of Great-Britain, and "all the energy of the triumphant arms of France," are marshalled in seven formidable corollaries, in the rear of his last number, as a body of reserve. And it is to these "propositions self-evident," as he calls them, and to the following remarks on them, that I now request the readers attention. Their matter and stile are such as deserve serious notice, and their import to the United States a plain and candid examination. This is not a time to trim, or mince matters. Referring the reader to the "Advertiser" of August the 7th, for the piece itself, I now offer to his perusal a few observations, that occurred to me on reading it.

1st. There is not a single proof, that has come to my knowledge, that the disposition of Great-Britain was inimical to the United States of America, before the commencement of the war now existing in Europe. Consult the English newspapers; in this instance they may be considered as the organs of the public mind. Do you discover any injurious or abusive language in them against the American people or government? Examine the parliamentary acts; the conduct of their merchants and manufacturers; the indulgence of the East-India company towards Americans trading at Madras and Calcutta; the enjoyment of the same privilege as the most favored nation, in all their European and West-India ports: do they not all speak the language of reconciliation and friendship? But if on the other hand you turn to the American papers since that period, have they not all (a very few at least excepted) been disgraced by the most virulent invectives against Great-Britain; the grossest misrepresentations of her conduct; the most palpable falsification of facts; the most extravagant applause of her enemies, as well as ridiculous attempts to palliate all the horrors of their conduct. Let us remember our civic feasts and ranting toasts, which a few violent men have passed on the world for the sober sense of America. Reflect on the many notorious infractions of the laws of neutrality in equipping and manning French privateers, as well as the juggling underhand manner of selling their prizes in many of our ports. Is it this conduct that has produced an hostile resentment in the breasts of English subjects; and it naturally would in the breasts of any nation, that were not callous to a sense of their own honour. To this cause we may attribute the order of the 6th of November, the speech of Lord Dorchester, the insults of their cruisers, and almost every injury we have sustained; more rationally than to "a disposition in Great-Britain naturally hostile to the United States."

2d. And to "footh and convert" this natural resentment "into amity and peace," requires, as all other disorders do, nothing more than a contrary regimen. Cease to asperse the moral character of America, by ceasing to publish illiberal philippics against a nation with which we are at peace, and with whom it is our interest to cultivate peace; for, with leave of our allies, there is no nation in Europe can do us so much evil, or so much good.—Forbear, in your civic feasts, from toasting unlimited success to her enemies, & uttering perdition to her. In a word strengthen your wife and virtuous executive in supporting a just and unequivocal neutrality; and you will then not consider the projected treaty, as you please to stile it, "too high a price to pay" for a continuation of the blessings which flow from peace.

3d. If to reject the treaty contracted with Great-Britain, the very worst article of which is preferable to what we enjoy, by compact, with any other nation; and that for the very frivolous reasons, which have hitherto been advanced, "is not a just cause of a war;" such conduct on our part will naturally increase the rancour on both sides, and may finally produce a war; unless the cabinet of St. James's is more attached to peace than the war-hawks of America are: for these have given an uniform opposition to every lenient measure, that has related to the concerns of that nation. Indeed the opposition has been pursued with such steady prepossession, that there is great reason to suppose that the designs of our allies have been more consulted than the interests of this country.

4. "But the ratification of the treaty will assuredly give umbrage to another nation." Here a secret escapes, which, from the stile of assurance made use of, it appears likely that this writer has received recent orders to communicate to the public. But how far a confidential organ of a foreign nation can be admitted as a disinterested counsellor, by the people of the United States, I leave with them to judge: more especially, as he has undertaken to advise in a business, in which, as he pleads, the interest of that nation is so much concerned. As a

sovereign and independent state we have a right, indeed we are bound, to consult our own prosperity in the first place; not only with respect to this treaty, but every other subject that may offer. France did not consider herself obliged, neither was she, to ask the advice of America respecting the alliance she has lately contracted with the despot of Prussia: nor do I believe that we have any right to enquire, how far their treaty relates to the dismemberment of Holland, or the partition of Poland. It is not our concern. It is enough that we know that we have fulfilled our treaties with her; that we have done every thing, except making a common cause in the war, to assist her; and more even than her late conduct towards us gave her a claim to. Every attempt, therefore, on the part of France, or her agents, to interfere in our national concerns with other powers, will be considered by every patriotic American, as intrusive; and as such be spurned with a virtuous resentment.

5th. "If a war is inevitable with Great-Britain or France." I see no necessity for a war with either. It is the principal concern of the American government to avoid hostilities. Nor do I think there is much danger of a war, unless we continue to display such bitter enmity towards one nation, and gross partiality for another, as some people have done; and to crown the whole, are resolved to add insult to the rest of our misdeeds, by violating a convention so just, equal and honorable as that under consideration.—"But it would be more politic for the state, continues this writer, more congenial with the sentiments of the people to engage the former than the latter power;" that is, the English than the French nation. Altho I sincerely believe that a rupture with either may be avoided, unless the fault be ours, but in case such a disastrous event should take place it is not amiss to consider what might be the consequences. In the first place, how would a war with Great-Britain affect our reputation abroad. All Europe knows that there have been complaints on both sides, and that this treaty was calculated to compose the differences, as well as to lay the foundation of a sincere friendship. As the terms are made public, and will be generally known, they will naturally lead other nations to compare the articles with those of their own treaties with Great-Britain; and when they discover a manifest partiality in favor of America, they will conclude that the fault is on our side; and that, however well the government is affected to the preservation of peace, it had not power to support the constitution, or to prevent turbulent men from rushing into a war. So that, however glorious some enthusiasts may suppose it is, to war on the side of liberty, the sober part of mankind abroad, as well as at home, will condemn it, as an act of republican folly and rashness. Therefore in point of true fame we shall be losers. And how would this war affect us in other respects? Are we less exposed to the hostile arms of Great Britain, than of France? By land we are more exposed; our thinly settled frontiers are begirt with numerous and warlike savage tribes, inimical to us, and strongly allied with the British, who in case of a war, would certainly make a common cause against us; and that war would be prosecuted with uncommon rancour, as they would consider it as waged in their own defence against an implacable enemy. By sea the dangers will bear no comparison; because we are so much more vulnerable in this quarter, and our antagonist so puissant. Our trade, the source of all our revenues, would be ruined; our vessels would mostly be taken; and most of our sea ports are liable to be burnt by an exasperated and revengeful nation enemy. In this suffering condition what aids could we reasonably expect from France. However well inclined to assist us, it is not in her power to do it in that line that would be most beneficial to us. She cannot grant us loans of money, which I am persuaded would be wanting. She could not protect our coast, nor convoy our trade, for she has not a marine strong enough to protect her own trade. She cannot defend her own coast in the British or Mediterranean seas, from the triumphant fleets of her enemy, whose cruisers hold all her sea ports in a state of siege. During the continuance of this war from whence can we procure the wares and merchandize necessary for the common consumption of the country? Neither French nor Hollanders can supply us; and we shall be obliged to go to some neutral market, and there purchase with cash British manufactures at double the rates we now pay for them on liberal credit. Reverse the case, and suppose that our allies, not content with a fair neutrality on the part of America, should become our enemies, what evils have we to fear from them, equal to those I have described.

6th. But "in case of a war with Great-Britain, we have assurance, that France will aid us with all the energy of her triumphant arms." What assurance have we of this, that is safely to be trusted? I hope it will be thought necessary, to require some greater assurance, than the bare words of this writer, whatever may be his authority for saying so, some stronger testimony is necessary to destroy the stubborn evidence of facts. The truth is, France cannot spare any soldiers from her European wars. There are all wanted at home; to repel foreign invaders, and to oppose internal rebellions: if this were not the case, and she could also equip a fleet strong enough to meet her enemies on the ocean, would she suffer all her colonies to become a prey to them? No man in his senses can suppose such an absurdity. But to indulge a delusive reverie for a moment; suppose by some kind of magic, her continental enemies should be willing to receive a peace from her on her own terms; her thousand factions should be united by a spirit of harmony and concord; and by some uncommon favor of wind and weather, she should be able to slip across the atlantic with a fleet and army for our assistance. This perhaps might enable us after some years to conquer Canada, but what shall we gain by it? I mean what will the maritime States, who must bear the burthen of this war, gain by it? But when this business is accomplished, how are we to compensate our allies, for I suppose we are not so unreasonable as to expect they would do all this for nothing. That would be unjust. No! they would in such a case have a right to require indemnification, as well as a mortgage to secure payment. And it

would not be contrary to good faith, agreeable with the common usage of nations, if they demanded a portion of the country, as a security until the new as well as ancient debt were paid.

7th. In such a triumphant, but perilous circumstance as this, we could not rely on the affections of Great Britain, or of France—but singly on our own abilities not only to discharge our debts; but likewise when that was accomplished, which would require many years, if our allies did not chuse peaceably to surrender the security, to expel them.

From the ARGUS. CINNA.—No. II.

FAITHFUL to his promise and meditating an attack upon Mr. Jefferson, whose arguments have hitherto been unanswered; Camillus in his 4th essay proceeds to instance certain infractions of the treaty of peace on our part; an accurate enumeration of these breaches would require, says he, a tedious research; and who, sir, has imposed upon you this odious task? Dors the duty of a patriot or a citizen demand it of you? Would not your talents and integrity be better employed in vindicating the injured honor and rights of your country? Does it become you to rack invention to cover her with obloquy, and to hold her up as a faithless and treacherous nation? Does it comport with the character of a citizen of the United States, after their minister had silenced the objections of the British Ambassador, to justify a perfidious prince for his breaches of faith and violence towards America? Will it answer any valuable purpose to stigmatize the legislature of your own state, for acts which preceded the treaty, and which were suggested by the spur of the occasion, and by a regard to self-defence? Will the recollection produced by a review of the conduct of the different parties during the war, be profitable or conciliating? Will not every American recur to the history of those times to discover, not only the reasons which dictated, but a justification of the acts of which you complain? If he pursues the inquiry with pure motives, he will be astonished, not that the state of New-York did so much, but that her moderation was a great act in itself. He will recollect with emotions of pain and indignation, that the state was not only invaded; and its capital, and some of its most fertile districts in possession of a foreign enemy; but that she had also to encounter a more sanguinary foe, in those, from whose birth, situation and connection, she was entitled to expect support and succour, in her arduous conflict for independence. These men not only turned their arms against their country, but, outstripping British cruelty, they introduced a warfare, which would have disgraced the savages of our wilderness. The peaceful farmer—the aged inhabitants of either sex, whose years and infirmities were respected by the troops of Great-Britain, and her mercenary auxiliaries of Germany, found no quarter from this implacable and intestine foe. Their depredations were circumscribed by no principle or rule of war—thirsting for revenge, rapine, plunder and secret death were their pursuit. Their success was proportionate to their malice. America being unable to extend her protection to an immense frontier, her citizens were driven from their farms—their property made a prey of, and they deemed themselves happy when they could escape from assassination into exile and penury—our seas and coasts swarmed with privateers, fitted out by these internal enemies, and even the Indians of America were piloted by them, to the peaceful dwellings of her citizens, and female and infant scalps were often displayed as the joint triumph of those monsters of the human race! Who then can be astonished that these provocations, which were repeated every day, should excite the most lively sensations of indignation and resentment? Who then can wonder that our legislature should pass an act which was not only extorted by a sense of injury, and the exigencies of the times, but was peculiarly calculated to protect our citizens from future plunder, and held out a gleam of hope to those who had already been stripped of their all, by this ruthless and unfeeling band? Forgive me, sir, if I describe your present friends in glowing colours. Humanity wished to forget forever, deeds of cruelty and horror, at the bare mention of which the most obdurate and rugged heart revolts. America was content to drop the curtain on a tragedy, the catastrophe of which had confounded the adventures of her freedom and sovereignty. This state in particular, although her trade and frontiers had suffered most, early manifested a conciliating and forgiving spirit. Persons who had betrayed the most rancorous temper, and had been banished for their enmity and poverty of spirit, were permitted to return to the bosom of their offended country. Men who had witnessed not only in principle, but in action, the most rooted hostility to our freedom and government, were permitted to remain, and become a part of the great body politic. Instances without number of forbearance, lenity, and even of tenderness, forgiveness and sincere reconciliation might be produced—even rewards and public honors and offices have been bestowed upon these men. Far from condemning a policy, to which however, there were many objections, I glory in the liberality and munificence of my country. Nor was it my wish to refuse from oblivion, a memorial of the conduct of those who have been objects of their country's generosity and forgiveness. Camillus has courted, nay provoked the discussion. When it becomes necessary to exculpate our country from the reproach of cruelty and breach of faith, we must be permitted to turn to the times which produced the act, which it is pretended, fixes this stigma upon her. If Camillus had taken this trouble, he would have seen so much room for reconciliation, that in ten eels to the feelings of these unhappy men, he would have foreborne some of his severe animadversions on the conduct of this state.

Having stated some of the provocations and inducements, we come now to the law itself, in which Camillus discerns one of the earliest breaches of the treaty of peace on our part; Camillus was not more unhappy in reminding us of the conduct of the Tories, than he is unfortunate in this first proof which he instances of our breach of faith. The law to which he refers is well known by the appellation of the trespas act. This law passed the 17th of March, 1783. A mind not warped by prejudice, nor disposed to deceive itself, is at some difficulty to imagine how an act, passed six months before the definitive treaty was signed, and more than a year according to Camillus, before it became binding on the king, can be tortured into an infraction of that very treaty. At the time of passing this law the legislature had a perfect right so to do; nay, it was part of their duty—the war yet raged with unabated fury; as the royal cause became more and more desperate, its friends became proportionably alert in their efforts to revenge a success to which they could not reconcile themselves. Their last cruelties exceeded any of a former date. Every measure, therefore, which tended to curb the licentiousness of our domestic foes, to mitigate or check the horrors of a civil war, and to protect those of our citizens whose remote residence prevented their receiving any adequate security from the American army, was not only prudent, but necessary, justifiable, and humane. It was also believed, that few, if any, of the depredations and robberies which were committed by the new levies and refugees, were at the time sanctioned by any military order; their own fury and thirst for plunder and revenge led them on; yet if a military order was admitted to justify their conduct, how easy would it have been to obtain one? Every man who had stolen a horse, a cow or other property, without any authority, and converted the proceeds to his own use (and there were thousands who pursued no other path