NATIONAL INTELLIGENCER,

AND

WASHINGTON ADVERTISER.

VOL. V. WASHINGTON CITY, PRINTED BY SAMUEL HARRISON SMITH, PENNSYLVANIA AVENUE DCXXXVII.

FIVE DOLLARS PER ANNUM. MONDAY, NOVEMBER 5th, 1804. *PAID IN ADVANCE.*

For the NATIONAL INTELLIGENCER.

TO THE PEOPLE,

THE DEFENCE.

No. XV.

Having seen the manner in which the financial, the war, and the navy departments have been conducted, we are brought to a view of the operations of the DEPARTMENT of STATE, more important, perhaps, in their effects than all the others. It is these operations that try the talents of the government, not on the limited theatre of the United States, but on the extensive theatre of the world. It is to them that we are indebted for the wise treaties framed, for the impolitic treaties avoided, for the faithful execution of those that exist, for averting all just cause of complaint to foreign nations, and for the consequent preservation of peace and prosperity. In these operations, the President is understood to participate as well in detail as in the outline; and although many of the subordinate measures are frequently taken by the Secretary of the department without his advice, yet it is most consonant to the spirit of the government to consider him, equally with the head of the department, answerable for all its measures.

When Mr. Jefferson was elected President, he found the public opinion much divided on the extent to which prudence required the carrying our foreign relations. On the one hand, the commercial part of the community, with a view to their own aggrandisement, espoused their extension to a very great length. Viewing the vast ascendancy of men of their profession in England, from which country many of them had recently emigrated, and with which they were united by ties of interest, relationship and friendship, influenced by a blind spirit of imitation, they sought, in the conduct of that nation, models for the United States, without reflecting on the dissimilar situation of the two nations.

This class of men, though powerful from their wealth and numbers, would probably have but little influenced the national sentiment, had they not been joined by a body of citizens of no mean talents, who, from habit, prejudice or principle, were solicitous to draw the United States into a close imitation of Great Britain. This body was composed of men of advanced age, whose early associations and feelings had made them the strenuous advocates of the British system, and whose sentiments had become too confirmed, at the era of independence, to undergo any radical change, and of those, who, from principle or ambition, were desirous of gradually building up a system of government more energetic in the Executive than that of the United States—This last description of men have generally denied their attachment to monarchy; but there is not a doubt that their principles necessarily lead to this result.

On the other hand, the great agricultural and manufacturing interests were hostile to an extension of our foreign relations—They believed that their own prosperity, and consequently that of the whole country, depended upon peace, and that peace depended upon our avoiding all unnecessary entanglements with European nations. Perceiving the invariable connection between extensive warlike establishments and the subversion of liberty, they were anxious to insure the latter by avoiding the former.

According to the preponderance of these conflicting sentiments the complexion of the government had from its commencement varied; until, at length, parties were consolidated, and the federal side uniformly advocated, and the republican opposed the extension of our foreign relations. During the Presidency of General Washington there was but a small extension. It was during that of Mr. Adams that it became most alarming. Large appropriations were made for new embassies, and many indications exhibited of a settled plan to make the United States a party in the bloody scenes and ceaseless collisions of the old world.

It was the feeling, excited by these measures, that in a lively degree produced the extrusion of Mr. Adams from the government, and the introduction of Mr. Jefferson. The sentiments of both these men were well known. It was known that the one was as hostile, as the other was friendly to extending our foreign relations. Whatever may have been the previous temper of the people, it became unequivocally marked by the elections of 1800; and Mr. Jefferson entered into office, under an obligation, resulting no less from a clear indication of public opinion, than from a respect to his own sentiments, to avoid all unnecessary compacts with foreign powers.

It would open a wide discussion to enquire whether these impressions are found. It is believed, however, if there be any political principle applicable to the United States, capable of demonstration, it is that it becomes her to stand aloof from foreign connections—Such was undoubtedly the solemn and deliberate decision of Washington, after administering the government for eight years. In his farewell address this conviction is expressed in an elevated tone of affection.

"The great rule of conduct for us," says he, "in regard to foreign nations, is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith.—Here let us stop.

"Europe has a set of priminary interests, which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations of her friendships or enmities.

"Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off, when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality, we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may chuse peace or war, as our interest, guided by justice, shall counsel.

"Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor or caprice?

"'Tis our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronising infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy. I repeat it, therefore, let these engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

"Taking care to keep ourselves, by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

"Harmony, liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing: establishing, with powers so disposed, in order to give trade a suitable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view, that 'tis folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. 'Tis an illusion which experience must cure, which a just pride ought to discard."

Such is the emphatic advice of our departed friend; in correspondence with which the present chief Magistrate, on his induction into office, in enumerating what he considered the essential principles of our government, and such as ought to shape its administration, declares as one, "peace, commerce, and honest friendship with all nations, entangling alliances with none."

This is the cardinal point of the present administration with regard to our foreign relations; and it ought to be the cardinal point of every administration that aspires to the honor of being denominated republican.

To prove this, it is only necessary to take a concise view of the state of our foreign relations when the present administration came into office, and to compare it with their present situation.

During the stormy period of Mr. Adams's Presidency, we were in a state bordering on war with the two most powerful nations of Europe, and through them, with many of the minor powers. This was, in a great measure, the effect of the British Treaty, which while it failed to secure us the amity of Britain, drew upon us the resentment of France. In consequence of this embroiled state, the warlike measures of the government, during the four years of his administration cost the United States about eighteen millions of dollars. Near the expiration of his Presidency a treaty was formed adjusting our differences with France.

This treaty has been observed with good faith, as have also all our engagements with other powers. Under this treaty, and the inexecuted treaty with Great Britain, various objects of great importance remained to be settled, which indeed, under the latter had been for some time entirely suspended. On the adjustment of these depended the recovery of large sums due to our citizens, and the assertion of rights which had accrued to us from the stipulations into which we had entered. To have failed in the attainment of these, would have been to have sacrificed the just claims of our citizens, and to have compromitted the dignity of the government; by which the harmony between those nations and the United States would have been disturbed to probably a dangerous extent.

The administration has been charged with an extravagant friendship to France, and an inveterate hostility to Great Britain; with a settled purpose of courting the favor of the one, and of exciting the enmity of the other. Were this a fact, a golden opportunity presented for the gratification of this disposition when they came into power—The recent treaty formed with France might have been seized as the pledge of a renewal of old friendships, and have laid the foundation for a commercial treaty interweaving the interests of the two nations. The dark aspect of our affairs with Great Britain and the uncertain issue of depending negociations, would have furnished a plausible pretext for an alliance with France, in order the more effectually to coerce Britain into the adoption of just measures towards us. While, on the other hand, the inexecution of the treaty by Britain might have been embraced as justificatory of a stern demand on our part, which, addressed to her pride, would scarcely have failed to produce a reply frustrative of all conciliation. The step, from this state of things, to war, would have been easy and natural.

This course not having been pursued is irrefragable proof that the motives ascribed to the administration were false.

One of the first measures of the administration was the suspension of the embassies to Berlin and Lisbon. Whatever may have been the object of these appointments, their natural tendency was to engage the United States in the competitions and quarrels to which Prussia and Portugal were exposed. With the former we had no commercial relations that justified the nomination of a minister, and the little consequence of the other nation in the scale of Europe rendered her the least worthy of preference. In addition to these considerations, many circumstances attending the formation and progress of these missions excited a well founded alarm that they were principally intended as a cover to political negociations with other powers. Be this as it may, their abolition was sufficiently justified by their uselessness, and experience has fully confirmed the measure, not the slightest injury having arisen from it.

It has been attempted by the opponents of the administration to make them answerable for the dereliction of the claims of our merchants on France for the spoliations committed on their property; but the facts attending this transaction prove that the whole merit or demerit of this act is ascribable to the preceding administration and its friends.

On the 15th of July 1797, Mr. Pickering, in the name of Mr. Adams issued instructions to the ministers appointed to negociate an adjustment of our differences with France. In these instructions, after dwelling, at considerable length, on the claims of our citizens, he adds,

"All these just demands of our citizens will merit your attention. The best possible means of compensation must be attempted. These will depend on what you shall discover to be practicable in relation to the French finances. But an exception must be made in respect to debts due to our citizens by the contracts of the French government and its agents, if they are comprehended in any stipulations; and an option reserved to them jointly or individually, either to accept the means of payment which you shall stipulate, or to resort to the French government, directly, for the fulfilment of its contracts."

"Although the reparation for losses sustained by the citizens of the United States, in consequence of irregular or illegal captures or condemnations, or for forcible seizures or detentions, is of very high importance, and is to be pressed with the greatest earnestness, yet it is not to be insisted on as an indispensable condition of the proposed treaty. You are not, however, to renounce these claims of our citizens, or to stipulate that they be assumed by the United States as a loan to the French government."

The envoys repaired to France, and the mission, it is well known, proved abortive. On the 3d of April 1798 the President communicated to the two Houses of Congress, a copy of his instructions given to the Envoys and of their dispatches. This communication was read with closed doors. In the House of Representatives a motion was made to publish it; but this was deemed so imprudent by that body that the motion received the votes of but a few members. The friends of the administration, as well as its enemies, concurred in the opinion, that while our differences remained unadjusted, it would be unwise to apprise our enemy of the extent to which, in order to insure an accommodation, our commissioners had been instructed to go. It would have been well if this caution had guided the deliberations of the Senate. But that assembly, actuated by the sole motive of vindicating and justifying the measures of the Executive, and of holding up to reprobation the conduct of France, to the surprise of the House and of their country, at the very moment when the House, impelled by more magnanimous sentiments, had determined to maintain the secrecy of the communication, ordered it to be printed. By this spirited act, said their apologists, we will shew our countrymen that the Rubicon is passed: the timid accents of conciliation shall no longer annoy us. With this temper, Mr. Tracey announced the policy of waging a war of extermination, in which every man, woman, and child, in America, should be engaged against every man, woman and child in France; and, with a similar temper, the sedition act threatened with incarceration, and the Alien act with exile, the person of every man that dared to impugn the motives of the government.

Thus stood the affairs between the two nations until a wandering impulse of patriotism induced Mr. Adams to name another embassy to France. What were the instructions given on this occasion do not appear. We may, however, reasonably infer that they did not materially differ from those we have already quoted. With such instructions, what could our envoys do? Had they demanded a full reparation for spoliations, as a part of the treaty, would not the vigilance of the French government have confronted them with the previous declaration of Mr. Adams that it was "*not to be insisted on as an indispensable condition of the proposed treaty.*" The declaration, by the highest authority, must be considered as a virtual abandonment of the claims; for it admits the formation of a treaty of friendship with France without any recognition of the obligation of the French government to satisfy them: and leaves this adjustment entirely to the chances of futurity.

Thus tramelled, our Envoys did their best. They negociated a treaty, in which they did all their instructions required. They did more. They not only steered clear of a renunciation of the claims, but also paved the way to their ultimate adjustment by their recognition in the following stipulations:

"Art. 2. The Ministers plenipotentiary of the two parties not being able to agree at present respecting the treaty of alliance of 6th February 1778, the treaty of amity and commerce of the same date, and the convention of the 14th November 1778, nor upon the indemnities mutually due or claimed; the parties will negociate further on these subjects at a convenient time, and until they may have agreed upon these points, the said treaties and convention shall have no operation, and the relations of the two countries shall be regulated as follows: &c."

"Art. 5th. The debts contracted by one of the two nations with individuals of the other, by the individuals of one with the individuals of the other, shall be paid, or the payment may be prosecuted in the same manner as if there had been no misunderstanding between the two states.—But this clause shall not extend to indemnities claimed on account of captures or confiscations."

This treaty, containing these stipulations, was laid before the Senate by Mr. Adams in the winter of 1800—1. That body, then decidedly federal, refused to advise the ratification of the treaty unless the second article was expunged.—To prove this beyond all question, we shall give the votes on that occasion.

Messrs. Armstrong, Bingham, Chapman, Dayton, D. Foster, Hillhouse, Hindman, Howard, Latimore, J. Mason, Morris, Paine, Read, Ross, Schurman, Tracey and Wells *voted for striking out the second article*: and Messrs. Anderson, Baldwin, Bloodworth, Brown, Cocke, T. Foster, Franklin, Greene, Langdon, Livermore, Marshall, S. T. Mason, and Nicholas, voted against it.

The expunging this Article was equivalent to the abandonment of the claims of our merchants for spoliated property; it being well established that silence respecting any claim existing at the formation of a treaty amounts to a relinquishment of it. Independently however of this construction of treaties, the 5th Article, which forms a part of the treaty as ratified, expressly declares that that clause "shall not extend to indemnities claimed on account of captures or confiscations."

In this sense the treaty was understood by the French government, when received by them for ratification, as they declare in that very act; the expression is *bien entendu*—it being well understood that by the retrenchment of the second article the two nations renounce the respective pretensions that are the objects of it. Returned to the Senate, with this ratification on the part of the French government, that body decided that it ought to be considered as fully ratified. On this occasion all the federal members, excepting Messrs. Wells, Hillhouse, Chapman, and D. Foster, voted in the affirmative. And their vote would seem, from the open avowal of their sentiments, to have arisen from an indisposition to any treaty whatever with France.

CURTIUS.

(Subject of Foreign relations to be continued.)

VERMONT LEGISLATURE.

The general assembly convened at Rutland, October 11th, 1804, and in the afternoon the governor, waited on the House, and delivered the following

SPEECH.

Gentlemen of the Council,
and of the House of Representatives,

When the legislative representatives of a free people assemble to deliberate upon the means of advancing and securing the welfare of the state, many and important are the subjects before them; and very extensive will be the influence of their decisions. To present to your view such objects as demand your attention, is a part of the constitutional duty of the executive.

In addition to the ordinary [illegible] that may come before you, and that which has been referred to the [illegible], it may be expedient to enquire into the situation of the northern line of this state: some of [illegible] residing on this line, are [illegible] that the boundaries of their [illegible] are not clearly defined, and that it is not distinctly known where the line runs, which separates the northern part of this state, from the province of Canada.

[illegible] that much pains were taken in the year 1761, by the then provinces of New-York and Canada, to ascertain, by astronomical observations, the latitude 45 degrees, and to fix a monument with accuracy, at a place where the line crosses Lake Champlain; from thence a line was afterwards run by a Mr. Collins, to Connecticut river, but with what accuracy, has never been ascertained. If it was not properly run, and de-