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FOR THE REGISTER. ADDRESS...

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But Mr. Fenno, why do the enemies of Mr. Jefferson cavil alone at his honourable acquittal by the Assembly of Virginia, from groundless and unfounded charges? They well know, that at the end of that very year, his brave and gallant successor in office, General Nelson, was subjected to public accusation and impeachment before the Assembly, for supposed misconduct in office, and honourably acquitted by the same body, in the same precise manner, and with an unanimous vote of thanks, as in the case of Mr. Jefferson. No proof appeared against either; the accusation in each was declared to be groundless, and the honourable reputation of both stand or fall by the verdict of the same body. I leave it with a candid public to form their own reflections.

There yet remain two other calumnies against the much-abused character of Mr. Jefferson, which require notice. They were both suggested in the year 1792, on the eve of a presidential election, and again in the year 1796, on a similar occasion, are now revived; to wit: 1st, That when minister of the United States to France, in the year 1787, he made a dishonourable proposition to Congress, respecting a transfer of the debt due by the United States to France, to a Dutch company. 2dly, That he was a debtor to British merchants before the revolutionary war, and pursued measures to defraud his creditors. Unhappily for his calumniators, both these charges have been proved to be perfectly groundless, and to have originated only in the wickedness and malice of his enemies. The first charge was published in the year 1792, in Fenno's Gazette, and given, as believed, from the treasury department of the United States, on whose books Mr. Jefferson's letter to Congress respecting the French debt, was recorded. The then head of that department was roundly accused, in the public prints of that year, with misrepresentation and the breach of an official duty, in causing or permitting to be published from the treasury

books, for the purpose of aiding the calumny against Mr. Jefferson, a mutilated copy of his letter to Congress, leaving out two entire paragraphs of it, and changing the sense of the part published, by substituting words not in the original. This accusation was evaded, but never disproved before the public, and it remains a solemn and incontrovertible truth, that the letter was published, as mutilated. The second in relation to that letter are brief: these: Mr. Jefferson informs Congress, that an offer had been made by a speculating Dutch company to the French court, to purchase the American debt due to that nation, at a discount of six or eight millions of livres; to which offer, communicated by the French minister, to Mr. Jefferson, for his approbation, he replied that he had no power to approve or disapprove; to the agent of the Dutch company, who made the same application, he returned a similar answer; and in his letter to Congress, presuming that the Dutch agent would make application to that body, he states the reflection, "how far, if Congress apprehend any future danger of the punctuality of payment, it might be advisable to transfer the discontents arising from that source, from the French court, whose friendship we ought to cultivate, to the breasts of a private company of adventuring speculators, who foreseeing the possible delays of payment, had calculated the probable loss, and were willing to encounter the hazard."

The enemies of Mr. Jefferson published this letter, leaving out the two last paragraphs, and changing the sense of the first in the manner that has been stated. On the whole letter a single reflection is submitted. Whether in any instance of public conduct Mr. Jefferson could have more justly appreciated the duty of a public minister, or more happily combined it with the conscientious and moral sense of public and private integrity?

The second charge, "That Mr. Jefferson was a debtor to British merchants, before the revolutionary war, and pursued measures to defraud his creditors," is refuted and disproved, in a manner highly honourable to Mr. Jefferson's reputation, by a publication of the 5th of April last, made in Philadelphia, by a gentleman who took particular pains to investigate the subject; and is as followeth:

ACCOUNT OF Mr. Jefferson's British Debts. It is the fate of every man whose virtues and talents have elevated him in society, to excite the envy and hatred of many; among persons thus disposed, some are imperceptibly carried into error, others are designedly criminal. The steady industry displayed by the assailants of virtue exceeds infinitely that of its defenders; and unfortunately, the meditated injury has its full effect before the person accused is aware of it, and instead of parrying the blow he has the wound to heal. In this situation of things, so rare is benevolence to be found amongst us, so little interest do we generally take in the welfare of our fellow-men, that we are apt to imagine we have discharged our duty when we declare our belief of the innocence of the accused, and content ourselves under the self-approbation, that we have done nothing to injure the feelings of the sufferer.

The evils to society which we permit to remain, without our utmost exertions to remove may answer well enough with people who are negatively good, or who believe that virtue consists in abstaining from evil: I think differently: and thinking as I do, will never permit the people to be duped by false accusations levelled against their meritorious and deserving servants. In the charges, which, from my judgment, I am obliged to make against public characters, I pais into error, the principle which governs me, ought also to draw forth an advocate for truth and virtue, on the opposite side of the question. For some time past, a great clamour has been made through the United States, respecting debts due from Mr. Jefferson, to British merchants: I have taken some trouble to inform myself upon this subject, and I confess, that although I did not believe the charge to be correct, as to the idea which it was intended to convey of that gentleman's honour; I had no conception, that his enemies would be driven to attack him upon a subject, which, if fairly examined, would add so considerably to the lustre of his character. In the year 1774, before a shilling of paper had been issued, Mr. Jefferson sold about five thousand acres of land in Cumberland and Bedford counties, to pay his proportion of a debt due from the estate of Mr. Wayles to Farrel and Jones. He offered their bonds to their agents immediately, who refused to take them. The money was paid to Mr. Jefferson in 1775 and 1780, and he carried it to the treasury of Virginia, as the laws pressed on all to do, who owed money to British subjects; declaring that the public would pay it over, dollar for dollar. This delusion soon passed away, and it became evident that the public neither could nor ought to pay according to the nominal value. The reader will perceive the loss Mr. Jefferson sustained, and that if he had been disposed to quibble, no event could have afforded him a more plausible pretext: But it appears that this gentleman considered himself still answerable to Farrel and Jones, and therefore settled with their agent otherwise. The next debt in succession, was one due to Kippen and company for whom Mr. Lyle, of Manchester, was agent. I called upon that gentleman for information respecting Mr. Jefferson's conduct in the settlement of this claim, who assured me that it was strictly honourable. Mr. Lyle told me that as soon as the Vice-President returned from his mission to France, he waited upon him, and made immediate arrangements for payment, deducting the 8 years war interest. Concerning the war interest, I think the annexed letter from Mr. Jefferson, will be quite satisfactory. But exclusive of his particular situation, and the losses which he sustained, probably from his conspicuous services during the revolutionary contest; I know of not a solitary instance in which the eight years interest has been paid, if objected to by the defendant's counsel; and I fancy it was the opinion of the federal judges assembled in Philadelphia, that the war interest ought to be deducted, if a special reason for avoiding it could be assigned—and surely no reason could be assigned with more forcible propriety, than that the British themselves had destroyed the means. But, to my mind, there is the best evidence of the equity of withholding the eight years interest; the juries have uniformly deducted it, although the counsel for the plaintiff has often assigned peculiar and strong reasons, springing from the manner in which the debt originated, why it should be allowed. The following letter from Mr. Jefferson, while in Paris, is now submitted to the public. It was not procured from him, but having been produced in court by Jones's agent, in another case, was by the counsel of that agent candidly and honourably read in court, as an act of justice to Mr. Jefferson; got thus into the press, and has since been used by the advocates for the payment of British debts, and by them, very much complimented.

Paris, January 5, 1787. Sir, When I had the pleasure of seeing you in London, I mentioned to you that the affairs of Mr. Wayles's estate, were left to be ultimately settled by Mr. Eppes, the only acting executor; that I have left in his hands also, and in those of a Mr. Lewis, the part of Mr. Wayles's estate which came to me, together with my own; that they were first to clear off some debts which had been necessarily contracted during the war, and would after that apply the whole profit to the payment of my part of Mr. Wayles's debt to you, and to a debt of mine to Kippen and company, of Glasgow. Being anxious to begin the payment of these two debts, and finding that it would be too long postponed if the residuary ones were to be paid merely from the annual profits of the estate, a number of slaves have been sold, and I have lately received information from Messrs. Eppes and Lewis, that that the proceeds of that sale, with the profits of the estate to the end of 1785, would pay off the whole of the residuary debts. As we are now, therefore, clear of embarrassment to pursue our principal object, I am desirous of arranging with you, such just and practicable conditions, as will ascertain to you the terms at which you will receive my part of your debt, and give me the satisfaction of knowing that you are contented. What the laws of Virginia are, or may be, will in no wise influence my conduct. Substantial justice is my object, as decided by reason, and not by authority or compulsion. The first question which arises, is, as to the article of interest. For all the time preceding the war, and all subsequent to it, I think it reasonable that interest should be paid; but equally unreasonable during the war. Interest is a compensation for the use of money. Your money in my hands, is in the form of lands and negroes. From these during the war, no use, no profits, could be derived. Tobacco is the article they produce; that only can be turned into money at a foreign market. But the moment it went out of our ports for that purpose, it was captured either by the King's ships, or by those of individuals. The consequence was, that tobacco worth from twenty to thirty shillings the hundred, sold generally in Virginia, during the war, for five shillings—this price it is known will not maintain the labourer and pay his taxes. There was no surplus of profit, then to pay an interest. In the mean while we stood insurers of the lives of the labourers, and of the ultimate issue of the war. He who attempted during the war to remit either his principal or interest, must have expected to remit twice to make one payment; because it is supposed, that two out of three parts of the shipments were taken. It was not possible then for a debtor, to derive any profit from the money which might enable him to pay an interest, nor yet to get rid of the principal by remitting it to his creditor. With respect to creditors in Great-Britain, they turned their attention to privateering, and arming the vessels they had before employed in trading with us; they captured on the seas, not only the produce of the farms of their debtors, but of those of the whole state. They thus paid themselves by capture more than their annual interest; and we have lost more. Some merchants indeed did not engage in privateering; these lost their interest, but we did not gain it; it fell into the hands of their countrymen. It cannot therefore be demanded of us. As between these merchants and their debtors, it is the case, where a loss being incurred, each party may justly endeavour to shift it from himself; each has an equal right to demand one party can never expect the other to yield a thing, to which he has as good a right as the demander: we even think he has a better right than the demander in the present instance. This loss has been occasioned by the fault of the nation which was creditor. Our right to avoid it then stands on less exceptionable ground than theirs. But it will be said, that each party thought the other the aggressor in these disputes, there is but one umpire, and that has decided the question, where the world in general thought the right lay. Besides these reasons in favour of the general mass of debtors, I have some peculiar to my own case. In the year 1779, before a shilling of paper money was issued I sold lands to the amount of £. 4,200, in order to pay these two debts. I offered the bonds of the purchasers to your agent, Mr. Evans, if he would acquit me, and accept of the purchasers as debtors, in my place. They were as sure as myself; had he done it, these debts being turned over to you, would have been saved to you by the treaty of peace. But he declined it. Great sums of paper money were afterwards issued; this depreciated, and payment was made me in this money, when it was but a shadow. Our laws do not enable our own fellow-citizens to require a re-payment in these cases, though the treaty authorises the British creditors to do it. Here then I lost the principal and interest once. Again Lord Cornwallis encamped ten days on an estate of mine at Elk-Island, having his head quarters in my house. We burned all the tobacco houses and barns on the farm, with the produce of the former year in them; he burned all the enclosure, and wasted the fields in which the crop of that year was growing (it was in the month of June); he killed or carried off every living animal, cutting the throats of those who were too young for service. Of the slaves, he carried away thirty. The utensils and barbarous injury he did me in that instance, was more than would have paid your debt, principal and interest: Thus I lost it a second time. Still I will lay my shoulders assiduously to the payment of it a third time; in doing this, however, I think yourself will be of opinion, I am authorized, in justice, to clear it of every article not demandable in strict right; of this nature I consider interest during the war. Another question is, as to the paper money I deposited in the treasury of Virginia, towards the discharge of this debt. I before observed, that I had sold lands to the amount of £. 4,200 before a shilling of paper money was emitted, with a view to pay this debt. I received this money in depreciated paper. The state was then calling on those who owed money to British subjects to bring it into the treasury, engaging to pay a like sum to the creditor at the end of the war. I carried the identical money therefore to the treasury

of his conduct to the loss and distress which accrued to the State, in the destruction of public records and vouchers for general expenditure. Let facts speak: In four days from the arrival of Arnold's fleet, he proceeded 15 miles up James River, and landed his troops 24 miles of Richmond, thence he marched to that place, where he then out under the command of General Nelson, in the city of Williamsburg, and no defence at the city of Richmond, but about 1000 armed militia under the command of General Nelson, did do nothing more than to stand by the records and the boats, and to prevent the boats from passing the river with the enemy, about the 12th of June, and began to flank the British, and as well the night of the 13th, issuing his orders to the militia to remove the records to Westham, 10 miles above Richmond, where Arnold pulled a detachment to destroy the records at that place, and which, through Mr. Jefferson's exertions, were almost entirely destroyed. 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