

embargoed, and the captains and crews leaving them, as no prospect of accommodation with the British court appeared near at hand. Mr. Izardi, the American Consul, had engaged his passage with Captain Cobb, for this country, who waited two days for him, and was then obliged to leave him.

L O N D O N, October 12.

Lord Malmesbury, it is at length settled, is the person who is to be sent to Paris, as ambassador extraordinary from this country to the French Republic of France. He kissed the King's hand to day, we understand, on his appointment, and took leave of his majesty. His departure is fixed for to-morrow evening or Friday morning, and he will probably reach Paris on Sunday night or early on Monday.

Perhaps there never was entrusted, to any human being a negotiation more difficult and delicate in its nature, and requiring more abilities and caution in the conduct of it, than that about to be entered into with the French Republic. In former negotiations little else was to be adjusted beyond the claims of the contending powers to territorial possessions; the parties at war were not actuated by very violent prejudices, or agitated by very deep resentments.

Materially different, however, is the present case; in this war it is not two nations that are engaged in a contest about some petty fishery, some navigation of an unproductive river or the exclusive possession of some blasted heath. Of this war, the complexion and character have been more deadly and fatal; old prepossessions have been set against new systems: prejudices have been opposed to principles; the privileged have been contending with the unprivileged, the mind of man has been goaded, and irritated, and inflamed, beyond all former example; and all the passions of a human heart have been let loose to render the contest more remorseless, and to rage without constraint or controul. To heal such wounds requires the nicest hand and the most consummate skill. A short time will probably decide the fate of the negotiation; that the negotiators deeply impressed with the necessity of a peace, and seeing this quarter of the globe faint with the loss of so much blood and treasure; may enter upon the negotiation with a determination to put a speedy period to the calamities of war, and to restore general tranquility to Europe, is our warmest wish and our most ardent prayer.

It is understood in the mercantile circles, that the court of Portugal has actually acceded to the terms proposed by the French as the price of their forbearance, and that the ports of that kingdom will very shortly be shut against this country.

A Swedish vessel from England was not allowed to land at Calais or Bologne, and back to England.

OCT. 14.

Yesterday a commission passed the great seal, at the lord chancellor's house in Bedford-square, appointing Lord Malmesbury ambassador extraordinary and minister plenipotentiary from this court to the directory of France. His Lordship, attended by Messrs. Sylvester, Wiffin, Dressens, and Brooks, four of his majesty's messengers, will to-morrow set off from his apartments at Grenier's Hotel, in Jermy street, for Paris.

George Ellis, Esq. is appointed secretary to the embassy to Paris, and accompanies the noble Earl on his voyage. We have not learnt who is to be his private secretary, nor of what number of persons the establishment is to consist. There is no doubt but from the appointment of a person of lord Malmesbury's consideration it is intended to give splendor and style. Whether this may recommend us to the studied plainness of the French Directory we know not. We understand that the Marquis del Campo soon found it political to abate from the magnificence of his appearance. Laced liveries and superb equipage were too strong a contrast to the grey frock and sables of Paris.

The Spanish Consul took his departure from England on Tuesday last.—The ambassador still remains for instructions from this court.

THE DECREE OF AMNESTY.

[The following report of Riou, in the Council of Ancients, on the law of the 3d Brumaire, from an account of which we gave a few days ago, we now translate at length.]

"In order to calculate with a precision worthy the expectation of the Legislative Body, the advantages and disadvantages of the law of the 3d Brumaire, and in order to determine the principles upon which we ought to act in deciding this important question, I am under the necessity of recurring from the stormy times in which this law was passed to the present day, a day not less critical, and which there is need of the closest union of moderation and of wisdom.

"Of all the moral causes which have occasioned the flux and reflux of political opinions, there is none more dangerous than that of fanaticism, which impels the multitude from excesses to the commission of excesses still more fatal. The spirit of party has always prescribed moderation, because moderation baffles its designs.

"After the 31st of May, the Revolution, like Saturn, destroyed her first born, the purest and most virtuous of her sons. The Convention, the first victim of oppression soon became its most active instrument. But nothing that is violent can be lasting, the excess of tyranny awakened liberty, and the 9th of Thermidor proclaimed it.

"Then we were carried by an insensible current to an opposite bank. We were delirious to repair every loss to soothe every sorrow, to heal every wound; the prisons were thrown open and our friends and enemies were set indiscriminately at liberty. They had suffered; it was enough; we gave to their deliverances the appearance of a triumph. In a short time they resumed their functions and thence arose the reaction which has so long tormented France. The punishment of some villains, far from appeasing their vengeance, only irritated them the more. The convention was sensible of the danger, and distilled drop by drop the justice which they wished it to pour forth its floods. What do I say? They determined justice, and aspired only after vengeance!

"The reaction daily increased; a Constitution was then presented which offended both the republicans and royalists, and the Anarchists, because it was at once wise and Republican. The Royalists thought it a favourable moment; we saw them soon hatching new plots. I do not speak of those palour Royalists who preferred their pleasure to the exercise of their rights but of active royalists who were indefatigable in their exertions to overturn the Republic. They perceived that the moment for declaring themselves was arrived, and their project was to bring the Convention into a double snare, by it back to royalism, or by throwing it bringing into the hands of terrorism.

"The Convention knew how to conduct the bark of liberty through, between the two dangers; it was victorious in Vendemiaire, but it did not abuse the victory; it wept over its laurels, and are not they the laurels gathered amid civil broils of Cypres? No, never, not even on the 9th Thermidor, was the Convention greater than at this period; it arrested the fury of some, it repressed the ambition of others. Then came the law of the 3d Brumaire; as it became the butt of two factions hostile to appearance, but aiming in reality at the same object, so they never spoke of it without exaggeration. The one party held out, that without the law of the 3d Brumaire the Republic could not exist, the other party considering it as revolutionary, and forgetting that it was not repealed, and consequently that it commanded respect, qualified it with every term of reproach which could provoke disobedience on its enactments. What characterizes the passions now in action is, that they demand at the same time the repeal and the continuance of the law. What do I say? they demand that it be extended to amnesties; they wish also to give it a new existence and to create it a second time.

"The reporter proceeded to an examination of the law itself. What, said he is the nature of the law? What are its characters?

It concerns, in the first place, the individuals who in the Primary or Electoral Assemblies have subscribed to seditious or illegal measures; secondly, those whose names appeared on the list of emigrants, and who have not got them expunged; and thirdly, the relations of the emigrants whom it prohibits from holding public offices till the general peace.

"I already anticipate a multitude of remonstrances; the law is revolutionary; proscribes the citizens in a mass, it violates the constitution, the convention had no right to pass it, because it was not invested with constituent authority, I observe in the first place that to say a law is revolutionary, is not to say that it is contrary to the interests of the country. But will any one say that a law is revolutionary, because it respects the Revolution. Unfortunately we have still some of that description, and the commotions which are frequently felt, shew the necessity of them. The revolution is finished since the Constitutional Government is established, but the revolutionary movements may be prolonged, like the agitation of the waves after a storm when serenity is restored to the air.

Riou next considered the law of the 3d Brumaire, in its relation to those individuals whom it affects. Is the safety of their persons or of their properties, said he, violated? Do not they vote in the Primary assemblies? Are not they content to be elected under it? They are prohibited it is true, from the exercise of the functions to which they shall be appointed: but is there the smallest disgrace accompanying this prohibition.—Why were you who now cry out so warmly for principle, silent, when the Directory appointed a military government in the department of Normandy? But you thought, and with reason, that it was necessary above all things to crush a civil war, and that the best way to enjoy the Constitution was to put an end to the wicked attempts of its enemies.

"When the conspiracy of the 21st Floreal was discovered, what did we ourselves do? Did we not pass laws for the occasion? O yes, Revolutionary laws. For what else can that law be called which excludes from Paris and Vendome the individuals to whom it refers? but you were desirous, and it was your duty to secure the tranquility of that commune, and freedom of operation to the high court. If any tells you, you have created a class of suspicious men, you have passed a revolutionary law, you will reply to this hasty reasoning in the words of the illustrious Roman—Let us go to the temple and return thanks to the gods, we have saved the country.

"Will the right of the Convention to pass the law of the 3d Brumaire be disputed? The Convention? The Convention was appointed by the people to fill up that immense chasm between the power which was no more and that which was not as yet created. It has unlimited power, and it employed it in enacting the law of the 3d Brumaire.

"If I examine this law as it respects the relations of the emigrants, I find that it is consonant to our civil laws. In every country, under every government, the judges are challenged in cases where their relations are interested do you think that the Republic in a process the most important with the emigrants, ought to entrust their relations and friends with the care of judging them? After all the passions, and interests and prejudices which have already attacked our glorious revolution would you wish to place it in the lists with nature? We are not capable of sacrificing the ties of blood to the interests of our country; wait till twenty years have retempered our minds. And the defenders of their country! How will they look, think you, when they see the relations of emigrants holding public offices? Do not force them to say to their judges, your brethren your relations have perished before our swords: they were traitors and parricides. Thus dispositions the most severely censured by the law, are approved by morality dictated by policy, and conformable to the Constitution.

"New difficulties instantly rise upon the proposition to extend to amnesties exclusion from public offices; there can be no amnesty where there was no crime; now the simple fact of relationship to an emigrant of a disput-