

THE NORTH-CAROLINA MINERVA, AND FAYETTEVILLE ADVERTISER.

FAYETTEVILLE:—PUBLISHED EVERY SATURDAY BY HODGE AND BOYLAN.

Vol. III.

SATURDAY, NOVEMBER 3, 1798.

NUMB. 137.

FROM TIMOTHY PICKERING,
To P. JOHNSON, Esquire,
Of Prince Edward County, Virginia.

TRENTON, September 29, 1798.

SIR,

I HAVE received your letter of the 21st of August, covering a paper without a signature, purporting to be an address from the Freeholders of Prince Edward County, in the state of Virginia, to the President of the United States, to whom you inform me, it was their request that I should present it.

Addresses to the President being personal to him, and not connected with any of the subordinate departments of the government, it is not necessary that they should pass thro' my office; and perhaps not one in twenty has come to my hands. Hitherto, however, I have forwarded all (yours excepted) which I have received: and the address from Prince Edward county, would not have formed an exception if the respect for the President of the United States, professed in the beginning, had appeared in the progress of the address. But conceiving it not to be any part of my official duty to forward addresses, I will not volunteer in transmitting one, which is calculated to insult the Chief Magistrate of my country. Such addresses must choose some other medium of conveyance.

The freeholders of Prince Edward county profess, that it is not their design to approach the Chief Magistrate of the United States without respect; and yet they call his dignified resolve "never to send another Minister to France, without assurances that he would be received, respected, and honored, as the representative of a great, free, powerful and independent nation," a "rash resolution!" and they insinuate, that the majority of the members of each house of Congress, and the President, for concurring in certain of their public acts, have a design to overthrow the rights, and to destroy the liberties of the people of the United States! As I know the integrity and genuine patriotism of the great and leading characters by whom the formation and adoption of those acts were accomplished, I hesitate not to call that insinuation a calumny; and in which I should think I participated, if I gave it a passage to the President. Therefore, sir, I return you the address of the freeholders of Prince Edward county; that if they shall finally determine to insult the President and Congress, by persisting to offer the address, they may commit it to some person who is capable of debating himself by presenting it.

Here, Sir, I might close this letter; but the liberty claimed and used by the freeholders of Prince Edward county, of examining the proceedings of the President and Congress (a claim which while exercised with decency, without insult to the constituted authorities, and without a design or tendency to excite discontents and disobedience to the laws of our country, will never be questioned) I trust may be used by me in examining the public proceedings of my fellow-citizens.

The freeholders of Prince Edward county say, "obedience to the laws, and attachment to the government established by the choice of our country, we esteem as the primary duties of good citizens." But is the calumnious insinuation above noticed, consistent with this declaration? They also say that certain acts of Congress are "FLAGRANT violations of the supreme law of our country!" Is this decent? Is this a proper way to manifest their sense of the "first duties," of good citizens, "obedience to the laws, and attachment to the government of their country's choice?" On the contrary, do not such declarations tend to excite disobedience to the laws? hatred to the government? insurrection and revolt?

The Freeholders of Prince Edward county ask, "Can we, for an instant, flatter ourselves that the strength of America, destitute as she is of the means of attacking a distant enemy, is competent to the great scheme of humbling the haughtiness and the power of France; or of compelling her to a compensation for injuries which has been sought in vain by negotiation? Allow me to ask, in my turn, who in the U. States has proposed this scheme? Who has declared or intimated that the object of our government, in providing an army and ships of war, was to "humble the haughtiness and the power of France; or of compelling her to a compensation for injuries which has been sought in vain by negotiation? Allow me to ask, in my turn, who in the U. States has proposed this scheme? Who has declared or intimated that the object of our government, in providing an army and ships of war, was to, "humble the haughtiness and the power of France?" Who has urged any other motives for those measures, than these: To prevent that "haughtiness" and that "pow-

er," from further bombing us; from trampling on our necks; from totally destroying our commerce; from levying discretionary contributions; from crushing us with an ignominious tribute, a tribute to be measured only by her wants, and our utmost ability to pay; from subjugating us, as she has done Holland, and Switzerland, and other republics; and while as falsely as imprudently boasting of giving them liberty, ruling them with a rod of iron: Yes, the bayonets of soldiers, directed by ferocious generals and insolent ministers, are instruments of her tyranny in those wretched republics, which, partly by force, and partly by her "diplomatic skill," have been reduced under her controul; and finally to prevent her inflicting on us what she has threatened to inflict the miserable fate of Venice! that is, to be partitioned, bartered, and sold, our persons with our cattle and other property, to the European powers with whom France could make the most profitable bargain for herself!

It is true that "compensation for past injuries has been sought in vain by negotiation;" but so desirous was the government of the United States to effect a reconciliation with France, the envoys were instructed not to insist on compensation, or even a stipulation that compensation should ever be made: They were only, after pressing them in vain, not to abandon our just claims of retribution for the many millions of which her iniquitous ruiers had caused our citizens to be plundered: a hope was entertained that a sense of justice might hereafter return, and concurring with national policy, restore to our fellow citizens their honest dues. But the freeholders of Prince Edward county know, or ought to know (for the documents have been published) before they venture their own government, that instead of making, or stipulating to make such compensation, the French government made their own unfulfilled contracts and the monstrous deprivations they had committed, and would continue to commit on our commerce, the measure of their demands of tribute! And altho the United States had borne a thousand insults and injuries from that "haughty" power, and had repeatedly sought, and were then, by the solemn and extraordinary mission of three envoys, respectfully and earnestly seeking a perfect reconciliation; yet those envoys were not received! they could not obtain permission to see the Directory without previously stipulating to bind the United States in ignominious chains as tributaries! tributaries to a government which, regardless of justice, makes the extent of its power the only rule of its conduct! And yet the addressers, freeholders of Prince Edward county, trembleingly alive lest their rights and liberties should be touched by any act of their own government are not satisfied with the concessions which have been made to France; with the past sacrifice of so many millions of the property of their commercial fellow-citizens; and of the rights and dignity of their country! They still "entreat" the President to submit to further indignities; to make new overtures, and to adopt some speedy and effectual plan for conciliating the differences between the two Republics!

The addressers complain of the "odious alien and sedition bills." I will therefore take the liberty to state the objects of those bills, now become laws—and this having been done already, in an excellent address to the citizens of New-Jersey, now before me, I shall content myself with making the following extracts, with some small variations:

The Alien Law has been bitterly inveighed against as a direct attack upon our liberties, when in fact it affects only foreigners who are conspiring against us, and has no relation whatever to an American citizen. It gives authority to the first magistrate of the union, "to order all such aliens as he shall judge dangerous to the peace and safety of the United States, or shall have reasonable grounds to suspect are concerned in any treasonable or seditious machinations against the government thereof, to depart out of our territory." It is only necessary to ask whether, without such a power vested in some department, any government ever did, or ever can, long protect itself. The objects of this act are strangers merely, persons not adopted and naturalized, a description of men who have no lot nor interest with us, and who even manifest a disposition the most hostile to this country, while it affords them an asylum and protection. It is absurd to say that in providing by law for their removal, the constitution is violated, for he must be ignorant indeed who does not know that the constitution was established for the protection and security of American citizens, and not of intriguing foreigners."

"The Seditious Act has likewise been shamefully misrepresented, as an attack upon the freedom of speech and of the press, but we find on the contrary, that it prescribes a punishment only for those pests of

society, and disturbers of order and tranquility, who write, print, or publish any false scandalous and malicious writings against the government of the United States, or either House of Congress of the United States, or the President of the United States, with intent to defame or bring them into contempt or disrepute, or to excite against them the hatred of the good people of the United States, or to stir up sedition, or to abet the hostile designs of any foreign nation." What honest man can justly be alarmed at such a law, or can wish unlimited permission to be given for the publication of malicious falsehoods, and with intentions the most base? They who complain of legal provisions for publishing intentional defamation and lies, as bridling the liberty of speech and of the press, may with equal propriety complain against laws made for punishing assault and murder, as restraints upon the freedom of men's actions. Because we have the right to speak and publish our opinions, it does not necessarily follow that we may exercise it in uttering false and malicious slanders against our neighbour or our government, any more than we may, under cover of freedom of action, knock down the first man we meet, and exempt ourselves from punishment by pleading that we are free agents. We may indeed use our tongues, employ our pens, or carry our cudgels, or our muskets whenever we please; but at the same time we must be accountable and punishable for making such improper use of either, as to injure others in their characters, their persons, or their property." We would on this subject only add, that so tender and regardful have Congress been in this instance of our rights as citizens, as to have expressly declared in the law, that any person prosecuted under it may give in evidence in his defense, the truth of the matter contained in the publication, and that the jury before whom the trial shall be, shall have a right to determine the law and the fact, under the direction of the court, as in other cases. Hence there can be no conviction, unless it appears, not only that the matter written, printed or published was false, but that it was scandalous and malicious, and done with wicked intent."

Allow me once more to turn your attention to France.

You will recollect that in the dispatches from our Envoys, it appears that the person designated by the letter Y, accompanied Mr. Gerry on the 17th of October, to Mr. Talleyrand's office, where Mr. Gerry having observed to Mr. Talleyrand, that Mr. Y had that morning stated to him some propositions as coming from him, Mr. Talleyrand declared "that the information given him by Mr. Y. was just and might always be relied on." Looking back one page in the dispatches, we find the propositions stated that morning by Mr. Y. to Mr. Gerry, thus recited. "He (Mr. Y.) then stated that two measures, which Mr. Talleyrand proposed, being adopted, a restoration of friendship between the republics would follow immediately; the one was a GRATUITY of fifty thousand pounds sterling; the other a purchase of thirty two millions of the Dutch refections." The dispatches that had been published in the United States, having been republished in Europe, were translated into French and other languages, and thereby obtained a general circulation; except in France, where all the presses being under the absolute control of the Directory, they have not allowed the dispatches to be published, but where, however, it was impossible but that some copies should be introduced; and the French Directory and their minister Talleyrand, being aware how detestable their conduct, as represented in the dispatches, must render them in the eyes of all mankind, wished to wipe away their ignominy, and especially the reproach of CORRUPTION, in respect to the *douceur* or GRATUITY of fifty thousand pounds sterling demanded for their own pockets, by casting their agents, who informally conferred with our Envoys, "CERTAIN INTRIGUERS," as if they were unauthorized and unknown. With this view, Mr. Talleyrand affects an utter ignorance of the persons designated in the dispatches by the letters W. X. Y. and Z. and in his letter of May 30th, with solemn grimace requests Mr. Gerry immediately to communicate to him the names for which those letters stand. And Mr. Gerry, although he knew that Mr. Talleyrand was much better acquainted with X. Y. and Z. than he was himself, having complied with this insulting request; Mr. Talleyrand makes a formal record of their names; and then publishes the correspondence between him and Mr. Gerry on this subject, in order to blind the eyes of the French people, and amuse the world with the idea that the French government held in abhorrence "the scandalous proposition (as Talleyrand calls it) made by X. and Y. with respect to the payment of any sum whatever, intended to be pocket-