

... upon principles avowed by the government, that their conviction was sufficient to authorize them, without complaint or regular information, to cause the privateers to be prosecuted in virtue of the law above mentioned." — And "when the Ministers of the Republic have asked for justice of the government, for the vexations experienced by the privateers, in contempt of the 17th article of the treaty, they have never been able to obtain satisfaction."

Judging only by these declarations of Mr. Adet, a stranger would imagine there had been a combination of the general and state governments and of our courts, to harass and do injustice to Frenchmen engaged in privateering. But our own citizens place a different estimate on this impeachment of their President, their Senators and Representatives in Congress, their Judges and other public officers: and an examination of the cases cited by Mr. Adet to support his assertions will manifest their incor- rectness.

First case. The French privateer Sans Pareil and her prize the Perseverance.

On the 26th August 1794, Mr. Fauchet complained that the prize had been seized on the pretext that the Sans Pareil had been illegally armed in the United States. The answer of September 3d from the Secretary of State, which Mr. Adet censures "as indicative of delay," assured him that the Secretary had urged the Governor of Rhode Island, where the prize was carried, to report the circumstances of the case without delay. On the 27th of September, the Secretary informed Mr. Fauchet that the Governor had decided that the prize should be restored. On the 17th of October Mr. Fauchet renewed his complaint, for on the suit of the claimant the prize had again been arrested by process from the district court. The Secretary of State answered on the 22d, with information that ought to have satisfied Mr. Fauchet. For admitting that agreeably to the law of the 5th of June 1794, the courts had authority and were bound in duty to take cognizance of captures made within the jurisdiction of the United States, or by privateers illegally fitted in their ports (the right of doing which Mr. Fauchet did not contest) they could not refuse it in the case of the prize of the Sans Pareil: the guard against vexatious prosecutions being the judgment for costs and damages to which an unjust prosecutor is exposed. The circular letter written on this occasion to the Governors of the states manifests the solicitude of our government to prevent vexatious suits.

2d case. Glass and Gibbs.

By the copy of the proceedings in the supreme court of the United States, in this case, you will see that the court did not, as stated by Mr. Adet, determine, "That the tribunal could decide whether a prize belonged to enemies or to neutrals." The question before the court was of the cognizance of a captured vessel and cargo, the former the property of a Swede and the latter belonging partly to some Swedes and partly to a citizen of the United States. The opinion therefore pronounced by the supreme court applied to the case in which one of the claimants was a citizen of the United States. And after solemn argument, the court decided "That the district court of Maryland had jurisdiction and should accordingly proceed to determine upon this case agreeably to law and right."

I will add only one more remark—That the 17th article, the letter of which we are charged with violating, in suffering our courts to take cognizance of French prizes, expressly refers to "The ships and goods taken from their enemies;" and it is the "examination concerning the lawfulness of such prizes," which the article forbids. But no examination of such prizes has been attempted by our government or tribunals, unless on clear evidence, or reasonable presumption, that the captures were made in circumstances, which amounted to a violation of our sovereignty, and territorial rights.

3d. Case. The French privateer *L'Ami de la Pointe a Peire*, Captain William Talbot, and her Dutch prize, the *Vrouw Christiana Magdalena*.

To the information contained in the papers collected in this case, I have to add, that this cause was finally decided in the supreme court in August term 1795. The court were unanimously of opinion that in the particular circumstances of Talbot's case, notwithstanding his French commission, and his taking an oath of allegiance to the French Republic, he continued to be a citizen of the United States. But the cause, as I am informed, did not ap-

... on this point. Talbot had associated with one Ballard, commanding an armed vessel called the *Ami de la Liberte*, which had been fitted out in the United States, and had no commission. Talbot and Ballard cruized together as conforts; and in fact it was Ballard's vessel that took the prize; Talbot not coming up till an hour after the capture. Ballard was afterwards tried before the circuit court for piracy.

(See the last page.)

N A S S A U, (N. P.) Jan. 24.

Yesterday the Bermudian privateer *Fortune of War*, Capt. Adams, came in with a recaptured American schooner, named the *Venus*, of Charleston, George M. Haffard, master, from Port-au-Prince for Charleston, with a cargo of sugar.

Jan. 27. The order given by the French Directory for taking American vessels bound to or from British ports, is, in all likelihood, the cause of there being so few arrivals from England, during the last and present months, in the American states.

Unless a general peace should take place this winter in Europe, it seems almost certain that the Americans will be obliged, by the outrageous conduct of the French, to resort to arms for reparation of injuries experienced, and for defence against the depredations in future.

From the favourable bias towards the French manifested by the people of the southern states, it appears not improbable, that they will be averse to such a measure; and thus, by opposing the wishes of the northern and great commercial states, hasten that separation which has so often been looked forward to with dread by every American patriot.

The recapturing of American vessels by British ships of war and privateers, under the actual circumstances of the times is rather a novel case in maritime history.

Although the French capture American vessels trading to and from British ports, is the most manifest violation of the treaties existing between the two nations, still they have not promulgated any declaration of war,—they yet keep up intercourse with the American republic, and affect to consider her as their friend and ally.

Were the two powers at open hostility, there would be little trouble in ascertaining what a salvage should be allowed to our ships for retaking American vessels; but as matters are situated, although it will not be disputed that something is equitably due to the captors; still the fixing the quantum of it, is a business of peculiar difficulty.

We have heard of an arrangement for a temporary adjustment of such matters. It is this—the recaptured vessel and cargo to be appraised, and on sufficient security being given for compliance with what may be the general practice at home in similar cases, the master allowed to proceed on his voyage.

B O S T O N, January 13.

We have, at length received the official letter of Moreau, on the victory at Buchon. This general gives a description very different from the fabrication of English Ministerial prints, of his situation and retreat—His only view in approaching the French frontiers was to communicate with the army of the Sambre and Meuse, and he brought with him from Germany 7000 prisoners, and 80 officers. Thus vanish into smoke all the reports, rumours, fabrications, and lies, made, told and circulated, of this General.—If we were to credit some papers on this continent, this General and his soldiers have more lives than cats.—He has more than 20 times been cut to pieces: he has been mortally wounded half a dozen times at least! Poor BUONAPARTE was served in the same scurvy manner—he was cut to pieces; was sometimes dead, and sometimes defeated—It was but the other day that WURMSER pursued him to Verona, cutting down and up, and refusing to give quarter! Yet he now keeps WURMSER caged in Mantua! What lie is next to be told? Is the convention to be profaned, and Royalty established in France.—How long will the people suffer themselves to be duped by beings who have scarce sufficient ingenuity to tell a good lie!

Jan. 31. Captain Gilmore from Barbadoes, in 30 days, informs us of the capture of the

ship *Ganges*, Captain Elkins, of this place, from the Isle of France, bound home. She had been beating on our coast for a considerable time; till being short of provisions and very leaky, the Captain was compelled to put her before a N. W. wind and steer for Barbadoes. He had entered the harbor—his sails were clewed up, and his anchor upon the point of being dropped—when a boat was sent from the sloop of war the *Favourite*, commanded by the notorious Captain Wood—and she was taken possession of as a prize. The Governor and inhabitants of the island reprehended the transaction in warm and pointed terms—and the Vice A. Judge refused to libel the vessel. Wood then took his prize from the port, and proceeded with her to leeward, in hopes of finding as great a rogue as himself, to assist him in her condemnation. This Wood being the oldest commissioned Captain at the place, was commander of the naval force there, and amenable to no officer then at Barbadoes. The same commander had allowed the impressment of many Americans at the island—he did it to pick out the Englishmen—but many of the poor Americans were never released. On his passage home Captain Gilmore was at St. Eustatius, where he was told by the commander of a French privateer, that he had taken an Indiaman belonging to the United States, and carried her into St. Bartholomews—that she belonged to a person who had been indemnified by the English for certain losses, and therefore she would be condemned.

N E W - Y O R K, February 8.

The two paragraphs which follow were given to the editors by a respectable merchant of this city for publication.

The schooner *Return*, Captain Michels, arrived yesterday in 14 days from Guadeloupe. This vessel was bound from Newbern, N. C. with a cargo for New-York, and driven off this coast Dec. last, was taken by a French privateer, carried into Guadeloupe, her cargo taken and condemned: and the specie on board, consigned to sundry merchants of this city—all was condemned. The vessel liberated after paying expensive fees to depart.

The brig *Mary*, of this port, from Barbadoes to North-Carolina, was taken on the 19th of December and carried into St. Marks, where the vessel and specie on board, will probably all be condemned, there being then 8 American vessels condemned, which the Captain expected would be the fate of the *Mary*.

P H I L A D E L P H I A, Feb. 4.

Extract of a letter from a respectable character in Hillsborough, North-Carolina, to his friend in Philadelphia.

We have received a paper containing a statement of votes, which decides the question of presidency in favour of Mr. ADAMS, and although we are opposed to his election, the people here generally seem disposed to shew that submission to the majority which is always due from the minority in a Republican government.

February 6.

The mournful catastrophe which has lately overwhelmed the family of Mr. Brown, the printer of the Philadelphia Gazette, in this city, attained its full height on Saturday morning, by the death of Mr. Brown himself, of an inflammation of the lungs, occasioned by the large quantity of smoke and mephitic air which he had imbibed, before he was extricated from the fire.

This shocking extinction of a whole family, furnishes matter for serious reflection, which the Moralists may pursue for the benefit of his species, and which the giddy and dissipated ought to improve to their reformation. We trust it will also operate on all ranks of people as a cautionary lesson to be careful in respect to that restless element which has occasioned this direful calamity.

The remains of Mr. Brown were interred