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## The Two Republics.

*Position considerations in the subject of differences between*

### AMERICA and FRANCE.

(From the PARIS REDACTEUR.)

At a moment when the arrival at Paris of several Negotiators on the part of the United States is announced, it doubtless will be very acceptable to our readers to receive some exact statements upon the subject of the differences which have arisen between France and the United States.

The cause of the Americans against the Republic was defended in the Legislative Body by *Emanuel Pastoret*, on the motion of order, upon the 2d Messidor, the 2d year. It was pleaded by some French Publicists, or by men calling themselves by this name. But a cause of this nature, between two nations, can very ill be elucidated by oratorical emotion, or polemical pamphlets. The matter receives no light from the vehemence of the tribune or the virulence of invective. Let us lay words out of the question; let us consider things. The difficulty consists in facts, and it is with facts which we ought to be acquainted.

A Treaty of Commerce, concluded by Mr. Jay, is the source of the difference which we have to investigate.—This treaty was concluded at London on the 1st November, 1794: it was ratified by the Senate of the United States, with the exception of one article, upon the 24th of June, 1795.—The following is in a few words the history of this treaty:

It is well known that there exist among the Anglo-Americans two declared parties; the one consists of the merchants, and unfortunately of a majority in the government and legislature—this is the English party; the cultivators of land, form the other party. The mass of the people is more inclined to the cause of France, and to the principles which dictated the revolution. The latter remember that to France they owe that liberty which they prize so much; the others recollect that to England they owe their existence; this at least is the motive generally understood to actuate the two parties.

It is melancholy to discover, in every age and in every country, the eternal contest occasioned by this division of the human mind, between the aristocratical and democratical spirit. The States of Greece formerly experienced these oscillations, which were also the torment of the Roman Republic. The universe seems abandoned to the system of these two principles. The good one does not always preponderate, and the United States seems to fluctuate between the two.

It is well known that the French have contributed in America to the triumph of the better Genius. By a definitive treaty concluded at Paris in 1783, England recognized the independence of America. This treaty fixed the limits and some other points.

Up to the commencement of the present war, these objects had excited some differences. The troops of the King of England had not observed the lines of demarcation traced by the treaty. The English had carried off the negroes belonging to the United States. Some American vessels, by virtue of orders issued on the 6th Nov. 1793, had been pillaged and taken by English vessels, under pretence that they carried on traffic with the French West-India Islands upon a different footing from that established before the war, &c.—The last fleet awakened the American ship owners; they every where protested against this proceeding. In the Legislature cries of war were heard, should the grievances of America not be redressed.—The government preferred the mode of conciliation:—a Negotiator was sent to London, and the choice fell upon Mr. Jay.

The *Chronique* asserts, that at London Mr. Jay allowed himself to be circumvented by the Ministers, the Courtiers, the Noble Lords. Stunned, besides, by the complaints of imaginary grievances which the British Minister rung in his ears, he forgot he himself was sent to state the grievances of his fellow-citizens, and that he came on purpose to procure redress. He saw no other means of extricating himself from this labyrinth but to solicit the conclusion of a treaty of peace with England.

Here begins the return of the bad principle into the affairs of America. This treaty favours, in a decided manner, the interests of England, to the prejudice of France, and several other powers, such as Holland, Prussia and Sweden; and it openly violates, in several important articles, the preceding treaties between France and the United States.

We here should observe, that a Treaty of Commerce, favourable to the Americans, negotiated by Franklin, Deane and Lee, had been concluded between France and the United States, along with a Treaty of Alliance, upon the 6th of Feb. 1778. These treaties of Paris, compared with that of London negotiated by Mr. Jay, gives rise to a parallel, and to remarks very striking. We shall advert to the features of the contract which were concealed or prevented on Pastoret's motion of order. At the commencement of the present war, it was proposed to renew the alliance between France and America; but America eluded this proposal: Nay, more; it endeavoured to form, or rather it sought and solicited to establish, new bonds of friendship, of commerce, and intimate connection with the Cabinet of London.

In 1778, the French lavished their treasures and their blood in favour of the Americans during the war with the King of Great-Britain: In 1794, America concluded with the same King a most favourable treaty, at the same time that this King was carrying on against the French a war, at once the most violent and unjust. At the first period, it was in France, at Paris itself, that the treaties between England and the United States were negotiated—the interest of the allied nations were then stipulated in concert against that power which was then considered as the common enemy. At present, it is at London where they are conducted, without the knowledge of France. It is at Philadelphia where those insidious articles are adopted with mysterious secrecy—articles by which the interests of France are destroyed or trodden under foot.

These treaties of *disaffection*, to say no worse, must deeply affect the French.—They clearly announced to them the rupture of the alliance which subsisted between them and the Americans, although that rupture had not been written expressly in every article of the treaty negotiated by Mr. Jay. It may be asserted that it is there literally expressed. We shall now consider it article by article.

1st. The eight first are occupied in fixing limits. They assign round each English post boundaries traced on the territory of the United States which had nothing to do with the treaty of independence in 1793. These boundaries, the extent of which is not determined, must people the interior of the American frontier with English colonies. By the same articles, there is granted to the English the free navigation of the lakes and rivers traversing the United States, although the same liberty is not granted by the English on their own rivers but under restrictive clauses. The English are admitted without any equivalent, to share the territory to the east of the Mississippi, &c. We admit that these facts seem only to concern the Americans, but they discover the spirit of kindness and of favour in which the treaty is conceived. This will be seen more clearly from the subsequent articles.

2d. The ninth article stipulates, that the subjects of England and the United States at present possessing lands in the boundary of the territory of either nation, shall enjoy all the privileges of the natives of either country, and shall not be reputed strangers. The proportion of the lands thus possessed is not specified.—Are the American Emigrants comprehended in this clause? Whether this be so, or not, it follows that the United States will have in their bosoms English possessors of lands, Englishmen through all their country. When the French in '78, granted to the Americans every thing they demanded, and principally an exemption from the duty of excise, to which other foreigners dying in France were liable, at least a reservation was made of the right respecting taking measures against the excess of emigration. But here nothing is reserved: the children and grand children of the numerous subjects of Great-Britain may increase to infinity, and plant throughout all the dominions of the United States this shoot of royalty. Twenty years ago the English were not so much in fashion in America, and were viewed with rather more distrust: it then was thought that they could not be kept too far from their states, their ports, and their frontiers.

3d. The tenth article makes provision for the war that may arise between the two contracting parties. In this case, the funds which should be placed by individuals in the public banks, and the coffers of individuals, can be in no case either sequestrated or confiscated, "as it is unjust and impolitic (says the article) that debts and engagements contracted by individuals having confidence in each other, should be destroyed or weakened by the national authority on account of differences subsisting between the two nations." This last para-

graph is what may partly be termed *philosophy*.—We know very well how, on a late occasion, England practised this sublime theory. We know how they philosophically respected the funds of the Dutch merchants, who were, by the way, the first and the last friends of the American people; philosophy apart, how could the latter who have neither fleets nor armies, think of laying aside this arm, the only arm they can employ in case they have reason to complain of the conduct of England. Is it not to surrender themselves to England by tying their own hands?

4thly. By the twelfth article, "the Americans bind themselves not to export from the United States, to any part of the world whatever, during the present war, and for two years after, either molasses, sugar, cocoa, coffee or cotton, whether these articles may be the produce of the French, English, or Spanish Islands." The cocoa is a produce of the Spanish possessions: the United States themselves produce cotton. The Americans are afterwards prohibited from trading to the British establishments in vessels of larger burthen than 70 tons. But how are the Americans to transport, in such vessels, either their wood for building, or the other cumbersome products which are conveyed from their territory? If the preceding articles are to be ascribed to a connivance and a marked predilection for England, ought we not to regard the Americans as bowing the neck to the yoke of that nation? We ought, besides, to consider, which is the one of all the powers against which this article is exclusively directed. By the ninth article of the Treaty of Alliance concluded in 1778, between America and France, the former power had guaranteed to its deliverers their American possessions. It is well known, that hitherto the United States have unfortunately not been able to fulfil in a direct way this article of their treaty: France have excused them; but is this a reason why they should act in a way diametrically the reverse? Now, do not their new arrangements with the British Islands tend at once to facilitate their supplies and to render those of the French Islands more difficult? Will not the American vessels supply the English with the means to maintain themselves in the usurpation of Martinique? By the same twelfth article it is provided, that during the last war, and for 2 years after, the question, whether, between the English and Americans, the neutrality of vessels shall apply to the merchandize they contain? shall be left undecided. This question has been affirmatively decided in the different treaties between America and France, between France and Holland, and between Prussia and Sweden. The above clause is not precisely an infraction of these treaties since it does not depend on America solely, properly speaking, to bind the English to do what they may not wish to do. It is not less evident that this article is altogether to the prejudice of the French; for it does not less result from this compliancy, or perhaps from this concert with the enemies of the French Republic, that the English may legally plunder the merchandize of the French in American vessels; more especially the corn which the Americans may have been pleased to sell to the French at a time of scarcity and embarrassments, and that neither the French, the Dutch, the Prussians, nor the Swedes, could seize on board the same vessels merchandize belonging to the English.—It would have been more honourable in the American senate to have disavowed the treaty, on the ground of this article alone, which it could not have been advantageous for them to adopt.

5thly. By the thirteenth article, the Americans are allowed to carry on a trade with English establishments in the East-Indies; but among other restrictions, the whole of the merchandize brought from those establishments must be landed exclusively in the ports of the United States themselves, thus then the Americans cannot carry to Canton, or to any other part of the globe, what they may ship in the English Asiatic Colonies. It is thus that they destroy by their example, as much as they can, the freedom of navigation. To these advantages they have sacrificed at once both their engagements and their earlier connections.—The 14th, 15th, 16th, and 17th articles, contain the regulations of their commerce, and of their new friendship.

6thly. The 18th paragraph, enumerating the merchandizes which shall in future be considered as contraband, comprehends in the list the essential articles which in the treaty with the French, as well as those with the powers above named, were considered as free merchandizes. These articles are, wood for ship-building, pitch and tar, copper in plates, flax, cordage, and, finally, whatever is