cliency, and not to our minister at that court; and when our treaty with Spain was concluded, it was necessary to send a minister resident at another court to do this business. Since our treaties were always made by special envoys, what advantage could it be of, to have numerous ministers plenipotentiary in Europe? In the present critical situation of that country, agitated as it was to the center, was it not to be apprehended that our ministers would participate in some degree, in the party spirit which there abounded, and rank themselves on one side or the other, which would have a tendency to draw this country into a vortex from which we were so happily separated by the Atlantic. We were the only nation, he said, who possessed a government, on a firm foundation, in which civil and religious liberty was fully recognized; we, therefore, enjoyed what the people of Europe were looking after. We have nothing to wish, except to remain in our present situation. Why, then, should we hazard the being involved in European broils?"

This is the man, whom federal calumny has assailed from the infancy of his political life. The more extended the sphere of his ability, the more splendid his services, the greater its malignant violence. Could his enemies expose the inconsistency between his actions and his professions, could they show that when in power he had done what he condemned while out of power, they might with truth condemn him. This they might do; though it would ill-become those who are themselves in the habitual transgression of the rule which they apply to their opponents. But they are defied to produce a single act of inconsistency. Well then may they give the rein to the most licentious calumny, to suspicion that has not even straws to hang on, to infamous tales not believed by their propagators, to contemptible witticisms, below the vulgarity of buffoonery. These are the prerogatives, the instruments of falsehood. When facts are wanting, these must be had; for any thing is better than nothing.

Again, Mr. Gallatin said "He again called upon the committee to consult the history of all other nations whose governments were in any degree, similar to ours, and it would be seen, that an undue extension of executive patronage had been the destruction of them all. But was there no reason to guard against the patronage upon the gentleman's own ground; there certainly was; for, according to their doctrine, the power of the executive was unbounded in its nature, and without checks, as they say the President has a right to appoint as many ministers as he pleases, and that the legislature is bound to provide their salaries. When such a doctrine was avowed, was it not right, he asked, to state all the consequences to which it led? He thought it was.

"Again, he would ask, whether the experience of this government had not shewn, that this patronage, so far as it related to the legislature, was more dangerous than any other. In the last four years, five ministers had been sent to Europe, four of whom had been taken from the legislature of the United States—one, he believed, after the period for which he was elected was expired. Combine with this fact, that it is the duty of the executive to chuse men for office only from those whose opinions are consonant to its own, and look at the situation of members of congress. They see written, in legible characters. "There is no hope of being appointed to office, unless your opinions be in conformity to that of the executive of the United States."

"If, said Mr. G. in the youth of our country and government, we do not feel the effect of this kind of influence, as it has been experienced in other countries, it is owing solely to that cause, and he would venture to say there was no other legislature in existence upon which such a fact would not make some impression; and if it did make any here at present, were they to suppose that this country was so much more favoured by Providence than others, that the same effects might not, in process of time, be produced here as had been produced by similar causes in other nations? And ought they not to guard against it in time? He thought prudence directed them to do so."

On the 22d of January, *Mr. Griswold* spoke. He said, "Gentlemen still say this motion ought to be agreed to, because the executive is already possessed of immense patronage, which is spreading its influence through every department, and is become so alarming, as to make it necessary to sacrifice every consideration in order to have it lessened. When he heard a language of this kind, he could scarcely refrain from smiling. What, he asked, was this alarming influence? It could not be doubted that in some governments, where the executive was a permanent establishment, immense influence might be acquired. But what was the situation of our executive? It was true it had the power of appointing to office; but the offices were not very desirable, and the execution of some of them was attended with obloquy and reproach; besides, the duration of one executive was limited to four years lease. And yet gentlemen charge this executive with being possessed of an influence which they foretel will prove the destruction of government. Such opinions he could only consider as mere chimeras of the brain supported upon no rational ground.

"But gentlemen went farther, and said that this power had already been abused, as the executive, in his appointments to office, had respect to the opinions of those whom he chose. He confessed that he had thought, from some appointments which had been made, that the President had not adopted the determination which some gentlemen were of opinion he had, though he acknowledged it was a determination which every real friend of the government must wish to see adopted. Could it be believed, that the President would not have some respect to the opinions of the men he employed? Gentlemen could not believe this. What! employ men whose very opinions and principles led to disorder!—to appoint men to office for the purpose of preserving order and peace, whose very opinions lead to disorganization and confusion! Was this to be done? He thought not: and if the determination of attending to the opinions of men appointed had not been adopted, it ought to be adopted. Indeed he had been led to believe, that there was a class of men in this country, who, from the sober convictions of their minds, being convinced that most of the measures of government were wrong, had determined not to accept of any office under it, and by that means assist in its execution; but if he rightly understood the gentleman from Georgia (Mr. Baldwin) he supposed he had been deceived in this respect, as he seemed to say, that they were not only willing, but desirous of accepting offices under government. He could not have believed this, as it supposed a baseness of character which he had hoped did not exist in the United States.—What! were gentlemen who had been uniformly opposed to every measure of government, now ready to step in and take part in the execution of that government? Were they willing to become the instruments of those measures which they have heretofore uniformly declared to be wrong? He had hitherto respected this class of men, because he believed they acted from conviction; but if they were about to add hypocrisy to their other crimes, it was a proof of their total want of integrity. Indeed, for a man to say administration was right, when he believed it wrong, was to prove that he had no conscience. He thought, therefore, it was highly proper to chuse men only into office who would act from principle."

These remarks are the more worthy of attention, as proceeding from one who has not been surpassed in the violence of denunciation against the present government. On the floor of the House, in the face of the nation, has he, times without number, inveighed against the President for partiality in the designation of officers of similar political sentiments with himself; with what consistency let the meanest apprehension decide. For the exercise of constitutional duties, the President has often received the venom of his reproach, and executive patronage has been delineated as a stalking giant bearing all before it. With what consistency let his conscience be the judge!—Mark his concluding words. If they are true base beyond atonement, and hypocritical beyond palliation must these federalists be, who having "been uniformly opposed to every measure of government, *are* now ready to step in and take part in the execution, of that government?"

FROM THE AMERICAN, &c

THE DEMOCRAT, No. I.

PRELIMINARY OBSERVATIONS.

POLITICAL PARTIES in all governments, spring from the avarice and ambition of individuals, and where a free constitution and a rich extended empire augment the number and stimulate the passions of candidates for wealth and power; acrimony and fury of faction are always dangerous, and frequently fatal to public liberty and happiness.—Truth and reason are but feeble correctives of those turbulent passions, if unaided by the voice of authority and the hand of Power. In this view which all experience continues to verify, disinterested public virtue, wholly unconnected with party, is not to be expected;—if not inconsistent with our nature, it is too frequently, incompatible with our duty: Whilst bad men have talents they will combine; they know it is the only source of their success; and as no individual efforts can resist combination, good men must combine against them; unfortunately that compromise of opinion, and often of principle, so essential to united efforts, and so unpleasant to virtuous minds, has at all times subjected a great portion of our fellow-men, to the power of the most profligate among them.

Under these impressions, the author of the following numbers, without hesitation avows his preference of a party, and the reasons which have determined him in favor of that *party*, who are now cloathed with the delegated authority of their fellow citizens, will be submitted with freedom; but this preference, essentially distinct from unqualified approbation, presumes a similar acquiescence on the part of many opponents, ranged in the opposite ranks; and whilst it admits the justification of a similar necessity as its source it inculcates the duty of toleration and the language of decorum; they alone can preserve to reason its natural influence over passion, and may enable moderate men on both sides, to restrain the vibration of public opinion from the extreme point; whence, by an unalterable law of nature, it would force its way equally far, in an opposite direction. To that class of moderate men who seek *truth* in political paths, and not honor or profit; who from motives of preference and duty only, have attached themselves to *party*; who compose the bulk and most decide the fate of the nation, these Essays are particularly addressed:—to conciliate *leaders and active partizans* however desirable, cannot be expected: with them confession seldom follows conviction; the pride of opinion and thirst of power, chain them to error, when once established as the creed of their party.

He deplores and has ever deplored that unnecessary, if not fatal departure from the true federal principle, which by collecting the richest attributes of authority, from all the states, into one general government, by a charter so indefinite as to render uncertain what was left, has concentrated in one object of hopes and fears all the interests and passions of society; which, instead of many small parties, always counteracting and mutually checking each other, and from diversity of object never subject to one simultaneous shock, of enthusiasm or persecution; and where the majority remaining cool and found in each particular contest, could interpose their influence and authority, to heal the divisions of a minor part, (the safeguard and glory of the true federal system,) has formed the nation into two great and dangerous parties, which will admit of no third to interpose; and may, unless prudently remedied, force it into the arms of a tyrant, as a shelter from the reciprocal injuries, inflicted in their alternate successions to power. He precludes, as his first political wish, the restoration of real federalism; not under the inefficient forms of the old confederacy, but under a limited construction of our present constitutional compact; relying more on the numerous state-guards of our liberty and happiness, and confiding less those sacred deposits, to the strength and fidelity of a single centinel; holding and believing as he does, a division of power to be a sacred dictate of nature; and that its rays divided produce a natural and genial warmth, but collected to one focus, an unnatural and consuming heat. In pursuing his discussions he will not omit, as idle and vain, every theoretic enquiry, unconnected with practical application, to those political occurrences, which absorb the attention and have inflamed the passions of society. Principles, however, must be resorted to, and to them he must appeal in vindication of the superscription and signature he has adopted.

Whilst language continues an imperfect expression of the combinations of which the mind is susceptible, the progress of all science will be retarded, and its effects weakened, by disputes merely verbal; thus, in the word democracy, as capable perhaps as any techinal term, of precise and legal definition, the views of party have discovered ample field of ambiguity, to shelter their errors and cover their designs. Demonstration in science depends on the facility and regularity of experiment;—revolving ages must therefore continue to elapse, before political acknowledge can be reduced to that certainty, which will unite the opinions of the reflecting;—founded on experiments of such lengthy durations; involved in its results, with the passions of individuals and accidents of fortune, and intrusted to the frail record of history, instead of the accuracy of personal inspection; although by far the most interesting, it remains the most uncertain of human enquiries.

In a confusion derived from nature & augmented by art, we shall still find that the most enlightened and approved writers, ancient and modern, have united to establish those elementary principles, which authorize us to class the general and particular Constitutions of the United States, under that general division of sovereign power, which they term democracy, and under no other genuine form whatever; not *simple* or pure, but representative, and substantially that *qualified species of democracy*, which the wisest and best—the sages and patriots of all ages and climes, have believed to be the perfection of human government;—the ideal form they have described, it has been the singular fortune of the United States to realize; the proof of which, will be the particular object of our succeeding essay.

PUBLICOLA.

LIME.

JUST Received and for Sale by the Subscriber, a quantity of Rhode Island Lime.

M. CLEARY.

Foreign Intelligence.

PARIS, *September* 9.

On the 2d instant, a deputation from the citizens of Marseilles presented to the First Consul a medal, which was struck in that city in celebration of him. Citizen F. Guiard presented the following address on the occasion.

"*General Consul*—No city experiences more than our's the benign influence of the glorious peace, which your victories have given to France. Industry rears its head within those walls so long abandoned to a fatal inaction; that superb port, the object of jealousy to foreign nations, has already resumed its activity. Numerous architectural embellishments now appear in the place of revolutionary ruins, and every day your paternal solicitude effaces the remembrance of our late misfortunes, and inspire us with new hopes. Marseilles owes it happiness to you; and the gratitude of Marseilles causes your effigies to be impressed on bronze, together with the expressions of her sentiments.

"May the traits of the Consul, which all the arts strive to render as immortal as your fame, be imprinted one day even on the symbols of our social transactions, the sole imperishable annals of a people—incessantly recall to the minds of those employed in commerce, in the arts, in agriculture, that their splendor is your work. To the minds of our warriors, that it is to you they owe their most brilliant victories, and transmit to the most remote ages, the sacred image of the hero to whom France is indebted for her prosperity and her glory."

The reply of the First Consul contains the following passages:

"I am sensible of this manifestation of the sentiments of the city of Marseilles, and I see its deputation with pleasure. The attention of government is unremittingly turned to that great city, and takes a lively interest in its splendor. By the treaty of peace concluded with the Grand Seignior, the Republic has obtained the free navigation of the Black Sea. The commercial relations with the Mediterranean will thus increase, and become more prosperous than ever: but I desire that Marseilles may not neglect another source of commercial prosperity: The mouths of the Po are now open to her—vessels can proceed up as far as Ferrara, and penetrate to the centre of the 27th military division, and by these means furnish soap and other productions of the industry of Marseilles to Italy, and a considerable part of Germany."

STATE PAPER.

Definitive Treaty of Peace, between the French Republic and the Sublime Ottoman Porte.

The First Consul of the French Republic, in the name of the French people, and the Sublime Ottoman Emperor, being desirous to restore the relations of peace and amity which have of old subsisted between France and the Sublime Porte, have for that purpose appointed ministers Plenipotentiaries, viz. the First Consul, in the name of the French people, citizen C. M. Talleyrand, Minister for foreign affairs to the French Republic; and the Sublime Ottoman Porte, Baird Mehemed Said Ghallib Effendi, Private Secretary and Director of Foreign Affairs; who, after exchanging their full powers, have agreed to the following articles:—

1. There shall hereafter be peace and friendship between the French Republic and the Sublime Ottoman Porte; hostilities shall for the future and for ever cease between the two States.

2. The treaties and capitulations which before the war defined the respective relations of every kind existing between the two Powers, shall be renewed in all their particulars.

In consequence of this renewal, and in fulfilment of the ancient capitulation, according to which the French have a right to enjoy in the states of the Sublime Porte all the advantages granted to other nations; the Sublime Porte consents that the French merchant ships bearing the French flag shall for the future possess the undisputed right to navigate and pass freely the Black Sea. The Sublime Porte likewise consents that the said French merchant ships, on their passage in and out of this sea, shall, with respect to every thing that can favor the free navigation of it, be placed precisely on the same footing with the merchant ships of those nations which now navigate it.

The Sublime Porte and the Government of the French Republic will with common consent take vigorous measures to cleanse the seas which the ships of both states navigate, from all kinds of pirates.

The Sublime Porte promises to protect the French trading ships in the Black Sea against all kinds of pirates.

It is hereby understood, that the advantages secured by the present article to the French in the Ottoman Empire, shall in like manner extend to the subjects and flag of the Sublime Porte in the seas and territory of the French Republic.

3. The French Republic shall, in the Ottoman Countries which lie on, or in the vicinity of the Black Sea, both with respect to their trade and the Agents and Commissaries which that trade may render it necessary to appoint in such places, enjoy the same rights and privileges which France, before the war, enjoyed by virtue of the old capitulations, in any other parts of the states of the Sublime Porte.

4. The Sublime Porte assents to all that was stipulated with respect to it in the treaty concluded at Amiens between France and England, on the 4th of Germinal of the year ten (25th March, 1801), or the 22d of Zillides, of the Hegira 1216. All the articles of this treaty, which have relation to the Sublime Porte, are by the present treaty formally renewed.

5. The French Republic and the Sublime Porte mutually guarantee the integrity of their possessions.

6. The restorations and indemnifications which are due to the Agents of the two powers, or to their citizens and subjects, whose effects have been confiscated or sequestrated during the war, shall be regulated in an equitable manner, by a particular agreement to be concluded between the two governments at Constantinople.

7. Until by common consent new regulations shall be agreed on, with respect to the tolls or customs on which disputes may have arisen, these shall in both countries continue to be regulated by the old capitulations.

8. Should any prisoners be found in the two countries who are detained in consequence of the war, they shall immediately be set at liberty, without ransom.

9. As the French Republic and the Sublime Porte, by the present treaty, wish to place their states reciprocally in the same situation of the most favoured powers, it is expressly understood that each state grants to the other all the advantages which have been or shall be granted to any other powers in the same manner as if they were expressly stipulated in the present treaty.

10. The ratifications of the present treaty shall be exchanged within eighty days, or sooner if possible, at Paris.

Done at Paris, the 6th Messidor, of the year ten (June 25, 1802,) or the 25th of Saferniar, the year of the Hegira 1217.

(Signed)
CH. MAU. TALLEYRAND.
ESSIED MOHAMED SAID.
GHALIB EFFENDI.

PASSAU, August 17.

The following Proclamation has been published by the bishop:

"On the 10th, two columns of Bavaro Palatine troops, infantry and cavalry, entered the territories of this Bishopric, on each side of the Danube, without making the accustomed requisitions, without any species of notification, a part of those troops proceeded against the capital; some pieces of artillery accompanied by the necessary number of gunners, with matches in their hands, were sent against the gates, so that the fear of seeing the city occupied by violent means became greater every instant. Such events are so extraordinary and alarming that his highness would have thought himself wanting in his duties as sovereign, and as a state of the Empire, had he neglected to inform his Imperial Majesty, in his quality of Supreme Chief of the Empire, and to intreat him to protect his country against all foreign violence; a protection to which the contents of the last Imperial decree of the 22d of July gave him a new title.

"As the general commanding at Scharding has received from his superiors the orders to grant that protection to the Bishopric, as in consequence, a proper number of Imperial troops under his orders is to occupy the capital and the county on the 17th inst. as the most solemn assurance has been given that not the slightest change nor alteration should be made in the Administration, the constitution nor in any of its relations whatever, his Highness has thought proper to inform the public of these dispositions, to exhort paternally his faithful subjects to remain tranquil, to abstain carefully from speeches which relate to politics, and to wait with the tranquility that becomes wise and good subjects, the termination of the great affair upon which the deputation of the Empire is about to occupy itself, and by which the fate of this capital and of the county will be decided in a constitutional manner.

"By conforming strictly to these exhortations, each will avoid all disagreeable effects."

VIENNA, Aug. 18.

We learn by the latest intelligence from Turkey, that Passwan Oglou is in open negociation with the Porte, and that the epoch of his absolute submission will be the moment of the arrival of the Grand Vizier in the environs of Widden. That city will be delivered up to the Grand Vizier by the Passwan Oglou himself. We are ignorant what will be the conditions of the arrangement; whether this rebel, who has caused so much disquiet to the Porte, will be raised to any dignity, or whether he will retire with his troops to a foreign country.

VENICE, Aug. 18.

We have been at length made acquain-