

THE WORKS OF



JOHN ADAMS

VOL. 9: LETTERS AND
STATE PAPERS

1799 - 1811

The Works of John Adams

Volume 9

JOHN ADAMS

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*www.jazzybee-verlag.de
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admin@jazzybee-verlag.de*

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PUBLIC PAPERS. CONTINUED.

TO O. WOLCOTT, SECRETARY OF THE TREASURY.

Quincy, 23 July, 1799

Sir,—

Inclosed is a letter from Mr. Thaxter, relative to the lighthouse on Gay Head. I shall soon send you a drawing, if not a model, of an economical improvement of these lights, of Mr. Cunnington, which appears to me, but I may be mistaken, of greater importance than the great question, who shall be the keeper of one of them.

T. PICKERING, SECRETARY OF STATE, TO JOHN ADAMS.

Philadelphia, 24 July, 1799

Sir,—

There is in the Aurora of this city an uninterrupted stream of slander on the American government. I inclose the paper of this morning. It is not the first time that the editor has suggested, that you had asserted the influence of the British government in affairs of our own, and insinuated that it was obtained by bribery. The general readers of the Aurora will believe both. I shall give the paper to Mr. Rawle, and, if he thinks it libellous, desire him to prosecute the editor.

I do not know a member concerned in the administration of the affairs of the United States, who would not indignantly spurn at the idea of British influence; and as to

bribes, they would disdain to attempt a vindication from the charge.

The article in the paper, marked 5, of an acknowledgment in my writings, that in case of a war with Great Britain, a foreign war is not the only one to be dreaded, probably refers to my letter of 12th September, 1795, to Mr. Monroe, in which, vindicating our state of neutrality and the British treaty, and exhibiting the evils to flow from a war with Great Britain, I say that in that case "it would be happy for us if we could contemplate only a foreign war, in which all hearts and hands might be united."

The editor of the Aurora, William Duane, pretends that he is an American citizen, saying that he was born in Vermont, but was, when a child, taken back with his parents to Ireland, where he was educated. But I understand the facts to be, that he went from America prior to our revolution, remained in the British dominions till after the peace, went to the British East Indies, where he committed or was charged with some crime, and returned to Great Britain, from whence, within three or four years past, he came to this country to stir up sedition and work other mischief. I presume, therefore, that he is really a British subject, and, as an alien, liable to be banished from the United States. He has lately set himself up to be the captain of a company of volunteers, whose distinguishing badges are a plume of cock-neck feathers and a small black cockade with a large eagle. He is doubtless a United Irishman, and the company is probably formed to oppose the authority of the government; and in case of war and invasion by the French, to join them.

I am, with great respect, &c.

Timothy Pickering.

TO J. McHENRY, SECRETARY OF WAR.

Quincy, 27 July, 1799

Sir,—

I have received your letter of the 20th, and have no objection to the plan you propose of raising a company of cavalry. "Our means!" *Endnote 002* I never think of our means without shuddering. All the declamations, as well as demonstrations, of Trenchard and Gordon, Bolingbroke, Barnard and Walpole, Hume, Burgh and Burke, rush upon my memory and frighten me out of my wits. The system of debts and taxes is levelling all governments in Europe. We have a career to run, to be sure, and some time to pass before we arrive at the European crisis; but we must ultimately go the same way. There is no practicable or imaginable expedient to escape it, that I can conceive.

TO T. PICKERING, SECRETARY OF STATE.

Quincy, 1 August, 1799

I have received your favor of the 24th of July, inclosing an Aurora of July 24th, imbued with rather more impudence than is common to that paper. Is there any thing evil in the regions of actuality or possibility, that the Aurora has not suggested of me? You may depend upon it, I disdain to attempt a vindication of myself against any of the lies of the Aurora, as much as any man concerned in the administration of the affairs of the United States. If Mr. Rawle does not think this paper libellous, he is not fit for his office; and if he does not prosecute it, he will not do his duty.

The matchless effrontery of this Duane merits the execution of the alien law. I am very willing to try its strength upon him.

T. PICKERING TO JOHN ADAMS.
(Private.)

Philadelphia, 1 August, 1799

Sir,—

The day before yesterday I received from Mr. Charles Hall, of Northumberland county, in this State, a letter concerning a publication by Thomas Cooper, an Englishman, and a connection of Dr. Priestley, addressed to the readers of the Sunbury and Northumberland Gazette, on the 29th of June. *Endnote 003* This address has been republished in the Aurora of July 12th, which I now inclose.

By Mr. Hall's information, Cooper was a barrister in England, and, like Dr. Priestley, a chemist, and a warm opposition man. Dr. Priestley was at the democratic assembly on the 4th of July, at Northumberland. But what is of most consequence, and demonstrates the Doctor's want of decency, being an alien, his discontented and turbulent spirit, that will never be quiet under the freest government on earth, is "his industry in getting Mr. Cooper's address printed in handbills, and distributed." "This," Mr. Hall adds, "is a circumstance capable of the fullest proof." Cooper has taken care to get himself admitted to citizenship. I am sorry for it; for those who are desirous of maintaining our internal tranquillity must wish them both removed from the United States.

It is near a year since you authorized the expulsion of General Collot and one Schweitzer. Colonel Mentges, who was engaged (while I was at Trenton) in getting information of Schweitzer's names and conduct, kept me long in suspense until at length he informed me that General Serrurier was in the country in disguise. I then thought it best not to give an alarm to him by arresting the other two. But after months of suspense, while inquiry was

making, I was satisfied the information concerning Serrurier was groundless. Then so many months had elapsed, and the session of Congress commenced, when other business pressed, the pursuit of these aliens was overlooked. Colonel Mentges now informs me that Schweitzer is about to embark for Hamburgh; but Collot remains, and is deemed as much as ever disposed to do all the mischief in his power. He remains a prisoner of war to the British; and it would seem desirable to compel him to place himself under their jurisdiction, where he could do no harm.

M. Letombe not only exercises those services, which, on the withdrawing of his exequatur, he requested permission to render to his fellow-citizens in this country, but assumes and uses the title of Consul-General of the French Republic, just as he did formerly. He held the purse-strings of the republic in this country, and paid the bribes ordered by the French Minister Adet; the minister being gone, he is probably vested with powers adequate to the object. With much softness of manners, he is capable of submitting to, and doing, any thing corruptly which his government should direct.

The reiterated observations, that the alien law remains a dead letter, have induced me in this manner to bring the subject under your notice; and, waiting the expression of your will, I remain, most respectfully, yours, &c.

Timothy Pickering.

P. S. A prosecution against Duane, editor of the Aurora, has been instituted, on the charge of English secret-service money distributed in the United States; and I have desired Mr. Rawle to examine his newspaper and to institute new prosecutions as often as he offends. This, I hope, will meet with your approbation.

TO T. PICKERING, SECRETARY OF STATE.

Quincy, 3 August, 1799

Sir,—

I have received a long letter from Mr. Gerry of the 24th of July, with papers inclosed, numbered 1, 2, 3, 4, and 5, besides another paper of extracts of letters. I inclose extracts of his letter, together with all the numbers, and his paper of extracts. These numbers and last extracts I pray you to return to me, when you have made all the uses of them you wish.

These papers, I think, will convince you as they have me, of three points.

1. That Mr. Gerry's stay in France, after the receipt of your letter by Mr. Humphreys, and especially after the publication of the despatches, was not gratuitous, but of indispensable and unavoidable necessity under the paws of arbitrary power, and therefore that his salary ought to be allowed him according to his account.

2. That Mr. Gerry ought not to be charged with the ships' stores, or any part of them. I am ashamed to make any remarks on this head, and shall not do it unless driven to the necessity of it. If the necessities of our country require that we should order our ambassadors to take passages in small vessels, with all the sea captains and mariners that can be collected, I think a generous provision of articles in case of sickness and putrid fevers ought not to be charged to the ambassador.

3. That the guilders ought not to be charged at forty cents. This point, however, I may mistake. I should be obliged to you for information. I wish right may be done according to law at the time the debt was contracted. Upon the whole, it is my opinion that Mr. Gerry's account, as stated by himself, ought to be allowed. *Endnote 004*

I am, Sir, with all due respect, &c.

John Adams.

TO T. PICKERING, SECRETARY OF STATE.

Quincy, 4 August, 1799

Sir,—

The inclosed protest and certificates I received last night, with the letter from Captain Ebenezer Giles, late commander of the schooner Betsey. This gentleman made me a visit some weeks ago, to complain to me in person of the horrid treatment he received from the commander of the ship Daphne, a British vessel of war. He has now sent me the papers, and expects that government will espouse his cause. I think the papers should be communicated to Mr. Liston, and sent to Mr. King. *Endnote 005* There is a very sour leaven of malevolence in many English and in many American minds against each other, which has given and will continue to give trouble to both governments; but by patience and perseverance I hope we shall succeed in wearing it out, and in bringing the people on both sides to treat each other like friends.

TO B. STODDERT, SECRETARY OF THE NAVY.

Quincy, 5 August, 1799

Your two letters of the 29th, and one of the 30th July, are before me. I know not who are meant by G. and C. in Captain Perry's letter; but I think there ought to be some inquiry into the justice of his insinuations. I fear that the officers and crew of the General Greene were too long on shore at the Havana, and there caught the infection which has obliged him to leave his station and bury so many. The news, however, of the politeness and friendship of the

governor and admiral is not the less pleasing. I return you Captain Perry's letter. Although I am very solicitous to strike some strokes in Europe for the reasons detailed in your letter proposing the expedition, yet I feel the whole force of the importance of deciding all things in the West Indies, if possible, and therefore shall consent to the alteration you propose, if you continue to think it necessary.

There is one alteration in our policy, which appears to me indispensable. Instead of sending the prisoners we take, back into Guadaloupe, there to embark again in the first privateer, we must send them all to the United States, or allow them to work and fight on board our ships. At least, if any are returned, their written parole ought to be taken, that they will not serve until exchanged. One suggestion more. I like your plan of employing all our great frigates on separate stations. I have more ideas in my head on this subject than I am willing to commit to writing. One idea more. I think we must have Bermuda sloops, Virginia pilot boats, or Marblehead schooners, or whaleboats, in one word, some very light small fast-sailing vessels, furnished with oars as well as sails, to attend our frigates, and pursue the French pirates in among their own rocks and shoals to their utter destruction. Talbot's unwarrantable suspicion of your want of confidence in him shall never be any disadvantage to you. Indeed, I believe I ought not to have let you see that anxious expression of a brave man. I know his opinion of you to be very high as a man of talents and business.

TO T. PICKERING, SECRETARY OF STATE.

Quincy, 5 August, 1799

I have received your favor of July 30th, inclosing Mr. King's letter of 5th June, which I return. There is not a question in mathematics or physics, not the square of the

circle or the universal menstruum, which gives me less solicitude or inquietude than the negotiations with Russia and the Porte. Mr. King's official assurances induced me to nominate the missions, and if there has been any thing hasty in the business, it was Mr. King's haste. I know that both Russia and the Porte have as much interest in the connections proposed, as we have, and that the stiff and stately formalities about it are exactly such as France has practised upon us these twenty years. The object is to assume the air of granting favors, when they receive them, and to make the American government and people believe they are not yet independent and can do nothing of themselves. If we are retarded at all, it will be owing to the artifices of intermeddlers, and instead of having one farthing of money the less to pay, I know it will cost us more.

TO T. PICKERING, SECRETARY OF STATE.

Quincy, 6 August, 1799

Sir,—

I received late last evening your favor of the 31st of July, inclosing a triplicate of Mr. Murray's letter of the 17th of May, and a copy, certified by Mr. Murray, on the 18th of May, of a letter of Charles Maurice Talleyrand, dated Paris, le 23e Floréal de l'an 7 de la République Française une et indivisible.

Sovereign to sovereign, and minister to minister, is a maxim in the cabinets of Europe, and although neither the President of the United States, nor the executive Directory, are sovereigns in their countries, the same relations exist between them and their ministers, and, therefore, the reason of the maxim is applicable to them. It is far below the dignity of the President of the United States to take any notice of Talleyrand's impertinent regrets, and insinuations

of superfluities. *Endnote 006* You or Mr. Murray may answer them as you please in your correspondence with one another, or with the French minister. I will say to you, however, that I consider this letter as the most authentic intelligence yet received in America of the successes of the coalition. That the design is insidious and hostile at heart, I will not say. *Endnote 007* Time will tell the truth. Meantime, I dread no longer their diplomatic skill. I have seen it, and felt it, and been the victim of it these twenty-one years. But the charm is dissolved. Their magic is at an end in America. Still, they shall find, as long as I am in office, candor, integrity, and, as far as there can be any confidence or safety, a pacific and friendly disposition. If the spirit of exterminating vengeance ever arises, it shall be conjured up by them, not me. In this spirit I shall pursue the negotiation, and I expect *Endnote 008* the coöperation of the heads of departments. Our operations and preparations by sea and land are not to be relaxed in the smallest degree. On the contrary, I wish them to be animated with fresh energy. St. Domingo and the Isle of France, and all other parts of the French dominions, are to be treated in the same manner as if no negotiation was going on. These preliminaries recollected, I pray you to lose no time in conveying to Governor Davie his commission, and to the Chief Justice and his Excellency, copies of these letters from Mr. Murray and Talleyrand, with a request that, laying aside all other employments, they make immediate preparations for embarking. Whether together or asunder, from a northern, a southern, or a middle port, I leave to them. I am willing to send Truxtun, or Barry, or Talbot, with them; consult the Secretary of the Navy and heads of department on this point. Although I have little confidence in the issue of this business, I wish to delay nothing, to omit nothing.

The principal points, indeed, all the points of the negotiation, were so minutely considered and approved by me and all the heads of department, before I left Philadelphia, that nothing remains but to put them into form and dress. This service I pray you to perform as promptly as possible. Lay your draught before the heads of department, receive their corrections, if they shall judge any to be necessary, and send them to me as soon as possible. My opinions and determinations on these subjects are so well made up, at least to my own satisfaction, that not many hours will be necessary for me to give you my ultimate sentiments concerning the matter or form of the instructions to be given to the envoys. *Endnote 009*

I have the honor, &c.

John Adams.

TO B. STODDERT, SECRETARY OF THE NAVY.

Quincy, 8 August, 1799

Sir,—

I received last night your favor of the 2d of this month. I am sincerely sorry for the resignation of Captain Truxtun. Although you have not explained to me his motives, I presume the decision, which gave rise to them, was founded in principles of sound policy and eternal justice, as it was made upon honor and with conscientious deliberation. If it were now to be made, it would be the same, though my son or my father were in the place of Captain Truxtun. I have no more to say. If we lose Captain Truxtun *Endnote 010*, we shall soon regain Captain Dale. Meantime I am very desirous that Captain Decatur should take the Constellation. If, however, he prefers the merchants' frigate, as you call her, I will not urge him from his bias. Of Captain Barron I know very little, but repose

myself with great confidence upon your judgment. I now request of you that Barry and Talbot may be separated. I have reasons for this, which it is unnecessary to detail. Not from any misunderstanding or dislike between them that I know of or suspect, but it is best the great frigates should have separate stations.

TO T. PICKERING, SECRETARY OF STATE.

Quincy, 13 August, 1799

And now, Sir, what shall I say to you on the subject of "libels and satires? Lawless things, indeed!" I have received your private letter of the 1st of this month, *Endnote 011* and considered the subject of it as fully as the pressure of other business of more importance would allow me time to do. Of Priestley and Cooper I will say no more at present than to relate to you two facts.

Anecdote first. Dr. Priestley's old friend, and my old acquaintance, Mr. Benjamin Vaughan, the celebrated M. P., soon after his arrival in Boston, came up to Quincy with his lady on a visit to us, who had visited his family in London. I was absent. They dined with Mrs. Adams, and in the course of conversation Mr. Vaughan told her that Mr. Cooper was a rash man, and had led Dr. Priestley into all his errors in England, and he feared would lead him into others in America.

Anecdote the second. At the time when we were inquiring for an agent to conduct the affairs of the United States before the commissioners at Philadelphia, Mr. Cooper wrote to me a solicitation for that appointment, and Dr. Priestley wrote me a letter, strongly recommending him. Both made apologies for his reputation as a democrat, and gave intimation of a reformation. I wondered that either could think it possible that the people of the United States

could be satisfied or contented to intrust interests of such magnitude to an Englishman, or any other foreigner. I wondered that either should think it compatible with my duty, to prefer a stranger to the great number of able natives, who wished for this trust. But so it was. As it has been, from the beginning, a rule not to answer letters of solicitation or recommendation for offices, I never answered either. Mr. Read was appointed, and the disappointed candidate is now, it seems, indulging his revenge. A meaner, a more artful, or a more malicious libel has not appeared. As far as it alludes to me, I despise it; but I have no doubt it is a libel against the whole government, and as such ought to be prosecuted. *Endnote*
012 I do not think it wise to execute the alien law against poor Priestley at present. He is as weak as water, as unstable as Reuben, or the wind. His influence is not an atom in the world.

Having long possessed evidence the most satisfactory to my mind, that Collot is a pernicious and malicious intriguer, I have been always ready and willing to execute the alien law upon him. We are now about to enter on a negotiation with France, but this is no objection against expelling from this country such an alien as he is. On the contrary, it is more necessary to remove such an instrument of mischief from among our people, for his whole time will be employed in exciting corrupt divisions, whether he can succeed or not. As to Letombe, if you can prove "that he paid the bribes ordered by the French Minister, Adet," or any thing like it, he ought to be sent away too. But perhaps it would be better to signify that it is expected that he go, than to order him out at first by proclamation. There is a respect due to public commissions, which I should wish to preserve as far as may be consistent with safety.

The alien law, I fear, will upon trial be found inadequate to the object intended, but I am willing to try it in the case

TO T. PICKERING, SECRETARY OF STATE.

Quincy, 14 August, 1799

Inclosed are four petitions for mercy. One from Conrad Marks, Frederick Heyney, Anthony Stahler, John Getman, Valentine Kuder, Jacob Kline, David Schaffer, and Philip Desh; another from George Schaffer, Daniel Schwartz, Henry Stahler, Christian Rhodes, and Henry Schaffer; a third from Jacob Eyerman and John Everhart; and a fourth from John Fries; all supported by numerous petitioners in their behalf.

I wish Dr. Priestley could see these petitions, and be asked to consider whether it would be a pleasant thing to have an equal number of his neighbors in Northumberland brought by his exertions and example into a situation equally humble. I pray you to communicate these petitions to the heads of department, and especially to the Attorney-General. I wish all to consider whether it is proper that any answer should be given, by me or my order, to any of them. I think it may be said that these people are brought to humble themselves "in dust and ashes before their offended country." That repentance, however, which, in the sight of an all penetrating heaven, may be sufficiently sincere to obtain the pardon of sins, cannot always be sufficiently certain in the eyes of mortals to justify the pardon of crimes.

TO T. PICKERING, SECRETARY OF STATE.

Quincy, 16 August, 1799

I have received your favor of the 10th. Mr. Shaw discovered his omission of numbers 1, 2, 3, 4, and 5, and the paper of extracts, and sent them on the next day. I hope you received them in course. I have read the address to the independent electors of Pennsylvania, and am very curious to know where all this will end. *Endnote 014* The trial will bring out some whimsical things. *Endnote 015* At present I will say nothing. I have no apprehension for myself or the public from the consequences.

TO B. STODDERT, SECRETARY OF THE NAVY.

Quincy, 23 August, 1799

My thoughts and feelings are exactly in unison with yours, expressed in your favor of the 17th. *Endnote 016* I would propose that our envoys be landed at Lisbon, and take an overland journey to Paris, through Madrid. This will give them an opportunity of gaining much information, useful to their country. In this case the frigate may take Mr. Smith and carry him to Constantinople, or the envoys may be landed at Bilbao or Bessarabia. The frigate in either case may cruise, and take up the envoys on their return at Lisbon or Bilbao, or we can send another vessel for them to any place. It will be total ruin to any of our frigates to lie in French harbors all winter. I hope our envoys will not be long in negotiation. Their instructions will be precise, and they may be as categorical as they please.

TO T. PICKERING, SECRETARY OF STATE.

Quincy, 24 August, 1799

Sir,—

I have received your favor of the 16th, and read the letter of Mr. B. H. Phillips, our consul at Curaçao, of 20th July, and the papers inclosed with it, which I now return. It is right to communicate these documents to Mr. Van Polanen and to Mr. Murray, and to remonstrate in clear language to the Batavian government against the partiality of the governor and council, *Endnote 017* and the scandalous conduct of the frigate. But still, I think we have something to do to teach our own American seamen, and especially captains, more discretion. At such a time and in such a place, the sailors ought to have had more prudence than to have gone on Sunday or any other day into dance-houses with French sailors, and the captains ought to have known that it was their duty to apply to the government of the place to suppress riots, rather than go and join in them in person, though in order to suppress them. If any legal evidence can be produced to prove that the governor and council are more or less concerned in the privateers, it would be a ground of very serious representations to their superiors.

I think it, and always thought it, unfortunate, that when the authority was given to interdict commerce with the French islands, it was not extended to others, especially Dutch. I mention these in particular, because the interested character and the humiliated condition in which they were known to be, should have suggested the necessity of the measure. The motives and reasons, however, for adding the Spaniards, Swedes, and Danes, were not much less.

If an expedition to restore the Stadtholder is undertaken in concert with the King of Prussia, it may succeed; if without him, it is more uncertain. I make no dependence on any such probable events. *Endnote 018* By the way, some weeks ago you gave me encouragement to expect a letter from our minister at Berlin, which you had received. In the multiplicity of business you have omitted it. I wish to see it

as soon as possible. If at the future session Congress should authorize the suspension of commerce with Swedish and Danish islands as well as Dutch, I should think it worth while to send a minister to those courts. But I will not promise it shall be Mr. Smith. In my opinion, he ought to go to Constantinople.

TO T. PICKERING, SECRETARY OF STATE.

Quincy, 29 August, 1799

Sir,—

I received last night your favor of the 23d. I am very glad to be informed that the instructions for the envoys will be prepared in a few days, *Endnote 019* and that you have written to Mr. Davie. What think you of our envoys landing at Lisbon, and the frigate that carries them taking Mr. Smith to Constantinople, or cruising on the Spanish coast or in the Mediterranean? I am not for delaying the negotiation with the Turks, or any other measure, on account of the negotiation with France. In my opinion, the charm is broken. It has been broken from the moment the invasion of England was laid aside. That project, raised and supported with infinite artifice, kept up the terror and frenzy of the world; but it is over, and can never be again excited.

I had like to have said that the alarm of the yellow fever gives me more uneasiness than any other alarm. The dispute of the commissioners under the 6th article gives me much concern. *Endnote 020* I shall write you in a few days on that subject. My mind is made up thus far. The treaty, as far as it depends on me, shall be executed with candor and good faith. No unworthy artifice or chicanery shall be practised on my part, no, not though the consequence should be the payment of all the demands. We must,

however, do our utmost to obtain an explanation that may shelter our country from injustice.

B. STODDERT, SECRETARY OF THE NAVY, TO JOHN ADAMS.

Trenton, 29 August, 1799

Sir,—

The officers are now all at this place, and not badly accommodated. Will you, Sir, pardon the liberty I take, not in my official but private character, in expressing a wish that it may not be inconvenient for you to join them here, before our ministers depart for France? It may happen that a knowledge of recent events in Europe may be acquired just before the sailing of the ministers, which would make some alteration in their instructions necessary; and possibly these events might be of a nature to require the suspension for a time of the mission.

I could urge both public considerations, and those which relate more immediately to yourself, to justify the wish I have ventured to express; but I will only say, that I have the most perfect conviction that your presence here, before the departure of the ministers, would afford great satisfaction to the best disposed and best informed men in that part of the country with which I am best acquainted; and I believe, to the great mass of good men all over the United States.

I will only add that I write this letter without communication with any person; that if I err, the error is all my own. In my motives I cannot be mistaken.

I have the honor to be, &c. &c.

Ben. Stoddert.

**TO BENJAMIN STODDERT.
(Private.)**

Quincy, 4 September, 1799

Sir,—

I have received your kind letter of the 29th of August, and I thank you for the friendly sentiments expressed in it, in your private character.

You urge me to join you and the other public officers at Trenton, before our ministers depart for France, and this from considerations which relate more immediately to myself, as well as others of a public nature.

For myself, I have neither hopes nor fears. But if I could see any public necessity or utility in my presence at Trenton, I would undertake the journey, however inconvenient to myself or my family. I would not, indeed, hesitate, if it were only to give any reasonable satisfaction to the “best disposed and best informed men.” But you must be sensible that for me to spend two or three months at Trenton with unknown accommodations, cannot be very agreeable. Alone, and in private, I can put up with any thing; but in my public station, you know I cannot. The terms of accommodation with France were so minutely considered and discussed by us all, before I took leave of you at Philadelphia, that I suppose there will be no difference of sentiments among us. The draught will soon be laid before you. If any considerable difference should unexpectedly arise between the heads of department, I will come at all events. Otherwise, I see no necessity for taking a step that will give more *éclat* to the business than I think it deserves. I have no reason nor motive to precipitate the departure of the envoys. If any information of recent events in Europe should arrive, which, in the opinion of the heads of department, or of the envoys themselves, would render any alteration in their instructions necessary or expedient, I am perfectly willing that their departure should be suspended, until I can be informed of it, or until I can join you. I am well aware of the possibility of events which may

render a suspension, for a time, of the mission, very proper.
Endnote 021 France has always been a pendulum. The extremest vibration to the left has always been suddenly followed by the extremest vibration to the right. I fear, however, that the extremest vibration has not yet been swung.

Upon this subject I solicit your confidential communications by every post. As I have ever considered this manœuvre of the French as the deepest and subtlest, which the genius of the Directory and their minister has ever invented for the division of our people, I am determined, if they ever succeed in it, the world shall be convinced that their success was owing either to want of capacity, or want of support, in

John Adams.

P. S. Though I have marked this letter private, you may use it at your discretion for the purposes intended.

T. PICKERING, SECRETARY OF STATE, TO JOHN ADAMS.

Trenton, 9 September, 1799

Sir,—

I have the honor to inclose the opinions of the Attorney-General and heads of departments on the petitions of John Fries and others, insurgents in Bucks and Northampton counties in Pennsylvania, that no pardon should now be granted, nor any answer given.

I am revising the draught of instructions for the envoys to France, and making the alternations which have been agreed on. I expect to transmit them to you by to-morrow's mail; and am, with great respect, &c.

Timothy Pickering.

(Inclosed.)
C. LEE, ATTORNEY-GENERAL, TO T. PICKERING,
SECRETARY OF STATE.

Alexandria, 2 September, 1799

Sir,—

On the 29th of last month I had the honor to receive your letter of the 26th, inclosing the President's of the 14th, and the several petitions for pardon in favor of John Fries and others, charged with high treason, and George Schaffer and others, convicted of misdemeanor, and Jacob Eyerman and John Everhart, charged with misdemeanor, in the late insurrection in Northampton and other counties in Pennsylvania.

The question proposed by the President affecting the liberty and property of some individuals, and the lives of others, has received my particular attention and most mature deliberation. I understand it as meaning whether any of the suppliants should be pardoned; for unless a pardon is granted in some of the cases, I am humbly of opinion no answer should be returned in any.

The power of pardoning criminals is vested in the Chief Magistrate for the public good. In deciding upon a petition for pardon, it is to be considered whether it will more conduce to the public good to deny or to grant it. To a benevolent and generous heart acts of mercy are so pleasing as often to overpower discretion, so that mercy to a few is cruelty to many.

In the course of five years, two insurrections against the lawful authority of the United States have happened in Pennsylvania. At a great public expense they have been each quelled. The first was more alarming, and was quelled at a much greater expense, than the last. The offenders in the first experienced the presidential clemency, and not a

traitor suffered the punishment of the law. The offenders in the last, charged with treason, are yet all to be tried; and in the late defence of Fries, I understand, the dangerous doctrine was avowed by his advocates, of whom the Secretary of the Commonwealth of Pennsylvania was one, that to resist by force the execution of a general revenue law of the United States, with intent that it should never be executed in certain counties, amounted not to treason, but to a misdemeanor only.

Pennsylvania, possessing very many good, is not without a considerable number of bad citizens, some of whom are ignorant, refractory, headstrong, and wicked. From these circumstances, I think an exemplary punishment of rebellious conduct is more necessary and will be more salutary in that State than in any other, and therefore that considerations of public policy require that the most criminal of the insurgents should be left to the due and impartial course of the law.

If this be most proper in regard to those whose lives are in jeopardy, it certainly is most proper towards those who have been or shall be convicted of misdemeanors, and whose punishments do not or shall not exceed the measure of their crimes.

In the treason cases, it is uncertain who, if any, will be convicted; but after judgment it will be then in season and also in the power of the President to discriminate, and to arrest the sword of justice, in regard to those who shall appear to have the best claim to his gracious and merciful interposition.

The like opportunity will occur in relation to those who shall be hereafter convicted of misdemeanor. As to such as have been already sentenced, no special circumstances are stated which distinguish the cases, and as no sufficient cause appears for pardoning all of them, there is no ground for exempting any from the punishment which they have been ordered to suffer; and consequently all should satisfy

the sentences of the law. I believe Eyerman is a German priest, who but lately came into America, and instantly entered on the function of sowing sedition, and preparing his followers for works of darkness, disobedience, and rebellion. He has not been tried, and there is no danger of his being punished beyond his deserts.

Upon the whole, it is my mature opinion that the President should not return any answer to either of the petitions, and that no pardon should be granted under present circumstances to any of the petitioners.

I am, Sir, very respectfully, &c.

Charles Lee.

Eyerman is a German priest, who has been in America about two years, and not only thus early a sower of sedition in the country where he has found an asylum, but of an infamous, immoral character. Such has been my information.

Timothy Pickering.

We entirely concur in the Attorney-General's opinion, that none of the petitioners should now be pardoned, nor any answer given them.

Timothy Pickering.

Oliver Wolcott.

James McHenry.

Ben. Stoddert.

Trenton, 7 September, 1797

**T. PICKERING, SECRETARY OF STATE, TO JOHN ADAMS.
(Private.)**

Trenton, 11 September, 1799

Sir,—

The general alarm of the yellow fever in Philadelphia, occasioned the removal of the public offices to this place.

This has caused some delay in finishing the draught of instructions for the envoys to the French republic, which I had the honor of transmitting you yesterday, *Endnote 022* the draught having been previously examined, altered, and amended, conformably to the opinions of the heads of department. I now inclose some papers relating to the subject, which want of time prevented my forwarding yesterday.

Of the three leading points which were fixed before your departure from Philadelphia, we have ventured to propose a deviation in one only, that respecting the rôle d'équipage. *Endnote 023* For, however clear in our own minds is the right of American citizens to a full indemnification for captures and condemnations for want of that document, after much deliberation, we thought, if France would submit that and other questions to a board impartially constituted, as proposed in the draught, or in secret declarations or stipulations agree to the specific rules of adjudications therein detailed, that the people of America might think the negotiation ought not to be frustrated, as it might be, by making such a concession an ultimatum. We thought, indeed, that the captures of our vessels, because their cargoes were produced or fabricated in the British dominions, perfectly unjustifiable, and a case more unexceptionable, if made an ultimatum. But if France agrees to the rules of adjudication, or to the mode of constituting a board of commissioners, as now proposed, we conceived that the United States would be satisfied.

I propose to send a copy of the draught of instructions to Mr. Ellsworth, and to invite his observations upon them, as it is important that he should be satisfied. And if want of time should prevent a second transmission of the instructions to you, (which, however, I think will not be the case,) may I take the liberty of proposing, if your judgment should not be definitively made up on particular points,

that we may, if Mr. Ellsworth should desire it, and we all concur in opinion with him, make alterations in the draught? Provided that none of the ultimata be varied, except that which prescribes the mode of organizing the board of commissioners.

On the 26th ultimo I received the inclosed private letter from Mr. Murray, dated the 18th of June. The "very portentous scene," which, by his advices from Paris, "appeared to be opening there," doubtless referred to what the newspapers have called "another explosion." The dismissal of Treilhard from the Directory, and the forced resignation of la Reveillère le Peaux and Merlin, which, with the other proceedings of the two councils, demonstrate that the dictatorial power of the Directory is overturned, have suggested to the heads of department some doubts of the expediency of an immediate departure of the envoys.

The men lately in power, who gave the assurances you required, relative to the mission, being ousted in a manner indicative of a revolution in the public mind, and, according to Mr. Murray's letter, the threats, now first uttered by the military, of a king, show such instability and uncertainty in the government of France, and are ominous of such further and essential changes, probably at no great distance, as made it appear to us a duty to submit to your consideration the question of a temporary suspension of the mission to that country, where a state of things, and that final result which you long since foresaw and predicted, appear to be rapidly advancing. Such a suspension would seem to us to place the United States in a more commanding situation, and enable the President to give such a turn to the mission as the impending changes should in his opinion demand.

Or if a revival of the system of terror should first take place, which the last arrival of intelligence at New York now shows to be probable, still the question of suspending the mission seems to the heads of department to merit

serious consideration. It is an undoubted fact, that the character of the late change at Paris has been purely Jacobinical. The clubs have been again opened, and the Jacobins are everywhere active to electrify the people.

Endnote 024

I have the honor to be, with great respect, &c.
Timothy Pickering.

B. STODDERT, SECRETARY OF THE NAVY, TO JOHN ADAMS.

Trenton, 13 September, 1799

Sir,—

I am honored with your letter of the 4th instant, and cannot but lament that the accommodations to be obtained here are very far inferior to such as would be suitable for the President of the United States. Indeed, I am afraid none could be obtained which would not be extremely inconvenient and disagreeable to both Mrs. Adams and yourself. Yet having no motive unconnected with your honor and that of the government, I hope you will pardon my freedom in adhering to my wish that you would join the officers here, before the departure of the mission to France. Or, if that should be suspended, that you would not give the order for the suspension before your arrival here. Colonel Pickering has addressed a letter to you on this subject, with the concurrence of the other departments. If you should be determined on the measure, nothing will be lost by delaying to take it for a month, for I am sure the commissioners will not sooner than that time be ready to sail; and Mr. Davie, who will leave North Carolina the 20th September, could not be stopped much short of Trenton, if you were to give orders for stopping him. On the other hand, if you should consider the measure as a questionable

one, you might, a month hence, decide it, with the advantage of the lights which all the advices to be received for a month, which may be very important, might throw on the subject. Whether it be decided to suspend the mission, or otherwise, the decision may and will be important. It will be a great measure either way, and will be attended with consequences in proportion to its magnitude. All the solemnity possible should perhaps be given to the decision. General Washington, one of the most attentive men in the world to the manner of doing things, owed a great proportion of his celebrity to this circumstance. It appears to me, that the decision in question would be better supported throughout the country, if it be taken when you are surrounded by the officers of government and the ministers, even if it should be against their unanimous advice.

I will state, as briefly as I can, other reasons which influence my wishes on the subject of your coming to Trenton.

I have never entertained the opinion, prevalent with many persons, that we could not, during the present war in Europe, maintain peace with both France and England, though I believe it will be a difficult matter. There are already indications that England looks at us with a jaundiced eye, arising in part perhaps from the effort to treat with France, in part from the representations made by their commissioners and their minister, on the subject of the commission under the sixth article of the treaty. No doubt their commissioners had for a long time been prejudiced and soured, and have in some instances acted as if it was their desire to plunge the two nations into war. Our own, I believe, have been actuated by pure views, but the difference between them on almost every question has been so wide, that it is difficult to conceive that both sides could have been rational, and at the same time possess a desire to bring the business to a just conclusion. Mr. Liston,