the refinement of principles; it is where exists; and the power the principles are upon which a nation has formed its Constitution, and the nearer they approach real liberty, the more it is inclined *to resolve every proposition of such a division of one of the most essential attributes of its sovereignty.*

It is true, that different regulations and treaties with the Deys and deputy of the states of *Barbary*, and the pashas of the *Levant*, suppose that trials between Frenchmen may be determined by Consuls; but these absolute Princes who, without expence or controul, are supreme Judges over the lives and fortunes of their subjects and slaves, easily figure to themselves, that the judicial authority of their country must follow them wherever they go, that wherever country they transport their domicile, and from reciprocity they discover themselves whenever the cause of a foreigner is in question; but little jealous of the exclusive exercise of this noble attribute of foreign power, often fatigued with the plenitude of their authority, they, without regret, suffer a few particles of it to escape them, and this direction is to them rather a relief than a privation: You will not, however, amongst them see a Consul invested with the right of pronouncing in matters of prize between his countrymen and neutrals: Your commissaries have also analized the Treaties and Conventions of foreign powers relating to commerce and navigation; they have examined more than thirty documents of this nature; but they have not, in where discovered Consuls in foreign countries, established judges of prizes; all these things suppose that Consuls have no jurisdiction even over the individuals of their nations, unless it be voluntary on the part of the latter, and reduced to the simple forms of arbitration, and consequently referred almost totally to the two parties either of them, to bring his adversary before the tribunals of the territory; *but no one ever dreamed of rendering Consuls Judges between their countrymen and neutrals.*— Thus it would be in vain for us to wish to confer upon our Consuls this prerogative which is truly extraordinary; it would also be necessary to secure them the exercise of it by a treaty; but supposing any foreign power were disposed thus to strip itself of a portion of its jurisdiction, you cannot, my colleagues, doubt that they would at the same time demand a reciprocal exercise in our ports.

A single example will render what I have advanced much more striking: Let us suppose peace established between *France* and *Great Britain*, and this power at war with *Spain*; an English privateer forced by fresh of weather to put into our ports, bringing in a Spanish prize, the bringing in a neutral vessel or the property of neutrals, our fellow-citizens themselves are interested in the prize taken from the Spaniards; in fact, the captured ships are have been taken in the waters of our dominions, within cannon shot of our shores—in all these cases the territorial jurisdiction, is claimed, and that of the enemy's Consul contested. Indifferent to the dispute, should we see the British Consul sovereignly pronouncing upon, discharge and refuse the prize, and even purpose with a secret joy, the loss of opinions so difficult to be recovered and the nation whose citizens or subjects should conceive themselves aggrieved? Infact, a neutral nation between two belligerent powers, ought not to suffer either of them to exercise in its ports an act of sovereignty even towards its enemy—others give it equal right to indemnifies and even to war, if it has not been able to secure the maintenance of its neutrality. A process total by different is pursued, and in those rare cases where an claim is made, where the captured them Silver, fully convinced of the validity of the prize, should confined to the ship, or where no trace of stood may appear, the ships and cargoes may be sold and the Consulat the chancellor may, in the peculiar arrangement, and consular acts which the absence of the affair and conventions appointing; but if our maritime domain has been violated and our citizens demand or neutrals request the assistance of our tribunals, it cannot be refused them: *In fine, in all other cases the captures and captured after a longer or shorter stay agreeable to the spirit of these treaties, equal prizes, and the spirit of these treaties, equal prizes, and the prizes are conducted into the ports of the nation prizes are conducted into the ports of the nation of the captor, and it is there they must be judged.*

This, Citizens Colleagues, is the reciprocity we demand in order to furnish it in our turn; it is thus we shall exchange the duties of friendship or benevolence towards our allies, and even towards those nations with whom we are only at peace.

The commission have not adopted the disposition which by assimilating the Consuls to the tribunals of commerce supposes at first that they are the most convenient for communicating the documents to a Commissary of the Executive Directory and next the possibility of communicating, in the place of a dispute with the minister of justice and the Executive Directory, our Consuls are placed from our ports to open leaguis from us, and this difficulties is evidently impracticable of execution.

It was necessary for your commission to enter into these long details, in order that if the Council of Artificers adopts a resolution which is not to clear as could be wished, no doubt may arise as to the real fault in which it receives it.

The conduct of the commission has been dictated by the unalterable will of maintaining our treaties inviolable, *of respecting, and causing to be observed by all our agents and citizens the rules of the strictest nations*, of taking nothing of other nations except under the law of a just and perfect reciprocity, in a word, of giving to the tribunals, to the ministers of the navy, to the chancellors to the judices of the peace and of the consuls to the tribunals of commerce, except so far as this disposition may be found to comport both with engagements already entered into, and our own domestic jurisprudence.

But it will be said that the view which the commission has preferred to the Council, of the state of our commercial relations and the functions of our Consuls, proves the necessity of referring to the greater part of these agents a rule of conduct *in the important and difficult subject of prizes.* Here, Colleagues, the Constitution presents an sufficient point of support in the distribution—Peace and war, the ability of a minister of foreign affairs, He is endowed in the duty of history and treaties, he has constantly on his desk, and much more perfectly in his memory, all the conventions and all which regulate our relations with foreign nations. He is even acquainted with the different interests and engagements of divers nations amongst them—

fetes—He anticipates demands and complaints and is early to stifle the germs of discontent and the causes of rupture, or to prepare happy reconciliations, for oftentimes peace or war is in some degree in his hands. It is by his attentive care that he secures our people, the support of our exterior tranquillity is the product of his labour. Perhaps at this moment instructions wisely drafted trace the progress of *Consuls*, and this Chief and secret work is to much more meritorious, as he is often ignorant of the persons who may reap the fruit of it.

The Commissaries of the Executive power near the tribunals, are also provided, by the minister of justice, with extracts of all conventions and treaties of commerce and neutrality with foreign powers; it is their duty to remind the judges of the dispositions of these conventions and treaties, and to demand the execution of them as often as exigencies may require it. They prevent the tribunals of commerce from pronouncing lightly upon confiscations, upon a pretence that indemnities may be granted in cases where a wrong decision may take place. In fine, they maintain a linearity in judgments and more particularly in every thing which may intercept the neutrality of powers not engaged in the war, or commit us in opposition to them.

We shall not examine whether the principles of that neutrality proclaimed with so much fielmder by *Russia*, and received with so much acclamation by all commercial nations (except *England*) have not experienced formidable attacks in the courts of the prefect war. It is sufficient for us that they are just, for us to persist in supporting them, we will bring back to them all nations, whose interest perhaps will be sooner than they have conceived it to them; they will on their part be convinced *that it is their duty, as well as their interest, to take efficacious measures to cause their neutrality to be respected.*

In fact our ministers by influentious wifel, drawn will frente the execution of the law, the plan of which is submitted to the Council of Artificers.

We have fold sufficient, Colleagues, to prove, that if it is adapted to present circumstances, fill it requires developements, and is only the foundation of a code which is yet incomplete; it will regulate every thing which intervenes to trials by appeal, the manner of proceeding in them without the intervention of the Council, the cases in which is indispensible on the other, and prevent tricks and chicanery in the tribunal of different degrees; it is also perhaps when all professions are freed from their ancient fetters, to prevent the exclusive corporations which that tolerates in infancy of navigation, made who demand to launch a vessel, to be the owners, or to have a share in it. The legislator will combine at the same time with the utility of giving a greater liberty to crafting, the necessity of placing a check upon the excessive and imprudent ardour and avidity of traders, and of preventing the accidents which inexperience may occasion: But until this desirable work is prepared the commission have thought it their duty of opinion that the law, the plan of which is submitted to you, would secure the object proposed *which is the judgment of prizes.* Let us believe when the moment is favourable for crafting, let us hasten to carry disorder and trouble into all the commercial operations of that government who would wish to be for the occasion, to wrest by force, rather than partake its fruits with the other inhabitants of the globe. If nature has ordained her from every continent, her ships quite her to them and open to her fa many passages by which fine may depart from the rays of the center to which the is placed: Let her cavigators meet a *giant*, a *Dagon* a *mine*, *Gorgery*, *Gorgery*, *Gorgery* and *Gorgery*, *Gorgery*, *Gorgery*,