

The RIGHT CONSTITUTION of a COMMON-WEALTH EXAMINED.

[Continued from our last.]

If our author meant another affair of 453, it is still less to his purpose, or rather still more conclusively against him. It was so far from being true in the year 454, the most simple and frugal period of Roman history, "that none but honest, generous, and public spirits desired to be in authority, and that only for the common good," and that there "was no canvassing for voices," that the most illustrious Romans offered themselves as candidates for the consulship; and it was only the distress and imminent danger of the city from the Etrurians and Samnites, and an universal alarm, that induced the citizens to cast their eyes on Fabius, who did not stand. When he saw the suffrages run from him, he arose and spoke: "Why should he be solicited, an old man, exhausted with labours and fatiated with rewards, to take the command? That neither the strength of his body or mind were the same. He dreaded the caprice of fortune. Some divinity might think his success too great, too constant, too much for any mortal. He had succeeded to the glory of his ancestors, and he saw himself with joy succeeded by others. That great honors were not wanting at Rome to valour, nor valour to honors." It was extreme age, not the slender advantages of honors, that occasioned Fabius's disinclination, as it did that of Cincinnatus on another occasion. This refusal, however, only augmented the desire of having him. Fabius then required the law to be read, which forbade the re-election of a Consul before ten years. The Tribunes proposed that it should be dispensed with, as all such laws in favour of rotations ever are when the people wish it. Fabius asked, why laws were made, if they were to be broken or dispensed with by those who made them; and declared that the laws governed no longer, but were governed by men. The Centuries, however, persevered, and Fabius was chosen. "May the gods make your choice successful!" says the old hero; "dispose of me as you will, but grant me one favour, Decius for my colleague, a person worthy of his father, and of you, and one who will live in perfect harmony with me." There is no such stinginess of honors on the part of the people, nor any such reluctance to the service for want of them, as our author pretends; it was old age, and respect to the law only: And one would think the sentiments and language of Fabius sufficiently aristocratical; his glory, and the glory of his ancestors and posterity, seem to be uppermost in his thoughts: And that disinterestedness was not so prevalent in general, appears this very year; for a great number of citizens were cited by the Aediles, to take their trials, for possessing more land than the law permitted. All this rigour was necessary to check the avidity of the citizens. But do you suppose Americans would make or submit to a law to limit to a small number, or to any number, the acres of land which a man might possess? Fabius fought, conquered, and returned to Rome, to preside in the election of the new Consuls, and there appear circumstances which show, that the great zeal for him was chiefly aristocratical. The first Centuries, all aristocratic, continued him. Appius Claudius, of consular dignity, and surely not one of our author's "honest, generous, and public spirits," nor one of his "single and plain-hearted men," but a warm, interested, and ambitious man, offered himself a candidate, and employed all his credit, and that of all the nobility, to be chosen Consul with Fabius, less, as he said, for his private interest, than for the honor of the whole body of the patricians, whom he was determined to re-establish in the possession of both consulships.—Fabius declined, as the year before; but all the nobility surrounded his seat, and intreated him, to be sure; but to do what? Why, to rescue the consulship from the dregs and filth of the people, to restore the dignity of consul, and the order of patricians, to their ancient aristocratical splendor. Fabius appears, indeed, to have been urged into the office of Consul; but by whom? By the patricians, and to keep out a plebeian. The Senate and people were checking each other; struggling together for a point, which the patricians could carry in no way but by violating the laws, and forcing old Fabius into power. The Tribunes had once given way, from the danger of the times; but this year they were not so disposed. The patricians were still eager to repeat the irregularity; but Fabius, although he declared he should be glad to assist them in obtaining two patrician Consuls, yet he would not violate the law so far as to nominate himself; and no other patrician had interest enough to keep out L. Vo-

* Quid se jam senem, ac perfunctum laboribus, laborumque pœnemis, sollicitant? Nec corporis, nec animi vigorem remanentium, et fortunam ipsam veteri, ne cui deorum nimia jam in se fortuna, et constantior, quam velint humana res videatur. Et se glorie seniorum successe, et ad gloriam suam consurgentes alios latum adspicere. Nec honore magno, viris fortissimis, Romæ, nec honoribus decesse fortes viros. Liv.

+ Jam regi leges, non regere.

lumnious, the plebeian, who was chosen with Appius Claudius. Thus facts and events, which were evidently created by a struggle between two orders in a balanced government, are adduced as proofs in favour of a government with only one order, and without a balance.

Such severe frugality, such perfect disinterestedness in public characters, appear only, or at least most frequently, in aristocratical governments. Whenever the constitution becomes democratical, such austerities disappear entirely, or at least lose their influence, and the suffrages of the people; and if an unmixed and unchecked people ever choose such men, it is only in times of distress and danger, when they think no others can save them: As soon as the danger is over, they neglect these, and choose others more plausible and indulgent.

There is so much pleasure in the contemplation of these characters, that we ought by no means to forget Camillus. This great character was never a popular one: To the Senate and the patricians he owed his great employments, and seems to have been selected for the purpose of opposing the people.

The popular leaders had no aversion, for themselves or their families, to public honors and offices, with all their burthens. In 358, P. Licinius Calvus, the first of the plebeian order who had ever been elected military Tribune, was about to be re-elected, when he arose and said, "Romans, you behold only the shadow of Licinius; my strength, hearing, memory, are all gone, and the energy of my mind is no more: Suffer me to present my son to you (and he held him by the hand) the living image of him whom you honored first of all the plebeians with the office of military Tribune. I devote him, educated in my principles, to the commonwealth, and shall be much obliged to you, if you will grant him the honor in my stead." Accordingly the son was elected. The military Tribunes conducted with great ardor and bravery, but were defeated, and Rome was in a panic, very artfully augmented by the patricians, to give a pretext for taking the command out of plebeian hands. Camillus was created Dictator by the Senate, and carried on the war with such prudence, ability, and success, that he saw the richest city of Italy, that of Veii, was upon the point of falling into his hands, with immense spoils. He now felt himself embarrassed: If he divided the spoils with a sparing hand among the soldiery, he would draw upon himself their indignation, and that of the plebeians in general; if he distributed them too generously, he should offend the Senate; for, with all the boasted love of poverty of those times, the Senate and people, the patricians and plebeians, as bodies, were perpetually wrangling about spoils, booty, and conquered lands; which further shews, that the real moderation was confined to very few individuals or families.

(To be continued.)

The ADDRESS of the BISHOPS of the METHODIST Episcopal Church, TO THE PRESIDENT of the UNITED STATES.

WE, the Bishops of the Methodist Episcopal Church, humbly beg leave, in the name of our Society collectively in these United States, to express to you the warm feelings of our hearts, and our sincere congratulations on your appointment to the Presidency of these States.—We are conscious, from the signal proofs you have already given, that you are a friend of mankind; and under this established idea, place as full a confidence in your wisdom and integrity, for the preservation of those civil and religious liberties which have been transmitted to us by the Providence of God and the glorious Revolution, as we believe, ought to be reposed in man.

We have received the most grateful satisfaction from the humble and entire dependence on the great Governor of the Universe, which you have repeatedly expressed, acknowledging him the source of every blessing, and particularly of the most excellent Constitution of these States, which is at present the admiration of the world, and may in future become its great exemplar for imitation: And hence we enjoy a holy expectation, that you will always prove a faithful and impartial patron of genuine, vital religion—the grand end of our creation and present probationary existence. And we promise you our fervent prayers to the throne of grace, that God Almighty may endue you with all the graces and gifts of his holy spirit, that may enable you to fill up your important station, to his glory, the good of his church, the happiness and prosperity of the United States, and the welfare of mankind.

Signed in behalf of the Methodist Episcopal Church, THOMAS COKE, FRANCIS ASBURY.

New-York, May 29, 1789.

To which THE PRESIDENT was pleased to give the following answer:

To the BISHOPS of the METHODIST Episcopal Church in the United States of America.

GENTLEMEN, I RETURN to you individually, and (through you) to your Society collectively, in the United States, my thanks, for the demonstration of affection, and the expressions of joy, offered in their behalf, on my late appointment. It shall still be my endeavour to manifest the purity of my inclinations, for promoting the happiness of mankind; as well as the sincerity of my desires to contribute whatever may be in my power towards the preservation of the civil and religious liberties of the American people. In pursuing this line of conduct, I hope, by the assistance of Divine Providence, not altogether to disappoint the confidence which you have been pleased to repose in me.

It always affords me satisfaction, when I find a concurrence in sentiment and practice between all conscientious men, in acknowledgments of homage to the great Governor of the Universe, and in professions of support to a just, civil government. After mentioning that, I trust the people of every denomination, who demean themselves as good citizens, will have occasion to be convinced, that I shall always strive to prove a faithful and impartial patron of genuine, vital religion; I must assure you in particular, that I take in the kindest part the promise you make of present-

ing your prayers at the throne of grace for me, and that I likewise implore the divine benedictions on yourselves and your religious community.

G. WASHINGTON.

[The following Act, being the first which has passed the two branches of the National Legislature, received THE PRESIDENT'S assent on Monday last.] An ACT to regulate the Time and Manner of administering certain Oaths.

BE it enacted by the SENATE and REPRESENTATIVES of the United States of America, in Congress assembled, That the oath of affirmation required by the sixth article of the Constitution of the United States, shall be administered in the form following, to wit: "I, A. B. do solemnly swear, or affirm (as the case may be) that I will support the Constitution of the United States." The said oath, or affirmation, shall be administered within three days after the passing of this act, by any one member of the Senate, to the President of the Senate, and by him to all the members, and to the Secretary; and by the Speaker of the House of Representatives to all the members who have not taken a similar oath, by virtue of a particular resolution of the said House, and to the Clerk: And in case of the absence of any member from the service of either House, at the time prescribed for taking the said oath or affirmation, the same shall be administered to such member, when he shall appear to take his seat.

And be it further enacted, That at the first session of Congress after every general election of representatives, the oath or affirmation aforesaid shall be administered by any one member of the House of Representatives to the Speaker, and by him to all the members present, and to the Clerk, previous to entering on any other business; and to the members who shall afterwards appear, previous to taking their seats. The President of the Senate for the time being shall also administer the said oath or affirmation to each Senator, who shall hereafter be elected, previous to his taking his seat. And in any future case of a President of the Senate, who shall not have taken the said oath or affirmation, the same shall be administered to him by any one of the members of the Senate.

And be it further enacted, That the members of the several State legislatures, at the next sessions of the said legislatures respectively, and all executive and judicial officers of the several States, who have been heretofore chosen or appointed, or who shall be chosen or appointed before the first day of August next, and who shall then be in office, shall within one month thereafter, take the same oath or affirmation, except where they shall have taken it before; which may be administered by any person authorized by the law of the State in which such office shall be holden, to administer oaths. And the members of the several State legislatures, and all executive and judicial officers of the several States, who shall be chosen or appointed after the said first day of August, shall, before they proceed to execute the duties of their respective offices, take the foregoing oath or affirmation, which shall be administered by the person or persons, who by the law of the State shall be authorized to administer the oath of office, and the person or persons so administering the oath hereby required to be taken, shall cause a record or certificate thereof to be made, in the same manner as by the law of the State, he or they shall be directed to record or certify the oath of office.

And be it further enacted, That all officers appointed or hereafter to be appointed under the authority of the United States, shall, before they act in their respective offices, take the same oath of affirmation, which shall be administered by the person or persons who shall be authorized by law to administer to such officers their respective oaths of office; and such officers shall incur the same penalties in case of failure, as shall be imposed by law in case of failure in taking their respective oaths of office.

And be it further enacted, That the Secretary of the Senate, and the Clerk of the House of Representatives, for the time being, shall, at the time of taking the oath or affirmation aforesaid, each take an oath or affirmation, in the words following, to wit: "I, A. B. Secretary of the Senate or Clerk of the House of Representatives (as the case may be) of the United States of America, do solemnly swear or affirm, that I will truly and faithfully discharge the duties of my said office, to the best of my knowledge and abilities."

FREDERICK AUGUSTUS MUHLENBERG, Speaker of the House of Representatives. JOHN ADAMS, Vice-President of the United States, and President of the Senate.

Approved—June 1st, 1789.

GEORGE WASHINGTON, President of the United States.

NATIONAL MONITOR.—No. VII.

"To think, and to judge amiss, even concerning the ways of Providence, is the lot of our imperfect nature."

A people that enjoys for a series of years, the blessings of peace, and good government, will consider every event that threatens their tranquility, as the harbinger of misfortune: without considering whether their present situation is the most eligible in which they can be placed; without enquiring whether their future prospects do not warrant, and call for public exertion and enterprise, lulled into a state of supineness, and torpidity, by the charms of indolence, they will, if not better informed than the generality of mankind has been in all past ages, rather suffer the encroachments of arbitrary power, and loss of freedom, than hazard the novelty of experiment, to extend their sphere of action and open a boundless prospect of felicity, to present and future generations.—The late American war, may be considered in this point of light; enjoying domestic ease and happiness, we engaged in it with reluctance; unparallelled injuries slowly roused us to action; and while clouds and thick darkness rested upon the issue, we thought that all was against us: but, since the designs of Providence are fully disclosed, by the peace, liberty, and independence of America: more especially when those designs are contemplated in the scenes that await our country, under the administration of the new constitution.—We may well exclaim in the language of inspiration, "our enemies designed us evil: but God meant all these things for our good."

"So the pure limpid Stream, when foul with stains, Of rushing torrents and descending rains, Works itself clear, and as it runs, refines, Till by degrees the floating mirror shines— Reflects each flower that on its border grows, And a new Heaven in its fair bosom shows!"

Subscriptions for the "COURIER DE BOSTON," a new weekly paper, published at Boston in the French Language, are received at No. 9, Maiden Lane. [The utility of a paper in this almost universal language need not be hinted to those, who wish to acquire the French tongue.]

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