

The RIGHT CONSTITUTION of a COMMON-
WEALTH EXAMINED.

[Continued from our last.]

Camillus, to spare himself reproach and envy, Dictator as he was, wrote to the senate, "that by the favor of the Gods, his own exertions, and the patience of the soldiers, Veii would soon be in his hands, and therefore he desired their directions what to do with the spoils." The senate were of two opinions: Licinius was for giving notice to all the citizens that they might go and share in the plunder; Appius Claudius would have it all brought into the public treasury, or appropriated to the payment of the soldiers, which would ease the people of taxes. Licinius replied, that if the money should be brought to the treasury, it would be the cause of eternal complaints, murmurs, and seditions. The latter advice prevailed, and the plunder was indiscriminate, for the city of Veii, after a ten years siege, in which many commanders had been employed, was at last taken by Camillus by stratagem; and the opulence of it appeared so great, that the dictator was terrified at his own good fortune, and that of his country. He prayed the gods, if it must be qualified with any disgrace, that it might fall upon him, not the commonwealth. This piety and patriotism, however, did not always govern Camillus: His triumph betrayed an extravagance of vanity more than bordering on profaneness; he had the arrogance and presumption to harness four white horses in his chariot, a colour peculiar to Jupiter and the Sun, an ambition more than Roman, more than human. Here the people were very angry with Camillus for having too little reverence for religion: The next moment they were still more incensed against him for having too much, for he reminded them of a vow he had made to consecrate a tenth part of the spoils to Apollo. The people, in short, did not love Camillus; and the senate adored him because he opposed the multitude on all occasions, without any reserve, and appeared the most ardent and active in resisting their caprices. It was easier to conquer enemies than to please citizens*. This mighty aristocratic grew so unpopular, that one of the tribunes accused him before the people of applying part of the spoils of Veii to his own use; and finding, upon consulting his friends, that he had no chance of acquittal, he went into voluntary banishment at Ardea: but he prayed to the gods to make his ungrateful country regret his absence. He was tried in his absence, and condemned in a fine.—Had Nedham's constitution existed at Rome, would Camillus have taken Veii, or been made dictator, or employed at all? Certainly not. Characters much more plausible would have run him down, or have obliged him to imitate all their indulgencies.

In all these examples of Cincinnatus, Curini, Fabius, and Camillus, &c. our author quotes examples of virtues which grew up only in a few aristocratical families, were cultivated by the emulation between the two orders in the State, and by their struggles to check and balance each other, to prove the excellence of a state where there is but one order, no emulation and no balance. This is like the conduct of a poet, who should enumerate the cheerful rays and resplendent glories of the sun in a description of the beauties of midnight.

Whether succession is, or is not, the grand preservative against corruption, the United States of America have adopted this author's idea in this "Reason," so far as to make the governor and senate, as well as the house of representatives, annually elective. They have therefore a clear claim to his congratulations. They are that happy nation: They ought to rejoice in the wisdom and justice of their trustees; for certain limits and bounds are fixed to the powers in being, by a declared succession of the supreme authority annually in the hands of the people.

It is still, however, problematical, whether this succession will be the grand preservative against corruption, or the grand inlet to it. The elections of governors and senators are so guarded, that there is room to hope; but, if we recollect the experience of past ages and other nations, there are grounds to fear. The experiment is made, and will have fair play. If corruption breaks in, a remedy must be provided; and what that remedy must be is well enough known to every man who thinks.

Our authors examples are taken from the Romans, after the abolition of monarchy, while the government was an aristocracy, in the hands of a senate, balanced only by the tribunes. It is most certainly true, that a standing authority in the hands of one, the few, or the many, has an impetuous propensity to corruption; and it is to controul this tendency that three orders equal and independent of each other, are contended for in the legislature. While power was in the hands of a senate, according to our author, the people were even in danger of losing their liberty. It would be nearer the truth to say, that the peo-

* Excellentibus ingenis citius deseruit artis quam civem regant, quam quam hostem superent. Liv. ii. 43.

ple had no liberty, or a very imperfect and uncertain liberty; none at all before the institution of the tribunes, and but an imperfect share afterwards; because the tribunes were an unequal balance to the senate, and so on the other side were the consuls. "Sometimes in danger from kingly aspirers." But whose fault was that? The senate had a sufficient abhorrence of such conspiracies: It was the people who encouraged the ambition of particular persons to aspire, and who became their partisans. Melius would have been made a King by the people, if they had not been checked by the senate; and so would Manlius: To be convinced of this, it is necessary only to recollect the story.—Spurius Melius, a rich citizen of the Equestrian order, in the year before Christ 437, and of Rome the 315th, a time of scarcity and famine, aspired to the consulship. He bought a large quantity of corn in Etruria, and distributed it among the people. Becoming by his liberality the darling of the populace, they attended his train, wherever he went, and promised him the consulship. Sensible, however, that the senators, with the whole Quintian family at their head, would oppose him, he must use force; and as ambition is insatiable, and cannot be contented with what is attainable, he conceived that to obtain the sovereignty would cost him no more trouble than the consulship. The election came on, and as he had not concerted all his measures, T. Quintius Capitolinus and Agrippa Menonius Lanatus were chosen by the influence of the senate. L. Minutius was continued praefectus annone, or superintendent of provisions: His office obliged him to do in public the same that Melius affected to do in private; so that the same kind of people frequented the houses of both. From them he learned the transactions at Melius's and informed the senate, that arms were carried into his house, where he held assemblies, made harangues, and was taking measure to make himself King; and that the tribunes, corrupted by money, had divided among them the measures necessary to secure the success of the enterprise. Quintius Capitolinus proposed a dictator, and Quintius Cincinnatus (for the Quintian family were omnipotent) was appointed. The earnest entreaties and warm remonstrances of the whole senate prevailed on him to accept the trust, after having long refused it, not from any reluctance to public service, but on account of his great age, which made him believe himself incapable of it. Imploring the gods not to suffer his age to be a detriment to the public, he consented to be nominated, and immediately appointed Ahala master of the horse, appeared suddenly in the forum with his lictors, rods, and axes, ascended the tribunal with all the ensigns of the sovereign authority, and sent his master of horse to summon Melius before him. Melius endeavoured in his first surprize to escape: A lictor seized him. Melius complained that he was to be sacrificed to the intrigues of the senate, for the good he had done the people. The people grew tumultuous: his partisans encouraged each other, and took him by force from the lictor. Melius threw himself into the crowd: Servius followed him, ran him through with his sword, and returned, covered with his blood, to give an account to the dictator of what he had done. "You have done well," said Cincinnatus: "continue to defend your country with the same courage as you have now delivered it—Macte virtute eto liberata republica."

The people being in great commotion, the dictator calls an assembly, and pronounces Melius justly killed. With all our admiration for the moderation and modesty, the simplicity and sublimity of his character, it must be confessed that there is in the harangue of Cincinnatus more of the aristocratical jealousy of Kings and oligarchies and even more of contempt of the people, than of a soul devoted to equal liberty, or possessed of understanding to comprehend it: It is the speech of a simple aristocratic, possessed of a great soul. It was a city in which, such was its aristocratical jealousy of monarchy and oligarchy, Brutus had punished his son; Collatinus Tarquinius, in mere hatred of his name, had been obliged to abdicate the consulship and banish himself; Spurius Cassius had been put to death for intending to be King; and the decemvirs had been punished with confiscation, exile, and death, for their oligarchy. In such a city of aristocratics Melius had conceived a hope of being a King. "Et quis homo?" says Cincinnatus; and who was Melius? "quam nullam nobilitatem, nullos honores, nulla merita: cuiquam ad dominationem pandere viam; sed tamen Claudio, Cassio, consulatibus, decemviribus, suis majorumque honoribus, suis splendore familiarium sustulisse animos, quo nefas fuerit*." Melius, therefore, was not

* "Who is this man? without nobility, without honors, without merit, to open for him a way to the monarchy! Cladius, indeed, and Cassius, had their souls elevated to ambition by their consulships and decemvirates, by the honors of their ancestors, and the splendor of their families."—Is their an old maid Eleanor, of seventy years of age, in any family, whose brain is more replete with the haughty ideas of blood, than that of the magnanimous Cincinnatus appears in this speech? Riches are held in vast contempt! The equestrian order is no honor nor nobility; that too is held in sovereign disdain! Beneficence and charity, in a most exalted degree, at a time when his brother

a traitor but a monster; his estate must be confiscated, his house pulled down, and the spot called Aquimelum, as a monument of the crime and the punishment, (Liv. lib. iv. c. 13, 14, 15, 16,) and his corn distributed to the populace, very cheap, in order to appease them. This whole story is a demonstration of the oppression of the people under the aristocracy; of the extreme jealousy of that aristocracy of Kings, of an oligarchy, and of popular power; of the constant secret wishes of the people to set up a King to defend them against the nobles, and of their readiness to fall in with the views of any rich man who flattered them, and set him up as a monarch. But it is a most unfortunate instance for Nedham. It was not the people who defended the republic against the designs of Melius, but the senate, defended it against both Melius and the people. Had Rome been then governed by "Marchmont Nedham's right Constitution of a Commonwealth," Melius would infallibly have been made a King, and have transmitted his crown to his heirs. The necessity of an independent senate, as a check upon the people, is most apparent in this instance. If the people had been unchecked, or if they had only had the right of choosing an house of representatives unchecked, they would in either case have crowned Melius.

Aristocrats were gripping the people to death by the most cruel severities, and the most horrid and avaricious usury, was no merit in Melius; but consulships, decemvirates, honors, and the splendor of family, has the most profound admiration and veneration! Every circumstance of this appears in this speech, and such was the real character of the man: And whoever celebrates or commemorates Cincinnatus as a patron of liberty, either knows not his character, or understands not the nature of liberty.

(To be continued.)

An ESSAY on FREE TRADE and FINANCES; particularly shewing what supplies of public revenue may be drawn from Merchandise, without injuring our trade or burdening our people.

[By a Citizen of Philadelphia in, 1783.]

(Continued from No. XV.)

VII. When any country finds that any articles are growing into use, and their consumption increasing so far as to become hurtful to the prosperity of the people, or to corrupt their morals or economy, 'tis the interest and good policy of such country to check and diminish the use and consumption of such articles, down to such degrees as shall concur with the greatest happiness and purity of their people.

VIII. This is done the most effectually and unexceptionably, by taxing such articles, and thereby raising them so high, as shall be necessary to reduce their consumption, as far as is useful for the general good. The force of this observation has been felt by all nations, and sumptuary laws have been tried in all shapes, to prevent or reduce such hurtful consumptions; but none can do it so effectually as raising the price of them: This touches the feelings of every purchaser, and connects the use of such articles with the pain of the purchaser, who cannot afford them, so closely and so constantly, as cannot fail to operate by way of diminution or disuse of such consumption; and as to such rich or prodigal people, as can or will go to the price of such articles, they are the very persons which I think the most able and suitable to pay taxes to the State. I think it would not be difficult to enumerate a great number of such articles of luxury, pride, or mere ornament, which are growing into such excessive use among us, as to become dangerous to the wealth, economy, morals, and health of our people, viz. distilled spirits of all sorts, especially whiskey and country rum; all imported wines; silks of all sorts, cambricks, lawn, laces, &c. &c. superfine cloths and velvets; jewels of all kinds, &c. to which might be added a very large catalogue of articles, though not so capitally dangerous as these, yet such as would admit a check in their consumption, without any damage to the States, such as sugar, tea, coffee, cocoa, fine linens; all cloths and stuffs generally used by the richer class of people, &c. all which may be judiciously taxed at ten, twenty, fifty, or one hundred per cent. on their first importation; and to these might be added, a small duty of perhaps five per cent. on all other imported goods whatever.

Two things are here to be considered and proved. 1. That this mode of taxation would be more beneficial to the community, than any other: And, 2d. That this mode is practicable, if these two things are fairly and clearly proved, I think there can be no room left for doubt, whether this kind of taxation ought to be immediately adopted, and put in practice.

I will offer my reasons in favor of these propositions, as fully, clearly, and truly, and I hope they may be judged worth endeavor in this attention. I will endeavor in this point out the benefits arising from taxation.

(To be continued.)

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