

The RIGHT CONSTITUTION of a COMMON-WEALTH EXAMINED,

(IN CONTINUATION.)

FLORENCE too, and Cosimo, are quoted, and the alternatives of treachery, revenge, and cruelty; all arising, as they did in Greece, from the want of a proper division of authority and an equal balance. Let any one read the history of the first Cosimo, his wisdom, virtues, and unbounded popularity, and then consider what would have been the consequence if Florence, at that period, had been governed by our author's plan of successive single assemblies, chosen by the people annually. It is plain that the people would have chosen such, and such only, for representatives as Cosimo and his friends would have recommended: at least a vast majority of them would have been his followers, and he would have been absolute. It was the aristocracy and forms of the old constitution that alone served as a check upon him. The speech of Uzzano must convince you, that the people were more ready to make him absolute than ever the Romans were to make Caesar a perpetual dictator. He confesses that Cosimo was followed by the whole body of the plebeians, and by one half the nobles: That if Cosimo was not made master of the Commonwealth, Rinaldo would be, whom he dreaded much more. In truth, the government at this time was in reality become monarchical, and that ill-digested aristocracy, which they called a popular State, existed only in form; and the persecution of Cosimo only served to explain the secret. Will it be denied that a nation has a right to choose a government for themselves? The question really was no more than this, whether Rinaldo or Cosimo should be master. The nation declared for Cosimo, reversed that banishment into which he had been very unjustly sent by Rinaldo, demanded his return, and voted him the father of his country. This alone is full proof, that if the people had been the keepers of their own liberties, in their successive assemblies, they would have given them all to Cosimo; whereas, had there been an equal mixture of monarchy, aristocracy, and democracy, in that constitution, the nobles and commons would have united against Cosimo the moment he attempted to overleap the boundaries of his legal authority. Uzzano confesses, that unless charity, liberality and beneficence, were crimes, Cosimo was guilty of no offence, and that there was as much to apprehend from his own party as from the other, in the point of liberty. All the subsequent attempts of Rinaldo to put Cosimo to death and to banish him were unqualified tyranny. He saved his life, it is true, by a bribe, but what kind of patrons of liberty were those who would betray it for a bribe? His recall and return from banishment seems to have been the general voice of the nation, expressed, according to the forms and spirit of the present constitution, without any appearance of such treachery as our author suggests. Whether Nedham knew the real history of Florence is very problematical; all his examples from it are so unfortunate as to be conclusive against his project of a government. The real essence of the government in Florence had been, for the greatest part of fifty years, a monarchy, in the hands of Uzzino and Nafso, according to Machiavel's own account; its form an aristocracy, and its name a popular state: Nothing of the essence was changed by the restoration of Cosimo; the form and name only underwent an alteration.—Holstein too is introduced, merely to make a story for the amusement of a drunken mob. "Here is a health to the remembrance of our liberty," said the "boorish, poor, silly generation," seventy years after they were made a duchy. Many hogheads of ale and porter, I doubt not, were drank in England in consequence of this Holstein story; and that was all the effect it had it could have towards supporting our author's argument.

"How deep soever the impression may be, that is made by the love of liberty upon the minds of the people, it will not follow that they alone are the best keepers of their own liberties, being more tender and more concerned in their security than any powerful pretenders whatsoever." Are not the senators, whether they be hereditary or elective, under the influence of powerful motives to be tender and concerned for the security of liberty? Every senator, who consults his reason, knows that his own liberty, and that of his posterity, must depend upon the constitution which preserves it to others. What greater refuge can a nation have, than in a council, in which the national maxims, and the spirit and genius of the state, are preserved by a living tradition? What stronger motive to virtue, and to the preservation of liberty, can the human mind perceive, next to those of rewards and punishments in a future life, than the recollection of a long line of ancestors who have sat within the walls of the senate, and guided the councils, led the armies, commanded the fleets, and fought the battles of the people, by which the nation has been sustained in its infant years, defended from dangers, and carried through calamities, to wealth, grandeur, prosperity, and glory? What

institution more useful can possibly exist, than a living repertory of all the history, knowledge, interests, and wisdom of the commonwealth, and a living representative of all the great characters whose prudence, wisdom, and valour, are registered in the history and recorded in the archives of the country? If the people have the periodical choice of these, we may hope they will select those, among the most conspicuous for fortune, family and wealth, who are most signalized for virtue and wisdom, which is more advantageous than to be confined to the eldest son, however defective, to the exclusion of younger sons, however excellent, and to one family, though decayed and depraved, to another more deserving as in hereditary senates; But that a senate, guarded from ambition, should be objected to, by a friend of liberty and republican government, is very extraordinary. Let the people have a full share, and a decisive negative; and, with this impregnable barrier against the ambition of the senate on one side, and the executive power with an equal negative on the other, such a council will be found the patron and guardian of liberty on many occasions, when the giddy thoughtless multitude, and even their representatives, would neglect, forget, or even despise and insult it; instances of all which are not difficult to find.

CONGRESS OF THE UNITED STATES.

Began and held at the City of New-York, on Wednesday the Fourth of March, One Thousand Seven Hundred and Eighty-Nine.

RESOLVED, That the survey directed by Congress in their act of June the sixth, one thousand seven hundred and eighty-eight, be made and returned to the Secretary of the Treasury without delay; and that the President of the United States be requested to appoint a fit person to complete the same, who shall be allowed five dollars per day whilst actually employed in the said service, with the expences necessarily attending the execution thereof.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and *President of the Senate.*

APPROVED, AUGUST the 26th, 1789.

GEORGE WASHINGTON, *President of the United States.*

An ACT to provide for the safe-keeping of the ACTS, RECORDS, and SEAL of the United States and for other purposes.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the executive department, denominated the Department of Foreign Affairs, shall hereafter be denominated the department of State, and the principal officer therein shall hereafter be called the Secretary of State.

And be it further enacted, That whenever a bill, order, resolution, or vote of the Senate and House of Representatives, having been approved and signed by the President of the United States, or not having been returned by him with his objections, shall become a law, or take effect, it shall forthwith thereafter be received by the said Secretary from the President: And whenever a bill, order, resolution, or vote, shall be returned by the President with his objections, and shall on being reconsidered, be agreed to be passed, and be approved by two thirds of both Houses of Congress, and thereby become a law or take effect, it shall, in such case, be received by the said Secretary from the President of the Senate, or the Speaker of the House of Representatives, in whichsoever House it shall last have been so approved; and the said Secretary shall, as soon as conveniently may be, after he shall receive the same, cause every such law, order, resolution, and vote, to be published in at least three of the public newspapers printed within the United States, and shall also cause one printed copy to be delivered to each Senator and Representative of the United States, and two printed copies duly authenticated to be sent to the executive authority of each State; and he shall carefully preserve the originals, and shall cause the same to be recorded in books to be provided for that purpose.

And be it further enacted, That the seal heretofore used by the United States in Congress assembled, shall be, and hereby is declared to be the seal of the United States.

And be it further enacted, That the said Secretary shall keep the said seal, and shall make out and record, and shall affix the said seal to all civil commissions, to officers of the United States, to be appointed by the President by and with the advice and consent of the Senate, or by the President alone. Provided, That the said seal shall not be affixed to any commission, before the same shall have been signed by the President of the United States, nor to any other instrument or act, without the special warrant of the President therefor.

And be it further enacted, That the said Secretary shall cause a Seal of office to be made for the said department of such device as the President of the United States shall approve, and all copies of records and papers in the said office, authen-

ticated under the said seal, shall be evidence equally as the original record or paper.

And be it further enacted, That there shall be paid to the Secretary, for the use of the United States, the following fees of office, by the persons requiring the services to be performed, except when they are performed for any officer of the United States, in a matter relating to the duties of his office, to wit: For making out and authenticating copies of records, ten cents for each sheet, containing one hundred words; for authenticating a copy of a record or paper under the seal of office, twenty-five cents.

And be it further enacted, That the said Secretary shall forthwith after his appointment, be entitled to have the custody and charge of the said seal of the United States, and also of all books, records, and papers, remaining in the office of the late Secretary of the United States in Congress assembled; and such of the said books, records, and papers, as may appertain to the Treasury department, or War department, shall be delivered over to the principal officers in the said departments respectively, as the President of the United States shall direct.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and *President of the Senate.*

APPROVED, SEPTEMBER the 15th, 1789.

GEORGE WASHINGTON, *President of the United States.*

NEW-JERSEY PAPER MONEY.

NUMBER I.

To the CITIZENS of the State of NEW-JERSEY.

THE tender on the continental currency and on the State money of the ninth of June, 1780, was very injurious to the citizens of New-Jersey. The injustice of imposing a tender on a depreciating paper was very apparent from those two instances. Yet the State of New-Jersey, after dear bought experience, and in time of peace, in 1786, emitted a paper-money, commonly called Loan-Office-Money, to circulate for the term of twelve years, and armed it with a tender. The State in 1786, imposed a tender also on another species of their paper money, commonly called Revenue-Money, which then had twenty-two years to run. The paper money of this State, has, from the year 1786 to the present day, depreciated nearly, if not fully, one-third in its nominal value; and the depreciation of it, has in many cases on compulsory payments, occasioned to the creditor the loss of one-third of his debt. A Paper daily depreciating, wearing a tender, injuring at almost every step in its progress, and likely so to continue in one part, until the year 1798, and in another part until the year 1808, was a mischief serious in its nature and fraught with many prejudicial consequences too obvious to need an enumeration. This was an enormous evil, which called loudly for redress. To remedy this and other evils, was framed the Constitution of the United States of America, which the State of New-Jersey unanimously ratified. This Constitution on the fourth of March, 1789, on which day it began to proceed and to diffuse extensively its beneficial effects, did, by the tenth section of the first article, and by the second clause of the sixth article, supercede and do away between citizen and citizen in the payment of debts, the tender on the loan-office money and revenue money of New-Jersey. This is among many others, one great benefit, which this State has already derived from the new Constitution. Happy Era, when was banished from the Union, the folly and iniquity of a tender on worthless Paper! The only money, which since the fourth of March last, has carried in New-Jersey a legal tender in the payment of debts between citizen and citizen, is Spanish milled silver dollars and Portugal johanneses, which were legitimated by act of the legislature of that State on the eleventh of February, 1777. The loan-office money and revenue money, are lawfully receivable in the payment of taxes to the State, in the same manner they were before the fourth of last March. The loan-office money is, and by law ought to be receivable by the State until the expiration of its term, in satisfaction and discharge of the mortgages, on which the bills were loaned, in the same manner it was before the fourth of last March. The New-Jersey paper money has not had, since the fourth of March last, any legal tender on it between citizen and citizen in compulsory payments of debts. The citizens of New-Jersey are well entitled to avail themselves in their contracts and other money matters of the benefit of the new Constitution, the supreme law of the State.

SILVER MONEY, *A Citizen of New-Jersey.*
Dated the 25th of September, 1789.

ANECDOTE.

IT is remarkable that Hugh Aubriot, a native of Dijon, and Prevot des Marchands of Paris, who placed the first stone of the Bastille, was like the inventor of Phadaris' Bull, the first victim of his own work, being confined there under pretence of heresy.

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