

DISCOURSES ON DAVILA.

Fœlix quem faciunt aliena pericula cautum.

THE French nation, known in antiquity under the appellation of the Franks, were originally from the heart of Germany. In the declension of the Roman Empire, they inhabited a country in the North, along the river Rhine, situated between Bavaria and Saxony, which still preserves the name of Franconia. Having excessively multiplied, as it happens in cold climates, their country was found, not sufficiently extensive to contain them, nor fertile enough to nourish them. Excited by the example of their neighbours, they resolved by a common voice, to divide themselves into two nations; one of which should continue to inhabit their ancient country; and the other endeavor to procure elsewhere by the force of arms, an establishment more vast, more commodious and more fertile. This enterprise was resolved, and this division made by unanimous consent. Such as were destined by lot, to essay their fortune, although trained to war, and incapable of terror at the apprehension of the dangers of such an enterprise; thought however, that they ought not to abandon it to anarchy or hazard, but to conduct it with prudence and order. To concert the measures necessary for the execution of their project, they assembled in the plains, in the neighbourhood of the river Sala. Accustomed for many ages, to live in the obedience of a prince; and thinking the monarchical state the most convenient to a people who aspire to augment their power, and extend their conquests, they resolved to choose a king, who should unite in his single person, all the authority of the nation. Here perhaps Davila is incautious and inaccurate; for the Franks, as well as Saxons and other German nations, though their governments were monarchical, had their Grandees and people, who met and deliberated in National Assemblies, whose resalts were often to say the least, considered as laws. Their great misfortune was, that, while it never was sufficiently ascertained, whether the sovereignty resided in the king or in the national assembly; it was equally uncertain, whether the king had a negative on the assembly; whether the Grandees had a negative on the king or the people; and whether the people had a negative on both, or either. This uncertainty will appear hereafter in Davila himself, to mark its course in bloody characters; and the whole history of France will shew, that from the first migration of the Franks from Germany to this hour, it has never been sufficiently explained and decided.

To this supreme degree of power in the king (as Davila proceeds) they added, that the crown should be hereditary in the family elected; foreseeing, that if it were elective, it would be a source of civil wars, which would prove destructive to all their enterprises. Mankind, in new establishments, generally act with sincerity, and with a single view to the public good. They listen neither to the ambition nor the interest of private persons: And Pharamond was elected king, by unanimous consent. He was a son of Marcomir, issue of the blood which had governed the nation for many ages: And, to an experienced valor, united a profound wisdom, in the art of government; it was agreed that the same title and equal power, should descend to his legitimate posterity of the male line, in default of which the nation should return to their right of electing a new sovereign. But as unlimited authority may easily degenerate into tyranny, the Franks, at the time of the election of their king, demanded the establishment of certain perpetual and irrevocable laws, which should regulate the order of succession to the throne and prescribe in a few words, the form of government. These laws proposed by their priests, whom they named Salians, and instituted in the fields which take their name from the river Sala, were originally called Salique laws, and have been considered, from the establishment of the monarchy, as the primitive regulations and fundamental constitutions of the kingdom.

Leaving their country to the old Prince Marcomir, and passing the Rhine, under the command of Pharamond, the Franks marched to the conquest of the Gauls, about the four hundred and nineteenth year of the christian Æra. The Roman legions united with the Gaulish troops resisted Pharamond, till his death. The scepter was left to his son Clodion, an intrepid prince, in the flower of his age, who in several battles defeated the notions of the country, dissipated the Roman armies, and established himself in Belgick Gaul. Merovius, who succeeded him, made a rapid progress; penetrated into Celtic Gaul and extended his empire to the gates of Paris; judging that he had conquered country enough to contain his subjects, and form a state of reasonable extent, he limited the course of his exploits, and turned all his cares to peace, after having united under the same laws, and the same name, the conquerors and the vanquished, whom he governed peaceably; he died leaving the Franks solidly established in Gaul: Such is the origin of the French monarchy and such are her fundamental laws.

By the dispositions of the same laws, the work of the nation, are regulated, the rights and prerogatives of the Princes of the Blood: As each of them, in default of direct heirs, may, according to his rank, be called to the crown, their interests are necessarily connected with those of the state. The people regard these privileges, as inviolable: Neither length of time, nor distance of degree has ever done them any injury. All these princes preserve the rank which nature has allotted them, to succeed to the throne. They have indeed, in the course of time, taken different names, such as those of Valois, of Bourbon, of Orleans, of Angouleme, of Vendome, of Alencon, of Montpensier; but they have not by these means lost the rights attached to the royal consanguinity, that, especially of succeeding to the crown; these different branches, have from time to time asserted the pre-eminences due to their blood; to interst them the more forcibly, in the preservation of a crown to which, in succession, they may all be called: it has been commonly made a rule, in case of the minority, or absence of the lawful thing, to choose for the tutors or regents of the kingdom, the princes who were nearest related; it would not indeed be natural to entrust the administration to the hands of strangers, who might destroy, or at least dismember so beautiful a state: When as princes born of the same blood, ought, for that reason, to watch over the conservation of an inheritance, which belongs to them, in some sort. This right is not simply founded upon usage: The states general of the Kingdom in whom resides the entire power of the whole nation whom they represent, have frequently confirmed it. Here again we meet with another inaccuracy, if not a contradiction in Davila; or rather with another proof of that confusion of law, and that uncertainty of the sovereignty, which for 1500 years has been to France, the fatal source of so many calamities: Here the sovereignty, or whole power of the nation, is asserted to be in the states general; whereas only three pages before, he had asserted that the whole authority of the nation was united in the King.

These two prerogatives, of succeeding to the throne when a king dies without masculine posterity, and of governing the kingdom during the absence or minority of the legitimate sovereign, have at all times procured to the princes of the blood, a great authority among the people, and the best part in the government. They have applied themselves accordingly with remarkable vigilance, to the administration of an Empire, which they regarded with justice as their patrimony: And the people, judging that they might have them one day for their first Magistrates, have always shewn them the more respect, as they have more than once known the younger branches to ascend the Throne, in default of the elder. Thus the Crown has passed from the Merovingians to the Carolingians and finally to the Capetians; but always from male to male, in the Princes of the blood of these three races. From the last of these descended the King Louis the eleventh, whom the innocence of his life and the integrity of his manners, have placed in the number of the Saints. He left two sons, Philip the third surnamed the Hardy; and Robert, Earl of Clermont. Philip continued the elder branch, which reigned more than three hundred years, and took the surname of Valois.

From Robert is descended the younger branch, or the house of Bourbon, so called, from the province, in which it possessed its settlement. This house, respectable not only by birth, which placed it near the throne, but also by the extent of its lands and riches, by the valour and number of its Princes, almost all distinguished by their merit and a singular affability: arrived soon at an high degree of power. This elevation, joined to the favour of the people, excited against the Bourbons, the jealousy and envy of the Kings, whom this great credit and distinguished splendor, displeased, and alarmed. Every day brought fresh occasions of hatred, suspicion and distrust, which several times broke out in arms. Thus in the war, for the public good, John Duke of Bourbon declared himself against Louis the eleventh; and Louis the twelfth before his accession to the throne, was at war with Peter of Bourbon. The jealousies which these Princes inspired into Kings, exposed them sometimes to secret vexations and sometimes to declared enmities. We may add to this reflection of DAVILA, that it is extremely probable, that these Princes by frequently betraying symptoms of ambition, aspiring at the throne, might give to Kings, just grounds of jealousy and alarm.

Before we proceed in our discourses on DAVILA, it will assist us in comprehending his narration, as well as in making many useful reflections in morals and policy, to turn our thoughts for a few moments to the constitution of the human mind. This we shall endeavour to do in our next essay.

PHILADELPHIA, 22 April.

The following was the order of Procession yesterday at the funeral of our late learned and illustrious citizen, Dr. FRANKLIN.

All the Clergy of the city, before the corpse. THE CORPSE, Carried by Citizens.

The Pall supported by The President of the State, the Chief Justice—the President of the Bank, Samuel Powell, William Bingham, and David Rittenhouse, Esquires,

Mourners, Consisting of the family of the deceased—with a number of particular friends,

The Secretary and Members of the Supreme Executive Council.

The Speaker and Members of the General Assembly. Judges of the Supreme Court, And other Officers of Government.

The Gentlemen of the Bar. The Mayor and Corporation of the city of Philadelphia.

The Printers of the city, with their Journeymen and Apprentices. The Philosophical Society.

The College of Physicians. The Cincinnati. The College of Philadelphia.

Sundry other Societies—together with a numerous and respectable body of Citizens. The concourse of spectators was greater than ever was known on a like occasion. It is computed that not less than 20,000 persons attended and witnessed the funeral. The order and silence which prevailed, during the Procession, deeply evinced the heartfelt sense, entertained by all classes of citizens, of the unparalleled virtues, talents, and services of the deceased.

This day the Supreme Executive Council of Pennsylvania, agreed to wear mourning for one month, in memory of their great and good fellow-citizen, Dr. FRANKLIN.

LONDON, February 1.

THE King of Sweden in all his preparations for another campaign, has recourse to this country for money and science! An eminent merchant is now authorized by him to negotiate a loan of half a million, at six per cent. and to engage surgeons for the army, at the rate of 6l. per month, with an allowance of 2l. 10s. for subsistence: the interest and the salary are sufficient to invite many adventurers.

Madame Masson, the celebrated Tennis-player, lately arrived from Paris, has had audience of his royal highness the Duke of York.—This Gallant heroine of the Raquet, it seems, challenges to play with any person in Europe for one thousand guineas.—The royal Duke is to have the honor of first entering the lifts with her, she plays in her female attire a la Grecque, with a short petticoat and drawers.

So warm a party spirit is excited at Manchester, by the application of the dissenters for a repeal of the test act, that upwards of three-hundred gentlemen have formed themselves into a club for the support of the church: they wear an uniform of blue, with scarlet collars; the collegiate church on the button, with the motto, "Pro Aris et Focis."

The French assembly have settled pensions upon such of the Monks as choose to leave the monasteries.

The English government not in the least concerning itself with the education of youth, seems to be a capital defect. Any person, however, meanly qualified, is at liberty to open a school, a liberty which does often a great deal of mischief. The lower classes of people are much neglected in their education, and much more so in England than in Scotland. In the latter, literature is encouraged almost to a fault, there scarce being a cow-keeper or salmon-catcher, in that country, who does not understand Latin, a little Greek, elocution, ancient mythology, &c. were government to lay heavy fines upon all unqualified teachers, both learning and its professors would soon be respectable. Our national superiority with respect to sciences was much more conspicuous in the beginning of the present century than at this period.

PROPOSALS,

BY JOHN TRUMBULL, For publishing by subscription, TWO PRINTS,

From ORIGINAL PICTURES painted by himself; REPRESENTING The DEATH of General WARREN, At the Battle of Bunker's-Hill; and The DEATH of General MONTGOMERY, In the Attack of Quebec.

IN the Battle of Bunker's Hill, the following Portraits are introduced, AMERICAN. Major General Warren, Putnam, Lieut. Col. John Smeltz, Major Pitcairn, and Lieut. Pitcairn. BRITISH. General Sir William Howe, Sir Henry Clinton, Lieut. Col. John Smeltz, Major Pitcairn, and Lieut. Pitcairn. In the Attack of Quebec, are seen, General Montgomery, Colonel Thompson, Major Macpherson, Captain Cheefman.

CONDITIONS OF SUBSCRIPTION.

THE Prints will be engraved by two of the most eminent Artists in Europe. The size will be 90 inches by 90. The price to subscribers, three guineas for each print, one half to be paid at the time of subscribing, the remainder on the delivery of the Prints, which will be as soon as the work (which is already considerably advanced) can possibly be completed. Subscriptions are received in America, only by Mr. Trumbull. All subscription receipts will be signed by him, as well as by Mr. Poggi, of London; under whose direction the prints are engraving, and will be published.

These Prints are the first of a series, in which it is proposed to represent the most important events of the American revolution.

No period of the history of man is more interesting than that in which we have lived.—The memory of scenes in which were laid the foundations of that free government, which secures our national and individual happiness, must remain ever dear to us, and to posterity; and if national pride be in any case justifiable, Americans have a right to glory in having given to the world an example, whose influence is rapidly spreading the love of freedom through other nations, and every where ameliorating the condition of men.

To assist in preserving the memory of the illustrious events which have marked this period of our country's glory, as well as of the men who have been the most important actors in them, is the object of this undertaking. Historians will do justice to an era so important; but to be read, the language in which they write, must be understood—the language of Painting is universal, and intelligible in all nations, and every age.

As several years of his time, and a very considerable expence, are necessary to accomplish this undertaking, it would be an imprudent sacrifice to the mere hope of reputation, to go more deeply into it, without a probability of ultimate success. That he may judge of the degree of this probability, Mr. Trumbull, by the advice of his friends, proposes this subscription, and flatters himself with a hope of meeting that patronage from his countrymen, which will justify his pursuing the object with ardor, and without which it is impossible that so expensive a work should be continued.

The subjects proposed to be represented, in addition to the two foregoing, of Bunker's-Hill and Quebec, are

- \* THE DECLARATION OF INDEPENDENCE, \* BATTLE of TRENTON, \* BATTLE of PRINCETON, SURRENDER of General BURGOYNE, TREATY with FRANCE, BATTLE of EUTAW SPRINGS, \* SURRENDER of YORK-TOWN, TREATY of PEACE, EVACUATION of NEW-YORK, RESIGNATION of General WASHINGTON, The ARCH at TRENTON, INAUGURATION of the PRESIDENT of the UNITED STATES.

Each picture will contain Portraits of the principal characters, who were present at the scene represented. Those marked with Stars, are considerably advanced—and the Prints from the whole will be executed of the same size, and by the most eminent engravers. New-York, April 2, 1790.

ADVERTISEMENT.

NOTICE is hereby given to all the creditors of PHILIP DENMAN, now confined in the common gaol of Newark, in the county of Essex, That the Honorable Court of Common Pleas, in and for said county, have appointed Tuesday the 25th day of May next, for the creditors of said Philip Denman, to meet at the Court house in Newark, at nine o'clock of the day aforesaid, and shew cause to the judge of the said Court if any they have, why an assignment of the said insolvent debtors estate should not be made, and he discharged according to the act of the Legislature of New-Jersey in such case made and provided. PHILIP DENMAN.

Newark, April 14, 1790.

To be SOLD,

For CERTIFICATES, Or exchanged for LAND, TWENTY-Two acres of ground in the City of New-York, fronting Great George-Street, Bowry-Lane, and Greenwich-Lane. On the premises is a brick dwelling house containing ten rooms; a smaller brick house with four rooms; a house with a brick front with two rooms: In each house is a Kitchen, and under the whole four cellars; a never failing spring is near one of the Kitchens; a frame stable and a coach-house with stables. From the dwelling house both the North and the East rivers are plain to the view. Additional improvements have been made this Spring, the ground has been laid out for pleasure as well as for utility; it is provided with variety of orchard and other fruit; part of the land has also been sown with timothy and clover. To be sold for certificates of the national debt, which will be received at the nominal value, Dollars at 8s. Or for good upland, even if covered with wood, provided it is situated on the following rivers, or on creeks as far as navigable, communicating with the same, viz. At the Potowmac above Alexandria, at James River above Richmond, in South-Carolina, about one hundred miles from the sea shore, on Santee Edisto or Ponpon river, or on Savannah river. If not sold at private sale before the 15th of May, it will then on the above terms be disposed of by Public Vendue at the merchants Coffee-House.—For further particulars enquire of Mr. POELLNITZ on the premises. New-York April 10, 1790.

CASH, and a generous price given for Continental, New-Hampshire, Massachusetts, and Rhode-Island securities, of every denomination, by EBENEZER THAYER, jun. No. 59, Water-Street. New-York, April 17, 1790.

William Taylor,

Has for Sale, at his EAST-INDIA GOODS STORE, No. 4, BURLING-SLIP, A General Assortment of EAST-INDIA GOODS. Among which are the following Articles: BOOK Muslins 8-4 6-4 5-4 HUMHUMS, Jacket do. Long Cloths, Handkerchiefs, of various kinds, Calfas, Chintzes, Secfucckers, Gingham, Boglapores. A Variety of handsome painted MUSLINS. With many other Articles, which will be sold by the Piece or Package, low for cash.