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[Whole No. 133.]

FOR THE GAZETTE OF THE UNITED STATES.

DISCOURSES ON DAVILA.—No. XV.

First follow nature and your judgment frame
By her just standard which is still the same.

THE world grows more enlightened: Knowledge is more equally diffused: News papers, Magazines, and circulating libraries, have made mankind wiser: Titles and distinctions, ranks and orders, parade and ceremony, are all going out of fashion. This is roundly and frequently asserted in the streets, and sometimes on theatres of higher rank. Some truth there is in it: and if the opportunity were temperately improved, to the reformation of abuses, the rectification of errors, and the dissipation of pernicious prejudices, a great advantage it might be. But, on the other hand, false inferences may be drawn from it, which may make mankind wish for the age of Dragons, Giants and Fairies. If all decorum, discipline and subordination are to be destroyed, and universal pyrrhonism, anarchy, and insecurity of property are to be introduced, nations will soon with their books in ashes, seek for darkness and ignorance, superstition and fanaticism, as blessings, and follow the standard of the first mad despot who, with the enthusiasm of another Mahomet, will endeavour to obtain them.

Are riches, honors and beauty going out of fashion? Is not the rage for them, on the contrary, increased faster than improvement, in knowledge? As long as either of these are in vogue, will there not be emulations and rivalries? Does not the increase of knowledge in any man, increase his emulation; and the diffusion of knowledge among men, multiply rivalries? Has the progress of science, arts and letters, yet discovered that there are no passions in human nature? No ambition, avarice and a desire of fame? Are these passions cooled, diminished or extinguished? Is the rage for admiration less ardent in men or women? Have these propensities less a tendency to divisions, controversies, seditions, mutinies, and civil wars, than formerly? On the contrary, the more knowledge is diffused, the more the passions are extended, and the more furious they grow? Had Cicero less vanity, or Cesar less ambition, for their vast erudition? Had the King of Prussia less of one, than the other? There is no connection in the mind between science and passion, by which the former can extinguish or diminish the latter: it on the contrary sometimes increases them, by giving them exercise. Were the passions of the Romans less vivid, in the age of Pompey, than in the time of Mummius? Are those of the Britons, more moderate at this hour than in the reigns of the Tudors? Are the passions of Monks, the weaker for all their learning? Are not jealousy, envy, hatred, malice and revenge, as well as emulation and ambition, as rancorous in the cells of Carmelites, as in the courts of Princes? Go to the Royal Society of London: is there less emulation for the chair of Sir Isaac Newton, than there was, and commonly will be for all elective presidencies? Is there less animosity and rancour, arising from mutual emulations in that region of science, than there is among the most ignorant of mankind? Go to Paris: how do you find the men of letters? United, friendly, harmonious, meek, humble, modest, charitable? prompt to mutual forbearance? unassuming? ready to acknowledge superior merit? zealous to encourage the first symptoms of genius? Ask Voltaire and Rousseau, Marmontel and De Mably.

The increase and dissemination of knowledge, instead of rendering unnecessary, the checks of emulation and the balances of rivalry, in the orders of society and constitution of government, augment the necessity of both. It becomes the more indispensable, that every man should know his place and be made to keep it. Bad men increase in knowledge as fast as good men, and science, arts, taste, sense and letters, are employed for the purposes of injustice and tyranny, as well as those of law and liberty: for corruption as well as for virtue.

FRENCHMEN! Act and think like yourselves! confessing human nature, be magnanimous and wise. Acknowledging and boasting yourselves to be men, avow the feelings of men. The affectation of being exempted from passions, is inhuman. The grave pretention to such singularity is solemn hypocrisy. Both are unworthy of your frank and generous natures. Consider that government is intended to set bounds to passions

which nature has not limited: and to assist reason, conscience, justice and truth in controuling interests, which, without it, would be as unjust as uncontrollable.

AMERICANS! rejoice, that from experience, you have learned wisdom: and instead of whimsical and fantastical projects, you have adopted a promising essay, towards a well ordered government. Instead of following any foreign examples, to return to the legislation of your own country, contemplate the means of restoring decency, honesty and order in society, by preserving, and completing, if any thing should be found necessary to complete, the balance of your government. In a well balanced government, reason, conscience, truth and virtue must be respected by all parties, and exerted for the public good. Advert to the principles on which you commenced that glorious self defence, which, if you behave with steadiness and consistency, may ultimately loosen the chains of all mankind. If you will take the trouble to read over the memorable proceedings of the town of Boston, on the 28th day of October 1772, when the Committee of Correspondence of twenty one persons, was appointed to state the rights of the Colonists as men, as christians and as subjects, and to publish them to the world, with the infringements and violations of them, you will find the great principles of civil and religious liberty, for which you have contended so successfully, and which the world is contending for after your example. I could transcribe with pleasure, the whole of this immortal pamphlet, which is a real picture of the sun of liberty, rising on the human race: but shall select only a few words, more directly to the present purpose. "The first fundamental positive law of all commonwealths or states, is the establishment of the legislative power." Page 9. "It is absolutely necessary, in a mixed government, like that of this Province, that a due proportion, or balance of power should be established among the several branches of the legislative. Our ancestors received from King William and Queen Mary, a charter, by which it was understood by both parties in the contract, that such a proportion or balance was fixed; and therefore every thing which renders any one branch of the legislative more independent of the other two, than it was originally designed, is an alteration of the Constitution." (To be continued.)

TRANSLATED

FOR THE GAZETTE OF THE UNITED STATES.

PARIS.

INSTRUCTIONS FOR THE COLONIES,

Presented to the National Assembly, in the name of the Committee appointed for that purpose, the 23d March, 1790.

By Mr. BARNAVE, Deputy from Dauphiny.

CONTINUED.

THESE forms being agreed upon, the National Assembly should point out the measures which ought to be pursued, to put them in execution.

The most prompt and most simple appear to be the best; transcription, publication and the authority of tribunals, are in general, means little suitable to the establishment of representative assemblies. They would suit still less in the present circumstances.

It has appeared to the National Assembly, that the diligence of the governor of each colony, secured by the vigilance of the citizens, and by his responsibility, is sufficient to forward proclamations, and fix up in all the parishes, its decrees and instructions.

This form being accomplished, the decrees and instructions being authentically known, the zeal and understanding of the citizens will secure their execution.

They will of themselves form into parochial assemblies—they will verify those who fulfil the conditions required to vote therein—they will calculate the number to ascertain that of the deputies they ought to send to the colonial assembly; they will in short elect these deputies, who shall immediately repair to the central town, pointed out in this instruction, and who, in concert, will there form the colonial assembly, or will transfer it to such place as shall appear most suitable to them.

The only difficulties which can arise, will be such as relate to the colonial assemblies already formed and existing in some of the colonies.

If these assemblies after being informed of the decrees and instructions of the National Assembly, conceive that the forming a new assembly, in conformity to these instructions, is more advantageous to the colony than their own continuation, there is no doubt but that their declaration will be perfectly sufficient, and that they will immediately proceed to new elections.

But if they are not of this opinion, it will be their business to collect the sentiments of the inhabitants in this respect.

The National Assembly has announced that these assemblies can fulfil the functions pointed out by its decrees of the 8th March, whenever they shall have been duly elected and avowed by the citizens.

Far from having by this disposition interdicted the inhabitants of the colonies, the power of choosing between the existing assemblies, and those which may be formed, after the present convocation, the National Assembly has on the contrary implicitly expressed itself.

But even if it had not acknowledged this right, they would have naturally possessed it—and nothing could oblige either the metropolis or the colony to treat together, by the intervention of an assembly which they themselves who had elected it, should not acknowledge.

The question then is to trace a form, agreeable to which this option may be speedily and peaceably effected.

This can only be accomplished by the deliberation of the parishes.

It is necessary therefore that each explains itself, and this object of deliberation ought to be the first business of the parochial assemblies.

In the space of fifteen days, after the proclamation and fixing it up, they shall be bound to announce their wishes, and shall immediately forward them to the governor of the colony, and the colonial assembly.

Such as shall have decided in favor of forming a new assembly, shall not nominate their deputies before the wishes of the majority has been acknowledged conformably to their opinion, for an anticipated election would only tend to excite troubles and contests.

As long as the wish of the colony shall not be known, the existing colonial assembly may commence the business pointed out by the decree of the National Assembly—but it is evident that the right of executing and provisionally modifying the decrees of the National respecting the municipalities, and the administrative assemblies, cannot belong to it, before the voice of the parishes has confirmed its powers and existence.

After the time has elapsed, when all the parochial assemblies shall have explained themselves on this head, the governor shall notify in the most public manner, the result of the deliberations which shall have come to hand, and shall give each parish a particular and authentic acknowledgment of it.

If the majority of the suffrages of the parishes which shall have deliberated demands the formation of a new assembly it will clearly follow that the existing assembly is not avowed and authorized by the colony—its powers shall cease—it shall immediately proceed to the formation of a new assembly, agreeable to the forms indicated in this instruction, and consequently all the parochial assemblies shall proceed in the same manner they would have done, if at the time of the first proclamation no colonial assembly had existed.

If on the contrary one half of the suffrages of the deliberating parishes vote for the continuation of the colonial assembly, it shall be preserved and shall fully exercise the functions and powers attributed to it by the decree of the National Assembly.

Thus, time will not be uselessly consumed, the form freely admitted by the inhabitants for the formation of their Assembly will not be contravened—but the powers shall be withdrawn or confirmed, at the moment when new functions and new circumstances, no longer admit of a foundation on those which it formerly received, the adhesion of the colony and the confidence of the metropolis.

No doubts, no disorder, no dangerous delay can result from the observation of these forms, if the colonists are penetrated with the idea that their dearest interests and the most sacred duties of a citizen oblige them to submit without a murmur to the voice of the majority, if they perceive that promptitude and unanimity in the execution of