

PARIS, JULY 13.

**M**TALMA, an actor in the French Theatre, complained that the Rector of St. Sulpice, had refused to publish the bans of marriage for him, alledging that Comedians are deprived by law of the holy sacrament of matrimony.

Several members expressed their surprize at this perverse opposition in the Rector of St. Sulpice, adding that it was customary to admit the people of the Theatre to the sacrament of matrimony, under the character of musicians.

It was decreed—

That the committees of the constitution, and of ecclesiastical affairs, do take this into immediate consideration.

The address made to the President by a deputation of Americans, was much applauded.

“The force of truth is irresistible; the celebrity of its progress, beyond calculation—

“We have long believed that the nations of the earth would wake out of their lethargy; and that men would claim their rights in a voice that men would not be able to resist. We believed that religion would be disrobed of its borrowed terrors, and that fanaticism and intolerance would fly at the presence of reason.

“We have but one wish on the present occasion, and that is to assist at the august confederation, and to swear, at the feet of the same altar, to be faithful to the nation, to the law, and to the King, and to vow eternal friendship with the people of France.”

The answer of *M. Bonnay*, the President, was not less applauded—

“It was in aiding you to be free, brave Americans, that the French became acquainted with Liberty and loved her. The arm which broke your fetters asunder, disdains to be fettered itself.

“But in this respect we are more happy than you were. We have a *Patriot King* to assist us in the recovery of our liberties.

“Liberty cost you torrents of blood, you won her by your courage. We are free by following the dictates of reason, the Throne of Liberty is now established in the two worlds.”

The address and answer were both ordered to be printed.

LONDON, July 13.

THERE are still idle whispers about the King of France being rescued, as it is called.

They are wretched politicians who believe that the King of France, with the History of England before him, will fly from his throne to make it more secure. He knows that in any country a King is more easily found than public liberty.

The trial by Jury is much applauded by all Englishmen, and in conjunction with the liberty of the Press, is justly supposed to be the strongest pillar of the British Constitution. But when individuals are called to attend on the public service, it is truly astonishing what trifling excuses are made. One wishes to be exempted because he has served in the army; another because his estate is not sufficiently large; a third because he has only a copy hold; and a fourth pretends he is deaf or has got the gout.

The determination against the notorious old *Mother Hassel* does honor to the Jury who tried the cause, and it is hoped will operate as a precedent now established by several trials, that a bond or note given by a seduced female to the mistress of a brothel is invalid and cannot be recovered—and that those unhappy females who have unfortunately fallen into the clutches of those pests to society, are not bound to pay for either board, lodging, or clothing, furnished evidently for the purpose of a prostitution, from the profits of which those *Bawds* exact about nine-tenths of the whole.

Mr. Winne, a quaker, a man of the first respectability, who has a considerable plantation in Jamaica, in a letter to a gentleman at Birmingham, declares, that he knows several plantations on that island, where slaves are treated with a due degree of kindness, which not only keeps, but increases the number of their slaves, without ever purchasing.—His own estate is one of these. And by this mild and gentle manner of encouraging the negroes to perform their work, he has increased the produce of his lands four fold. Indeed Mr. Winne says, “I am acquainted with the proprietor of a plantation, whose negroes have doubled their number in eighteen years, and three over, whilst in that period the plantation has greatly increased its produce. On the other hand, says he, I know another plantation, where, in three years, the slaves have been diminished seventy-two, which was more than a third of their whole number, merely by acts of severity and cruel treatment.”—Mr. Winne concludes his letter with observing, he is well convinced the abolition of the slave-trade would be of the highest advantage to the planters, considered only in a pecuniary point of view.

Bella horrida bella!—at present rages in the Carnatic. Earl Cornwallis most certainly has sent a bold defiance to the tyrant Tippoo, whom it is earnestly to be wished may now meet the fate his insolence and cruelty deserve.

**N**OTHING is more common in our courts, than the use of the word *evidence* for *witness*. The person who testifies is called an *evidence*, and not unfrequently by men of considerable eminence. But it is equally common to use the word *evidence* for *testimony*, a person gives his *evidence*. This confusion of terms is altogether inexcusable among professional men; for technical language should always be correct.

The person declaring is a *witness*; what he declares, is his *testimony*; the effect of what he declares, is *evidence*. Evidence is the effect of *testimony* in producing conviction, or it is the proof arising out of testimony. The distinction will be clearly obvious in this concise phrase, *the evidence produced by the testimony of the witnesses*.

The oath administered to witnesses in this State runs thus—“you swear that the *evidence* you shall give to this court, shall be the truth, the whole truth, and nothing but the truth.” Here the word *evidence* is very improper; for how can a man swear to his *evidence*! Or can a man say what effect his declarations will have on another’s mind, in making a thing *evident*. The oath should run thus, “you swear to declare to this court the truth, the whole truth, &c.” or, “you swear that the *testimony* you shall give to this court, &c.” Whatever carelessness may have done in introducing such confusion of words into use, the distinctions ought to be known and observed.

In a new country like America, it is of consequence that words should have one uniform meaning through the country. It is a misfortune that the word *Court* has very different significations in different States. In Massachusetts, and Connecticut, *General Court* is the constitutional name of the Legislature; in Maryland and Virginia, *General Court* is the constitutional name of the Supreme Judicial Court. I have known persons in conversation led into material errors by this difference. The word *Court*, traced back to antiquity, is found to signify the assemblies or councils of men, who, in ages of simplicity, had both legislative and judicial powers; as the county courts or shire moots of the Saxons in England, and the cortes of Spain. But it is to be regretted that in this country, the word should have distinct and opposite significations. N. W.

(From a Connecticut paper.)

PHILADELPHIA, SEPT. 22.

IN COUNCIL, SEPT. 21, 1790.

A LETTER to the Secretary of Council, from sundry inhabitants of Huntingdon County, taken prisoners by the Indians, and carried to Detroit, being read,

Ordered, That the said letter be published.

Extract from the Minutes,

CHARLES BIDDLE, SECRETARY.

“WE, James Cresswell, and Ann his wife, two children—Walter Cresswell, and Margaret his wife and one child—David Mears, and Elizabeth his wife and three children; and John Evans, lately residents in the county of Huntingdon, in the state of Pennsylvania, do most earnestly request, that your honor will have the goodness to make public as soon as possible, that we were made prisoners on the 27th day of June last, within seven miles of Limestone Landing, on the Ohio River, by a party of Saganan Indians, eighteen in number, who stripped us of all our goods and effects, tied us together by the necks, and brought us on the 23d of the present month of July to Detroit, on our way to the Saganan Village, on Lake Huron. That Major Smith, of the 5th regiment, commanded at that post, assembled the said Indians and us their prisoners, and after a talk of some length, the war Chief made a present of us all to the said commandant, who instantly gave us our freedom, ordered us a house to live in, with new bedding and clothing for ourselves and families, together with provisions, kettles, firing and every thing necessary for a comfortable subsistence, until he shall have an opportunity of conveying us safely back to some of the American posts.

“We have no view in desiring this to be made public, except for the information of our relations and friends and that of acknowledging to all the world, our gratitude and sense of obligation for the inestimable blessing of liberty and happiness we now enjoy, through the intercession and humane disposition of his Britannic Majesty’s commandant at this post.

JAMES CRESSWELL,  
WALTER CRESSWELL,  
JOHN & EVAN’s mark,  
DAVID MEARS.

Detroit, 26th July, 1790.

To the Secretary of the state }  
of Pennsylvania. }

“Be pleased to notify also, that John Canada, half-brother to James Cresswell, was taken by the same party and left at Glaze-Town, on the Toway river, and that orders will soon be sent from hence to have him brought to Detroit also.”

MR. FENNO,

[In the Connecticut Journal, printed at Newhaven, there lately appeared an address “to the people of Connecticut,” under the signature of CYRUS, on the important subject of Election—the following extract containing general observations on a republican government, and that vital principle of freedom, REPRESENTATION—appears to me worthy of republication.  
Your’s, Z.]

ON ELECTIONS.

**A**FTER all the minute speculations of the minutest politicians, we seem to rest in this important truth, that popular security, in republics, principally consists in a certain fair division and balance in the branches of the government, and the establishment of a pure and equal system of representation. When you have provided proper checks, that is, when you have so arranged the capital parts of the machine, as that, while it is acting in a right direction, they will move in perfect harmony, and when in a wrong direction, will produce an immediate and mutual resistance; and when you have secured such a frequency and freedom of popular election, as that the democratic branch, in the government shall feel with sensibility the interests of their constituents on the one hand, and their own responsibility on the other; you have fixed the main pillars on which public liberty must rest. When you have done this, you may go on to organize the smaller and dependant parts of the system, multiply the objects of its exercise, and accumulate its powers without limitation.

Power cannot of itself, render a government dangerous; because danger generally arises from irregular operations; and power, so far from producing irregular operations, is, in well constructed machinery, the best preservative against them; as weight, imposed upon a perfect arch, but augments the solidity and security of the structure. That the truth of my comparison may not be mistaken, I must explain it further. In the form of a well adjusted republic, there must be an interior principle of mutual resistance, designed essentially for the security of the people: The stronger this check, the more perfect is this security. I suppose that power has in the political, as in the physical machine, a tendency to strengthen the reciprocal resistance of the parts, and consequently to augment the security of all that depends upon it. The security which power adds to the government itself, is derived from the solidity it gives to the whole, by confirming the union of its parts: The security which it gives to the people, arises from its overcoming all irregular tendencies in the government. The danger to liberty must spring either from the irregular operations of the parts, or from the united and direct operations of the whole government: From the first of these the admirable system of balances, essential in all republics, is an effectual preservative; for the last we have a free system of election, as a still more efficacious and more radical remedy. This is the most irresistible power in a nation; it acts with universal and perpetual influence; it is a spirit, which pervades, invigorates and purifies every part of government; the spirit of political regeneration, which infuses life, health and beauty into the most deformed and debilitated body: It is our final resource in all our painful apprehensions: It is our sweetest solace, the firm foundation of our hope, a relief, ever ready, accompanying the distempers it is designed to cure. Let us cling to our right of election as to the rock of our political safety. Our Constitution has provided a system of representation calculated on the truest principles of liberty. So ample, that the interest, the feelings and the wants of all parts of the community are expressed in the administration: So equal, that every citizen, whatever may be his rank or fortune, has his voice, and every state its just proportion of influence, in the public measures: so frequently renewed, that the representative cannot lose for a moment the image of his dependence, nor the constituent the pride of his creative authority. It belongs to us to give activity and energy to this beautiful theory, and to maintain in full vigor its inestimable principles.

The design with which I have undertaken to address you, is to point out and urge the extreme importance of your right of election. If some of the remarks I have already made should appear to be foreign to this purpose, I beg you to recollect, that contracting the basis of our security to a small compass, necessarily increases the importance of the parts which compose that basis. If our resources are few, do we not embrace them with proportionable ardor? If there is no danger in bestowing powers, is it not on the ground of the all powerful influence of election, which, by operating on the prime interests and more steady passions of our rulers, gives a salutary direction to the public measures? Indeed no political axiom appears to my mind more demonstrably true, than that, with a perfect system of elective representation, no power can possibly be dangerous; but that, without such a system, every power, that can be conferred, is pregnant with danger.