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Discourses on Davila.—No. 24.

(Continued from No. 63 of this Gazette.)

AFFAIRS had now taken a new face. It was easy to foresee, that the animosities of the two factions would never be extinguished but by arms—and that the tempest which had long grumbled in the air, would soon pour upon their heads. Accident soon produced a favorable conjuncture for precipitating France into the greatest misfortunes. The King of Navarre, having declared himself openly for the Catholic party, fixed his residence at Paris. This city, situated in the centre of France, is much more populous, more rich, more magnificent and more powerful, than any other in the kingdom. This Prince, believing that the other cities would easily conform to the example of the capital, forgot nothing to hinder the Hugonots from holding their assemblies, and preaching their sermons there; in which the Parisians in general, enemies of the reformation, seconded him with zeal. By this means he hoped in time to diminish insensibly the credit and the forces of the Protestants, and take away their liberty of conscience, which alone supported their existence. The Prince of Conde resided also at Paris, where he promoted and fomented the designs of the Hugonot ministers. Under the pretext of causing to be observed the edict of January, he extended from day to day the liberty of conscience; and, whether by power or by right, arrogated to himself a great authority in what respected the State. The King of Navarre, animated equally against his brother by a love of repose, and by jealousy, resolved to compel him to go out of Paris. Several other motives determined him to put an end to troubles and seditions, as well as conventicles, in a city which was the firmest support of the Catholic party; but whether he felt himself too weak to attempt such an enterprize alone, or whether he wished to consult his confederates before he executed any thing, he invited the Duke of Guise and the Constable to come and join him, with their partisans.

The Duke of Guise, since his retirement from Court, resided at Joinville, one of his country seats, upon the frontiers of Champagne and Picardy. Upon the invitation of the King of Navarre, he departed for Paris, accompanied by the Cardinal his brother, a numerous retinue of gentlemen attached to his interests, and two companies of men in arms. The first of March, in the morning, as he passed by Vass, a little city in Champagne, his people heard an unusual ringing of bells, and having asked the reason of it, were told that it was the signal of a sermon at which the Hugonots assembled. The valets and footmen of the Duke, who were most forward on the road, excited by the singularity of the thing, and by curiosity to see one of these assemblies, which were but lately begun to be holden publicly, advanced in a tumult, uttering their coarse jokes, towards the place where the Hugonots were assembled to hear their ministers. The Calvinists understanding that the Duke of Guise, whom they regarded as one of their most ardent persecutors, was not far off, and seeing a troop of his people coming directly to them, whether they dreaded some insult, or whether they were piqued at the rude raileries and scornful speeches of this servile mob, they answered by acts of violence, pelting with stones the first who were advancing towards their congregation.

This is the account of Davila—and at this day it may be of as little consequence to enquire which side began to use force, as to ascertain which party fired the first gun at our Lexington.

When a nation is prepared for a civil war, when parties are formed and passions enflamed, which can be extinguished no other way, it is, only for the sake of popularity, necessary to enquire which strikes the first blow. But in our American revolution, we know it was the party who were in the habit of domineering who began—and such is commonly the case. Most probably De Thon is in the right for the same reason—who asserts that the Duke of Guise's servants threw the first stones; and if this was done without the Duke's orders, it is certain that his mother, a bigotted furious Catholic, had often entreated him to deliver her from the neighbourhood of the Protestants of Vass; and very probably she had enflamed his whole family against them. However this might be, the Catholics abandoned all their prudence and attacked the

Protestants, sword in hand, and the skirmish soon became furious. The Duke, informed of the tumult, and wishing to appease it, ran in all haste and rushed into the midst of the combatants—while he reprimanded his own people, and exhorted the Hugonots to retire, he was slightly wounded by the stroke of a stone upon his left jaw. The blood which he lost obliged him to retire from the uproar, when his followers, growing outrageous, had recourse to fire-arms, forced the house where the Calvinists had barricaded themselves, killed more than sixty of them; and their minister, dangerously wounded, escaped with great difficulty over the roofs of the neighbouring houses. When the commotion was allayed, the Duke of Guise sent for the Judge of the place, and reprimanded him for tolerating such conventicles. The Judge excused himself, because these assemblies were permitted by the edict of January. The Duke, as much enraged at this answer as at the disorder which occasioned it, laid his hand on the hilt of his sword, and replied, with great fury, "The edge of this iron shall soon deliver us from that edict which they think so solidly established." These words, uttered in the ardour of his indignation, did not escape the attention of those who heard them—and in the sequel he was accused of being the Boutefeu, and the author of the civil wars.

The Hugonots, irritated by the massacre at Vass, could no longer contain themselves within the bounds of moderation—not content with the excesses committed by them in several cities of the kingdom, and especially in Paris, where they had massacred several Catholics, and set fire to the church of St. Medard; they listened only to their own rage, and excited every where troubles and bloody seditions; monasteries were pillaged, images broken, altars overturned, and churches profaned. These excesses, on both sides, embittered mens' minds, and they rushed every where to arms. The chiefs of the two parties, agitated by the same motive, assembled their forces and prepared openly for war. But the leaders of both factions were not ignorant that, in the actual state of things, they could not take arms without rendering themselves guilty of rebellion, and that there was neither pretext nor colour which could authorize any measures which tended to war. The Catholics could not interrupt the execution of the edict of January, without controverting openly the decisions of the council, and wounding the royal authority from which this edict had issued. The Hugonots had no reasonable motive to revolt, while they were protected and allowed to enjoy the liberty of conscience granted them by that edict. The leaders of each party desired to draw the King to their side, and to become masters of his person, either to abolish the edict, or to derive new advantages from it, in order to prove that their cause was the most just—and that it was the opposite party which erected the standard of revolt, by opposing the apparent will of the Sovereign, and by attacking even his person.



CONGRESS.

HOUSE OF REPRESENTATIVES.

THURSDAY, Feb. 3.

The BANK BILL under consideration.

MR. AMES: Little doubt remains with respect to the utility of Banks. It seems to be conceded within doors and without, that a public Bank would be useful to trade, that it is almost essential to revenue, and that it is little short of indispensable necessity in times of public emergency. In countries whose forms of government left them free to chuse, this institution has been adopted of choice, and in times of national danger and calamity it has afforded such aid to government as to make it appear, in the eyes of the people, a necessary means of self preservation. The subject, however intricate in its nature, is at last cleared from obscurity. It would not be difficult to establish its principles, and to deduce from its theory, such consequences as

would vindicate the policy of the measure. But why should we lose time to examine the theory, when it is in our power to resort to experience? After being tried by that test, the world has agreed in pronouncing the institution excellent. This new capital will invigorate trade and manufactures with new energy. It will furnish a medium for the collection of the revenues; and if government should be pressed by a sudden necessity, it will afford seasonable and effectual aid. With all these and many other pretensions, if it was now a question whether Congress should be vested with the power of establishing a Bank, I trust that this house and all America would assent to the affirmative.

This however is not a question of expediency, but of duty. We are not at liberty to examine which of several modes of acting is entitled to the preference. But we are solemnly warned against acting at all. We are told that the constitution will not authorize Congress to incorporate the subscribers to the Bank. Let us examine the constitution, and if that forbids our proceeding, we must reject the bill; though we shall do it with deep regret that such an opportunity to serve our country must be suffered to escape, for the want of a constitutional power to improve it.

The gentleman from Virginia considers the opposers of the bill as suffering disadvantage, because it was not debated as bills usually are in the committee of the whole house. He has prepared us to pronounce an eulogium upon his consistency, by informing us that he voted in the old Congress against the Bank of North America, on the ground of his present objection to the constitutionality. He has told us that the meaning of the constitution is to be interpreted by cotemporary testimony. He was a member of the convention which formed it, and of course his opinion is entitled to peculiar weight. While we respect his former conduct, and admire the felicity of his situation, we cannot think he sustains disadvantage in the debate. Besides, he must have been prepared with objections to the constitutionality, because he tells us they are of long standing, and had grown into a settled habit of thinking. Why then did he suffer the bill to pass the committee in silence? The friends of the bill have more cause to complain of disadvantage; for while he has had time to prepare his objections, they are obliged to reply to them without premeditation.

In making this reply, I am to perform a task for which my own mind had not admonished me to prepare. I never suspected that the objections I have heard stated had existence: I consider them as discoveries; and had not the acute penetration of that gentleman brought them to light, I am sure that my own understanding would never have suggested them.

It seems strange too that in our enlightened country, the public should have been involved in equal blindness. While the exercise of even the lawful powers of government is disputed—and a jealous eye is fixed on its proceedings; not a whisper has been heard against its authority to establish a bank: Still, however unseasonably, the old alarm of public discontent is sounded in our ears.

Two questions occur: May Congress exercise any powers which are not expressly given in the constitution; but may be deduced by a reasonable construction of that instrument? And secondly, will such a construction warrant the establishment of the Bank?

The doctrine that powers may be implied which are not expressly vested in Congress has long been a bugbear to a great many worthy persons. They apprehend that Congress by putting constructions upon the constitution, will govern by its own arbitrary discretion; and therefore, that it ought to be bound to exercise the powers expressly given, and those only.

If Congress may not make laws conformably to the powers plainly implied, tho' not expressed in the frame of government, it is rather late in the day to adopt it as a principle of conduct: A great part of our two year's labor is lost, and worse than lost to the public, for we have scarcely made a law in which we have not exercised our discretion with regard to the true intent of the constitution. Any words but those used in that instrument will be liable to a different interpretation. We may regulate trade—therefore we have taxed ships, erected light-houses, made laws to govern