

Gazette of the United States.

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WEDNESDAY, APRIL 20, 1791.

[Whole No. 206.]

Discourses on Davila.—No. 31.

"Patrum interim animos, certamen regni, ac cupido versabat."

THE two armies met in Burgundy—but the Princes, being inferior, evaded an engagement.

The Queen Mother, in 1570, had too much penetration not to unravel the manœuvres of the Marshals de Cossé and Damville. She informed the King of them, and persuaded him to listen to propositions of accommodation. She perceived that the passions and the perfidy of these grandees, might throw the state into the greatest dangers, if the war was continued. She was still more determined by the news which she received from Germany, where the Prince Casimir began to raise troops in favor of the Hugonots. The finances were exhausted to such a degree, that they knew not where to find funds to pay the Swiss and Italian troops, to whom they owed large arrears. In short, they wished for peace; and were weary of a war which held all men's minds in perpetual alarms, which reduced a great part of the people to beggary, and which cost the state so many men, and so much money. The King held, with the Queen Mother, the Duke of Anjou, and the Cardinal of Lorraine, councils, in which they resolved to return to the project, already so many times formed and abandoned to grant peace to the Hugonots—to deliver the kingdom from foreign troops, and finally to employ artifice, and take advantage of favorable conjunctures—to take off the chiefs of the party, which they thought would yield of itself, infallibly, as soon as it should see itself deprived of the support of its leaders. It was thus, that the court would have substituted craft instead of force, to execute a design, which the obstinacy of the Hugonots, or the want of fidelity in those who commanded armies, had always defeated when recourse had been only to arms.

With such dark and horrid views were overtures of peace made, and conditions concluded. The Princes and Admiral, still diffident and distrustful, retire to Rochelle. The King endeavors to gain their confidence. To this end, he proposes to give his sister Marguerite in marriage, to the Prince of Navarre, and to make war in Flanders upon the Spaniards. The marriage is resolved on, and all the Chiefs of the Hugonots come to Court. The Queen of Navarre is poisoned. After her death the marriage is celebrated, during the feasts of which, Admiral Coligni is wounded by an assassin. The King takes the resolution that, as in extreme cases it is imprudence to do things by halves, the Hugonots should be exterminated. The night between the 23d and the 24th of August, 1572, a Sunday called Saint Bartholomew's Day, the Admiral is massacred, and almost all the other Calvinists are cut in pieces in Paris, and in several other cities of the kingdom.

Such, in nations where there is not a fixed and known constitution, or where there is a constitution, without an effectual balance, are the tragical effects of emulation, jealousies and rivalries—destruction to all the leaders—poverty, beggary and ruin to the followers. France, after a century of such horrors, found no remedy against them but in absolute monarchy: nor did any nation ever find any remedy against the miseries of such rivalries among the gentlemen, but in despotism, monarchy, or a balanced constitution. It is not necessary to say, that every despotism and monarchy that ever has existed among men, arose out of such emulations among the principal men; but it may be asserted with confidence, that this cause alone is sufficient to account for the rise, progress and establishment of every despotism and monarchy in the four quarters of the globe.

It is not intended at this time to pursue any further this instructive though melancholy history, nor to make any comparisons, in detail, between the state of France in 1791, and the condition it was in two or three centuries ago. But if there are now differences of opinion in religion, morals, government and philosophy—if there are parties and leaders of parties—if there are emulations—if there are rivalries and rivals—is there any better provision made by the constitution to balance them now than formerly? If there is not, what is the reason? who is the cause? All the thunders of heaven, although a Paratonnerre had never been invented, would not in a thousand years have destroyed so many lives, nor occasioned so much desolation among mankind, as the majority of a legislature in one uncontrolled assembly may produce in a single Saint Bartholomew's Day. Saint Bartholomew's Days are the natural, necessary and unavoidable effect and consequence of diversities in opinion, the spirit of party, unchecked passions, emulation and rivalry, where there is not a power always ready and inclined to throw weights into the lightest scale, to preserve or restore the equilibrium.

With a view of vindicating republics, commonwealths and free States, from unmerited reproaches, we have detailed these anecdotes from the history of France. With equal propriety we might have resorted to the history of England, which is full of contests and dissensions of the same sort. There is a morsel of that history, the life and actions of the protector Somerset, so remarkably apposite, that it would be worth while to relate it—for the present however it must be waved. It is too fashionable with writers to impute such contentions to republican governments, as if they were peculiar to them; whereas nothing is further from reality. Republican writers themselves have been as often guilty of this mistake, in whom it is an indiscretion, as monarchical writers, in whom it may be thought policy; in both however it is an error. We shall mention only two, Machiavel and de Lolme. In Machiavel's history of Florence, lib. 3, we read "It is given from above that in all republics, there should be fatal families, who are born for the ruin of them; and to the end that in human affairs nothing should be perpetual or quiet."

If indeed this were acknowledged to be the will of heaven, as Machiavel seems to assert, why should we entertain resentments against such families? They are but instruments, and they cannot but answer their end. If they are commissioned from above to be destroying angels, why should we oppose or resist them! As to "the end" there are other causes enough, which will forever prevent perpetuity or tranquility, in any great degree in human affairs. Animal life is a chemical process; and is carried on by unceasing motion. Our bodies and minds, like the heavens the earth and the sea, like all animal, vegetable and mineral nature; like the elements of earth, air, fire and water, are continually changing. The mutability and mutations of matter, and much more of the intellectual and moral world, are the consequence of laws of nature, not less without our power than beyond our comprehension. While we are thus assured that in one sense nothing in human affairs will be perpetual or at rest; we ought to remember at the same time, that the duration of our lives the security of our property, the existence of our conveniences, comforts and pleasures, the repose of private life and the tranquility of society, are placed in very great degrees, in human power. Equal laws may be ordained and executed, great families as well as little ones, may be restrained. And that policy is not less pernicious than that philosophy is false, which represents such families as sent

by heaven to be judgments: It is not true in fact. On the contrary they are sent to be blessings—and they are blessings, until by our own obstinate ignorance and imprudence, in refusing to establish such institutions as will make them always blessings, we turn them into curses. There are evils it is true which attend them as well as all other human blessings, even government, liberty, virtue and religion. It is the province of philosophy and policy to increase the good and lessen the evil that attends them as much as possible. But it is not surely the way, either to increase the good or lessen the evil which accompanies such families, to represent them to the people as machines, as rods, as scourges, as blind and mechanical instruments in the hands of divine vengeance, unmixed with benevolence. Nor has it any good tendency or effect, to endeavor to render them unpopular; to make them objects of hatred, malice, jealousy, envy or revenge, to the common people. The way of wisdom to happiness is to make mankind more friendly to each other. The existence of such men or families is not their fault. They created not themselves. We, the Plebeians, find them the workmanship of God and nature like ourselves. The constitution of nature and the course of providence has produced them as well as us: and they and we must live together; it depends upon ourselves indeed whether it shall be in peace, love and friendship, or in war and hatred. Nor are they reasonably the objects of censure or aversion, of resentment, envy or hatred, for the gifts of fortune, any more than for those of nature. Conspicuous birth is no more in a man's power to avoid, than to obtain. Hereditary riches are no more a reproach than they are a merit. A paternal estate is neither a virtue nor a fault. He must nevertheless be a novice in this world who does not know that these gifts of fortune, are advantages in society and life, which confer influence, popularity and power. The distinction that is made between the gifts of nature and those of fortune appears to be not well founded. It is fortune which confers beauty and strength, which are called qualities of nature as much as birth and hereditary wealth, which are called accidents of fortune: and on the other hand it is nature which confers these favors, as really as stature and agility.

FOR THE GAZETTE OF THE UNITED STATES.

[Continued from our last.]

IF a man has power over me, and a person convinces me that he is my adversary, his power immediately becomes an object of fear: Fear speedily becomes hatred, and I am incited to destroy the power, which so disturbs me. The power of a good government is naturally an object of love and admiration. Every man confiding in the benevolent disposition of his rulers, considers their power as his own—and we consider our own power with great complacency and regard. But when a state legislature passes a censure upon Congress, how does it operate upon men's opinions? The citizen may say, this Assembly has power over my life and property—it decides on other laws wisely, and without being disobeyed—why should it be less competent to decide on this law, which it has called a bad one, than upon other occasions: Those who make bad laws, and attempt to subvert liberty, are certainly very bad men, and very unfit to hold the reins of authority any longer.

What sentiments will succeed these impressions? Those who understand human nature will say, this man will fear and hate the government, and as soon as he thinks he has malecontents enough on his side to support him, he will despise and disobey it. But what if this appeal to his passions should be made at the moment when a law, indispensably necessary to the union, but highly obnoxious to the fears and prejudices of the people, is going into operation! If the gunpowder should not happen to take fire, we are not to thank those for our escape who throw firebrands.

What renders this practice of States remonstrating against the laws of the union peculiarly delicate is, the nature of our confederation—one government over many governments: What can keep them from interfering, but their mutually shunning one another's walks. But if they will take up in one house the business of another, and decide it in opposition to Congress, one of two things will take place—either the censure will have no effect, and be disregarded, which by abating the dignity and respectability of the censoring body, is an injury to the cause of good government, and brings it into contempt: Or if it has any effect, it must be to the prejudice of the body censured—making it appear ignorant or ill-intentioned—destroying men's confidence in it, and of course abating the influence of the laws: This effect is pernicious—but it is infinitely worse in violent party times; for when a state ranges itself on the side of one party, and fulminates censures against the other, the dignity of a great body-politic gives the contest the aspect of a national quarrel. In this state of things, the address of a few bad men, and the violence of many weak ones, may push it to the decision of the sword, which usually arbitrates between angry societies. Let the candid and discerning lovers of peace and good order weigh this tendency of our affairs. Every free man has his weight with our elective government; leave him

by remonstrance to seek redress, he will not want advocates: Besides the man of his choice, champions enough will espouse his cause, and make a merit of their zeal in it; at least the enquiry will be fair, and the decision will be submitted to the calm unbiassed judgment of the public.

[To be continued.]



CONGRESS.

HOUSE OF REPRESENTATIVES.
TUESDAY, Feb. 8.

The BANK BILL under consideration.

MR. MADISON

OBSERVED, that the present is a question which ought to be conducted with moderation and candor—and therefore there is no occasion to have recourse to those tragic representations, which have been adduced—warmth and passion should be excluded from the discussion of a subject, which ought to depend on the cool dictates of reason for its decision.

Adverting to the observation of Mr. Smith, (S. C.) "that it would be a deplorable thing for the Senate of the United States to have fallen on a decision which violates the constitution," he enquired, What does the reasoning of the gentleman tend to shew but this, that from respect to the Senate, this house ought to sanction their decisions? And from hence it will follow, that the President of the United States ought, out of respect to both, to sanction their joint proceedings; but he could, he said, remind the gentleman, of his holding different sentiments on another occasion.

Mr. Madison then enlarged on the exact balance or equipoise contemplated by the constitution, to be observed and maintained between the several branches of government—and shewed, that except this idea was preserved, the advantages of different independent branches would be lost, and their separate deliberations and determinations were intirely useless.

In describing a corporation he observed, that the powers proposed to be given, are such, as do not exist antecedent to the existence of the corporation; these powers are very extensive in their nature, and to which a principle of perpetuity may be annexed.

He waved a reply to Mr. Vining's observations on the common law, [in which that gentleman had been lengthy and minute, in order to invalidate Mr. Madison's objection to the power proposed to be given to the Bank, to make rules and regulations, not contrary to law.] Mr. Madison said the question would involve a very lengthy discussion—and other objects more intimately connected with the subject, remained to be considered.

The power of granting Charters, he observed, is a great and important power, and ought not to be exercised, without we find ourselves expressly authorised to grant them: Here he dilated on the great and extensive influence that incorporated societies had on public affairs in Europe: They are a powerful machine, which have always been found competent to effect objects on principles, in a great measure independent of the people.

He argued against the influence of the precedent to be established by the bill—for tho it has been said that the charter is to be granted only for a term of years, yet he contended, that granting the powers on any principle, is granting them in perpetuum—and assuming this right on the part of the government involves the assumption of every power whatever.

Noticing the arguments in favor of the bill, he said, it had been observed, that "government necessarily possesses every power,"—However true this idea may be in theory, he denied that it applied to the government of the United States.

Here he read the restrictive clause in the Constitution—and then observed that he saw no pass over this limit.

The preamble to the Constitution, said he, has produced a new mine of power; but this is the