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## Doct<sup>r</sup> ADAMS'S DEFENCE of the CONSTITUTIONS of GOVERNMENT of the UNITED STATES of AMERICA.


[CONTINUED.]

### LETTER XXIV.

#### ANCIENT REPUBLICKS, AND OPINIONS OF PHILOSOPHERS.

Dr. SWIFT.

My dear sir,

 THE authority of legislators and philosophers, in support of the system we contend for, is not difficult to find. The greatest lights of humanity, ancient and modern, have approved it, which renders it difficult to explain how it comes in this enlightened age, to be called in question, as it certainly has been, by others as well as Mr. Turgot. I shall begin with one, who, though seldom quoted as a legislator, appears to have considered this subject, and furnished arguments enough, for ever to determine the question. Dr. Swift, in his contests and dissensions between the nobles and commons of Athens and Rome, observes, that the best legislators of all ages agree in this, that the absolute power, which originally is in the whole body, is a trust too great to be committed to any one man or assembly; and therefore, in their several institutions of government, power in the last resort, was always placed by them in balance, among the one, the few, and the many; and it will be an eternal rule in politics, among every free people, that there is a balance of power to be held by every state within itself. A mixed government, partaking of the known forms received in the schools, is by no means of Gothic invention, but hath place in nature and reason, and seems very well to agree with the sentiments of most legislators: for, not to mention the several republicks of this composition in Gaul and Germany, described by Cæsar and Tacitus, Polybius tells us, the best government is that which consists of three forms, *regno, optimatum, et populi imperio*. Such was that of Sparta in its primitive institution by Lycurgus, who, observing the deprivations to which every one of these was subject, compounded *regnum, aristocratiam, et populum*; so that it was made up of *reges, optimatum, et populum*. Such also was the state of Rome, under its consuls; and such, at Carthage, was the power in the last resort: they had their kings, senate and people. A limited and divided power seems to have been the most ancient and inherent principle, both of the Greeks and Italians, in matters of government. The difference between the Grecian monarchies and Italian republicks was not very great. The power of those Grecian princes, who came to the siege of Troy, was much of a size with that of the kings of Sparta, the archon of Athens, the *suffetes* at Carthage, and the consuls at Rome. These established at Athens rather a mixed monarchy than a popular state, assigning to himself the guardianship of the laws, and the chief command in war. This institution continued during the series of kings to the death of Codrus, from whom Solon was descended, who finding the people engaged in two violent factions, of the poor and the rich, and in great confusion, refusing the monarchy which was offered him, chose rather to cast the government after another model, wherein he made due provision for *settling the balance of power*, choosing a senate of four hundred, and disposing the magistracies and offices according to men's estates, leaving to the multitude their votes in electing, and the power of judging certain processes by appeal. This council of four hundred was chosen, one hundred out of each tribe, and seems to have been a body representative of the people, though the people collective reserved a share of power to themselves.

In all free states, the evil to be avoided is tyranny; that is to say, the *summa imperii*, or unlimited power, solely in the hands of the one, the few, or the many. Though we cannot prolong the period of a commonwealth beyond the decree of heaven, or the date of its nature, any more than human life beyond the strength of the femal virtue; yet we may manage a sickly constitution, and preserve a strong one; we may watch, and prevent accidents; we may turn off a great blow from without, and purge away an ill humour that is lurking within; and render a state long lived, though not immortal. Some physicians have thought, that if it were practicable to keep the several humours of the body in an exact balance of each with its opposite, it might be immortal; and so perhaps would a political body, if the balance of power could be always held exactly even.

All independent bodies of men seem naturally to divide into the three powers, of the one, the few, and the many. A free people met together, as soon as they fall into any acts of civil society, do of themselves divide into three ranks. The first is, that of some one eminent spirit, who, having signalized his valour and art in defence of his country, or by the practice

of popular arts at home, comes to have great influence on the people; to grow their leader in warlike expeditions; and to preside, after a sort, in their civil assemblies. The second is, of four men, as have acquired large possessions, and consequently dependencies, or descent from ancestors who have left them great inheritances, together with an hereditary authority; these, easily uniting in opinions, and acting in concert, begin to enter upon measures for securing their properties, which are best upheld by preparing against invasions from abroad, and maintaining peace at home: this commences a great council, or senate, for the weighty affairs of the nation. The last division is, of the mass of the people, whose part of power is great and indisputable, whenever they can unite, either collectively or by deputation, to exert it.

The true meaning of a balance of power is best conceived by considering what the nature of a balance is. It supposes three things: first, the part which is held, together with the hand that holds it; and then the two scales, with whatever is weighed therein. In a state within itself, the balance must be held by a third hand, who is to deal the remaining power, with the utmost exactness, into the several scales. The balance may be held by the weakest, who by his address, removing from either scale, and adding his own, may keep the scales duly poised: when the balance is broken by mighty weights falling into either scale, the power will never continue long, in equal division, between the two remaining parties; but, till the balance is fixed anew, will run entirely into one. This is made to appear by the examples of the decemviri in Rome, the ephori in Sparta, the four hundred in Athens, the thirty in Athens, and the *dominatio plebis* in Carthage and Argos.

In Rome, from the time of Romulus to Julius Cæsar, the commons were growing by degrees into power, gaining ground upon the patricians, inch by inch, until at last they quite overturned the balance, leaving all doors open to popular and ambitious men, who destroyed the wise republick, and enslaved the noblest people, that ever entered on the stage of the world.—Polybius tells us, that in the second Punic war, the Carthagenians were declining, because the balance was got too much on the side of the people; whereas the Romans were in their greatest vigour, by the power remaining in the senate. The ambition of private men did by no means begin, until the war between Pompey and Cæsar, though civil dissensions never fail to introduce and stir up the ambition of private men; for while the balance of power is equally held, the ambition of private men, whether orators or commanders, gives neither danger nor fear, nor can possibly enslave their country; but that once broken the divided parties are forced to unite each to its head, under whose conduct or fortune one side is at first victorious, and at last both are slaves. And to put it last dispute, that the entire subversion of Roman liberty was altogether owing to those measures, which had broke the balance between the patricians and plebians, whereof the ambition of private men was but the effect and consequence; we need only consider, that when the uncorrupted part of the senate, by the death of Cæsar, had made one great effort to restore their liberty, the success did not answer their hopes; but that whole assembly was so sunk in its authority, that these patriots were obliged to fly, and give way to the madness of the people, who by their own dispositions, stirred up by the harangues of their orators, were now wholly bent upon single and despotick slavery; else how could such a profligate as Anthony, or a boy of eighteen like Octavius, ever dare to dream of giving law to such an empire and such a people? Wherein the latter succeeded, and entailed the vilest tyranny that Heaven in its anger, ever inflicted on a corrupt and poisoned people.

It is an error to think it an uncontrollable maxim, that power is always safer lodged in many hands than in one; for if these many hands be made up from one of those three divisions, it is plain, from the examples produced, and easy to be paralleled in other ages and countries, that they are as capable of enslaving the nation, and of acting all manner of tyranny and oppression, as it is possible for a single person to be, though we should suppose their number not only to be four or five hundred, but three thousand. In order to preserve a balance in a mixed state, the limits of power deposited with each party, ought to be ascertained and generally known: the defect of this is the cause of those struggles in a state, about prerogative and liberty; about encroachments of the few upon the rights of the many, and of the many upon the privileges of the few; which ever did, and ever will, conclude in a tyranny; first either of the few or the many, but at last, infallibly, of a single person: for which ever of the three divisions in a state is upon the scramble for more power than its own, as one of the three generally is (unless due care be taken by the other two); upon every new question that arises, they will be sure to decide in favour of themselves; they will make large demands, and scanty concessions,

ever coming off considerable gainers;—thus at length the balance is broke, and tyranny let in, from which door of the three it matters not.

The desires of men, are not only exorbitant, but endless: they grasp at all, and can form no scheme of perfect happiness with less. Ever since men have been formed into governments, the endeavours after universal monarchy have been bandied among them: the Athenians, the Spartans, the Thebans, and the Achæans, several times aimed at the universal dominion of Greece: the commonwealths of Carthage and Rome affected the universal empire of the world: in like manner has absolute power been pursued, by the several powers in each particular state, wherein single persons have met with most success, though the endeavours of the few and the many have been frequent enough; yet being neither so uniform in their designs, nor so direct in their views, they neither could manage nor maintain the power they had got, but were deceived by the popular ambition of some single person: so that it will be always a wrong step in policy, for the nobles or commons to carry their endeavours after power so far as to overthrow the balance. With all respect for popular assemblies be it spoken, it is hard to recollect one so fully, infirmity or vice, to which a single man is subject, and from which a body of commons, either collective or represented, can be wholly exempt; from whence it comes to pass, that in their results, have sometimes been found the same spirit of cruelty and revenge, of malice and pride; the same blindness, and obstinacy, and unsteadiness; the same ungovernable rage and anger; the same injustice, sophistry, and fraud, that ever lodged in the breast of any individual. When a child grows easy by being humoured, and a lover satisfied by small compliances without further pursuits, then expect popular assemblies to be content with small concessions. If there could one single example be brought from the small compass of history, of any one popular assembly who, after beginning to contend for power, ever sat down quietly with a certain share; or of one that ever knew, or proposed, or declared, what share of power was their due, then might there be some hopes, that it was a matter to be adjusted by reasonings, conferences and debates. An usurping populace is its own spite, a mere under-worker, and a purchaser in trust for some single tyrant, whose state and power they advance to their own ruin, with as blind an inclination, as those worms that die with weaving magnificent habits for beings of a superior order. The people are more dextrous at pulling down and setting up, than at preserving what is fixed; and they are not fonder of seizing more than their own, than they are of delivering it up again to the worst bidder, with their own into the bargain. Their earthly devotion is seldom paid to above one at a time, of their own creation, who once they pull with less murmuring and more skill, than when they share the leading, or even hold the helm.

You will perceive by the style, that it is doctor Swift that has been speaking; otherwise you might have been deceived, and imagined that I was entertaining you with further reflections upon the short account previously given. You in these letters, of the modern republicks. There is not an observation here that is not justified by the history of every government we have considered. How much more maturely had this writer weighed the subject than Mr. Turgot—Perhaps there is not to be found, in any library, so many accurate ideas of government expressed with so much perspicuity, brevity, and precision.

### LETTER XXV.

Dr. FRANKLIN.

My dear sir,

AS it is impossible to suppose that Mr. Turgot intended to recommend to the Americans a simple monarchy or aristocracy, we have admitted, as a supposition the most favourable to him, that, by collecting all authority into one center, he meant a single assembly of representatives of the people, without a governor, and without a senate; and although he has not explained, whether he would have the assembly chosen for life, or years, we will again admit, as the most benign construction, that he meant the representatives should be annually chosen.

Here we shall be obliged to consider the reputed opinion of another philosopher; I mean doctor Franklin: I say reputed, because I am not able to affirm that it is really his: it is, however, so generally understood and reported, both in Europe and America, that his judgment was in opposition to two assemblies, and in favour of a single one, that in a disquisition like this it ought not to be omitted. To be candid with you, a little before the date of Mr. Turgot's letter, doctor Franklin had arrived in Paris with the American constitutions, and among the rest that of Pennsylvania, in which there was but one assembly: it was reported too, that the doctor had presided in the convention when it was made, and there approved it, Mr. Turgot, reading over the constitutions

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FOREIGN ADVICES.

LONDON, April 15.

*Extract of a letter from Kingston, April 11.*  
 IN days of yore, a few wade through the du-  
 in order to qualify him- for ditching the du-  
 ties of his office, and to avoid a penalty upon  
 of which he found a "five any bacon," which he  
 such persons as "five any bacon." His worship a  
 unfortunately discovered riding through a village,  
 few days ago a woman in the very act of frying some  
 caught her dinner: zealous to fulfil his duty, he  
 immediately to be apprehended and com-  
 mitted to prison, and at the next quarter sessions had  
 brought forth and arraigned for that offence; when  
 an explanation took place, given at the expense of  
 his worship's erudition, and to the no small diversion  
 of a crowded court. Such an instance of stupidity let  
 not our readers imagine peculiar to former times as a  
 case equally absurd actually happened last week, not a  
 hundred miles from Kingston.

*Extract of a private letter, dated Paris, March 25.*  
 "On the 23d instant, the son of the emperor of  
 Cochín China was presented to his majesty by the  
 maréchal de Castries. The princely child is in his 7th  
 year; he fell on his knees before the king, who took  
 him up in his arms, whilst two of the child's relations  
 lay prostrate with their foreheads to the ground. He  
 had in his train three pages, and next to him stood the  
 missionary bishop, who accompanied him to France.  
 The young prince staid at court the whole day, and  
 made himself a welcome guest. He is much more  
 graceful in his deportment than is customary at his  
 tender years. His dress consists of a loose mullin robe,  
 covered with a mantle of gold tissue. It appears from  
 the account given by the prince's followers, that the  
 usurper of the sovereignty is the collector of the cus-  
 toms and taxes. The deposed emperor has retired to  
 the remotest part of his dominions towards the sea.  
 There the unfortunate monarch, who has not yet com-  
 pleted his 30th year, defends himself at the head of a  
 handful of trusty subjects, who have followed his for-  
 tunes. He has, it is said, proudly rejected all assist-  
 ance offered to him by the Dutch and English, the bi-  
 shop above mentioned having persuaded him to place  
 no confidence but in his most Christian majesty."

A gentleman for some weeks past had been deliv-  
 ering a course of philological lectures, in the profe-  
 cution of which the subject of astronomy was to have  
 been treated of on Good-Friday. Such a subject most  
 persons would think highly favourable to moral and  
 religious improvement: but behold, a sapient magis-  
 trate in the neighbourhood, confounding in his great  
 sagacity a philological lecture with a puppet show,  
 took alarm at the supposed profanation of the day, and  
 about two or three hours before the commencement  
 of the lecture, sent his mandate to prevent its being de-  
 livered; threatening to commit the philosopher as a va-  
 gabond, and to take away the licence from the house,  
 if he proceeded. In consequence, a numerous and re-  
 spectable company, who assembled in the evening, were  
 disappointed of a rational entertainment, and depart-  
 ed, regretting that such ignorance could exist among  
 the magistrates in these enlightened times.

April 17. His excellency the Dutch ambassador has  
 lately signified to his majesty, the intention of the  
 stadholder to visit these dominions the ensuing sum-  
 mer.

A late letter from Gaintes, in France, the capi-  
 tal of Saintonges, relates a fact, which is a fresh proof  
 that many things are true, which in appearance are  
 hardly probable. It is therein said, that about eight-  
 een months ago a marriage took place in that ci-  
 ty, after the usual forms, between Francis Suire and  
 Mary Besson. It has come out since that the latter,  
 though educated and brought up as a girl, and it is  
 said, in a perfect ignorance of her real sex, was in fact  
 a man. The affair being brought before the official,  
 or president of the bishop's court, and the fact fully  
 established, a sentence was given, which does great  
 honour to those feelings and humanity hitherto fo-  
 reign to ecclesiastical courts of justice. By the award  
 the illegality of the contract is simply pronounced  
 null and void, and the parties permitted to make each  
 on his own account, a more suitable match. In for-  
 mer times, such an abuse of a ceremony, which in  
 Romæo Catholic countries is considered as a sacra-  
 ment, would have kindled the sacred pile to consume  
 those unfortunate wretches, whose ignorance alone  
 was humanly deemed by the reverend judge the sole  
 cause of so strange an alliance—yet eighteen months  
 passed in such wedlock!!! There is room for medi-  
 tation.

It was an observation of an eminent French states-  
 man, that no man was fit to be intrusted in any of the  
 higher employments of his country who could not, at  
 noon, immediately convince any person whatever that  
 it was midnight, and vice versa.—Monsieur de Colonne  
 does not seem to have possessed this ministerial qualifi-  
 cation, at least among the Notables, and is, therefore,  
 very properly dismissed from his office.

The church at Gallsdown, near Mullington, in Ire-  
 land, was burned down on the 19th ult. in a very ex-  
 traordinary manner. A large fire had been made  
 that morning in the vestry, which communicating to  
 several raven's nests in the chimney, set fire to the  
 church roof, which was of wood, and the blaze burnt  
 into the church so suddenly, with such fury, that the  
 congregation with difficulty escaped.

POETRY.

EXTRACTS from GOTHAN.—PART 3.  
 By Mr. Churchill.

HOW much do they mistake, how little know  
 Of kings, of kingdoms, and the pains which flow  
 From royalty, who fancy that a crown,  
 Because it glitters, must be lin'd with down.  
 With outside show, and vain appearance caught,  
 They look no further; and by folly taught,  
 Prize high the toys of thrones, but never find  
 One of the many cares which lurk behind,  
 The gem they worship, which a crown adorns,  
 Nor once reflect that crown is lin'd with thorns.  
 O might reflection folly's place supply,  
 Would we one moment lift her piercing eye,  
 Then should we learn what woe from grandeur  
 And learn to pity, not to envy kings and

The villager, born humbly as a guard,  
 Content his wealth, and poverty clear,  
 In action simply just, in rod by fear,  
 By gilt untainted, and his wants but few,  
 His means but as and his pleasure too,  
 Labour his comforts in a single hour,  
 Enjoyment give the wretch condemn'd to power.

But to the king—with anxious care oppress'd,  
 His bosom labours and admits no rest.  
 A glorious wretch, he sweats beneath the weight  
 Of majesty, and gives up ease for state."

"The wicked statesman, whose false heart pursues  
 A train of guilt, who ads with double veils,  
 And wears a double face, whose base designs  
 Strike at his monarch's throne, who undermines,  
 Even whilst he seems his wishes to support,  
 Who seizes all departments, packs a court,  
 Maintains an agent on the judgement seat  
 To screen his crimes, and make his frauds complete;  
 New modis armies, and around the throne  
 Will suffer none but creatures of his own,  
 Confiduous of such his baseness, well may try,  
 Against the light to shut his master's eye,  
 To keep him coop'd and far remov'd from those,  
 Who, brave, and honest, dare his crimes disclose,  
 Nor never let him in one place appear,  
 Where truth, unwelcome truth, may wound his ear."

SLAVERY.

HECTOR ST. JOHN, in his letters from an Ameri-  
 can Farmer, expresses himself in the following  
 feeling manner on the subject of slavery.

"To be poor is to be wretched—to be a slave is  
 hard indeed—Existence is not worth enjoying on these  
 terms. I cannot endure to spend more time in the  
 southern provinces—the method with which they are  
 there treated, the meanness of their food, the severity of  
 their tasks, are spectacles, I have not patience to behold.

"While all is joy, festivity and happiness in Charle-  
 ston, would you imagine that scenes of misery over-  
 spread the country? Their ears by habit are become  
 deaf, their hearts are hardened; they neither see,  
 hear, nor feel for the woes of their poor slaves, from  
 whose painful labours all their wealth proceeds.  
 Here the horrors of slavery, the hardship of incessant  
 toils, are unseen; and no one thinks with compassion  
 of those showers of sweat and of tears which from the  
 bodies of Africans daily drop, and moisten the ground  
 they till. The cracks of the whip, urging these miser-  
 able beings to excessive labour, are far too distant from  
 the gay capital to be heard. The chosen race eat,  
 drink, and live happy, while the unfortunate one  
 grubs up the ground, raises indigo, or hulks the rice,  
 exposed to a sun full as scorching as their native one,  
 without the support of good food, without the cordial  
 of any cheering liquor.

"This great contrast has often afforded me subjects  
 of the most affecting meditations. On the one side,  
 behold a people enjoying all that life affords most be-  
 witching and pleasurable, without labour, without  
 fatigue, hardly subjected to the trouble of wishing.—  
 With gold dug from the Peruvian mountains, they  
 order vessels to the coast of Guinea; by virtue of that  
 gold, wars, murders and devastations are committed  
 in some harmless, peaceable African neighbourhood,  
 where dwell innocent people, who even knew not but  
 that all men were black. The daughter torn from her  
 weeping mother, the child from the wretched parents,  
 the wife from the loving husband; whole families  
 swept away, and brought through storms and tempests,  
 to this rich metropolis! here arranged like horses at a  
 fair, they are branded like cattle, and then driven to  
 toil, starve, and to languish for a few years, on the dif-  
 ferent plantations of the citizens. And for whom  
 must they work? For persons they know not, and  
 who have no other power over them than that of vio-  
 lence; no other right than what this accursed metal  
 has given them! strange order of things! O nature, who  
 art thou? art not these blacks thy children as well as  
 we?"

The genealogy of a duellist.—His father foil begot  
 him on miss Petulant. He was nursed by dame Touch-  
 me-not, and tutored by that pedagogue Falze Honour.  
 From him he has received the principles of an idolator,  
 whose religion consists in human sacrifices on the altar  
 of Vanity. Its chief tenet is, "sacrifice your friend  
 rather than lose your consequence."

Anecdote of the late admiral Sir THOMAS PYE.—  
 When this truly gallant officer commanded as a com-  
 modore on the Leeward island station, he became en-  
 amoured of the wife of a merchant who lived in An-  
 tigua. Those who remember the figure of this ex-  
 traordinary character will not be surpris'd to learn,  
 that his addressees were by no means agreeable to the  
 fair Creole; notwithstanding which, such was the  
 persevering spirit of the vain commodore that he  
 would not take any denial. At length the lady made  
 her husband acquainted with the attack meditated  
 against her conjugal faith, and it was determined be-  
 tween them that an assignation should be privately  
 made, in which the amorous commodore should suffice  
 himself to be hoisted up in a basket. The happy  
 moment arriv'd, (on the evening the commodore  
 was dressed for a ball in his full uniform) and he was  
 elevated as he thought to the seat of earthly bliss, when  
 lo! and behold he found himself suspended half way  
 between the balcony and the ground, a laughing  
 stock to the numerous Creoles and Negroes who were  
 purposely assembled the next morning at break of day,  
 to behold the wonderful spectacle.

TO BE LET,



A LARGE, commodious  
 Building, situate in the most  
 eligible Place for Business, at the  
 North-Well Entrance of the Square,  
 in Charlestown, and is well calcu-  
 lated for the Residence of a Family,  
 having every Accommodation necessary.

For Particulars inquire of the Printers.  
 July 26, 1787.

TO BE SOLD,



A brick Dwelling-  
 House,

NOW occupied by Mr. Samuel  
 Jenks, situate at the north-  
 end, in Middle Street, directly op-  
 posite the head of Ferry-lane.

For particulars inquire of the Printers. [cTt]

Bolton, July 23, 1787.

For LONDON,



The Ship *Lucretia*,

JOHN CALLAHAN, Master,

LYING at Tiltton's Wharf.

For Freight or Passage apply to  
 the Captain on board, or to the Store of  
 JOSEPH GREENE, No. 12, on Greene's  
 Wharf. Said Ship has elegant Accommodations for  
 Passengers.

Bolton, July 24, 1787.

RICE, TOBACCO, CREAM COL-  
 OURED WARE, Claret WINE, SPIRITS of TUR-  
 PENTINE and VARNISH, Hyson TEA, INDIGO  
 FLOUR, SUGAR, RUM, LIGNUM VITÆ,  
 a Variety of other Articles, for Sale,

On reasonable Terms,

At Store No. 15,

On the Long-Wharf.

The Partnership of

Gibbs and Blagge,

WAS, on the 15th of April, by mu-  
 tual consent, dissolved. All persons who have  
 accounts unsettled with the aforesaid partnership, are  
 requested to call on S. BLAGGE, No. 14, Greene's  
 Wharf, for settlement.  
 Bolton, July 20, 1787.

The Partnership of

Hall and Rogers,

WILL by mutual Consent be dissolved  
 on the Twentieth Day of August next. It is  
 requested that all those indebted to said Hall & Rogers,  
 do make immediate Payment, and those who have any  
 Claims against them will forward their Accounts in  
 order for Settlement.

They have at present for Sale,

At Store No. 20, Long-Wharf,

A few hdds. high-proof Jamaica Rum,  
 Claret Wine, Russia Duck, Newfoundland Feathers,  
 and Naval Stores,

Which will be disposed of upon reasonable terms.

Bolton, July 19th, 1787.

TO BE SOLD,

A few Tubs of new Butter,

At No. 55, Cornhill.

Ipswich, July 19, 1787.

STOPPED,

(SUPPORTED TO BE STOLEN)

A Silver CANN,

WHICH is ready to be delivered to the owner,  
 if he will call on the subscriber, prove his  
 property, and pay for this advertisement.

DANIEL NOYES.