

sed with propriety.—In a representative democracy, however, when powers are delegated, the administration of the government, by the people in their collective capacity, is repugnant to its existence—I admit, that the constituted authorities should not be directed by popular assemblies; but they embarrass; and the plausible cloak "the consent of the governed" and a wretched ambition of popularity, will too frequently operate to the detriment of the Republic. The force of opinion should be opposed to this encroachment upon the constitution, glossed over with the illusive varnish, the will of the people—When public opinion had taken this course, Gen. Washington, whose patriot bosom despised a popularity to be gained by unworthy means, the sacrifice of an honest decision, made this declaration: "next to the conscientious discharge of my duty, would be the approbation of my constituents." In governments where the rights of the people are not acknowledged, these expressions may be encouraged by the patriot, because, they are intended with an accession of strength to the popular cause—but in our governments, emanating from the people, the magistracy, confided for short periods, to those whose honesty and talents, should distinguish them, the expressions of mere feeling, enfeebled government, without the addition of a single privilege to the people. To suppose that the opinions of men taken at a moment of excitement and in the confusion of large assemblies, can be the correct or real sentiments of the people, is the climax of delusion. On such occasions the most upright are misled; and intemperance like an irresistible torrent, is entered by the slow operation of an appeal to the judgment. These admonitions by the people lessen the respect for constituted authorities, and with an habitual disrespect for them, is connected an indifference to the government, and an impatience under legal control.

The principle of equality properly understood, while it ensures to the Republic the first talents, preserves her from the influence of aristocratic propensities. By renouncing, except on emergencies, a recourse to the people in their aggregate consultations, we escape the fluctuating, and contradictory imbecility of a pure Democracy. To this equality and the representative system, where is the comparison in history? Rome was a theatre of contention, between the Patrician and Plebian; the boasted tribunitial power, like a ray of light, without irradiating, served as a torch to faction; and the bloody scenes of the Forum paved the way for despotism. In the Athenian assemblies of the people the good sense of the nation was led astray by the adulatory and sophistical declamation of corrupt orators. Their decisions were made without consideration, executed without firmness, or abandoned from instability. The energy of one man, Philip of Macedon, was more than a match for Attick eloquence and mere patriotic declarations.

It is a constitutional clause, that standing armies are dangerous to liberty. That we should adhere to this sound doctrine, and yet our citizens present an unmilitary character, although improvident and unjustifiable, may be traced to the proud confidence of a gallant people, and the excess of another republican maxim. The policy of not confiding the government, and the defence of our country, to the virtue and patriotism of those who might compose her regular troops, has not annihilated danger, but imposed a duty on the citizen to acquire that skill, which may entitle him to the character of a soldier.—A Militia, well armed, well trained, preserves the martial spirit of the nation; is the bulwark of our liberties; and the strength of our country; but if known only on the muster roll, is the source of anxious solicitude to every friend of his country, and the derision of his enemies. The most serious danger to be apprehended from inattention to the subject is this: to whatever perfection the Militia system may be brought, if found defective at a time of real necessity, it will be abandoned; and standing armies, the ruin of every free country, will succeed as a necessary evil. Amidst the indifference which pervades the community at large, it affords some satisfaction to the friends of their country, to see the day commemorated by campans in arms, the volunteer soldiers of the land—Their compliance with expences and fatigues to be better organised while it is a proof of the inadequacy of our usual equipment and discipline, is an honorable presage of patriotic zeal.

When a people become addicted to the indulgence of pleasure and sensual gratification, and riches are deemed the highest object of pursuit, corruption is afloat, love of country imperceptibly declines, and in lieu of a noble passion to promote her glory, is substituted that lust of domination arising from avarice and ambition, which holds the republic, and the offices of profit, the great prize of contention. Debased by selfishness and corrupted by voluptuous-

ness, the tone of a republican mind is impaired; poverty, however honorable, is esteemed disgraceful; we invite ambition; and the passion for hereditary honors and the pomp of royalty, will eradicate that spirit, which the storm of mighty war could never agitate. The Roman of the republic, the intrepid Mutius, having forfeited his life to the enemy of his country, thrust his hand into a fire burning on an altar before him, and exclaimed, it is the Roman character to act and to suffer like heroes. In the degenerate periods of the empire, the people flattered the infamy of those by whom they were oppressed.

The prospective glance to the influence of opinions and habits which may deteriorate, cannot be followed by a more appropriate view, than that which presents the fairest prospect of the duration of our happy constitution. The basis of a popular government is the virtue and information of the people; for as all political power is derived from them, all mutations must proceed from the same source. An enlightened nation, with a government, possessing in its structure, its own reform, and, extracting from the community by frequent elections its quickening principle, can be enslaved only by an abandonment of virtue or an illapse into ignorance.—"Of all the habits and dispositions which lead to political prosperity, religion and morality are the indispensable supports." This sentiment was the legacy of the Father of his country: may the impression it must make, when sanctioned by his name, never be erased. "We neither exceeded," says Cicero to his countrymen, "in Spain in numbers, nor equal in strength of body, the Carthaginians, or the Greeks in arts & sciences, but we have indisputably surpassed all the nations of the universe in Piety and attachment to Religion." Hence proceeded temperance and contempt for wealth, the best defence against the encroachments of injustice and oppression.

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Yellow-Citizens and Soldiers, nothing can be said to fortify your attachment to Liberty—Were your rights invaded, I would sound the alarm.—Had the integrity of my countrymen succumbed to corruption, her degrading touch would have been the subject of my address. If the chains of imperial Caesar were riveted, this day should dissolve them. If my country groaned under the Tyrant who observed "Would to God the Roman people had but one head, that it might be struck off at one blow," an invocation on that day to those whose lives were offered a willing sacrifice at the Altar of Patriotism, would be answered by the descending spirit of Freedom.

Letters on French Influence, [Written by Mr. Elliot, once a Republican member of Congress from the State of Vermont.]

No. V.

To the people of the United States.

Although the writer of these letters has come to the conclusion, in his own mind, that he is under no obligation to keep concealed, either the secret documents upon which Congress have acted, or the secret debates of that body, yet various considerations seem to require, previously to entering upon the development which must result from such a determination, that certain objections to this course of conduct should be met and resisted.

Each member of congress, as a solemn introduction to the solemn duties of his high station, is obliged to take an oath to support the Constitution of the U. States. In addition, therefore, to those powerful motives to duty which are ever operative upon an honorable mind, in every scene and situation of life, the man who is called by the people to perform a part of the great task of legislation, must commence his work by calling God to witness, that he will at all times support the constitution from which he derives his power, in its true spirit, and all its parts. It will be said that although the letter of this constitution only authorises congress to keep secret a portion of their "journal," yet the fair construction is that their documents and debates should also remain undivulged. This must be mere matter of opinion. One will think the spirit of the constitution is one thing; another that it is something else. To the writer it appears that the spirit of the constitution is publicity, and that the power to keep even the journal secret, is an anomaly in the system.

With him this important consideration derives new force from the reflection, that the secret proceedings to which he is inclined to direct his first attention, respecting the exercise of power peculiarly belonging to the house of representatives, as the guardians of the public treasure. Could it ever have been contemplated by the people, during the formation of the constitution, that Laws should be passed with closed doors, laws, too, which should impose heavy contributions on the public purse? Laws which should drain the treasury for objects which no mortal could have had in view, at the time of the organization of the gov-

ernment? Laws calculated to abandon the high character of the nation, as an independent republic, and to convert the people not only against their will, but without their knowledge, into humble supplicants for favor and mercy at the feet of a foreign power?

Could such things be,
And overcome us like a summer's cloud,
Without our special wonder?

It is impossible that such can be the spirit of an excellent frame of government—it is a spirit of national limitation not a spirit of indefinite extension. It is a spirit of republican honor, not a spirit of national degradation.

Again, it will be said that although the letter on this part of the constitution may justify the course which is now pursued, yet the letter of another part of that instrument is conclusive to the contrary. "Each House may determine the rules of its proceedings," &c. It will be contended that the House of Representatives having established certain rules upon this point, and having thus acted clearly within the purview of its constitutional powers, its act in that case is valid and binding, at all times and upon all persons. This objection has been anticipated, and has already been met by the obvious, and, it is humbly presumed, unanswerable remark, that the rules of the house are binding upon members only, and upon them only while they continue members. The rules are made for the purpose of regulating debates and decisions. They are in no sense, laws of the land. It is a rule, that members shall address the Speaker in a certain manner; it is another that they shall speak in a decorous style, and shall be silent another, that they shall speak but a certain number of times upon a question; it is another, that their votes shall be collected, and the decision announced in a particular form. These and every other "rule" that can be mentioned, relate to the temporary regulation of the proceedings of a legislative body—So completely are all these rules temporary in their nature and character, that each successive house assembly without any rule whatever and the clerk of the preceding house, himself officially defunct, as well as every other member of the house, calls for the votes of the members for a Speaker, because some step must be taken, or the house can never organize itself! The "rules" are to precede the formation of "laws," and to enable the two houses to form them, but have no binding force upon any person without the walls of the capitol or beyond the time for which the members who make them are elected. The constitutional power to "punish members for disorderly behavior, and with the concurrence of two thirds, expel a member," is connected with the power to determine "rules of proceeding," and this connection shews clearly that it was not contemplated that the "rules" should operate upon persons other than members, or upon members beyond the time for which the house should be elected, which should make such rules.

The letter of the constitution does not, therefore, enable the house to do more, in this respect than "determine the rules of its proceedings," that is, the rules that shall govern the house while it remains a house, that shall govern its proceedings while it exists, and neither letter nor spirit authorises the house to impose by any such rule, an injunction of secrecy upon any individual whatever, upon any subject whatever, beyond the period of its own constitutional existence.

If these arguments be conclusive, as to the writer they appear to be, there is nothing on the score of duty that can prevent him from making as full a disclosure of concealed documents and debates, as he may deem essential to the great object he has in view. But duty is one thing, policy another. A certain sense of decorum and propriety, also, is always to be regarded. All things that may be lawful may not be expedient. The government should be treated with some respect, even when it has ceased to respect itself. However, as the point of duty has been made clear, that of policy will be incidentally examined in the progress of the main subject, to the view of which the reader will be introduced without further delay.

The writer could never for one moment entertain the idea of violating his oath to support the constitution of his country. Sooner should his arms drop from his shoulders, and his tongue become mute forever. But having given to the public the reasons which convince his own mind that he is not about to be guilty of such a violation, he must now act under the impression of a sense of duty to the cause of liberty and national independence, paramount to all other considerations.

In pursuance of permission had and obtained of the County Court, of New-Hanover at May Term 1810, Will be sold under the court house, on Saturday the 21st of July next, a Negro Man named Primus, belonging to the Estate of Richard Hostwick deceased. ALEX. PEDEN, Atm't.
July 10, 1810.

Foreign Intelligence.

Philadelphia, July 2.

We have received a complete file of London Papers to the 23d of May. Our view of them has been very cursory—They however contain some important debates in the House of Commons, on the subject of Sir F. Burdett and Parliamentary reform, and also the proceedings of the meeting of the Mayor, Aldermen & Livermen of the City of London, called on the rejection of the City Petition by the House of Commons.

Nothing later from Cadiz.

Wellscley was retreating in Portugal—the French receiving reinforcements—a battle is daily expected—and the English are making necessary preparations (May 7) to leave Lisbon at a moment's notice.

A petition from Major Cartwright was presented by Mr. Whitbread to the H. of Commons, (May 14th) and rejected 32 to 21, the language being deemed disrespectful.

LONDON, May 21.

Mr. Brand makes this day, his motion for a Parliamentary reform. It is supposed that the debate will occupy two days.

May 22.

The consul-general of Spain for the united kingdom of Great-Britain and Ireland, requests the editor to insert the following communication.

LONDON, May 20, 1810.

The council of regency of Spain and the Indies, and in the name of his Majesty Ferdinand VII. having discovered that it is the intention of the general enemy of mankind, to introduce into the Ultra Marine Provinces of Spain, spies and commissioners to disturb the peace of those establishments, and having already been informed that this design is in possession of spreading through those provinces disorder, anarchy, and insurrection; since his military forces are not extended to that remote part of the earth; and the said council of regency observing that such commissioners assembled in the U. States of America, from whence, by stealth, and under various pretences, they proceed to the province of Texas, or embark for other Spanish dependencies.

It is resolved, that no Spaniard, or foreigner, of whatever class or condition, or for whatever business, shall be allowed to land in any of the Spanish dominions of that country, without being provided with the proper passports from the places at which they embark, in the name of Ferdinand the 7th, and such passports are correctly to designate persons to whom they are given and the object of their journey or voyage.

It is ordered, that the viceroys and military and civil governors of the said dominions observe inviolably this sovereign determination, and if, by any of those accidents which cannot always be avoided, one of these commissioners or spies should enter the Spanish territories, by land or sea, it is commanded that he be tried immediately, and punished with death, and that the cargo and vessel be confiscated, without appeal to his Majesty Ferdinand the 7th. This edict is to be carried into execution with respect to all ships which may have on board any person or persons not provided with the regular passport, and in the name of his present Majesty, even though such person or persons be a native or natives of the said dominions.

This public notice is given, that no individual, either born in the country, or out of it, should plead ignorance of the regulation; and other means have been taken to give it general circulation.

SPAIN AND PORTUGAL.

LIVERPOOL, May 23.—A considerable degree of activity appears now to be manifested both on the part of the enemy and the allies in different parts of the peninsula and in the island of Leon. Astorga, after a tremendous bombardment, has surrendered to the French under Junot. A great part of the garrison has escaped into Asturias in the disguise of peasants, but the governor having refused to swear allegiance to Joseph, on which condition he was offered to be continued in the command of the town, and 1000 men, were sent to France. One circumstance very strongly marks the spirit of the Spanish peasantry. The governor, when he capitulated, enforced a stipulation that the troops of the enemy were not to be distributed in the adjacent country, assigning as a reason that he could not answer for their security among his indignant countrymen.

The force under Junot is stated at 10,000 men, of which number, after the capitulation of Astorga, 2000 were dispatched to Asturias, and were defeated on their march by Poirier. Only 3000 remained at Astorga, and the rest, amounting to near 8000 men, marched toward Ciudad Rodrigo, and we suppose have joined marshal Ney, who threatens that fortress, which will now be the object of serious contention. To both parties its possession is of the utmost importance. To the French, as it would favor their designs upon Oporto and the North of Portugal, and force the allied army southward; and to the allies as it is an interesting point between the enemy's division in Leon and Extremadura. Ciudad Rodrigo is, however a place of considerable strength, with a formidable garrison, and though the French have brought their heavy artillery from Salamanca for the purpose of commencing the siege, it is not likely were it even left to itself, soon to surrender. But the movements of the armies indicate an approaching battle. Lord Wellington aware of the design upon