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## MISCELLANY.

From the Boston Palladium.

MESSRS. EDITORS,

The following extracts are from a "Disquisition on Government and Liberty," by SOAME JENYNS, a very sprightly and ingenious writer. We will maintain that the Federalists, who are to the Democrats only as 14 to 162, ought to be permitted to amuse themselves in any innocent and harmless manner. It certainly is very harmless, because without any effect, to laugh and make sport of the follies of our political fools. The dull doltheads, the criss-capits, of the Democrats, are proof to the scythe of wit, and the javelins of satire; and to attempt to reform them by ridicule is to "cut blocks with a razor." The pleasure derived from the wit, the humour, and the forms, it not the substance, of logical reasoning, contained in the ensuing extracts, will amply reward the pains of transcribing.

### THE EXTRACTS.

"So many absurd principles, concerning government and liberty, have of late been diffused with unusual industry; principles as false as mischievous, as inconsistent with common sense as with all human society; that it seems necessary that they should not pass quite unnoticed, especially as they require nothing more, than to be fairly stated, to be refuted.

"First, then: That all men are born equal; by which proposition, if it is only meant, that all men are equally born, it is, at best, one is as much born as another, I shall not dispute its truth; but in every other sense it is entirely false; for we daily see that some are born with beautiful and healthy bodies, and some with frames distorted, and filled with the most deplorable diseases; some with minds fraught with the seeds of wisdom and genius, others with those of idleness and madness; some, "by the laws and constitutions of their countries," are born to the inheritance of illustrious fortunes and distinguished honors; others, to a life of poverty, labour, and obscurity. How then can be said to be born equal? I cannot comprehend. If by this proposition is to be understood, that, at the time of their birth, all men are possessed of an equal share of power, wealth, wisdom, learning, and virtue; then they are equally incapable of performing any; this would be no less ridiculous, than to assert, that all men are born with the same length, when none of them are born with any teeth at all. But, supposing they were all born equal: would this prove, what is always intended to be proved by it, that they ought always to continue so? Or can any argument be drawn from thence, against their future inequality and subordination? Must no man presume to be six feet high, because perhaps he was born of the same size as another, who is now but four? Must no man assume power over another, because they were born equal, that is, because at their birth they were both incapable of exercising any power whatever? Thus, we see this mighty argument, drawn from the supposed natural equality of mankind, by which all powers and principalities are threatened to be overthrown, is entirely false, and if true, is nothing to the purpose for which it has been so often and so pompously introduced.

"Secondly; That all men are born free. This is so far from being true, that the first infringement of this liberty is being born at all; which is imposed upon them, without their consent, given either by themselves or their representatives; and it may easily be shewn, that man, by the constitution of his nature, never subsists as a free and independent being, from the first to the last moment of his residence on this terrestrial globe: where, during the first nine months of his existence, he is confined in a dark and sultry prison, debarred from light and air; till, at length, by an Hebeas Corpus, brought by the hand of some kind deliverer, he is set at liberty; but what kind of liberty does he then enjoy? He is bound hand and foot, and fed upon bread and water for as long a peri-

od; no sooner is he unbound, than he makes so bad a use of his liberty, that it becomes necessary that he should be placed in a state of the severest discipline, first under a nurse, and then a school-master, both equal tyrants in their several departments; by whom he is again confined without law, or allowed without a jury, and without any mercy. — In this state of slavery he continues many years, and at the expiration of it, he is obliged to continue an involuntary subject of some civil government; to whose authority he must submit, however ingeniously he may dispute his right, or be justly charged for disobedience to her laws. And thus the human liberty, which is the end of all this, may be said to be a mere mockery; to which I only add, that it is the most serious argument, which can be offered, because it is a mockery, that works, and from the ill effects of it, it is too evident to dispute, that man is never delivered by him to be a sovereign and self-governing Being, but is trained up in a state of subordination and government in the preparation to fit him for some more perfect state; and, if it was not a mockery, a serious, I should add, that, in the numerous catalogue of human vices, there is not one, which is completely dispelled by him from being a member of that celestial community, as a factious and turbulent disposition, and an impatience of control; which frequently afflicts the honorable title of the love of liberty.

"Thirdly; That all government is derived from the people. This is another fallacious proposition; which, if one sense is true, but, with regard to principles so often established upon it, entirely false. It is true, indeed, that all government is so far derived from the people, that there could be no government if there were no people to be governed: if there were no subjects, there could be no king, nor parliament; if there were no subjects, nor parliament, there would be no government; but the inference usually drawn from this proposition is utterly false; which is, that, because all government is derived from the people, the people have a right to reform it, and administer in themselves, whenever they please. But whatever claim they may have to this right, the exercise of it is impracticable, from the very nature of government; for all government must consist of the governors, and the governed: if the people at large are the governors, where shall we be able to find the governed? All government is power, with which some are intrusted, to controul the actions of others; but how is it possible that every man should have a power to controul the actions of every man? This would be a form of government, which we have heard sometimes recommended as the most perfect, in which all are governed by all; that is, in other words, where there is no government at all. Agree with these pretended patriots, that the people in every country have a right to resist manifest grievances and oppressions, to change their governors, and even their constitutions, on great and extraordinary occasions; whenever they groan under the rod of tyranny, they have a right to shake it off, and form a constitution more productive of liberty. But we shall not agree so well in our definition of that important and misapplied term, "the people," by which I would be understood to mean the whole body of a nation, advised and directed by the most respectable members of it; who are possessed of rank, property, wisdom, and experience: But who are those in this country, whom our modern demagogues distinguish by this name, and vest with this supreme dominion? Not the representatives of this very people in parliament assembled; not the pastors of the church, the sages of the law, or the magistrates who are guardians of the public safety; not the possessors of landed property, the opulent stockholder, or the wealthy merchant. These are all represented as tools of ministers, lovers of slavery, united in a conspiracy to destroy their country and ruin themselves: they point out to us no defenders of our liberties or properties, but those who have themselves neither; no public spirit, but

in the garrets of Grub-street; no reformation, but from the purities of St. Giles's; nor one Solon or Lycurgus, but who is to emerge from the tin-mines of Cornwall, or the coal-pits of Newcastle."

## European.

### LATEST FOREIGN NEWS.

NORFOLK, October 25.

Last night the letter bag of the Ship *Shannon*, whose loss we announced in our paper of yesterday evening, was brought up to town. From our correspondents in London, we have received letters from the 30th of August to the 31 September, inclusive, and our mercantile friends have politely furnished us with other papers of cotemporaneous dates, and Lloyd's Lists to the 6th September.

The contents of these papers are of the first interest, and induce us to issue an extra paper.

The circumstance which is deemed of most import here, is the refusal of the Emperor of Russia, to ratify the Treaty concluded at this much loved by his Minister at Paris. — The utmost activity prevails throughout the monarch's dominions, and every tongue announces the renewal of war. The Emperor, however, has taken the alarm, and is moving with great activity, his dispute with Sweden is in a fair way of accommodation, and a northern confederacy of Germany, with Russia, Sweden, and Denmark, is forming. The new king of Holland and the king of Prussia are at variance. The negotiations between France and England, from what we perceive, have made no progress, the prevailing opinion appears to be against peace.

The British and French armies in Calabria have met, and we give the official detail of an action which has crowned the British arms with immortal glory. Not less than 5000 British, defeated 7000 French with immense loss in slain and made prisoners. It does not appear that the consequences have corresponded with the brilliancy of the achievement. The proximity of Massena with a powerful army, compelled the British to embark for Sicily.

The arrival of Jerome Bonaparte in France, is celebrated as a naval triumph. Fortune and his heels, and not his courage, have given eclat to this young naval hero. The Gibraltar, of 80 guns, chased him for 48 hours, and having got very near to him, a shot from the stern chaser of Jerome, carried away the fore-topmast of the Gibraltar, and thus he escaped. It was Jerome who fell in with, and destroyed a large part of the Quebec fleet.

A detail of further victories of the British in Calabria, subsequent to the grand action, will be given in our next.

### LONDON GAZETTE EXTRAORDINARY,

September 5.

Downing-Street, Sept. 4, 1806.

A dispatch has this day been received by the right honorable William Windham, one of his majesty's principal secretaries of state, from major general Sir John Stuart, commanding his majesty's troops acting in Calabria, of which the following is a copy:—

Camp on the Plain of Maida, July 6, 1806.

SIR,

It is with the most heartfelt satisfaction that I have the honour of reporting to you, for the information of his majesty, the particulars of an action, in which the French army quartered in this province have sustained a signal defeat by the troops under my command.

General Regnier having been apprized of our disembarkation at St. Eufemia, appears to have made a rapid march from Reggio, uniting, as he advanced, his detached corps, for the purpose of attacking, and, with his characteristic confidence, of defeating us.

On the afternoon of the 3d instant, I received intelligence that he had that day encamped near Maida, about ten miles distant from our position, that his force consisted at the moment of about 4000 infantry, and 300 cavalry, together with

four pieces of artillery, and that he was in expectation of being joined within a day or two by 3000 more troops, who were marching after him in a second division.

I determined therefore to advance towards his position; and having left four companies of Waterville's regiment under major Fisher, to protect the stores, & occupy a work which had been thrown up at our landing place, the body of the army marched the next morning according to the following detail.

*Advanced Corps.*—Lieut. colonel Kemp, with two four-pounders. Light infantry battalion. Detachment royal Corsican rangers. Detachment royal Sicilian volunteers.

*1st Brigade.*—Brigadier general Cole, with 3 four-pounders, Grenadier battalion, 8th regiment.

*2d Brigade.*—Brigadier gen. Ackland, with 3 four-pounders. 78th regiment. 81st regiment.

*3d Brigade.*—Colonel Oswald, with 2 four-pounders. 58th regiment. Waterville's regiment, five companies.

*20th Regiment.*—Lieutenant col. Rofs, landing during the action.

*Reserve of Artillery.*—Major Lemoine. Four six-pounders and two howitzers.

*Total.*—Rank and file, including the Royal Artillery, 4795.

General Regnier was encamped on the side of a woody hill, below the village of Maida, sloping into the plain of St. Eufemia: his flanks were strengthened by a thick and servious underwood. The Amaio, a river perfectly fordable, but of which the sides are extremely marshy ran along his front; my approach to him from the sea side (along the borders of which I directed my march, until I had nearly turned his left) was across a spacious plain which gave him every opportunity of minutely observing my movements.

After some loose firing of the flankers to cover the deployment of the two armies, by nine o'clock in the morning the opposing fronts were warmly engaged, when the prowess of the rival nations seemed now fairly to be at trial before the world, and the superiority was greatly and gloriously decided to be our own.

The corps which formed the right of the advanced line was the battalion of light infantry commanded by lieutenant colonel Kemp, consisting of the light companies of the 20th, 27th, 35th, 58th, 60th, 81st, and Waterville's, together with 150 chosen battalion men of the 35th regiment, under major Robinson. Directly opposed to them was the favorite French regiment of *Premiere Legere*. The two corps, at the distance of about one hundred yards, fired reciprocally a few rounds, when as if by mutual agreement, the firing was suspended, and in close compact order, and awful silence, they advanced towards each other until their bayonets began to cross. At this momentous crisis the enemy became appalled. They broke, and endeavored to fly, but it was too late; they were overtaken with the most dreadful slaughter.

Brigadier general Ackland, whose brigade was immediately on the left of the light infantry, with great spirit availed himself of this favorable moment to press instantly forward upon the corps in his front; the brave 78th regiment, commanded by lieutenant colonel Macleod, and the 81st regiment, under major Plenderleith, both distinguished themselves on this occasion. The enemy fled with dismay and disorder before them, leaving the plain covered with their dead and wounded.

The enemy being thus completely discomfited on the left, began to make a new effort with their right, in the hopes of recovering the day. They were resisted most gallantly by the brigade under brigadier general Cole. Nothing could shake the undaunted firmness of the grenadiers under lieutenant colonel O'Callahan, and of the 27th regiment under lieutenant colonel Smith. The cavalry, successively repelled from before their front, made an effort to turn their left, when lieutenant colonel Rofs, who had that morning landed from Messina with the 20th regiment, and was coming up to the army during the action, having observed their movement, threw his re-