dually and exclusively, is incompatible with any " treated in any such matter." established form, and therefore cannot, as Mr Locke He also says, " the king declared to parliament, " enough whill they can take more; nor h oblerves, revert to the people, or be exercised, " that he, with others about him, stood bound for " tent with a part when they can will the government exists.

of instructing from the right of legislating; I hope " commons to pay the same; but the commons years back, says an admired writer, is a fe you mean legislating individually and exclusively, for I. " made apower, that they knew and tendered the on this text. legislating.

can, that for the people to preferibe to both "grand affair branches that, to which these branches are obliged The deputies from the Swift cantons to the general unolemished characters—brands and highestizes to des, for your use, I live but to oblige you. I answer, Sir, without hesitation-and even without confulting my friend-and lay Yss.

Having with fuch candour and plainness answered your question, I hope, with equal candour and plain-

nefs, you will answer me a quettion.

Suppose the senate and house of delegates should pals an act of affembly imposing a tax for five years, for the purpose of raising one hundred thousand pounds, to erect a monument in memory of Aristides, for the great and fignal fervices done his country, by publications, inculcating principles, esten- states in Languedoc and Britanny. The same is tobe August 6,147871 and 18 a tial to the welfage and happinels of his beloved coun- ferved bysthe deputies of Germany to -and sand happinels of his beloved counfrom Suppose remonstrances and instructions therefore, State tracts, time of king William, will be to be from every county, stating this act to be 112. oppressive and grievous, and instructing both branches | I trust the above authorities will give you complete | Was letter received last week by a gentlem to repeal it.

stances, the judgment and woice of the people is not for as to your reasoning, I have really had enough of sever has reged in the above hundred with such conclusive upon both the senate and house of dele- it; but it I am doom'd to have more, I pray you to gates; that is, whether they are not bound by fuch put it in werfe, and then I shall be fure to find wir

thority to over-rule them?

If you admit the senate and house of delegates I shall have done with the subject of instructing. bound, then the people may prescribe, and your It is a fundamental principle of liberty, that a question becomes impertinent. If you deny that they are bound, then you must deny that the people are the judges of what is, or what is not, legislative

oppression. delegates and representatives may rightfully over-rule poling of it. And suppose both branches over-rule 20 inhabitants of that city weekly. An inflam the voice and instructions of the people, and you the voice of the people, and pass an act imposing again demand authorities, if any, which affert the the tax. I alk, whether this act can be faid, upon binding force of the people's voice, when communi- any principle of construction whatever, to have been cated to their delegates.

Hear Sir, if you please, what Mr. Pitt, after. wards the earl of Chatham, fays upon this point.

" The missortune is, that gentlemen who are in office seldom converie with any but such as are in office, and such men, let them think what they will, always appland the conduct of their fu declared fense and opinion, I ask, what participation of periors; confequently, gentlemen who are in the it is that the people have in the legislature of Maryadministration, or in any office under it, can land? I take it, the people's participation, if any rarely know what is the voice of the people. The at all, must either be personally or representatively. " woice of this house was formerly, I shall grant, But is it not nonsense in the extreme to say, that the es and always ought to be, the voice of the people."

presentatives of the people ought always to speak rule the declared sense and instruction of his conthe voice of the people; consequently, instructions, stituent, and adopt his own opinion in direct opcommunicating the sense or voice of the people, position? must therefore be binding and conclusive. But the Restect, I beseech you, Aristides, upon the above learned Aristides differs from Mr. Pitt.

Charles Fox, upon this point.

They only constitute that organ to whom she de- construction of his writings.

Sydney-not on the force of instructions from a par- legislation properly, or improperly, and that they ticular county-which you catch at as a drowning may even diffolve the government, if they think the man would at a firaw-but upon the right of the powers are abused. I should be glad to know, if the

gates and public fervants. es cook, and keep them both to the offices for which instructing ?-took them? And if I am free in my private You are pleased to enumerate the guards and see We are informed from good authority the wants we employ in our public affairs."-But the excellent Gordon says upon this subject. learned Arittides differs from Sydney, and considers lature, as incompatible with an established govern-

fiament, for a fubility to be granted of a new kind, " trust, and to keep them from violence; and fuch bove dared to give him the small pox, he would the commens answered, to they would have confe- " frequency has been their propentity to be law- mahawk an as he would a stump, which he pos " rence with those of their several counties and et less, that nothing but a violent death could cure as, and to shew how he would act, began cul

of government; whereas the right to legislate indivi- " places who had put work in them, before they " them of their violences. This buil be

to fornishing him and his allies in L. 30,000, which is wholes I have laboured, you fay, to distinguish the right to bought to pay, and therefore wanted and of his But " now Publicola, exert all your talents of " further conference with their councies, and for tides, I have not dared to do any such thing. wit, humour, railing or ratiocination. Confult " praying respite until another time, they promise I have dared to say, that when a judge turns a me your friend before you publish. Prove it you " to travel to their counties to consult them in this paper scribbler upon every political crack-embe

to give the fanction of law, be not in effect an diet, receive instructions from their constituents, as promoters of fedition and pestilent felious-fee exercise of legislative authority." Born, Ariti- and hold shemlelses bound to conform to them. judge, I have dated to fag, dishinours his flat

> corre held at Madrida in the beginning of Charles conference I and therefore opposed the right of the Vth, excused themselves from granting the tup- structing, and published to give light and informati plies he demanded, because they had received no to your helpued countrymen. The man who und orders strom their constituents, and afterwards, receive takes to informe ought fielt to be informed. Then ing express orders not to do it, they gave Charles a not only fach a character as a squack in physic,

> people had a share in the government. The same fociety; and both are public curses custom is skill used in the sesser assemblies of the Annapolics of PUBLICOLFA

fatistaction; if not, let me beg you to produce some in which places from the hundred of Gowers I demand to know, whether under such circum- approved authorities on your side of the question- Swanses, in South Wales, we learn, that approved authorities on your side of the questionjudgment and instructions, and have no rightful au- and humour at least for my entertainment -One or two observations more Aritides, and then

people cannot be bound by laws without their conient. Suppose the senate and house of delegares should propose to lay an exorbitant tax upon the people. Suppose the people apprised of it should re-You fill perfift in maintaining the position, that monthrate and instruct both branches against the im- kind, has for some time past carried off from the passed with the consent of the people, when passed directly against their positive instructions and declared

Again. If the senate and house of delegates may rightfully over-rule the voice and instructions of the people, and pass laws in direct opposition to their people participate representatively, if the doctrine be Mr. Pitt then maintains that the delegates and re- admitted that the representative can rightfully over-

observations, and cease to spread doctrines so fatal to Hear, Sir, if you please, the celebrated Mr. public liberty, and subversive of that part of our excellent constitution, which afferts and declares, "The whole body of the British legislature, as " that the right of the people to participate in the well as every separate branch of it, is calculated legislature is the best security of liberty, and the to protect the freedom, and guarantee the various foundation of all free government." There is no the foederal army now? " and minutest franchises of the subject. The par- preserving, Sir, first principles-no maintaining the es liament is only a substitution for the community at people's right of participation in the legislature-. large, in which her delegates are stationed and without adopting the doctrine, that the voice of the ordained to act as one aggregate body, to bear represantative ought always to be the voice of the her united dictates, and without consulting their conflituent. Away then with the idle question, can es own, to adopt them as prieciples of action. The the people prescribe a law; and, for justice sake, ought to judge for them, and not they for her, do not infult Mr. Locke again by your miserable

volves the power of giving form and effect to But you are dreadfully alarmed about the people's whatever plans or measures the settled routine of possessing this right of instructing. You think it too public affairs, or any sudden emergency, senders great a power for them; they may abuse it and be licentious. And yet you admit the people to be the And now, Sir, hear if you please, the illustrious judges whether the legislature exercise the powers of people, as a body, to limit and direct their cele- people have judgment enough to decide upon the the command of colunel Robert Todd, croffe conduct of the legislature, whether they have not this place, on an expedition against some lad " I take what servant I please, and when I have judgment enough to instruct? And if they have who were settled on Point Creek, about 80 a taken him, I must, according to this doctrine, prudence and discretion enough to be intrusted with distant from here. The Indians received account fuffer him to do what he pleases. But from the power of even dissolving the government, why of their coming and left the place before they re whence should this necessity arise? Why may I should it be doubted, whether they would have pru- ed it: on their return they fell in with two camp not take one to be my groom, another to be my dence and discretion enough to exercise the right of savages confishing of about sources, sour of w

capacity to regulate my particular affairs accord- curities which the constitution provides against the ranges of townships in the western territory of ing to my own discretion, and to allot to each despotism and tyranny of our rulers, and you ask United States are now completed, and in a few Tervant, his proper work, why have not I, with me, whether they are not fufficient checks, without the returns will be ready for congress. is my affociates, the freemen of England, the like liber- the right of instructing. I answer no. - nor certain- A short time since, about eight miles from ty of directing and limiting the powers of the fer- ly fufficient, even with the right. Hear what the place, up the Allegany river, at an Indian of

fuch limiting, instructing and directing, of the legis- " ing unaccountable magistrates, has not fele them to scaped taking the small-pox, which is raging be crying and consuming mischiefs. In truth, where mongst them, being much incensed at seeing they are most limited, it has been often as much as of his brethren seized with that malady, expense a motion being made, fays my Lord Coke, in par- " a whole people could do to restrain them to their himself to this effect; That if the Great Ma

te buman nature; men wall never think the

Simlerio Helv. Dels. sp. 276. 310. The procuradores, or members for Castile, in the But, your partued, it feement the dictates of flat denial. Bu. Pol. D. 204. D. 204. Bu. fuch a character as a quack an politics; both The same was the cuttom in France, when the dangerous and fatal to the welfare and happines

lence that upwards of 160 perions have died within a thore space of times. The contagion be an to fread its dreadful effects in that past of country which abounds with marthes and finen waters, and is supposed to have been produced the noxious vapours arising from them, the degree of froit and cold weather we had laft win being insufficient to disperse them. And by a vate letter received here from Dublin we are info ed, that a tever and fore throat, of the malign tory fever has been rife in this county, but of dentially has not proved fatal to very many.

B O S T O N, 70h 25. Extract of a letter from a gentleman belonging w town, dated Fort Pitt, June 25, 1787. "The furveys will not be carried on this feat the Indians have confederated, and are determi to oppose the measure: They have lately sent

speech to the superintendent, and one for con -I hey with to have a general council held; fay all that has been heretofore done on the ful of relinquishing Indian rights, &cc. is of no el it having been done by some of their people were not authorised to do it. It is the opinion the people in this country, that this conduct of Indians is owing to their having been inform that no troops were to be sent out to seinforce nel Harmar.

" Colonel Harmar, with his regiment, agree to the orders of the fectetary at war, marched days fince, for Post St. Vincent's, near 700 from this-in order to disposses some persons have fat down at that post, contrary to the nance of congress." What think ye of dishand

BENNINGTON, (Vermont) July 1

On Friday, a gentleman belonging to this t bad the HONOUR (if fuch it may be called) of b introduced to Mr. Daniel Shays, with the addition title of general, by a gentleman in Arlington, whose house he saw and conversed with the gen openly fome time: he also faw the general and two aids, at a public court at landlord Merwin that town, and supposes that they were well kn by the people. They were armed with swords pittols when they rode off.

PITTSBURGH, 7uly 21. Extract of a letter from a gentleman at Limestone, friend in this place, dated June 21, 1787.

" On the 3d instant, a party of 180 men they killed and took fix prisoners."

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