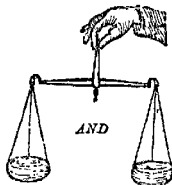


# The COLUMBIAN



# Balance, REPOSITORY.

"HAIL SACRED POLITY, BY FREEDOM REAR'D!  
"HAIL SACRED FREEDOM, WHEN BY LAW RESTRAIN'D!"

BEATTIE.

HUDSON, (New-York) TUESDAY, MAY 10, 1803.

## Original Essays.

With the products of your closet-labors bring,  
Enrich our columns, and instruct mankind.

### FOR THE BALANCE.

A BRIEF SKETCH OF THE FEUDAL SYSTEM,  
PARTICULARLY IN ENGLAND.

**I**N the 8th century, a warlike people from Jutland, who by reason of their northern situation, were called Normans, invaded France, and conquered that part of it which bears the name of Normandy. William Duke of Normandy, who was the natural son of Robert the former duke, by a tanner's daughter, made an invasion of England, in the year 1066, with a large fleet and sixty thousand men.—In a general battle, which was extremely bloody, he obtained a decisive victory; slew Harold the English king; and conquered the kingdom and usurped the throne.

William acted the part of an imperious unfeeling conquerer. The nation, that had bended under his yoke, suffered every species of oppression, insult and indignity. All the old inhabitants of England, who, besides the natives, were principally the descendants of Saxons, Angles, Jutes and Danes, were diseized both of their estates and offices, which were given to the followers and partisans of William. He gave, for instance, the whole county of Chester to Hugh de Abrina, his sister's son; nine hundred and seventy-three manors and lordships, to Robert, Earl of Montague, and four hundred and forty two, to Allan, Earl of

Brittany and Richmond, &c. &c.—The whole realm of England came into the possession of a few Norman Frenchmen, who exercised towards their vassals the most horrible rapacity and oppression. The English language was, in a manner, suppressed; and was superseded by the general use of the French; none, but French schools were encouraged or tolerated; and all public acts, all judicial pleas and proceedings, and all deeds and other instruments of contract were, during several following centuries, done in the French language.—The descendants of William have possessed the British throne even to the present day; and most of the royal families in Europe have a near affinity of blood with that bold and successful usurper. But the ancient Norman nobility is almost extinct; their blood, in successive generations, has been poured out on the scaffold. During the long and bloody wars between the houses of York and Lancaster, which were rivals for the British throne, there were very few noblemen of either party, who escaped death, either in battle or from the hand of the executioner; and, at the same time, the estates of those who were attainted and executed as traitors, became sequestered; and new families were builded up on their ruins.

Soon after the termination of those long and murderous wars, (about three hundred years ago,) a law, most important in its consequences, was enacted, by which the nobility and gentry acquired a power of breaking the ancient entails, and of alienating their estates. "By means of this law, (says an eminent historian,) joined to the beginning luxury and refinements of

the age, the great fortunes of the barons were gradually dissipated, and the property of the commons increased in England." In these ways, the exorbitant power and wealth of the nobility were considerably weakened and dissipated. The rise of the commonalty has, however, been principally owing to commerce. Had England been an inland country, the great body of its inhabitants might, even at this day, been transferable as stock, like the Hessians, from one landholder to another, because the lands being in lordships, the peasants or tenants who were originally vassals, could have found no way to break the chains of their vassalage, and to rise to any degree of consequence: but from commerce principally, there has risen in the nation a third order, which possesses a power equal to that of the king or the nobles. Indeed it would be hazardous for the king and the nobility combined together, to attempt an opposition to the united power and influence of the commons.

By means of the immense British navigation, which has been employed in and supported by commerce, multitudes of men of the lowest families have found opportunities of rising to great eminence; while merchants and manufacturers at home, by their skill and enterprize, have emerged from their original obscurity; have made their fortunes, and been able to vie with the nobility in wealth and splendor. At the same time, men of learning and brilliant talents, especially if they bended their minds to the studies of jurisprudence, have, from a low and obscure original, become conspicuous and principal actors in the grand drama of national politics.

Thus the feudal system in England, tho' originally much more despotic and oppressive than in most other European countries, has been, in a manner, checked and balanced. The modern hereditary nobility seldom discover a great degree of capacity or enterprise.—Proudly relying on their wealth and titles; nursed in the lap of sloth, & enervated by debaucheries, they are usually deficient in that energy and those talents, which are requisite for the dispatch of weighty business. The younger sons of noblemen, together with many others of shining talents, who sprung from common families, have, in latter years, been principally employed on the venerable seats of justice, and as counsellors, ministers of state and diplomatic agents.

W.

## Political.

FROM THE CHARLESTON COURIER.

IT would take a long and laborious life, to collect into one mass, and display in their true colours, the endless inconsistencies and contradictions of the anti-federal politicians and advocates. Here they are found parading in fine robes, borrowed from the federal party when in office—there we see them strutting in their own dowds and tinsel. Here contradicting evident matter of fact, there contradicting themselves. Yesterday asserting that black is white, to-day that white is black. Now denying to the late administration the smallest particle of merit—again, in the eagerness and impetuosity of self-applause, confessing what they do denied.

But this inconsistency in inferior agents is harmless, when compared with that displayed by the leading man of the country. The people of America are so well acquainted with the sentiments of our President, and his partizans in the senate, on the subject of the judiciary system, that it would be useless trespass on the time of our readers to repeat them: They have seen that judiciary receive a severe wound; they have seen its right called in question and denied; and a majority of the Legislature deciding in conformity to the arguments and principles of those who denied it. Now let them compare those opinions with the principles laid down in 1776 by our President himself—(then plan Mr. Jefferson)—in a letter to Judge *Wythe*, of Virginia, written in reply to one from that Judge to him, when the Constitution was forming.

THE EXTRACT.

"The dignity and stability of government in all its branches, the morals of

"the people, and every blessing of society, depend so much upon an upright and skillful administration of justice, that the judicial power ought to be distinct from both the legislature and executive, and independent upon both, that so it may be a check upon both, as both should be checks upon that. The judges, therefore, should always be men of learning and experience in the laws, of exemplary morals, great patience, calmness and attention; their minds should not be distracted with jarring interests; they should not be dependent upon any man, or body of men. To these ends they should hold estates for life in their offices, or, in other words, their commissions should be during good behavior, and their salaries ascertained and established by law.

"For misbehaviour, the grand inquest of the colony, the house of representatives, should impeach them before the governor and council, when they should have time and opportunity to make their defence; but if convicted, should be removed from their offices, and subjected to such other punishment as shall be thought proper."

TH: JEFFERSON.

Now how is this change of opinion to be accounted for? Was Mr. Jefferson so young and inexperienced in 1776, that he was incapable of making up his mind upon principles? Certainly not—and that opinion of his, is a proof of it; for so far as it goes, it is a just one; indeed so just that he could hardly look into a book upon the subject of constitutional rights, where the same principle is not laid down. Then what can it be, but a determination to make every principle bend to the purposes of party, and to his political designs? The people will know what value to set upon men who can thus ply fast and loose with principles, as it suits their convenience, and answer their private views.

FROM THE PORT FOLIO.

TO THE EDITOR.

S I R,

THE two letters which have been officially published, from the Marquis de Casa Yrujo, to the Secretary of State, and from the citizen Pichon to the governor of Louisiana, must be truly gratifying to the feelings of every genuine American. It they are not absolutely conclusive to prove that the intendant of New-Orleans acted without authority from his Court, in depriving our citizens of their right of deposit there, at least they give us substantial reason to expect that the enjoyment of this right will immediately be restored to us; that the procedure of the intendant will be

solemnly disavowed by his sovereign, and that ample satisfaction will be made to the United States for the insult, as well as for the injury they have suffered by his order.

The friends of our administration have been ready, as might naturally be expected, to take great credit to themselves for these apologetic papers, from the two foreign ministers. To the nation it is of no immediate importance what was the really operative cause which induced the Marquis, and, what is yet more, the Citizen, thus to humble themselves, and their governments, before the rising spirit of our country. But it may fairly be remarked, that these diplomatic ballasts were not applied, nor even prepared, until the measures proposed by the minority, in both houses of Congress, and the general exasperation of the public, out of doors, had forced our reluctant Executive into the opinion, that all was not peace and friendship towards us, abroad—had compelled him to assume some appearance of that vigour, which manifested itself, in such energy, throughout the country, and had obliged his adherents, in the national senate and house of representatives, to subscribe, at least, something, for the spirited resolutions and efficacious measures proposed by Mr. Griswold and Mr. Ross. Had the minority in Congress, and the people in general, been as tame and indifferent, under the conduct of the Spanish intendant as the head of the Union appeared to be until lashed into exertion by his political opponents at home, we should, in all probability, not have seen, at this day, those humble deprecations of the Marquis, and those anxious expostulations of citizen Pichon, which have ornamented the columns of our newspapers.

Viewing the subject in this light, the real American patriot must rejoice at that sensibility, and that vigour, which flowing from the circumference to the centre, inspired the government with animation not its own, and shamed our national rage into something like resistance. They have indeed, while hurried along by the torrent of universal feeling, complained that it was rushing into war. But those letters, which they now publish, exhibit lucid demonstration, that a bold and undaunted spirit was the true line of pacific policy, no less than of national honour.

There is a most essential advantage which the Union will derive from the temper displayed by the minority, in Congress, and by the great majority of the people on this occasion. The Marquis tells the Secretary of State that, from the first, he was satisfied the intendant's order was unauthorized; but, to remedy this acknowledged injustice and injury, he then only remonstrated to the intendant, and dispatched a letter to the governor general, at the Havanna. The result of these ex-