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P H I L A D E L P H I A :

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The DRUID, N^o. III.

MY last paper was employed in examining what is the radical principle, according to the law of nature and nations, for determining *the just and lawful means* of carrying on war. Having left the subject unfinished, I will now add what seems farther necessary upon it. The chief and most remarkable distinction of wars to be found in civilians is into what they call *solemn* and *civil* wars. By the first are to be understood wars between nations confessed on both sides to be separate and independent. By the second, wars between different parts of the same state. The first are supposed to arise from some occasional injury or partial encroachment, and to have for their end the reparation of the wrong, and the restoration of security and peace. The second, in which one part of the subjects of a state rises against another, are much more various both in their causes and ends, although the rulers of every state generally affect to consider them all as of the same nature, and belonging to the same class. The light in which they wish them to be viewed is, as an insurrection of disorderly citizens against law and order in general, and therefore as including the greatest crime that can be committed against society, and deserving the severest punishment. This is the true and proper import of the laws against treason in any country, and if the object on which they take hold is really such as they describe, no fault can be found with their severity. He

who breaks the public peace, and attempts to subvert the order of the society of which he is a member, is guilty of the greatest crime against every other member, by robbing him of a blessing of the greatest value in itself, as well as essentially necessary to the possession of every other.

For this reason it is that in civil wars one party takes upon itself to be on the side of order and good government, and considers every person of the opposing band, not as a citizen contending for the supposed rights of his own state, but as a felon and a criminal breaking the law of God and man, and if subdued and taken, destined to public ignominious legal punishment. But let us consider a little the causes and circumstances of civil wars, as they have appeared in history. Some have doubtless been of the kind above described, and which the law in general presumes; but if they have been numerous, they have hardly ever been formidable. Insurrections of profligate or even mistaken citizens have generally been local, and occasioned by some circumstances that do not affect the whole body of an empire, and therefore have been easily suppressed. Many of the civil wars which have torn and distracted great empires have arisen from the ambition and turbulence of particular men, contending for power and influence in the administration of government. Such were the wars of Sylla and Marius, Cæsar and Pompey, in the Roman republic; in which, though the partisans on both sides were certainly criminal, yet, at the same

time, they were equally so. We may place in the same rank the civil wars in England and France, which were so long in the one country, and so bloody in both, about the succession to the crown. In these wars the principle on which they were waged was fundamentally wrong, *viz.* that there was a claim of right in one family or person, which entitled them to authority, distinct from common consent, or the general good. But this principle was the same to both parties, many persons of equal honour and truth embraced the opposite sides of the question, and we can perceive no difference at all between them in point of merit or demerit toward the society. If one contends for the uncle, and the other for the nephew, to be king, or the posterity of each many generations distant, and a bloody war must decide the question, little other reflection can occur to a considerate man, than to pity the weakness of human nature.

There remains another class of civil wars, in which a part or the great body of a monarchy or republic resist the authority of their rulers, on pretence that they are suffering under oppression. They do this sometimes with a view to redress their grievances, and sometimes to subvert the government altogether as insupportable, and re-settle it upon a new foundation. It also frequently happens that they begin with the first of these, and in the course of the quarrel find or think it necessary to end with the last. There are many wars of this kind upon record, some of which have been successful, and others not. If they have been successful, history dignifies them with the name of Revolution; and if otherwise, they must bear that of rebellion. Their

success, however, is no certain criterion of their justice. The civil war in England of the last century, which still bears the name of the grand rebellion, and the late vigorous contest of the Corsicans against the republic of Genoa, tho' they were sold into slavery, were as honourable in their principles, as the successful resistance of the Seven United Provinces to the king of Spain, or the efforts of the English nation at that period which we have now agreed to call the *glorious revolution*.

Let us apply these remarks to the subject of our present enquiry, the means and manner of carrying on war. In fact, it has always been found that civil wars have been carried on with a rage and animosity much greater than those of independent nations. Acts of cruelty have been much more frequent while they lasted; and after peace has taken place, the alienation of mind and inward resentment has been much greater and of longer continuance. The barbarity of the Syllan and Marian factions to each other in Rome, as well as the proscriptions of the two subsequent triumvirates in that state, were so horrible, that it is difficult to conceive how human nature could be brought to such an unfeeling and hardened temper, as to give or execute the bloody orders. As soon as a war between independent nations ceases, the wound is perfectly healed, and particular persons of these nations do not retain the least degree of resentment against each other. It is quite otherwise in civil wars. They often give a name and character to the different factions, which is not obliterated for many generations. Whig and Tory are names by which

which persons and families are still distinguished in England, although they are both of great antiquity, and the first of them more than a hundred years old.

Whenever any effect is general and constant, there must be some suitable and permanent cause or causes of it. It may not therefore be amiss, either in a philosophical or moral view, to examine the causes of this phenomenon in political life. One cause may be assigned for it which is very general, but which will perfectly apply to this as well as every other kind of strife. The greater the injury that is done, and the stronger the obligation to friendship that are broken through, the deeper the resentment that is felt by a sensible mind. Now, it is certain that to disturb the internal peace of a state by a civil war, is a much more dreadful evil, and touches the people more universally, than war with a foreign kingdom. Besides, injuries done, or supposed to be done, by those with whom we are nearly connected, and from whom we expected every act of friendship, wound more deeply than those done by strangers or persons unknown. This is so generally true, that differences between near relations, if they come to a certain height, and are publicly known, are scarcely ever thoroughly reconciled. They may be apparently or imperfectly taken away, the sore may be skinned over, but it still rankles at bottom, and upon the slightest touch is ready to break out anew.

Another cause which may be assigned for the barbarity exercised in civil wars, is the hateful or contemptible idea which the one side, at least, often entertains of the

other. It was a fine observation of a moral writer of the last age, "If you want to be wholly free from the guilt of injury, oppression, or slander, you must take care what you *think* of others, for it is certain that your treatment of them will be according to the opinion you have formed of their character and merit." This remark is perfectly just; for if once a man allow himself to hate another heartily, there is no answering for what he will do to him, nor is the natural humanity of his disposition the least security against his going to excess. Persons of the gentlest natures and the softest sex, when completely enraged have been guilty of the most horrid cruelty. This is commonly accounted for by the mixture of fear and hatred. But if another ingredient is added to the composition, it will be yet more powerful, I mean contempt. Some may think that fear and contempt are inconsistent, but this is a mistake. You cannot fear the strength of an enemy, and despise it at the same time; but you may easily fear his strength or malice, and despise his character. If therefore you join all these together, fear, hatred, and contempt towards an enemy, it will not be wonderful if the treatment he receives is unmerciful or unjust. This is often the case in civil wars. Those who are on the side of government are apt to form the most unjust as well as despicable ideas of their opponents, and never to speak of them but in the most opprobrious terms. By this they are naturally led to behave towards them with inhumanity, and sometimes in their correspondence they will scarce consider themselves as upon an equality, or be bound by

the laws of sincerity and truth.

I could illustrate the influence of character, and the opinion we entertain of others, on our conduct toward them, by many instances in history. It is the true and genuine source of the Roman Catholics not keeping faith with heretics. This their enemies charge them with as an avowed principle; which they deny. But that they have acted agreeably to it in fact, the example of John Huss of Bohemia, and several others, put beyond all question. It is also the true cause of the cruelty of the inquisition, commonly called the bloody Tribunal. Nothing is more common than to consider the ministers of this court as monsters divested of every feeling of humanity, and so to lay three fourths of the blame upon the personal character, whereas in truth, it ought to be wholly imputed to the power of bigotry and false zeal. When once a person is believed to be an enemy to God, and meriting his utmost vengeance, it is not wonderful that men should co-operate with him, and inflict that little part of it that is in their power. It is not so properly suffering in itself, as the innocence of the sufferer, or the disproportion of the suffering to the crime, that excites our compassion. When crimes are very atrocious, we sometimes feel, and in some degree regret, the weakness of human vengeance, which cannot possibly give them their due. I can recollect several instances of criminals, on whose condemnation not one but many would say, he deserves, if it were possible, a thousand deaths.

But now let me draw this dissertation to a conclusion, or, as divines would say, to the applica-

tion. It is easy to see, from the above principles, what are the dictates of truth and justice as to the manner of carrying on civil wars. There is but one class of them in which the behaviour should be different from the practice that prevails in wars with independent states; I mean when tumultuous and disorderly citizens attempt to subvert law and order altogether. But when the grounds of the quarrel are plausible on both sides, and when it is demonstrable that persons of the strictest honour and integrity may be found adhering to the opposite parties, they are bound by every tie to candor in judgment, humanity and mercy in their conduct towards each other. Happily we often see the parties in such wars compelled to humanity by self-interest, and restrained by fear of one of the justest of all laws, that of retaliation. I could wish, however, that a sense of duty should be added to this obligation; for neither necessity nor even inclination is so stable and powerful a principle of action, as reason and truth impressed on the conscience. Necessity does not always seem equally strong, and the impulse of natural affection is transient and changeable; but that which we consider as essential to our duty, we shall adhere to without the assistance of either, and ought to do it even in opposition to both.

I do truly think myself in my present retirement (begging the reader's pardon) not ill qualified, in point of impartiality, for handling this subject, and applying it to the present contest between Great Britain and America. I am past the age of bearing arms, and, whatever I have done before, shall probably

probably never again wield any other weapon, than those improperly so called, the tongue and the pen. I do clearly see the perfect justice and great importance of the claim on the one hand, and can easily conceive the power of prejudice on the other. On the part of America, there was not the most distant thought of subverting the government, or hurting the interest of the people of Great Britain, but of defending their own privileges from unjust encroachments; there was not the least desire of withdrawing their allegiance from the common sovereign, till it became absolutely necessary, and indeed was his own choice: On the other hand, I can easily conceive that those who have been long accustomed to subjection, and from whom it is really due, should not suddenly enter into the reasons of exempting a people otherwise situated from the same burden. They are therefore of course easily deceived by false or imperfect accounts of a distant country, and insensibly biased by the phraseology constantly used, particularly the terms rebels and rebellion. Upon the whole, as I am now to dismiss this subject, and prosecute the plan laid down in my first number I shall conclude with saying, That humanity is the noblest attendant on true valour; and that he will probably fight most bravely who never fights till it is necessary, and ceases to fight as soon as the necessity is over.

*An Account of the LIVES
of EMINENT PERSONS.*

*An Account of the life of the late Duke of
ORLEANS.*

LOUIS D'ORLEANS, Duke of Orleans, first Prince of the Blood Royal

of France, a person of distinguished endowments and amiable piety, was the son of Philip Duke of Orleans, afterwards Regent, and of Mary Frances of Bourbon. He was born at Versailles on the 4th of Aug. 1703. His great genius, enlarged understanding, and reverence for religion, appeared even in his childhood. Of the studies of Physic and natural history he was particularly fond, but his tutors and other persons, who had the care of his education, were often obliged to restrain and interrupt his studies, on account of the delicacy of his constitution, and the frequent complaints to which he was subject. He appeared first at Court at the time the Prince his father became Regent of France. After the death of the Regent, he married Augusta Maria of Baden in 1724, a Princess whose amiable qualifications rendered her a proper consort: they lived together in the tenderest union, but alas! their happiness was of short duration, for in 1726 our Prince was deprived of his wife. She died lamented by people of every degree.

A death so unexpected, joined with the reflections which the Prince made on that of the Regent his father, altered all his former schemes, and rendered him deeply sensible of the infelicity of titles, pre-eminence and all earthly enjoyments. He sought for that comfort in the exercises of religion, which courts cannot bestow. He immediately proposed to himself a new plan of life, which he afterwards pursued, dividing his time between the duties peculiar to his rank, those of a christian, and the study of religion and the sciences. About the year 1730, he took, in the Abbey of St. Genevieve, an apartment in a manner sequestered from the world, mean and inconvenient. Here he was near the two churches of St. Genevieve and the Mount, in which he had galleries, and this was one motive for fixing on it. The apartment, however disagreeable to others, he preferred to the finest palace: He first retired to it only at the solemn festivals, but resided in it more frequently after the year 1735, and when he left the Court in 1742 took up his constant abode there, nor returned more to his palace, except to attend the council from which he seldom absented himself.

After his conversion (for so he called this change of life which began in 1726) he practised the greatest austerities. He slept on a rough straw bed, rose at four every morning, passed several hours in prayer,