

for him, I must inculcate upon you the propriety, and necessity of your listening to no other sort of evidence than that which is delivered to you by persons in your presence. Hard indeed is the method of trial before your tribunal, disgusting in some measure to your minds and contrary to the rules of law in other courts; where no decision is made, no verdict formed, until the testimony of both parties has been submitted to those sitting in judgement. But if you were to attend to written evidence, it would be placing those criminated, in a situation infinitely more harsh, and would favor of a kind of persecution unknown to the freemen of this country: for no man shall be charged, or convicted of having committed any crime or offence, without having those who accuse him brought face to face. The substitution therefore of written evidence instead of personal testimony, would be an innovation of dangerous tendency, and might be made the legal tool of oppression to the citizen when it can be in no wise justified by policy or necessity. Should a man be found guilty before you of any offence whatever, upon this kind of testimony, you brand him with a stigma, which perhaps he may never have an opportunity of wiping off. For should not his accusers appear before the petit jury at his trial, there is no method of acquittal for him from the charge, which our law points out. True it is the court will discharge him; but how will he come forth to his fellow-citizens? Marked as a base flagitious character; and as one who only escaped the punishment he justly merited for his crimes, by the negligence or perhaps misfortune of his accuser. I mention this, gentlemen, to you, because it is proper you should be well informed upon a point so favorable to an impartial trial; and it is with the more confidence that I have dwelt so long on this idea, because the judges of the court are unanimously of the opinion I have now given you. Perhaps it would be sufficient that I should add no other reason than what I have already submitted to your consideration. But it is also a maxim adopted by one of the best authors who has written on the criminal law, that a prisoner has a right to challenge a grand juror. This, it is true, has not been recognized by the practice of this court, but I confess I should feel inclined, if a prisoner should object to one of you, to uphold the objection, and support the prisoner's right to challenge: More innovations have crept into the proceedings of your body than this alone; for formerly the evidence for the prisoner, as well as against him, used to be heard by you. But this has been discontinued, and the benefit of it, I fear, irretrievably lost to the unfortunate prisoners. Precedents increase precedents; and innovations multiply innovations. The rule of law, gentlemen, in this case is very clear, and has long been understood by professional men in the manner I have now explained it to you.

Let us not then permit a doctrine of so alarming a nature, as that of written evidence, to be adopted by us in our criminal courts. If, therefore, there should be any written documents, of the guilt of those who are to be tried, amongst the papers and indictments delivered to you, you will repudiate them as useless and disgraceful to your tribunal, unless the court should authorize you to proceed thereon. For although it is laid down in some very good authorities, that written evidence may be read in case of the death of a witness, I doubt whether it would be suffered to be done in a criminal cause, affecting the life, or even the character, of a fellow creature. There is, gentlemen, one act of the Assembly of this State, entitled, "An act for the better ordering and governing of negroes and other slaves," passed the 10th day of May, 1740, which is especially directed to be given you in charge: and although the reasons may not exist at present, which made it necessary at that time, yet, in obedience to the law of my country I must remind you of it. I hope, therefore, that you will give it an attentive perusal, and if there should appear to you any defects in the policy of it; or that the law is too harsh and severe upon that unfortunate race of mankind, that you will soften off its rigorous effects; and that you will shew to the world, that having obtained your own liberty, you well know how dear it is to mankind, by extending to the coloured people in our State as much indulgence as their unhappy subordinate situation will admit of.

[The recent and very important Commotions in France appear to arrest the attention of all ranks of citizens: We have given French and English accounts of these transactions: The detail in our last Saturday's paper, republished in the Daily Gazette of Monday, originally appeared in the LONDON ORACLE: The author very pointedly alludes to Mons. CALONNE, now an exile in England, as a prime agent in the late attempt to defeat the views of the National Assembly. The following account has not yet appeared in the papers of this city, and tho' in substance similar to those already published, contains some new articles of information:]

PARISIAN INTELLIGENCE.

PARIS, Oct. 6.

Twelve o'clock at night. ON Monday morning the general alarm of the people as to the intentions of the Court, and a scarcity of bread, brought on a gradual insurrection in every quarter of Paris. The women

particularly, flocked in the most riotous manner to the place de Louis XIV—they were armed with stronger weapons than they could wield, and as they advanced, pressed every woman they met with in to their service.

The Marquis de la Fayette and Mons. Baillie, the Mayor, spent the morning in a sort of distraction, as to the measures they should pursue. The troops determined for them, and particularly the Gardes Francoises, who insisted on the Marquis heading them to Versailles, or taking the alternative of the lantern. A sufficient guard was then ordered for the defence of the city—the rest of the troops, about 20,000—about 10,000 of the armed Burgeois, who had before offered to be a part of the militia, and as many of the dreadful mob of July as could join them, armed with pitch-forks, scythes, hooks, and iron in all shapes, on clubs of all sizes, intermixed with women, who appeared more savage than the men, in all, amounting from 40,000 to 60,000 people, marched off in exact order, with drums and colours, for Versailles, where they arrived about half past nine at night. But the women, who had assembled in the morning, had reached Versailles many hours before them, and assisted by some of the Versailles inhabitants, had stormed the Palace Gates, called for bread, and insisted on the Life Guards taking the National Cockade.

The whole Royal Family began to be alarmed for their personal safety. The Life Guard fired on the women, who became furious, and, assisted as they were, victorious. Five young Noblemen were immediately sacrificed to their vengeance—one run thro the body—one hung—a third cut to pieces—and two beheaded. The Marquis de la Fayette came in time to save the lives of about twenty others.

Tuesday morning many of the mob returned from Versailles. The heads of the two officers of the Gardes du Corps were borne on pikes through the streets of Paris; and couriers, who had taken the first horses they could find, announced the approach of the whole Royal Family. The troops that preceded them, began to enter Paris about two o'clock, and the line was so extended with women and club-men, that it was half past seven when their Majesties arrived at the Hotel de Ville. What passed there has not transpired: They slept in the apartments at the Thuilleries, and are to remain there.

The Flemish regiment was divided among the troops, about twenty of the Gardes du Corps, the King's household, &c.

About ten at night, proclamations appeared to assure the people, that his Majesty had received the parisiens with great kindness; that the Gardes du Corps had taken the oath of fidelity—had agreed to serve as the other officers, and to be assisted by other officers in their attendance on the Court; and that his Majesty had signed the articles of the Constitution.

The greater part of the Gardes du Corps have fled.—Several women were wounded and one killed.

OCT. 7. The transactions of the last two days in the capital are so important, and have followed each other so rapidly, that it is difficult for any one on the spot to consider them as he would wish to do, or to apprehend the extent of the good or bad consequences they may bring after them. Immediate causes, the influence of individuals in the capital, or of the machinations of the Court, all seem inapplicable and inadequate, when compared with the magnitude of what has happened: It requires a great knowledge of the French character, and of the human heart; a reference must be made to a long system of slavery and of cruel police suddenly removed; a knowledge must be had of what miserable beings millions of men in this country are, and of what all men may be, in order to account for the manner in which great points are secured in the country, to feel the necessity of their being secured, or at all reconciled to the means made use of. The Parisians will be long before they recover from their surprize at the sudden rising of many thousand women, who have at one time absolutely wanted bread, assembling as by instinct from the remotest corners of the city—taking possession of the residence of Majesty—conquering the Body Guard, and committing acts of mad barbarity on those who compose it, forcing themselves into the Assembly of the nation, joining their shriek *yes* and *no*, to the deliberations of its members; disputing at the very chair, and personally with the Chairman, (the Bishop de Langres, who was the temporary President) on the means of reducing the price of bread and salt, and of filling the Paris market; at seeing these women followed by an army of 30,000 troops, and 10,000 wretched vicious ruffians, who long tired of their existence, full of resentment against something, and eager to employ it against any thing, were desirous of distinguishing themselves, by butchering the Court; at beholding the most cruel and ghastly of this mob, bringing the heads of men in the prime of youth and beauty, who censurable as they might have been, as part of the most imperious, cruel, insolent corps in the nation, were perhaps entitled to indulgence from the manner in which they had been brought up, and as be-

ing the sworn defenders of his Majesty's person at seeing his Majesty and all the Royal Family, on the notice of a few hours, leaving their common mansion, and coming to a place in which they never yet slept—in knowing that amidst all the confusion, his Majesty signed the articles of the Constitution, that the National Assembly determined on removing to Paris, and that the whole began and ended in thirty-six hours.

The detail of any of these facts, will perhaps never be seen in its full extent. The approach of the Royal Family to the capital, may be said to be the most engaging, the most varied, the grandest, and the one that afforded the most reflection, that excited the tenderest sentiments, that struck most forcibly the imagination, and that most forcibly shocked it by as odd a conjunction of pleasing and disgusting objects, of Majesty in fetters, of sober and becoming liberty, and of indecent riot, as ever were brought together. The points of many bayonets bore loves of bread, and almost every musket a branch of victory. The club-men in bodies between the troops carried whole limbs of trees, and in general, had thrown away their clubs and poles for them; Never did Birnam Wood come better to Duninane. The women mixed with all, covered with ribbands and flowers—heading the different companies, and riding on the cannon. His Majesty's Swiss forming a double line on each side the road, left a clear space between them; the Royal Family were guarded by mixed troops, seven a breast on each side of the carriage, the rabble were entirely kept off, the King and Queen appeared in good spirits, and the cry *Vive la Reine* sometimes was heard with those of the cry of *Vive le Roi, Vive la Nation!* The Thuilleries palace has been surrounded the whole day, their Majesties shew themselves often at the windows, and never without repeated plaudits from the people.

LETTER from M. de la VILLE ROUX, to the Citizens of l'Orient, dated Paris, Oct. 12, 1789.

GENTLEMEN,

BY the postscript of my last letter, I informed you of the invitation the King had given to the National Assembly of naming commissioners to choose a proper place for them to continue their proceedings in. Our commissioners seem by their report to have fixed on the Menage des Thuilleries.

Our removal to Paris, which was voted on Friday evening, appears to be an establishment, dangerous to the personal safety of the members; and some members have demanded in speaking of injuries they have personally suffered, that the National Assembly should renew their debates on the sacredness of the persons of the Assembly—That libels, incendiary writings and mobs, should be proscribed. These members insisted that this motion should be considered previous to the proceedings on the order of the day, notwithstanding which it was postponed to the evening; and the Bishop d'Autun, having obtained liberty to speak, proposed his motion, which he had previously announced, on the finances. It was heard with attention, and highly applauded. This plan of finance proposes to seize upon the goods of the clergy, whose revenues amount to 150,000,000 livres; and that the National Assembly should take their debts upon itself. That they should allow 100,000,000 livres annually to the ecclesiastics; and to the curates 1200 livres a year, payable quarterly in advance, besides a maintenance. This appropriation to have preference to every other, and to be augmented every ten years, if necessary, according to the price of bread. In a few years the people, benefited by the motion will see, that the deficit will disappear.—That great part of the rents and annuities will be extinguished. The charges of the judicature and finance will be reimbursed.—That the tithes, which will be converted into cash, will be abolished, to the benefit of landholders.—That the remains of the salt tax will be totally abolished.—That there will remain, without that part of the annuities which will not be abolished, a revenue of 35,000,000 livres, to be appropriated to a sinking fund: From which it results, that before many years France will not have occasion to raise more than 250 or 400,000,000 livres, per annum. A bishop only could have struck this mighty stroke.

It has been decided, that there was no occasion to discuss the motion on the subject of the sacredness of the persons of the National Assembly. This wise conduct has been justified by the address which the city of Paris have sent by their deputies, by which in manifesting to the Assembly the joy which the resolution of the Assembly to continue its sittings at Paris has occasioned, it assures them of protection, respect and personal safety.

PARIS, October 15.

THE KING'S PROCLAMATION.

THE King has issued a proclamation, setting forth, that lest the faithful inhabitants of his provinces should hear with concern the circumstances that have induced him to take up his residence at Paris, he had thought it his duty to make known to them, that being informed of the march of the national militia from Paris, and their desiring to obtain the honor of serving as his guard, it would have been easy for him to go to any other place than Paris; but fearing that such a resolution might be the cause of much trouble, and confiding