

A N
O R A T I O N,

DELIVERED

IN THE SECOND BAPTIST CHURCH, IN NEWPORT,

ON THE FOURTH OF JULY, A. D. 1805,

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BY NOAH BISBEE, JUN.  
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WHERE LIBERTY IS, THERE IS MY COUNTRY. *Franklin.*

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PUBLISHED AT THE REQUEST OF THE AUTHOR'S FRIENDS.  
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1805.



A N
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FELLOW-CITIZENS,

CONVENED for the purpose of celebrating the anniversary of our national existence, and of re-publishing to the world, the reasons which impelled us to a separation from the country from which we descended, and of whose government we then were subjects, it is proper that we should take a cursory view of the most important events which tended to the establishment of our Independence, and examine the *principles* to which those events owe their existence.—Let us to this end, take a short retrospect of the first settlement of our country; enquire the causes which produced that extraordinary event; and the *motives* which induced our ancestors to leave their native shores, their friends and their dearest connexions, and seek a residence in the then frightful, and inhospitable wilderness of America. In the beginning of the sixteenth century, the Crown of England had so far succeeded in the mischievous plan which it had for a long time pursued, of undermining and destroying the primitive constitution of that country, that the boasted liberties of that enlightened and once happy people, were almost entirely enclosed within the pale of the King's prerogative. The ministry had now adopted the arbitrary maxims of Henry the eighth, and Queen Elizabeth, in their most extensive and tyrannical sense. They now considered it as a settled principle, and as a part
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of the constitution itself, that the prerogative of the crown, was superior to the laws of the land; and during the reign of James the first, and that of his succession, they were permitted to administer the affairs of the nation, according to this arbitrary and despotic principle — During this period the laws of England, which the people had been taught to consider as a mould, through which oppression's most impetuous torrent could never break, afforded them no security against ministerial resentment. — Whomsoever government marked out as an object of its displeasure, was sure to fall a victim to its tyranny. — Innocence proved no shield against the attacks of injustice, or the exercise of arbitrary power. — Whenever the caprice or the convenience of the sovereign demanded it, the subject was deprived of his property, of his liberty, and even of his life, without any regard to the laws which ought to have protected him, or to the great principles of justice and humanity, which no human power is authorized to violate.

At this melancholy and disgraceful period of the British history, the common law of *England*, which might then be emphatically styled the scattered fragments of the temple of liberty, was threatened with immediate and entire destruction; — and liberty herself, the inseparable companion of happiness, was commanded instantly to depart, from the only solitary abode which she was then permitted to enjoy, and leave to the destruction of tyranny and despotism, the few remaining materials of the beautiful and magnificent temple, which the Anglo-Saxons had formerly dedicated to her service. At this awful and peremptory summons of tyranny and despotism, she hovered over the country in which she had so long been permitted to reside, and again attempted to breathe into the drowsy souls of its inhabitants, the glorious sentiments of their ancestors; and to rouse them from the fatal lethargy, into which they had fallen; but all her efforts were ineffectual: — Absolute despair of ever regaining their former privileges, had seized their minds; — they clung to their chains and sunk inactive beneath the weight of oppression.

In this distressing situation, she cast her eyes across the boisterous Atlantic, and viewed the rugged shores of *AMERICA*. — *Here* she determined

terminated to retire, and bore to lead those brave and generous heroes, who in the face of tyranny, and incumbered with the shackles of slavery, still dared to advocate her glorious cause.—Having taken a farewell view of the eastern continent, hither she took her flight, followed by an indefatigable band of heroes.—Soon after the arrival of these enterprising sows of freedom, the whole face of nature on this extensive continent, assumed a new and pleasing appearance.—The whole country, which before was one continued dark and gloomy wilderness, was now become variegated with every species of artificial beauty. The waving fields of corn, the long-extended plains, and the magnificent and populous cities which the country now exhibited, loudly proclaimed the industry and opulence of these hardy veterans.—Peace and tranquillity reigned through every part of the country, and cast a cheerful gleam upon every countenance.—The goddess Liberty herself, beheld this splendid scene with rapture, and all nature shouted at her glorious triumph.—But these flattering prospects of liberty were of short duration.—Tyranny still thirsting for conquest, blood and carnage, and no longer meeting opposition upon the eastern continent, sent his hungry mastiffs across the atlantic, to seize upon the American people.—When those beasts of prey arrived upon these western shores, a scene too horrible for description was opened to view.—Our countrymen then beheld their fields ravaged, their goods destroyed, their houses plundered, and themselves threatened with slavery or death.—Nothing could restrain the violence of British rapacity.—Every day witnessed their savage barbarity, and every night proclaimed their wanton cruelty.—Often did the shrieks of expiring infants, float upon the bosom of the midnight air, and bear to the ears of their distracted mothers, the intelligence of their awful catastrophe.—Often did the groans of aged parents, sinking beneath the stroke of the British sabre, or the Indian tomahawk, announce to their afflicted children, the news of their tragical fate.—Often did the sighs of our imprisoned countrymen, waft along on the gentle evening breeze, and tell the pitying world of British tortures.—Humanity shrank from the view of this scene of horror, and cried aloud for vengeance on our foes.—At this critical moment

our countrymen were alarmed;—they flew to arms, and nobly determined on “liberty or death.”—The dazzling and terrific splendor of their enemies, they no longer feared: but with one accord they rose, they fought, they bled, they conquered.—Our young warriors every-where flew to the attack, while every part of the country re-echoed with victory.—The goddess Liberty drove her triumphant chariot along the victorious ranks, and saw the meagre sons of tyranny fainting in their flight, and sinking beneath the avenging hands of her injured children—She saw the pure flame of democracy, flash across from the western skies, and dart its terrors on the vanquished foe.—Anon she beheld those incendiaries fly our blood-stained shores, and the sun of joy again arise to illumine our hemisphere.—Enraptured she heard her children shout at the glorious return of peace, and beheld them forever severed from the arm of British power.

Our brave, independent, enlightened, and virtuous countrymen, having thus successfully repelled the violence of foreign invasion; humbled the pride of an haughty, imperious, insolent, and cruel enemy; and cautiously avoided the thralldom of despotism, which wickedness and subtilty had contrived for the purpose of ensnaring them, now began to turn their attention towards the establishment of some form of government, whereby they might be protected from the evils which they had so recently escaped, and secured in the enjoyment of the inestimable rights and privileges, to which they were by nature intitled. For this purpose the patriots and sages of our country were immediately convened, and intrusted with authority to frame the articles of a National Constitution, and submit them to the PEOPLE for their inspection and approbation.—This wise, deliberate, and patriotic Convention, by combining the wisdom of antiquity with the experience of their own time, produced a frame of government which received the universal approbation of the people, and excited the astonishment and admiration of the world.—Against a Constitution, so plain and simple in its construction; so perfectly consistent in all its parts: and so completely combining the *interests* and *liberties* of the people; but very few *real* Americans have ever ventured openly to object. But notwithstanding

withstanding the firm and unshaken attachment, which every American professes to feel for the constitution of his country, it is a melancholy truth which ought never to be concealed, that there are many of our citizens, whose fixed and determined hostility to our National Constitution, frequently appears through the gauzy veil, with which they endeavour to cover their hypocrisy.—And although they always exercise sufficient caution, to prevent them from making an open and direct attack upon the Constitution itself; they are free to condemn and ridicule the choicest maxims which it contains, and the most important principles upon which it was established.—For they boldly assert, that the people are incapable of governing themselves: slyly insinuate, that our political *rights* and *privileges*, ought to be *various* and *unequal*; with confidence predict, that a Constitution like ours, can never long preserve its existence: and thus directly or impliedly attack many other maxims and principles, which the Constitution expressly recognizes as true, and upon which its very existence depends.

But of all the engines with which these political hypocrites, assail the great principles upon which our Constitution was established, their open and avowed approbation of what they are pleased to style the constitution of England, is the most powerful and dangerous. For so opposite are the principles upon which the two constitutions are founded, that a panegyric upon the one, must inevitably prove an indirect philippic upon the other. As well may it be said, that a treatise in support of the Mahometan religion, is not an indirect attack upon the doctrines of Christianity, as that an encomium upon the Constitution of *England*, is not an implied censure upon the present form of government in this country. A respect for both of these constitutions, can no more exist in the same mind, *provided it be acquainted with their fundamental principles*, than two particles of matter can exist in the same place at the same time: and whenever the people in this country, can be prevailed upon to adopt the maxims upon which the Constitution of *England* depends, their attachment to the Constitution of their *own* country, will vanish like a ray of the setting sun, and leave no trace of its former existence behind.

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BUT it will be asked, if the praises which any man or body of men may be pleased to bestow upon the constitution of England, are a plain and obvious attack upon the present form of government in this country, what more danger ought to be apprehended from this side-way and oblique attack, than from one of a more direct and pointed nature? Are the people, it will be said, so ignorant and stupid, that they are incapable of discerning the most palpable and striking absurdities? To these questions I answer, that the great body of the people in this country, are totally ignorant of both the theory and the practice of the Constitution of England; that they are wholly unacquainted with the principles upon which it is founded, the maxims which it contains, and the practical result of its operations; that therefore they may listen to the most unbounded praises upon its excellency and perfection, without once perceiving the implied reproach which those praises necessarily cast upon the Constitution of their own country; and that they may thus acquire a fixed and determined prejudice in favour of the constitution of *England*, and still retain their wonted attachment to that of their own country.

IN order, therefore, the more effectually to guard against all future attacks of this kind, upon the present glorious form of government which the people of this country have thought proper to establish, I will now proceed to mark out the great outlines of the two Constitutions in question, and exhibit as clearly and concisely as I am able, the superior perfection of the constitution of this country, to that of the constitution of England. Beginning with the constitution of our own country, I will first observe, that it is a written instrument, whereby the great body of the people have ordained and established, certain legislative, executive, and judicial offices; and in which, they have likewise explicitly ascertained and limited the powers and duties of those offices, clearly pointed out the time and manner in which they shall be filled, and determined the qualifications necessary, to render persons capable of sustaining them.

ALL the legislative powers, which the people have in this Constitution granted, are vested in a Congress of the United States, consisting of

of a Senate, and a House of Representatives. The members of the Senate are to be chosen once in six years, by the Legislatures of the several States, which this constitution unites and confederates, under one general government. And as these State Legislatures are chosen by the people immediately, without the intervention of any other power, it is evident that the Senators of these United States are no less dependent upon the will of the nation, than they would be, if their choice were purely popular.—The members of the House of Representatives, are to be chosen once in two years, by the people at large.—It is unnecessary here to enumerate the various powers which the people of these United States, by virtue of this constitution, have delegated to their national Legislature; since in that very Constitution, they have inserted a provisionary clause, whereby they can legally, and without any insurrection, riot or confusion, either enlarge, or diminish those powers, whenever they shall deem it expedient.

THE chief executive office, by this constitution established, is also elective; and is to be filled by one person, who is to be chosen once in four years, by electors appointed by the PEOPLE, for that special purpose.—He is styled the President of the United States.—His principal duties consist in the execution of all such laws, as Congress may at any time have enacted.—He has little or no share in the business of Legislation.—It is true he has upon the legislative proceedings of Congress a *partial* negative; but whenever, in the passing of a Law, two-thirds of both Houses concur, his assent is not at all necessary to its completion. He is also by this constitution appointed the Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the service of the United States. The constitution likewise empowers him, with the consent of *two-thirds* of the members of the Senate present, to make and conclude treaties with foreign nations, and with the consent of a *majority* of the Senators present, to appoint Ambassadors, other public Ministers and Consuls, and Judges of the Supreme Court of the United States; and to fill all other offices, which shall by the laws of the United States be established, except in those cases in which the constitution points out a
different

different mode, in which any of those offices are to be filled.—And the constitution further provides, that Congress may, by law, at any time, vest the appointment of such inferior officers, as they think proper, in the President alone, or in the Courts of Law, or in the heads of departments.—The only power worthy of notice, with which the constitution invests the President, and which I have not before mentioned, is the power which he possesses, of granting pardons and reprieves, for all offences against the United States, except in cases of impeachment.—And here it is necessary to remark, that as all offences committed within the limits of these United States, against the persons or property of the Citizens, are punishable by the several State Courts,—the President has therefore no power to grant pardons for any crimes, which at all affect the rights and liberties of the people; because the sentences of the State Courts, are completely beyond his control.

WITH respect to what may be styled the privileges of the President, I will only observe, that if he shall at any time have been guilty of improper conduct in the execution of his office, or of any offence against the laws of the United States, or those of the several States, the Constitution provides; that for such offences he may first be impeached, and thereby reduced to the capacity of a private citizen; and then be prosecuted for his crime, under those laws against which he had offended.

THOSE parts of this Constitution, which relate to the establishment of Judicial Offices, I think it unnecessary to examine, because the Judiciary systems in this country and in England, are in *theory*, upon a plan nearly similar.

HAVING thus briefly sketched out the great outlines of the Constitution of this country, I will now attempt to portray the most prominent and leading features of what is called the Constitution of *England*. In this attempt, the first thing proper to be done, if it were possible, would be to invent some kind of a definition or description, whereby some sort of an idea of this “stupendous fabric of human invention,” might be formed. But to effect this, I find it utterly impossible.—As well might a person, when standing upon the summit of a mountain,

tain, attempt accurately to describe every tree in a distant forest, as to endeavour to give an exact definition of the innumerable inconsistencies and absurdities, which have been confusedly thrown together, into this huge and misshapen mass, denominated the Constitution of England.—From this absolute impossibility, of describing what is called the Constitution of England, many have concluded that there is no such thing in existence; because they think it reasonable to suppose, that whatever *has* an existence, will admit of some kind of a description.—And it must indeed be admitted, that if the present form of government in England, in fact depends upon a fixed and established constitution, that the English and the Americans attach to the word “Constitution,” very different, and opposite meanings.—For in this country, it denotes an *express* contract between the government and the people, whereby the government *confessedly* derives, its whole power and authority.—But in the present form of government in *England*, nothing but an *implied* contract between the government and the people exists. And so far are the government from acknowledging, that it is even from this implied contract that they derive their authority; that in many instances they indirectly deny it. For they maintain that their legislative powers are unlimited, and beyond the controul of the people.—But certainly if they admit that they derive their authority from the *people*, it will follow of course that the people have a right to limit and controul that authority.—But this is not the only way, in which the government of England seem to insinuate, that the people are not the source from which they derive their authority.—For two of its branches hold their offices not only independently, but as Mr. Burke seems to insinuate, in *contempt* of the will or choice of the people.—And certainly if they do not depend upon the people for their offices, they do not for the powers of those offices;—for an *office*, and its *powers*, can never be separated. If therefore there be any such thing in existence, as the Constitution of *England*, it is nothing more than the *tacit* consent of the people, to the continuance of certain legislative, executive, and judicial offices, which they had no voice, or agency in establishing.

THE legislative power which this Constitution has established is vested in what is called the Parliament of England; consisting of King, Lords, and Commons.—The office of the King is filled by one person, and held by hereditary succession; and nothing but his own consent, a total failure of issue in the royal line, or the destruction of this constitution, can ever remove it from his family. A part of the members of the House of Lords, likewise hold their offices by hereditary descent: The other members of that house, are appointed by the King.—The members of the House of Commons, are chosen by the people for the term of seven years, unless the King shall dissolve the parliament for which they were elected, before that time shall have expired.

THE parliament of England thus constituted, claim the right of exercising absolute and unlimited legislative authority, over every part of the King's dominions.—And melancholy experience evinces, that the extensive authority which they claim, they have no less extensively exercised, and that nothing but their weakness or their fears, has hitherto restrained them from grasping the few remaining liberties, which the people are permitted to enjoy.—But as each branch of this parliament has an absolute negative upon the legislative proceedings of the other two, if therefore one branch refuses its assent to a proposed law of the others.—in that particular case, the omnipotence of the *whole* is for a while suspended.

THE whole executive authority, which this constitution has established, is vested in the King, as the chief executive of the nation.—His powers in this capacity are extensive, absolute, and in some cases despotic.—For he is not only intrusted with the execution of the laws, and with the chief command of the army and navy; but is empowered to appoint, at his own discretion, and without any hindrance or control, all the officers under the government of the nation, to create Peers; to restrain such of his subjects from leaving the realm, as may be desirous of visiting foreign countries; to summon those of them to return immediately home, who may at any time be absent; and if they shall refuse to obey his summons, to punish them with great severity

rity whenever they return; and to proclaim war, to make peace, and conclude treaties with foreign nations. The constitution further provides, that in the execution of the laws, he shall on all occasions be considered as absolute and irresistible; and that no person shall dare to oppose him, on any pretence whatever.—He has likewise the power of granting pardons and reprieves, for all crimes and offences against the laws of England, except in cases of impeachment.

In addition to the legislative and executive powers with which the King is invested, the constitution has graciously condescended, out of its great regard and high esteem for persons in elevated situations, to ascribe to him not only superior dignity of person, to that which is possessed by his most illustrious subjects, but absolute and unconditional perfection.—And however humiliating it may be to the Philosopher and the Christian, it is a truth which no person will attempt to deny, that the great body of the people have always shewn unbounded gratitude for this wise dispensation of their constitution; and ever ready to second the views of this creator and upholder of their liberties, they have always approached their Sovereign with the most profound reverence and awe; and proclaimed to the ends of the earth, his divine *holiness and perfection.*

From the view which I have now taken of the constitution of England, it appears, that the legislative powers which it has created and deposited in the hands of the parliament, are universal, absolute, and beyond all human control. That the people of England had not the *right*, although they might have had the *power*, to establish such a constitution as this, may easily be made to appear.—For if it be true, that the government of England are entrusted with unlimited legislative authority, it is evident, that the people have delegated the whole collective power which they originally possessed, and as the power of perpetrating every species of wickedness is inherent in every man, and in every body of men; if therefore the people of England have delegated their whole collective power to be exercised according to the virtue and discretion of those to whom they have entrusted it, they have thereby given an implied permission that the power which they have thus de-
legated

legated may be employed to effect the most mischievous and wicked purposes.—Because it cannot be denied, that if the people of England have in fact delegated their whole collective power, that in such delegation their power of doing injustice is contained, and it is absurd to suppose that they would have taken the trouble of delegating a power which they never intended should be exercised.—But even admitting that when they delegated this power, their intention in fact was that it should lie eternally dormant, and never be called into operation; still they had no right to have delegated it, because by so doing they gave an implied, if not an express permission, that it might be exercised, whenever the whims or convenience of those to whom they had entrusted it, should require its aid and assistance.—And to say that they did not believe at the time when they delegated this power, that those in whom they vested it, would ever put it into operation, is no excuse for their wickedness and folly, in having committed it to the custody of other persons, with whose dispositions and intentions they must have been wholly unacquainted. For while they retained it in their own hands, it was always in their power to refuse to exercise it; but when they had once permitted it to be placed beyond their reach, they instantly became incapable of preventing its operations.—Neither will it do for them to say, that they are not answerable for the use which may be made of the power which they have delegated: For it is not true, as the constitution of England seems to suppose, that when a power is delegated, it is at the same time transferred; and that the government to whom it is entrusted, literally possesses it—and that it is with powers inherently possessed, that the government of England enforce the obedience of the people, and administer protection and security to the nation.

For the truth is, by delegating a power, we do not physically part with it, and consequently the person to whom it is delegated, never inherently possesses it.—It is therefore evident, that the only real, inherent power, which the most despotic government upon the earth can possess, is nothing more than the power of first pointing out such objects as it may wish to accomplish, and then of putting in motion the collective

tive power of the nation, for the purpose of obtaining those objects. — Hence it plainly appears, that the government of England, in whom the whole collective power of the nation is deposited, by becoming desirous of obtaining wisdom and wisdom objects, or by adopting corrupt and unjust means, for which to accomplish objects in themselves virtuous, may oblige the people to exert their whole inherent collective power, to effect the most immoral purposes of which the human heart is capable of conceiving — And it then be said, that the people of England are to be excused, as the tremendous Bar of God, for whatever enormities they may have committed, and under the command of a government which they had voluntarily established, and to which they had freely delegated their whole collective power.

If then they cannot be justified in perverting wisdom, under the authority of a government whom of their own accord they have established and empowered; most certainly they ought not to have granted to that government, the power of compelling them to perform acts of injustice and cruelty.—It will no doubt be objected, by the friends of Monarchy and Despotism, that our powers of thinking right and wrong, are so inseparably connected, that it is impossible to delegate the one and retain the other. But however I may have this objection may at first view appear, a short examination of the principles upon which it is grounded, will dissipate the notions vapour which surrounds it, and plainly shew that it has no kind of foundation in truth.—For as I have before shewn, that the delegating of power consists in authorizing the government to oblige the people to exert their inherent collective power, for the purpose of accomplishing certain objects, which the government may have pointed out; it must therefore be obvious, to every person of the smallest degree of reflection, that the people, at the time when they delegate their power to their government, can easily specify in the articles of such delegation, the general objects for the accomplishment of which the government may compel them to exercise their inherent collective power; and as they are under no necessity, therein to enumerate any improper or wicked objects, they may in this way effectually delegate their power of doing that which is just and

right,

right, and still remain in their own hands, their power of doing that which ought not to be done.—For although objects in themselves laudable, may be obtained by unjust and improper means, yet there is no more difficulty, in ordaining and establishing a general system of means, whereby to accomplish certain objects, than there is in pointing out and specifying the objects themselves.

ALTHOUGH the theory of the method which I have just mentioned, of separating the powers which we possess, of doing right and wrong, and of delegating the one and retaining the other, has ever been admitted to be judicious and correct, yet a general belief that it was incapable of being reduced to practice, has hitherto prevented its introduction into any considerable country upon the eastern continent.—The impracticability of good political theories, has been the bugbear with which European Tyrants and Asiatic Despots have never failed to frighten the great body of the people in those countries, from claiming and enjoying the inestimable rights and privileges to which they are by nature entitled, and of which they have been inhumanly deprived by the hands of injustice and violence.—But fortunately for those happy beings whose peculiar felicity it is to have commenced their existence in this free and enlightened country, and perhaps no less fortunately for future generations who shall inhabit the eastern continent, more than sixteen years of invariable experience in these United States, has given the lie to the false predictions of the self-beating wisdom of Europe and Asia, and demonstrated the practicability and efficacy of the plan which I have before-mentioned, of delegating the power which we possess, of doing whatever may be right, and of retaining within our own bosoms our power of infringing the laws of justice and humanity.—But the voice of justice, is not the only voice which forbids the whole collective power of a nation to be delegated. For were the people of these United States to suggest the propriety or conveniency of delegating their whole collective power, the voice of reason, the voice of liberty, the voice of humanity, and the voice of posterity, would all solemnly protest against the necessity or expediency of the measure. And the voices of reason and liberty would unitedly
 exclaim

exclaim, where has fled the glorious and inflexible independency of soul, which formerly animated this drowsy race of mortals, and inspired them to defend their inborn rights and liberties against the united attacks of unrestrained power and relentless cruelty. How debased, how contemptible, and how ignorant, of the important ends for which they were created, have this once independent and enlightened people become. What infernal spirit could have sucked from the bosoms of their souls, the only principles which exalted them above the common standard of the brute creation? How deep must be the lethargy into which they have fallen, and how fatal the indifference with which they are seized, when they can thus deliberately resolve to plunge themselves into a slavery more ignominious than words can express, and more terrible in its consequences than human foresight can calculate. The voice of humanity would likewise exclaim, the chains with which a stupid and insensible generation have consented to be bound, will, perhaps for centuries, descend to gall the necks of millions of their yet unborn and innocent posterity. And the genius of posterity itself would hover over our deluded country, and with sorrow and indignation exclaim, never let the embryo of our existence be ripened into life, if to that life slavery and disgrace are to be entailed. If it be objected, that by delegating their whole collective power, the people of a nation do not in fact reduce themselves to a state of slavery—let us examine the power of a government, to which the whole collective power of the nation is delegated, and we shall then be able to discover whether this objection have any foundation in truth, or whether it be nothing more than the artful suggestion of the friends of monarchy, by which to blind and deceive the uninformed part of mankind, relative to the true principles upon which every hereditary government is established. And if it shall appear, that the people of a nation, who have delegated their whole collective power, are thereby deprived of those natural rights and privileges, which the peace and safety of society will permit them to enjoy; I think it may be fairly concluded, that they evidently belong to that unhappy class of human beings, who are denominated Slaves. For although they may enjoy many rights and
privileges,

privileges, which every rational being considers as equally valuable with life itself; yet as they do not enjoy them as the free gift of their Creator, but as flowing from the bounty and benevolence of the government of the nation, they can no more be considered as free, than a prisoner of war who is enlarged upon his parole. For when they delegated their whole collective power, they parted with every thing which they possessed; for without power they could possess nothing: and if they parted with every thing which they possessed, they must consequently have parted with their rights and privileges: if therefore they were afterwards permitted to enjoy a part, then it must have been owing to the weakness or benevolence of the government to whom they had granted them.—But in order to put this matter in a clearer point of view, let us simply consider one particular power which every government, to whom the whole collective power of the nation is delegated, must necessarily possess. I mean the power of altering the constitution of the nation. Now if there be any purpose, for which the constitution of a nation is established, we must suppose it is for the purpose of empowering the government to call forth the collective power of the nation, when the accomplishment of objects of national advantage and utility may require it; and of guarding against the encroachments of the government, upon the rights and privileges of the people. And if the constitution of a nation be any thing, which has a fixed and determined existence, it must be a contract between the government and the people, in which they both agree to do certain acts for their mutual benefit and advantage, and to abstain from certain other acts which might prove reciprocally injurious, and by which both parties, during its continuance, are mutually and unconditionally bound. When the government of a nation is established, if no such contract as this is entered into between the people and the government, but the people promise unconditional obedience to whatever the government may command, every person will admit, that the people will indisputably be slaves, although they should be permitted to exercise many of the important rights and privileges to which they were by nature entitled. But if the people are slaves, when they neglect to enter into a contract with

with their government, are they not equally slaves, when they expressly agree that their government shall have the power of enslaving them.—For by entering into a contract with their government, and therein expressly recognizing their power to alter and amend it, they as effectually consent that the government may at pleasure enslave them, as they could have done, by entering into a separate and particular agreement for that very purpose.—Because if the government be entrusted with the power of making what alterations they please, in the original contract between the people and themselves, they can destroy every article which it contains; and only insert, in their lieu, that the people shall yield unconditional obedience to whatever they may please to command; and the people, by their own agreement, will be bound by this alteration of the original contract between themselves and their government.—But, it will be asked, if the government of a nation are not to be entrusted with the power of altering the original contract, between the people and themselves, in whom ought this important power to be vested?—I answer, that it ought never to be *permanently* vested in any man, or in any body of men: But that the people, the great source from which it must ever flow, ought carefully to retain it in their own hands; and to exercise it, either in their original character, or through the medium of a Convention, whenever they may deem it necessary or expedient.—But, it will be said, if the contract between the government and the people ought to be reciprocally binding while it continues, that neither of the parties ought, in justice, to be permitted to alter it, without the concurrence of the other.—But those who would argue in this way, must suppose, that the government have in fact an absolute *interest* in the offices which they hold, and consequently in the *power* of those offices. Whereas the truth is, the power which they possess, in consequence of the offices which they hold, is merely *entrusted* to them by the people, to be by them retained and exercised, until it shall be demanded by its original and rightful owners. If then the official power which the government possess is not in fact their *own*, but only held by them in *trust* for the people, I conceive that the people do them no injury, by again resuming that power; be-
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case, in so doing, they take the right of law which is not their own. Hence it appears just and proper that they should be allowed, in their own possession, the power to amend and amend out whatever form of government they may have established. I know when the people are the only nation, and I have seen governments of 200,000,000, and the INDIANS are not more numerous than the population of such a nation; and never the less, when any of these nations, be it by land or sea, has formed a government, they would be allowed to hold and exercise their respective power and laws, and they never found nations, so those nations they have always been equally dependent from their respective legislatures, and equally subject to the great body of the people, from whom they have been established.

Now the people of India, in all the time that they have had their own nation, have exercised the right of election, their whole power being in their own hands, and I have seen a large number of their Kings, who are still in the office of their Kingdoms. In all these, they electy and elect, and amend, and their authority, so be like all other countries, remains in the hands of the people.—For the most part, as in societies of government, the laws of the King, and private property, are both considered equal, and the same privilege.—And by this consequence, the laws are the property of their Kings, they in a manner are the sole proprietors of these, and in consequence of them, the most important rights and privileges, which their Creator has entrusted them.

Now, admitting that they retained the right of surrendering into the hands of their Kings, their own rights and privileges; that consequently they did not give up the right of carrying away the rights and privileges of their inheritance, and then without necessity.—I know that in fact, that in the most free government, possibly made necessary by laws, which were made by their ancestors, and that they in all their projects repeal those laws; and therefore, that the powers of the constitution of England, in electing and resolving the majority, and no more to give and limit the rights of their property, than the Legislature of a free State does, in every respect, as a law which is enacted.

But although these two cases may, at first view, appear to be parallel, when they come to be compared, it will be found, that they disagree in every material point.—For in free governments, as no laws will be made so impious, or take away the rights of those who live at the same time they are made; it is impossible that posterity should ever suffer by any laws, which may defend them from their ancestors: because the same general laws, which will preserve the rights of one generation, can never destroy the liberties of another.—But the people of England, at the time when they established their constitution, gave away not only their own rights, but those of their *ursum posterity*: and the only question in this case to be determined is, whether a parent possesses the right of injuring his child, because he is at liberty to injure himself. Hence we may see a manifest difference, between the two cases in question.—In the one case, the ancestor having preserved his liberty, transmits that liberty to his posterity: and in the other case, the ancestor having parted with the liberty, transmits to his posterity slavery.—And the two cases cannot possibly be considered as parallel, unless it be admitted, that a parent has the same right to injure, that he has to *destroy* his child.—But this is not the only difference, but even there is a case.—In all free governments, posterity are always furnished with the means of recovering themselves, whenever their ancestors may have done.—But in England, where the rights of posterity have been transferred away, it is made treason to attempt to recover those rights.—For a supposition should be made to suppose, that it was right and expedient for the people of that country, to alter their constitution, such foreign nations would immediately be converted into an intention to deprive the British and the unfortunate wretch, who had renounced to make it, would instantly be sentenced to undergo the same punishment and punishment, which the laws of that country annex to the crime of Treason.—Hence it appears, that a Revolution is the only means, which the people of England, at the present juncture, have to recover their lost liberties, and farther the chains, with which their ancestors have bound them.—And there are but few people in the present age, who do not know, that the event of a Revolution is sure to be either

tain; and its consequences, inconceivably terrible.—It is not, however, true, that the founders of the Constitution of England, were possessed of the Right even of bargaining away their own Rights.—For, among the many important inherent Rights, which every person originally possesses, is the right of judging, between Good and Evil; and of regulating his Conduct, by the dictates of his Conscience.—And every person is answerable to his Creator, for the use which he makes of this inalienable Right.—It is true, that in mere matters of expediency, it is not only proper, but even necessary, to the very existence of Society, that Individuals should frequently acquire in the persons of other men; although those parts should be far from meeting their approbation—but in matters of absolute right, and duty, every person ought to regulate his actions, by the suggestions of his own judgment; and whenever he departs from this rule, he virtually lays aside his sovereignty; and implicitly expects, that if he should do through the wicked advice of an evil Counsellor, he shall not be accountable for his crime.—This is just what the people of England did, at the time when they abdicated their Constitution.—By making the Office of their King hereditary, they converted themselves into hereditary property, and by converting themselves into hereditary property, they surrendered all the rights and privileges which they possessed; because hereditary property can possess neither rights nor privileges; and in surrendering the *sovereignty* of their rights, they must necessarily have surrendered their right of judging between good and evil; and by surrendering this right, they rendered themselves incapable of following the dictates of their consciences; because, as the conscience is nothing more than a conviction, or what ought to be done, if a person does not exercise his judgment, for the purpose of determining what he ought to do, but renders unconditional submission to the commands of another man, he cannot with the smallest degree of propriety, be said to follow the dictates of his conscience.—It is true, that the people of England have been told, by the corrupt and venal tools of their government, that although the office of their King be hereditary, the people are far from being hereditary property. Because, say

these confident logicians, the King inherits an *office*, whereby he commands and governs the people; but he does not, by any means, inherit the *people*.—Now it cannot be denied, that the people are encircled by the powers of this office, and every way subservient to those powers; and it is in vain to attempt to separate the *powers* of an office, from the *office* itself. If, therefore, the King inherits the office, he must necessarily inherit the people.—If, indeed, the people of England, could be so completely separated from the office of their King, that the one could be inherited without the other, the value of that office would not be at all diminished by the total defraction of the nation. For if every person in England, except the King, should be instantly cut off, his *office*, were it unconnected with the people, would still remain, and he would be at liberty to enjoy it. Nothing, therefore, can be more evident, than that the attempt which has been made, to separate the office of the King from the people, whom that office authorizes him to govern, is wholly idle, and without any foundation in nature.—As well may it be said, that a person, who has gained possession of flocks and herds, by the decease of his ancestor, does not in fact inherit those flocks and herds, but an *office*, whereby he controls them, and makes what use of them he pleases: as that the King of England, by inheriting his office, does not inherit the people.—And by closely examining the authority which he exercises over his subjects, we shall find it to be but very little inferior to that which is exercised by a grazier, over the herds which he feeds.—For as the one shuts up his herds within his enclosures, seizes on such of them as may have wandered abroad, and again confines them in the place from which they had strayed; and at the call of his convenience, his necessity, or his avarice, hurries them away to the slaughter-house, and gives them up to the mercy of the butcher; in like manner, the other restrains his subjects from leaving his realm, whenever it pleases him to prevent their departure;—commands, at the instigation of his convenience or caprice, those of them to return immediately home, who may have strayed abroad; and if they refuse to yield obedience to his commands, severely punishes them, if afterwards they shall happen to come within the grasp of his power; and

and prompted by ambition or revenge, finds out some pretext, by which to engage them in a war, and thereby sacrifices such of them as he pleases, before the mighty Altar of his Power.

As it is an acknowledged fact, that the people of England are generally speaking, permitted to enjoy rights and privileges, of no inconsiderable value; perhaps it may from this circumstance be inferred, that, by making the office of their King hereditary, they did not thereby reduce themselves to a state of slavery. But the truth is, they do not enjoy those rights and privileges as the free gift of nature, but as the beneficent bounty of their sovereign. They at first surrendered into his hands every thing which they possessed, and he, in the liberality of his soul, granted them the liberty of enjoying, during his pleasure, a part of those things with which they had invested him. And the power which he possesses of confining them within his realm, of compelling them to return home when absent from his dominions, and of dragging them into his service, contrary to their inclinations, is an incontestible proof, that what I have here inferred, relative to the manner in which they enjoy the precarious rights and privileges which they are permitted to exercise, is incontrovertibly true. For by exercising this power, he reduces them to an absolute state of slavery; and if he can enslave them whenever he pleases, it is evident that they have surrendered their natural rights and privileges, into his possession; and that he re-grants them back again, according to his liberality, and discretion.

It is however, the founders of the Constitution of England had even possessed the right of annexing an hereditary title to the office of their King; yet the smallest degree of attention to their future happiness and safety, would have been sufficient to have dissuaded them from such an impolitic and injudicious measure. For whoever reflects upon the nature of an hereditary office, will readily perceive, that its powers must necessarily be absolute; and that if it be the chief office in the government of a nation, its powers will not only be absolute, but above all constitutional control. Because, if the people of a nation, in their original contract with their government, solemnly engage
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that the chief office, by such contract established, shall be held by that kind of hereditary succession, which is therein forbidden; and that it shall be Treason, to alter or destroy such hereditary succession: It is plain, that the enjoyment of that office cannot, by virtue of any thing in that contract contained, be punished for the libel or oppressive use which he makes of his power. For if he could be punished for his crimes, the hereditary succession in his office might thereby be broken. And although the King of England, when he enters upon the duties of his office, solemnly promises to observe certain laws and customs in governing the nation, yet as there is no power in the constitution, whereby he can be compelled to perform his promises; but on the contrary, as it would be Treason, to attempt to oblige him to perform them, it is therefore obvious, that the powers of his office are infinite and arbitrary; and that the promises which he makes upon entering upon his duties, rather tend to delude than to benefit the people. Hence it appears, that the King of England may ascend the throne of his ancestors, contrary to the wishes of the whole nation; may violate every promise, which at his coronation he enters to observe: and that there is no constitutional power remaining in the people, whereby they can oblige him either to perform his promises, or to abdicate his office. If then there be nothing in the constitution of England, whereby the King can be restrained in the exercise of the unlimited power with which he is invested, it is obvious that, under the influence of those passions which government is generally influenced to repress, he can trample under his feet the laws and customs which he had sworn to observe; can seize upon the property of his subjects, and render it subservient to his uncharitable and wicked purposes; can destroy the lives of those inoffensive parties who may offend him, with their virtue and independency; and that nothing but one general Revolution throughout the country, can put an end to the mad career of his tyranny. And although the King's own personal strength may not be sufficient to enable him materially to disturb the peace and safety of his subjects, yet it is well known, that with the aid of the enormous salary, which his Parliament have consented to grant him, he can easily

easily procure the assistance of a powerful band of unfeeling miscreants, who are ever ready to execute the most accursed and oppressive schemes which depravity itself is capable of inventing. And should an attempt be made to punish these venal instruments of oppressive power, for the crimes which they had committed in executing the commands of their sovereign, the King would immediately interpose his pardoning power in their behalf, and thereby save them from the fatal doom, to which justice had consigned them.

It has indeed been asserted by writers, upon the Constitution of England, that notwithstanding the extensive powers and privileges of the King, the people are provided with efficient and peaceable means, by which they can easily redress their grievances, whenever the King shall have oppressed them, in administering the affairs of the nation; or shall have wronged or injured them in their individual and private capacities. But the remedies which have in these cases been pointed out, tend incontrovertibly to prove, that in both of these respects, the people are completely remediless. For in those cases, in which the King may have been guilty of private wrongs, or civil injuries, the only means by which those of his subjects, to whom these wrongs or injuries had been done, can obtain satisfaction for the injustice which they had thus sustained, is that of petitioning the King, in his Court of Chancery, to be restored to the rights of which they had been thus deprived, or compensated for the injuries which they had thus sustained. And how non-sensical and absurd it is to suppose, that if the King should be so wicked and unprincipled, that without pity or remorse, he could unfeelingly deprive his industrious subjects of their hard-earned property, or wantonly assault or injure their persons, he would rectify the wrongs and repair the injuries which he had thus committed, for the trifling ceremony of being requested, through the medium of his court of chancery, to comply with the demands and requisitions of justice.

The constitutional remedy of the people against the King in cases of public oppression, is not less ineffectual and absurd, than their remedy against him in cases of private wrongs or civil injuries. For the constitution, instead of having provided them with an immediate remedy

remedy against the King himself, has merely permitted them to censure and punish his unfortunate ministers, for having wickedly consented to follow his instructions! Now as it is a fact, recognized by the Constitution itself, that the King is the fountain, from which all the national advantages resulting from his administration of the government originally flow, it is evident that whatever national evils his administration may produce, must likewise flow from him, as the great fountain from which the various channels of the executive, or ministerial branch of the government, are constantly fed and supplied. If therefore the King be pure, and his intentions good, there can be no doubt that the consequences of his administration will be the happiness and prosperity of the nation: But if, on the other hand, the King be corrupt, and his intentions evil, it is equally certain, that the consequences of his administration will be national misery and disgrace. For although the King's ministers, as the channels through which the consequences of his administration must necessarily flow, might corrupt the original purity of those consequences; yet it is obvious, that a good and wise King, would never long permit the good effects of his administration to be poisoned, by the filthiness of the channels through which the Constitution had ordered that those effects should flow; but that he would immediately, by dismissing from his confidence his venal and corrupt ministers, cause those channels to be so cleansed and purified, that the effects of his administration might reach the people, as pure and uncorrupt as they were, when they left their original source. But if the *King* be impure and corrupt, it is impossible that the consequences of his administration should ever be cleansed of their corruption, by flowing through pure and uncorrupt *channels*. How then is it possible, that the people should ever be relieved, from the oppression of a corrupt and tyrannical administration, unless they be permitted to cleanse the *fountain*, from which that oppression originally flows?

But even supposing it to be true, that the cause of public oppression ought always to be attributed to the ministers of the King, it would still be exceedingly difficult for the people to arrest its progress: For

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they would find it to be no easy matter, to punish such of the King's Counsellors, as he might chuse to protect. Because, as impeachment is the only method of punishing the ministers of the King; and as all impeachments are to be tried before the House of Lords, who are independent of the people; and as the King can at any time add to that House, by the creation of new Peers, any number of his own creatures which he may chuse; and as the Lords Spiritual of that House, on account of their dependency upon the King, never fail to act in unison with his sentiments, except in those cases which would infringe upon their enormous privileges: it is evident that the King, whenever he pleases, can save his most obnoxious ministers from condemnation, upon their final trial. And fatal experience has evinced, that in almost every case, in which the House of Commons have impeached one of the ministers of the King, after immense sums of the public money had been expended in his prosecution, he has been at last acquitted before the Supreme Court of the nation.

BUT that generation of the English people, who formed and established the present Constitution of that country, were not contented to furnish their Kings with *the means* of becoming tyrants: They were likewise solicitous to provide them with tyrannical *dispositions*. For this purpose they ordained, that every heir-apparent to the crown of England, should be taught to consider himself as belonging to a more exalted order of beings, than the rest of his fellow-men; that he should be in a manner excluded from a knowledge of the world, and of human nature; and that he should be kept an entire stranger to every kind of hardship and fatigue, and never be made acquainted with the labour and difficulty which ever attend the acquisition and preservation of private property. In this way they laid an effectual foundation, of not only adding to the natural insolence and haughtiness of those who were eventually to become their Kings, but of rendering them in other respects incapable of performing the duties of the important office for which they were intended. For by providing that they should be kept ignorant of the world, and of human nature, they rendered them incapable of judging what mode of government would best
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fait the tempers and dispositions of mankind. And by preparing for their constant enjoyment, an eternal round of ease and pleasure, uninterrupted by mental perplexities or bodily fatigues, they effectually disqualified them with judgment to calculate, or with any degree of precision to ascertain, the burthens which their subjects would be capable of bearing.

THE best mode of education, however, which the founders of the Constitution of England could have possibly contrived, would have been altogether insufficient to have rendered any considerable number in the line of Kings, which they established, or could have established, capable of executing the duties of their office. For melancholy experience has evinced, that a very large proportion of every hereditary race of kings which history has recorded, have been wholly inadequate through mental inbecility, to the performance of the arduous task which their offices had assigned them. And experience equally melancholy, has likewise instructed us, that in those cases, in which weak and impotent monarchs have been intrusted with the reins of government, they have uniformly bestowed their confidence upon artful intriguing sycophants; who have never failed to exercise the power with which their Sovereigns had invested them, for the accursed purposes of aggrandizing themselves and their families, and of subjugating and oppressing the people.

BUT with regard to what I have asserted, concerning the absolute and unlimited power of the King, I will further add, that if I were even to admit, for the sake of the argument, that his official authority is confined within acknowledged and definite bounds, and controulable by a constitutionable power in the people; I should still be able to show, that many of the powers which he possesses, in consequence of the important office which he holds, can never be exercised, either by him, or any other *single* individual, however wise and perfect he may be, consistently with the safety and happiness of the nation. Of these important and extensive powers of the King, the only one which I shall at the present notice, and which of all others is the most dangerous to the liberties and safety of the people, is that which he possesses of involving

volving the whole nation in a bloody and destructive war, whenever his pride, his ambition, or his own private interests, may prompt him to so unjust and wicked a measure.

THAT it is inconsistent with the happiness and safety of the people, that the King should possess the power of plunging them into a war, whenever he may chuse, can with very little difficulty be demonstrated: For every person of common candour, and common sense, will acknowledge, that of all the powers, with which the Creator of the Universe has invested the nations of the earth, that of making war upon each other, ought to be exercised with the greatest degree of moderation, and deliberate caution; because of all the acts which a nation is capable of performing, that of making war upon another nation, is the most solemn and awful in its nature, and the most terrible and distressing in its consequences. Were it necessary to adduce evidence in support of the remark which I have here made, relative to the dreadful and distressing consequences of war, I could easily bring to view some of its awful, tremendous, and agonizing scenes, which less than thirty years ago, passed within the limits of our own country.—I could present, to your lively and awakened imaginations, scenes of *deliberate* and *premeditated* murder, and of wanton and unprovoked rapine, whose extreme and unprecedented cruelty, would be sufficient to chill the blood of a *Tarleton* with horror. But to recapitulate the acts of barbarity and treachery, which marked the temporary successes of our enemies, during our revolutionary struggle, is at the present unnecessary. The recollection of those atrocious and infernal crimes of the British and Hessian soldiery; of the merciless and savage Indians; and of the still more merciless and savage *tories*; no doubt glows in the bosoms of many in this assembly, in colours infinitely more lively and vivid, than it is in the power of the most strong and heated imagination to conceive, the most delicate and deep-touched pencil to pourtray, or the most energetic pen to describe.

If then the power of making war be thus awfully solemn in its nature, and thus inconceivably distressing in its consequences, how careful ought the people of a nation to be, in guarding against the intemperate

rate and unnecessary exercise of the power which they inherently possess, of proclaiming themselves at **MURDEROUS ENMITY, WITH THE PEOPLE AND THE GOVERNMENT OF ANOTHER NATION.** But how are they the most effectually to provide against the improper use of this dangerous and uncontrollable power? Are they to do it by retaining this power in their own hands, and exercising it according to their own discretion? This it will be said is impossible. Must this power then be delegated? If so, to whom ought it to be intrusted? Ought it to be vested according to the policy of the Constitution of this country, in the **GREAT COUNCIL AND LEGISLATURE OF THE NATION**:—whose members are chosen by the people for a short period of time—who *confessedly* derive their whole power and authority *from* the people—who are answerable to the people for the faithful discharge of the trust reposed in them—and who are liable to suffer equally with the people themselves, from the bad consequences which may flow from any of their official conduct? or ought it, agreeably to the principles of the Constitution of *England*, to be placed in the hands of one man, who is the chief executive of the nation; who neither depends upon the people for his power, nor is answerable to them for his conduct; who cannot be supposed to act with the moderation of a deliberative collective body, much less with the judgment and foresight of *two* collective bodies, acting as censors and critics upon the conduct of each other; and *who*, the experience of ages has shown, is more likely to involve the nation in war, for the purpose of accomplishing his own private ends, of gratifying his haughty and insolent pride, or of feeding his insatiable ambition, than for the purpose of remedying any *real*, and otherwise *remediless* grievance of the people? Can Americans, who are friends to our national Constitution, hesitate in deciding this question in favour of their own country? I will answer for them: I am sure they cannot — I will indeed go further, and ask if the friends of justice and humanity, in whatever part of the world they may be found, will not prefer a Constitution, which places the power of making war in the hands of the National Legislature, to a constitution which commits this important power, to the sole and unrestrained exercise of the chief executive of the

the nation? Let the consciences of the friends of monarchy, answer this plain and simple question.

LET us now dismiss the consideration of the odious and tyrannical powers of the king, and examine for a moment the extraordinary powers and exclusive privileges of a certain class of people in that country, usually denominated the nobility. But to enumerate the whole of the powers and privileges which this class of people claim the *exclusive right* of exercising and enjoying, would at once be tedious and disgusting: It is therefore my intention to select for the present consideration, such only of their arbitrary and assumed powers, and of their enormous and exclusive privileges, as are the most dangerous to the liberties and safety of the people, and the most destructive to the dignity and independency of our nature.

It is necessary here to observe, that these assumed powers and exclusive privileges of the nobility of England, may with propriety be styled their *imaginary rights*. Because, as all human rights which really exist, are derived either from the creator of the universe, or from individuals of the human race, and as the nobility of England do not derive their *exclusive political rights* from either of these sources, it is evident that those rights have no kind of existence in *nature*, and consequently are nothing more than the airy phantoms of the imagination.

OF these imaginary rights of the nobility of England, that which they possess of composing a part of the supreme legislature of that country, and consequently of helping to *impose* laws upon the great body of the nation, is the most dangerous to the liberties and safety of the people, and the most degrading to the dignity of human nature. Because, as the nobility are empowered by the Constitution to assist in giving laws to the nation, without being first authorized by the people for that purpose, it needs no argument to show, that such parts of the English laws as may be dictated by the nobility, will be nothing less than so many evidences of the enslaved and degraded state of the nation. For surely it will not be denied, that if the government of a country should be independent of the people, that the national laws which the government might in that case enact, would be so many incontestible proofs of the
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people's wretchedness and slavery. Certainly then, it follows of course, that if a *part* of the government should be independent of the people, those parts of the national laws which might be dictated by the *independent* part of the government, would likewise be so many unanswerable proofs of the degradation and misery of the great body of the people: and as the nobility of England compose a majority of one of the branches of the supreme legislature of that country, and as each branch of that legislature possesses an absolute negative upon the legislative proceedings of the other two, the nobility have it in their power to make what alterations they please, in the proposed laws of the representatives of the people, before those laws can possibly be completed. The people therefore, are under the necessity either of living without laws, and subjecting themselves to the inconveniences and horrors of a state of society, more terrible than anarchy itself, or of permitting the *independent* part of their government to make such alterations and amendments, as it may chuse, to every law which the *representative* branch of their government may propose for its concurrence.

THE nobility of England, as I have before observed, enjoy many other privileges than that of composing a part of the government of that country, from which the great body of the nation have ever been excluded. But as these privileges are too numerous here to admit of a particular detail, I shall at the present content myself with observing, that they are not only inconsistent with the natural dignity of human nature, but extremely dangerous to the liberties and safety of the people. And the truth of the observation which I have here made, concerning the danger to which the enormous and exclusive privileges of the English nobility, expose the liberties and safety of the common people, is so far from depending upon the assertions of the enemies of the English constitution, that it has been established by the solemn, and united declarations of all three of the branches of the supreme legislature of that country. For in those periods of the British history, in which the nation has been blessed with a government possessing the common feelings of humanity, various statutes have been passed, for the express and avowed purpose of ameliorating the unhappy condition of the common

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common people, and of shielding them as effectually as the nature of the case would permit, from the tyranny and oppression of the overgrown powers and numerous exclusive privileges, with which the constitution had originally invested the nobility. Who then will have the hardihood and effrontery to assert, in contradiction to the solemn declarations of the government of England, that the constitutional powers of the nobility of that country, are not inconsistent with the happiness and safety of the common people? If then the political powers and privileges of the nobility, endanger the security of the common people, ought those powers and privileges ever to have had an existence? In the name of justice and humanity, for what purpose is civil government established? Is it for the noble and generous purpose of protecting the weak, from the insolence and violence of the strong; or is it for the inhuman and unchristian purpose of enabling a few dissipated, unprincipled individuals, to plunder and enslave, with impunity, the rest of their fellow-men?

THE oppression, however, which the nobility are empowered to exercise over the liberties and fortunes of the common people, is not the only evil which they necessarily prove to the nation. The very nature of their existence as a body politic, separated by positive and arbitrary distinctions from the rest of the nation, tends to the inevitable destruction of every noble and generous sentiment, which the great body of the people would otherwise possess. Because as the principles of the constitution instruct the common people to consider the nobility as an order of beings by nature superior to themselves, they will of course either believe those principles to be founded in justice and truth, or to have no other place of existence, than that of the imagination.— If therefore on the one hand, they really believe the nobility to possess a natural superiority over themselves, and to be entitled to political rights and privileges from which the rest of the nation ought in justice to be excluded, they discover themselves to be entirely destitute of that knowledge of the important ends for which they were created; and of those noble and generous sentiments, which boldness of thought, independency of mind, and a due sense of the impartiality and benevolence
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of Deity never fail to inspire. For notwithstanding almost every person in civil society has frequent reasons to believe and confess, that his neighbour is possessed of more knowledge and more wisdom than himself; and notwithstanding the great body of mankind are, from this circumstance, very properly induced, in many respects, to yield a voluntary obedience to the commands of those individuals, whom they consider as their superiors in knowledge and experience;—yet, whenever the violence of a man's prejudices leads him to believe, that his neighbour is created for the purpose of enjoying greater *privileges*, and greater *happiness* than himself, he displays the operations of a mind, unpardonably contracted and groveling; betrays the sentiments of a heart extremely wicked and depraved, and manifests a degree of distrust in the justice and impartiality of his creator, which nothing but infinite goodness is capable of forgiving.

But if on the other hand, the great body of the English people should ever raise themselves above the common prejudices of their education, and pierce with the eye of reason and reflection, the mystic veil which has hitherto concealed from their uncultivated minds, the disgusting deformities of monarchy and aristocracy; they would instantly demolish the mighty fabric of their Constitution; destroy the barbarous and inhuman laws which have been enacted for its defence; lay prostrate the castles of despotism, which have for centuries protected their *legal* plunderers from the arm of civil justice; and render themselves forever incapable of supporting or obeying another system of government, formed and featured like their present Constitution. What then are we to think of the wisdom and utility of a national Constitution, whose very existence depends upon the ignorance and depravity of the great body of the people, over whom its empire is extended!

THE most eminent and approved writers upon the Constitution of *England*, in assigning their reasons for the necessity of a body of hereditary nobility in that country, have asserted that the titles of honour, and distinction, which the King is empowered to confer upon such of his faithful subjects as may have merited his particular esteem, are not only powerful incitements to acts of patriotism and public virtue, but cheap and acceptable rewards for extraordinary public services.

Now if it be true, that titles of nobility are conferred for the pure and uncorrupt purpose of rewarding the public services of those eminent and disinterested patriots, who have served their country with uncommon zeal and necessity; are these titles with a very few exceptions, made hereditary? and are they always clothed with powers and privileges, which never fail to endanger the security of the nation? Does a sincere patriot desire to have his services rewarded, with a portion of the liberties of his country? or will his countrymen in that case, consider his services as cheaply purchased? Or is it reasonable to suppose, that those who are to inherit the noble titles of their ancestors, will on that account be more ambitious to distinguish themselves in the service of their country? Is it a principle of the human mind to seek the attainment of those things with which time will eventually provide us? Is it usual for a rich man's son to forego his ease and pleasure, for the uncertain prospect of obtaining that fortune, with which he is sure of being blessed upon his ancestor's decease? How then does it appear, that titles of nobility, generally speaking, are even *ordinary* incitements to acts of disinterested patriotism? Is not indeed the reverse of this position, a few instances excepted, notoriously evident? For if titles of nobility were at first created, for the purpose of enabling the King the more easily to reward the public services of such of his subjects, as might render themselves eminent in the cause of their country; why are those titles permitted to remain in the families of those persons upon whom they were originally conferred? Why are they not again returned to the King, upon the decease of those persons upon whom they were at first bestowed, that the King may have an opportunity of again conferring them upon such of his worthy and patriotic subjects as he may esteem the most deserving of national honours? Where is the justice or policy in allowing them to descend to individuals, who have nothing but the deeds of their ancestors to recommend them to the notice of the public; and who are so far from possessing that spirit of patriotism, which is necessary to command the esteem of the nation, that they are frequently entire strangers to the great principles of private virtue?

But here another important question arises.—For if it should even be

be admitted to be necessary and expedient, to confer titles of nobility upon those individuals, who had distinguished themselves in the cause of their country, would it from that circumstance appear, that the King is the proper source from which those titles ought in justice to proceed? In order to solve this question with the greater degree of accuracy and precision, let us in the first place ascertain the exact grammatical and legal import of a title of nobility, when it is conferred for the pure and unexceptionable purpose of rewarding active and inflexible patriotism. What then is the true import of a title of nobility, when it is conferred under these favourable circumstances? Setting aside the enormous privileges with which it is attended, it is considered as nothing more than an ancient and honourable mark of distinction; importing, that the person upon whom it is bestowed, has performed extraordinary services for his country, and consequently possesses the cordial and universal esteem of the nation. If then the title of a newly-created Peer is, in most cases, considered as an incontestable proof of the high estimation in which he is held by the great body of the people, from what source does *simple nature* teach us, his splendid title ought to have been derived.

*Let the lisping school-boy answer,
And set the learned Statesman in right.*

THE more we examine this assertion of the friends of the English constitution, concerning the tendency of titles of nobility, to inspire the common people with noble and generous sentiments; and to urge them on to deeds of virtue and patriotism, the more unfounded and fallacious it will appear. For whoever will give himself the trouble coolly and candidly to reflect upon the nature and tendency of those titles, will readily discover, that the *misery and disgrace* of the country in which they are permitted to exist, will frequently be the only practicable means through which they can possibly be obtained. Be that as the King is the great political fountain, from which they must ever be derived, by what probable or even possible means can they ever be obtained, before his particular friendship and esteem have been assiduously and successfully cultivated. And how is it possible ever to cultivate his friendship, with the most distant hopes of success, without first adopting

deopting, or pretending to adopt, his favourite political maxims; and warily approving, and zealously prosecuting and defending, every material measure of his administration? If then the friendship of the King, be the only road to honour and preferment; and if that friendship can never be obtained, without aiding the operations of his favourite plans of government, is it not apparent to the most superficial observer, that if his ambition should ever render him desirous of invading the unalienable rights of his honest and industrious subjects, he would in that case bestow his honourable and wonder-working favours upon those only of his cringing and unprincipled courtiers, who might prove the most active and successful instruments of his tyranny and oppression? And what number of the Kings of England, from the reign of Egbert to the present period, have discovered themselves to be wholly destitute of that kind of aspiring and insatiable ambition, which is ever seeking an accumulation of power and dominion, through means the most oppressive and tyrannical. What an insult then upon the common understanding of mankind, and what a libel upon the invariable experience of past ages, is this impudent and indecent assertion of the advocates of the Constitution of England, that the titles of honour and distinction which are left at the disposal of the king, never fail to prove powerful incitements to acts of disinterested and virtuous patriotism?

THE friends and advocates of the Constitution of England, in their zeal to reconcile the numerous inconsistencies of which it is composed, have very imprudently acknowledged and asserted, that the several interests of the king, of the nobility, and of the people, are not only *separate* and *distinct*, but *opposite* and *discordant*; and that these several and distinct interests, all drawing in different and opposite directions, and mutually retarding and checking each other in their progress, occasion the continual and regular operations, of the great and complicated machine of the English government. Admitting for the present, that this *general* theory of the British government, preserves an exact and uniform consistency throughout its several and various parts, let us for a moment examine the very important principles which it involves, and the necessary consequences which its practical operations would produce.

IN the first place then, if it be true that the interest of the nobility is inconsistent with that of the common people, it is likewise true, that the purposes

purposes for which this Constitution was established, are in the highest degree unjust and oppressive. Because it is a self-evident truth, which no rational being has ever attempted to deny, that the great end for which every system of government ought to be established, is the promotion of the interest and happiness of every individual, who submits to its dominion and controul. If therefore the Constitution of England has created an *artificial* interest, to act in opposition to the *real* interest of the great body of the people, it can never accomplish the great and only object for which every form of government is *professedly* established.

If it be urged in support of the above mentioned general theory of the English government, that the nobility always prove a salutary restraint upon the natural ferocity and intemperance of the people, and thereby prevent them from effecting their own misery and destruction; let us enquire to what exalted order of beings, the individuals of this much celebrated nobility belong. Are they angels? or are they men? If they be angels, where is the necessity for limiting their power? Is it in the nature of angels to act inconsistently with the rules and precepts of justice? But if they be nothing more than *men*, they certainly possess the *passions* and *prejudices* of *men*, and are no more capable of controuling the natural ferocity and intemperance of the people, than one fire is capable of extinguishing another.

HERE I cannot deny myself the pleasure of remarking, that the purposes for which the Senate of these United States was established, are very different from those for which the nobility of England was originally created. No person ever dreamed I believe, that the interest of the Senate of these United States, was capable of being separated from the *general* interest of the nation. But the chief end for which this branch of our national legislature was avowedly instituted, was the promotion of cool and dispassionate deliberation, in all the official conduct and proceedings of our national government. And in order to accomplish this necessary, and all important end, in the most desirable and effectual manner, the Constitution of our country has very wisely provided, that the Senate of these United States shall not only possess the power of revising, amending and rejecting, the proposed laws of that branch of our national legislature, whose members are the more *immediate* representatives of the people, but that it shall be the legitimate and indispensible guardian of the rights and liberties of the people; and that

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its members shall be elected for a longer term of time than any one period of popular delusion can reasonably be expected to continue. Hence appears the commendable wisdom of those unrivalled sages and inflexible patriots, who framed the articles of our national Constitution. For although they were sensible, that elections were the only constitutional means, by which the people could oppose the tyranny and oppression of their government, and that consequently the more frequent those elections were, the better would the people be prepared to repel the innovations of their rulers; yet they were at the same time aware, that such is the credulity and frailty of human nature, that even a majority of the people, by the artful misrepresentations of designing demagogues, might for a while be deceived relative to the measures and intentions of their government; that therefore, if the term of time for which their rulers were elected, should be shorter than a single period of their delusion was liable to endure, they might in that case, by acting under this unavoidable deception, fill their national councils with a set of ambitious and aspiring men, who under the pretence of defending the rights and liberties of their constituents, would attempt to reduce them to a state of servitude and slavery, but little inferior to that which is experienced by the miserable peasants of Europe and Asia. In order therefore to guard against these great and opposite evils, the Constitution of our country has taken care to provide, that the term of time for which the members of one of the branches of our National Legislature shall be chosen, shall not be of sufficient length, to enable them to make any considerable progress in subjugating and enslaving the people; and that the members of the other branch of this Legislature, shall be elected as before observed, for a term of time of much greater length, than any one period of the delusion of the people can reasonably be expected to continue.

BUT with regard to the above mentioned general theory of the British government, it is not true as the admirers of the Constitution of England have foolishly supposed, that the operations of the government of that country are effected by the separate and opposite exertions of the several and distinct interests of the king, of the nobility, and of the people. For although I do not pretend to deny, that the separate interests of these several parts of the English nation, are constantly acting in di-

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rect opposition to each other, yet it is an obvious and almost self-evident truth, that whenever three mechanical, political or moral powers of equal force, shall attempt to move in different and contrary directions, they will mutually counteract each others exertions, and effectually destroy each other's operations. It is therefore evident, that the several parts of the British government are constantly kept in balance, by the separate and single exertions of the natural and political strength, either of the King, of the nobility, or of the people; and that *none* of these three classes of the English people, possessing a greater share of power than that of the other two, has effectually overcome and destroyed the natural freedom and independency of their actions.

To determine which of these three classes of the English people has thus effectually conquered and subjugated the other two, recourse must be had to the history of their country. There it will evidently appear, that during the extensive period which has intervened, between the invasion of William the Conqueror and the present time, every part of the nation has been generally governed and controlled by the superior power and irresistible influence, which the Crown has found means to exercise and enjoy. During the whole of this extensive period, if the Protectorship of Cromwell be excepted, the share which that part of the nation denominated the people, have been allowed to possess, in the government of their country, has been little more than nominal.— The proud spirit of the nobility, it is true, once formed a strong and immovable barrier, against the tyranny and oppression of the Crown: But so effectually was their power and influence destroyed, by the artful and undermining policy of Henry the seventh, that their political consequence in the nation, since that eventful period, has been scarcely perceivable. If indeed we except the conspicuous part which they performed in the dramatic revolution of fifteen hundred and eighty-eight, we shall find that such has been their political impotency, from the accession of Henry the eighth to the present period, that instead of exerting their mutilated powers, to oppose the tyrannical influence of the Crown, they have basely joined them to its crushing and gigantic strength, and assisted it in completing the subjugation and misery of the people.

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HITHERTO, for the sake of the more conveniently detecting and exposing the subtle and ingenious sophistry, which for centuries the most eminent and accomplished lawyers have been constantly inventing and collecting, in support of the Constitution of England, I have condescended to take it for granted, that the constitution of that country, like that of these United States, was in fact established by the free and voluntary consent of the great body of the people. This, however, is by no means true. For so far were the people of England from *voluntarily* adopting their present national Constitution, they made every effort in their power to prevent its establishment. To the invincible sword of William the *Conqueror*, and not to the voluntary consent of the great body of the people, this celebrated Constitution owes its existence. In the pages of every impartial history of that country, this important fact stands recorded; and cannot with the smallest degree of truth or decency be contested.

BUT however evident the injustice and absurdity of the *theory* of the Constitution of England may appear, the wretched effects of its *practical* operations are still more conspicuous. For in that unhappy, enslaved and degraded country, owing to the wicked and detestable principles upon which its Constitution is founded, no *middle* fortune can long preserve an existence — Here unbounded riches and extreme poverty, alternately salute the traveller's attentive eye. Here rises a splendid and magnificent palace, surrounded with ease and pleasure, and constantly resounding with the noisy banquets of unfeeling Lords. — There stands a low and dirty cottage, continually encompassed with the frightful and distressing prospect of an approaching famine; and exhibiting within its miserable and shattered walls, a perfect and entire picture of human wretchedness. — But let the oppressors of this unhappy people remember, that though they hold millions in bondage; though they have for centuries sported with human happiness, and mocked at the miseries of their fellow-creatures; though their cringing courtiers bow in humble prostration at their feet, and reverence them as gods; yet will all their power and greatness be one day destroyed, and the peaceful reign of Liberty be extended to the utmost bounds of the Universe.