Met as we are for framing a constitution or permanent form of government for these United States, we are about to be engaged in the most interesting and important undertaking that can be entrusted to the defined wisdom and virtue of any society. Man is here employed in his noblest cause when prescribing laws for his own government. As the nobility of good works is intellectual, so may he be elevating his noblest faculties to the noblest purposes. He is organizing a civic society for the protection of its perpetuation and elevation of a portion of the human race. He is constituting an individual state to play its part among the nations in the great drama of the world. These considerations are sufficient without any minute detail to impress in us with the importance of the subject upon which we are about to engage. It is an occasion which fills me with feelings of exultation and pride which language is inadequate to express. But they are feelings that will more kindred emotions to express. But they are feelings that will more kindred emotions to express.

In the bosom of every one who hears me, when I tell you that it is the noblest exertion of an American citizen in the cause of freedom and self-government, it is this which gives us some sound distinction characteristic, over all the nations of the earth. that honor must be sacred indeed to the true feeling for country that does not move with excitation and a graceful pride at the reflection which such a suggestion must call up. It is a subject worthy of the most enlightened reverence. The present occasion may only be called in by the mind. But it soon in after time, it will move once more often. Nothing is better calculated to place our country where it should be in the center of the affections of its people. Nothing is better calculated to animate our greatest earthly duty. The duty is our country, a work of love.
Objection instead of an extended obedience.

The governments of all other countries have been the result of chance or force. A thing necessarily arising to accidental capital or the selfish power of a few over the many, meant for its own perpetuation occasioned all of them. The subsequent alterations they have undergone on the results of the collisions between hostile factions in the scramble for power or the space of possible reclamation of the governed from the crushed power of their govern. All the valued features of the government of the finest people of modern Europe are such reclamation: from the divine right of its kings. The constitution of England. It can be said to be based on the made use of reclamation and restrictions on the power of the king. The sole change produced by its funds derived from its continuance has been from an absolute monarchy to that of an absolute but regulated aristocracy. The indelible principle of hereditary office the executive power mere was now deeply rooted in any country than in that of England.

Now differently does government request with us! Driven together by no fear, no necessity, no blind accident, our societies are constituted at the voluntary aspect of unfettered self-controlling freemen. In deciding a form of government for ourselves born freemen, we are unhindered by any preexisting institutions or the preconceived prejudices. The existing interest of the few or the many to bias our judgment or choice in the selection of that form which may appear most conformable to the good of the whole now determine. No single man's opinion, dead or living, is decked by us with the sanctum

mourns reverence of unlimited responsibility. In effecting our political, we have achieved also our mental emancipa-

tion, we will resort to history even, but as its great
We are preservers of the full benefit of all the experience of all past ages; the wisdom of all legislatures whether ancient or modern, whether of our own or a foreign lineage; by an unbiased comparison of the effects of the systems upon human happiness, choose that which to our deliberate judgments may appear the best. From this anticipation we can form of its operations upon us.

Duties under existing legislation over this state of perfect freedom in which we act. Let it not be supposed, however, to deny the experience of its wisdom of other men other times. Experience is the best, if not the only safe teacher. Whether it, all is mere conjecture, vague speculation, dissipation of

will. If properly understood, our course is safe and rational. If not infallible, it at least furnishes the safest guide to steer by. The same causes will produce the same effects. In difficulty exists in tracing effects up to their true cause. Our greatest extend of reason is necessary to understand it.

Our greatest extend of reason is necessary to understand it.

The idea of perfection in government is a mere chimera. The most to be wished for is the greatest not the perfect good. All government is in itself an evil. It is but the better alternative between it and greater evil anarchy.

We should not even anticipate any great improvements. Hazardous novelty should not be attempted. Experience ought to be followed. The course of a legislature should be
like that of a commander who commands himself with the lives and fortunes of those he commands. It is rather a proof of rash daring than of wisdom, knowledge or even true courage to risk his country’s safety on the vague of a desperate experiment.

The great purposes of good government are: First, to promote the public happiness by general welfare. Second, to secure to individuals the great essential natural rights given up to society, such as life, liberty, the enjoyment of those acquired by entering into society, such as property.

The first great inquiry in framing a government is to ascertain what powers are necessary to its attaining those great purposes of its institution, such as are necessary should be given. The means should be proportioned to the end to be attained. Where there is no limitation to the good to be obtained, or the evil to be guarded against, it will be very difficult, if not impossible, to limit with safety the means to be used. For when the latter fail, the former must be lost. A weak government must necessarily terminate in either a deposition, for the want of proper powers, or the usurpation of powers necessary for the public safety.

There is deep danger in giving them at first. Tyranny is often produced by making it necessary to assume power, than by giving large powers in the first instance. The government must have the power necessary to accomplish its objects, fulfill its trusts. Such degree of power, necessary, existent will, but necessary to liberty. It has more to dread from the abuse than the extent of powers in a government.
Civil liberty does not consist in an uncontrolled freedom, but in the power of doing what we ought to will, and not being constrained to do what we ought not to will. All men gain more by other being restrained from injuring him than he loses by being himself restrained from injuring others. This is the substance of the whole argument in favor of all government. Liberty consists not in being restrained from laws, but in being subject only to such as are equal and properly made. Extreme liberty is mean to do generally produce slavery. Government must be strong enough to compel confidence and respect in the people, or they will resort to exactions that in the end will destroy it.

Confidence must be placed somewhere. The necessity of this is apparent from the very act of delegating power. Better to hazard its abuse than incur certain detriment by not placing it somewhere. If it cannot be safely placed somewhere, it is as idle to attempt to keep a republic for the security of promotion of the common good, as any other form of government. Liberty is much more endangered by the abuse of liberty, as from the abuse of power. The one to be as much guarded against as the other. This only to be done by giving sufficient power to check it. Scarcely anything is but another term for anarchy, which is the same precursor of first state to tyranny.

Next to ascertaining what powers are necessary to be given to government, one most important inquiry will be as to the most effectual means of guarding against the abuse of those powers.
Though it would be imprudent humbly to deny a
government the necessary powers, every consideration requires that
those powers should be so distributed as to give the greatest
possible security against their abuse.

Man was much sooner & more fully impressed with the
necessity of giving government sufficient power, than with
the necessity of checking that power. They were still later
in discerning the proper means of checking it. Their first
attempts were wholly inefficient. The primitive plan
was given full power, but to give it only to the best
most virtuous citizens and trust them not only to do what
of power to get a bare & desiring of more power. A general
would be a thing, a king an emperor. Unchecked power
in the hands of man, is as certain of abuse as that he follows
by the bent of his nature. But few instances to the contrary to be
found in the whole history of his race. on of such rare
in frequent occurrences, as to prove rather than disprove
his unworthiness of the trust. The vice is a constituent element
of his character. It must never be overlooked, but always
guarded against. The next plan was to limit the amount
of power given. But this found to serve no other purpose
but to enable the people to escape often from what was
given. It served little or none the purposes of a barrier
against ambition. Experience has proved the only effective
mode to be, to make ambition restrain ambition & forever
check power by setting a few to watch & control the few.
This effected by dividing the same power which was at first given to one man, or one set of men, amongst different men or different bodies of men, and making the concurrence of the whole necessary to any one measure. This has been found to give sufficient or at least the best practical security against the abuse of power. The great security of a people for the proper conduct of their government is the maintenance of a perpetual community of interest between the governors and the governed. This is destroyed by the uniting of all power in the same hands. By dividing one proper power out into different hands, an improper step of one will be opposed by the others. The interest of the man is connected with that of the officer. They both stimulate him to such an opposition. For instance, a legislator will be led to oppose an improper act, where its execution has to be entrusted to another he himself is subject to it; the executive will not enforce a law oppressively where another is to judge of his conduct; and the judge will be more apt to decline an unconstitutional law which he can be a member of either the legislative or executive department. I may be injured by the improper conduct of both.

A combination between the several departments cannot to be dreaded, where a proper rotation of office in the several legislative departments is provided for. A change of officers will most probably always secure the proper executive. But should it not, the right of resistance may be must be resorted to, before any such combination can be
effected to a dangerous extent. All persons would have a right to resist force applied without their consent, so if one has the same right, when one is of a different persuasion, that delegated is applied, or when that which was given by them for their benefit, is used for their destruction.

To have a good government, you must first enable the government to control the governed. I must obligate it to control itself; you must provide measures that check among the several departments of power; all power must be divided through different channels from the people; be distributed through different branches; each branch independent of the others: all dependent on the people.