

A Dissertation on the Political Union and Constitution of the
Thirteen United States of *North-America*,
*Which is necessary to their Preservation and Happiness; humbly offered to the Public**¹

[First published in Philadelphia, 1783.]

I. The *supreme authority of any State must have power enough to effect the ends of its appointment*, otherwise these ends cannot be answered, and *effectually secured*; at best they are precarious. — But at the

* From *Political Essays on the Nature and Operation of Money, Public Finances, and Other Subjects* (Philadelphia, 1791). Notes appended by Pelatiah Webster at the republication.

¹ Forming a plan of confederation or a system of general government of the United States engrossed the attention of Congress from the Declaration of Independence, July 4, 1776, till the same was completed by Congress, July 9, 1778, and recommended to the several States for ratification, which finally took place March 1, 1781, from which time the said confederation was considered as the grand constitution of the general government, and the whole administration was conformed to it.

And as it had stood the test of discussion in Congress for two years before they completed and adopted it, and in all the States for three years more before it was finally ratified, one would have thought that it must have been a very finished and perfect plan of government.

But on trial of it in practice it was found to be extremely weak, defective, totally inefficient, and altogether inadequate to its great ends and purposes, for

1. It blended the legislative and executive powers together in one body.
2. This body, viz.: Congress, consisted of but one house, without any check upon their resolutions.
3. The powers of Congress in very few instances were definitive and final; in the most important articles of government they could do no more than recommend to the several States, the consent of every one of which was necessary to give legal sanction to any act so recommended.
4. They could assess and levy no taxes.
5. They could institute and execute no punishments except in the military department.
6. They had no power of deciding or controlling the contentions and disputes of different States with each other.
7. They could not regulate the general trade; or,
8. Even make laws to secure either public treaties with foreign States, or the persons of public ambassadors, or to punish violations or injuries done to either of them.
9. They could institute no general judiciary powers.
10. They could regulate no public roads, canals, or inland navigation, &c., &c., &c.

And what caps all the rest was that (whilst under such an inefficient political constitution the only chance we had of any tolerable administration lay wholly in the prudence and wisdom of the men who happened to take the lead in our public councils) it was fatally provided by the absurd doctrine of rotation that if any member of Congress by three years' experience and application had qualified himself to manage our public affairs with consistency and fitness, that he should be constitutionally and absolutely rendered incapable of serving any longer till by three years' discontinuance he had pretty well lost the cue or train of the public counsels and forgot the ideas and plans which made his service useful and important and, in the mean time, his place should be supplied by a fresh man, who had the whole matter to learn, and when he had learned it was to give place to another fresh man, and so on to the end of the chapter.

The sensible mind of the United States by long experience of the fatal mischief of anarchy, or (which is about the same thing) of this ridiculous inefficient form of government, began to apprehend that there was something wrong in our policy which ought to be redressed and mended, but nobody undertook to delineate the necessary amendments.

I was then pretty much at leisure, and was fully of opinion (though the sentiment at that time would not very well bear) that it would be ten times easier to form a new constitution than to mend the old one. I therefore sat myself down to sketch out the leading principles of that political constitution which I thought necessary to the preservation and happiness of the United States of America, which are comprised in this Dissertation.

I hope the reader will please consider that these are the original thoughts of a private individual, dictated by the nature of the subject only, long before the important theme became the great object of discussion in the most dignified and important assembly which ever sat or decided in America.

same time,

II. The supreme authority ought to be *so limited and checked*, if possible, as to prevent the *abuse of power, or the exercise of powers that are not necessary to the ends of its appointment*, but hurtful and oppressive to the subject; — but to limit a supreme authority so far as to diminish its dignity, or lessen its power of doing good, would be to destroy or at least to corrupt it, and render it *ineffectual* to its ends.

III. A number of sovereign States uniting into one Commonwealth, and appointing a supreme power to manage the affairs of the Union, *do necessarily and unavoidably part with and transfer over to such supreme power, so much of their own sovereignty as is necessary to render the ends of the union effectual*, otherwise their confederation will be an union without bands of union, like a cask without hoops, that may and probably will fall to pieces, as soon as it is put to any exercise which requires strength.

In like manner, every member of civil society parts with many of his natural rights, that he may enjoy the rest in greater security under the protection of society.

The UNION of the Thirteen States of *America* is of mighty consequence to the *security, sovereignty*, and even *liberty* of each of them, and of all the individuals who compose them; *united* under a natural, well adjusted, and effectual Constitution, they are a strong, rich growing powers with great resources and means of defence, which no foreign Power will easily attempt to invade or insult; they may easily command respect.

As their exports are mostly either *raw materials* or *provisions*, and their imports mostly *finished goods*, their trade becomes a capital object with every manufacturing nation of *Europe*, and all the southern colonies of *America*; their friendship and trade will of course be courted, and each power in amity with them will contribute to their security.

Their *union* is of great moment in another respect; they thereby form a *superintending power among themselves*, that can moderate and terminate *disputes*, that may arise between *different States*, restrain intestine violence, and prevent any recourse to the *dreadful decision* of the sword.

I do not mean here to go into a detail of all the advantages of our union; they offer themselves on every view, and are important enough to engage every honest, prudent mind, to secure and establish that union by every possible method, that we may enjoy the full benefit of it, and be rendered happy and safe under the protection it affords.

This *union*, however important, cannot be supported without a *constitution founded on principles of natural truth, fitness, and utility*. If there is one article wrong in such constitution, it will discover itself in practice, by its baleful operation, and destroy or at least injure the union.

Many nations have been ruined by the *errors of their political constitutions*. Such errors first introduce wrongs and injuries, which soon breed discontents, which gradually work up into mortal hatred and resentments; hence inveterate parties are formed, which of course make the whole community a house divided against itself, which soon falls either a prey to some enemies without, who watch to devour them, or else crumble into their original constituent parts, and lose all respectability, strength and security.

It is as physically impossible to secure to civil society, good *cement of union, duration, and security without a constitution* founded on principles of natural fitness and right, as to raise timbers into a strong, compact building, which have not been framed upon true geometric principles; for if you cut one beam a *foot too long or too short*, not all the *authority* and all the *force* of all the carpenters can ever get it into its place, and make it fit with proper symmetry there.

As the fate then of all governments depends much upon their political constitutions, they become an object of mighty moment to the happiness and well-being of society; and as the framing of such a Constitution requires great knowledge of the rights of men and societies, as well as of the interests, circumstances, and even prejudices of the several parts of the community or commonwealth, for which it is intended; it becomes a very complex subject, and of course requires great steadiness and comprehension of thought, as well as great knowledge of men and things, to do it properly. I shall, however, attempt it with my best abilities, and hope from the candor of the public to escape censure, if I cannot merit praise.

I begin with my first and great principle, viz.: *That the constitution must vest powers in every department sufficient to secure and make effectual the ends of it*. The supreme authority must have the power of *making war and peace* — of *appointing armies and navies* — of *appointing officers both civil and military* — of *making contracts* — of *emitting, coining, and borrowing money* — of *regulating trade* — of *making treaties with foreign powers* — of *establishing post-offices* — and in short of doing *every thing* which the *well-being* of the Commonwealth may require, and which is *not compatible* to any particular State, all of which require money, and cannot possibly be made effectual without it.

They must therefore of necessity be vested with power of taxation. I know this is a most important and weighty truth, a dreadful engine of oppression, tyranny, and injury, when ill used; yet, from the *necessity of the case* it must be admitted.

For to give a supreme authority a power of making *contracts*, without any power of *payment* — of appointing *officers* civil and military, without money to *pay* them — a power to *build ships*, without *any money* to do it with — a power of *emitting money*, without any power to *redeem* it — or of

borrowing money, without any power to make *payment*, &c., &c. — such solecisms in government are so nugatory and absurd that I really think to offer further argument on the subject, would be to insult the understanding of my readers.

To make all these payments dependent on the votes of *thirteen popular assemblies*, who will undertake to judge of the propriety of every contract and every occasion of money, and *grant* or *withhold* supplies, according to their opinion, whilst at the same time the operations of the whole may be stopped by the vote of a single one of them, is absurd; for this renders all *supplies* so *precarious* and the *public credit* so extremely *uncertain*, as must in its nature render all *efforts in war*, and all *regular administration in peace*, utterly impracticable, as well as most pointedly ridiculous. Is there a man to be found who would lend money, or render personal services, or make contracts on such precarious security? Of this we have a proof of fact, the strongest of all proofs, a fatal experience, the surest tho' severest of all demonstration, which renders all other proof or argument on this subject quite unnecessary.

The present *broken state of our finances* — public debts and bankruptcies — enormous and ridiculous depreciation of public securities — with the total annihilation of our public credit — prove beyond all contradiction the vanity of all recourse to the several Assemblies of the States. The recent instance of the duty of 5 per cent. on imported goods, struck dead, and the bankruptcies which ensued on the single vote of *Rhode-Island*, affords another proof of what it is certain *may be done again* in like circumstances.

I have another reason why a *power of taxation or of raising money*, ought to be vested in the supreme authority of our commonwealth, viz: the monies necessary for the public ought to be raised by a *duty imposed on imported goods*, not a bare *5 per cent.* or *any other per cent.* on all imported goods indiscriminately, but a *duty much heavier* on all articles of *luxury or mere ornament*, and which are consumed principally by the *rich* or prodigal part of the community, such as *silks* of all sorts, *muslins*, *cambricks*, *lawns*, *superfine cloths*, *spirits*, *wines*, &c., &c.

Such an impost would ease the *husbandman*, the *mechanic*, and the *poor*; would have all the practical effects of a *sumptuary law*; would end the economy, and increase the industry of the community; would be collected without the shocking circumstances of *collectors and their warrants*; and make the *quantity of tax* paid always depend on the *choice* of the person who pays it.

This tax can be laid by the supreme authority much more conveniently than by the particular Assemblies, and would in no case be sub. subject to their *repeals* or *modifications*; and, of course, the public credit would never be dependent on, or liable to bankruptcy by the *humors* of any particular Assembly. In an *Essay on Finance*, which I design soon to offer to the public, this

subject will be treated more fully. (*See my Sixth Essay on Free Trade and Finance.*)

The delegates which are to form that august body, which are to hold and exercise the supreme authority, ought to be *appointed by the States in any manner they please; in which they should not be limited by any restrictions*; their own *dignity* and the *weight* they will hold in the great public councils, will always depend on the *abilities* of the persons they appoint to represent them there; and if they are wise enough to choose men of *sufficient abilities* and respectable characters, men of sound sense, extensive knowledge, gravity and integrity, they will reap the *honor* and *advantage* of such wisdom.

But if they are *fools enough* to appoint men of *trifling* or *vile characters*, of *mean abilities*, *faulty morals*, or *despicable ignorance*, they must reap the *fruits* of such folly, and content themselves to have *no weight*, *dignity*, or *esteem* in the public councils; and what is more to be lamented by the Commonwealth, to do *no good there*.

I have no objection to the States electing and recalling their delegates as often as they please, but think it hard and very injurious both to them and the Commonwealth that they should be *obliged to discontinue them after three years' service*, if they find them on that trial to be men of sufficient integrity and abilities; a man of that experience is certainly much more qualified to serve in the place than a new member of equal good character can be; experience makes perfect in every kind of business — *old, experienced statesmen* of tried and approved integrity and abilities are a great *blessing to a State* — they acquire great authority and esteem as well as wisdom, and very much contribute to keep the system of government in good and salutary order; and this furnishes the strongest reason why they should be continued in the service, on *Plato's* great maxim that “the man *best qualified* to serve, ought to be *appointed*.”

I am sorry to see a contrary maxim adopted in our *American* counsels; to make the *highest reason* that can be given for *continuing a man* in the public administration, assigned as a *constitutional* and *absolute reason for turning him out*, seems to me to be a solecism of a piece with *many other reforms*, by which we set out to surprise the world with our wisdom.

If we should adopt this maxim in the common affairs of life, it would be found inconvenient, *e.g.*, if we should make it a part of our Constitution, that a man who has served a three years' apprenticeship to the trade of a *tailor* or *shoemaker* should be obliged to discontinue that business for *the three successive years*, I am of opinion the country would soon be cleared of good shoemakers and tailors. — Men are no more born statesmen than shoemakers or tailors— Experience is equally necessary to perfection in both.

It seems to me that a man's *inducement to qualify himself for a public employment*, and make himself master of it must be much discouraged by this consideration, that let him take whatever

pains to qualify, himself in the best manner he must be shortly *turned out*, and, of course, it would be of more consequence to him to turn his attention to some other business which he might adopt when his present appointment should expire, and by this means the Commonwealth is in danger of losing the zeal, industry and shining abilities as well as services of their most accomplished and valuable men.

I hear that the State of *Georgia* has improved on this blessed principle and limited the continuance of their governors to *one year*; the consequence is, they have already the *ghosts of departed governors stalking* about in every part of their State and growing more plenty every year; and as the price of everything is reduced by its plenty I can suppose governors will soon be very low there.

This *doctrine of rotation* was first proposed by some sprightly geniuses of brilliant politics with this cogent reason: that by introducing a rotation in the public offices we should have a great number of men trained up to public service, but it appears to me that it will be more likely to produce many *jacks at all trades*, but *good at none*.

I think that frequent elections are a sufficient security against the continuance of men in public office whose conduct is not approved, and there can be no reason for excluding those whose conduct is approved, and who are allowed to be better qualified than any men who can be found to supply their places.

Another great object of government is the *apportionment of burdens and benefits*; for if a *greater quota* of burdens or a *less quota* of benefits than is just and right be allotted to any State, this ill apportionment will be an everlasting source of uneasiness and discontent. In the first case, the overburdened State will complain; in the last case, all the States whose quota of benefit is underrated will be uneasy; and this is a case of such delicacy that it cannot be safely trusted to the arbitrary opinion or judgment of any body of men however august.

Some natural principles of confessed equity, and which can be reduced to a certainty, ought, if possible, to be found and adopted; for it is of the highest moment to the Commonwealth to obviate and, if possible, wholly to take away such a fruitful and common source of infinite disputes as that of apportionment of quotas has ever proved in all States of the earth.

The *value of lands* may be a good rule, but the *ascertainment of that value* is impracticable. No assessment can be made which will not be liable to exception and debate. To adopt a good rule in anything which is impracticable is absurd, for it is physically impossible that anything should be good for *practice* which cannot be *practised* at all; — but if the value of lands was capable of

certain assessment, yet to adopt that value as a rule of apportionment of quotas and at the same time to *except from valuation* large tracts of sundry States of immense value, Which have all been defended by the joint arms of the whole Empire, and for the defence of which no additional quota of supply is to be demanded of those States to whom such lands are secured by such joint efforts of the States, is in its nature unreasonable, and will open a door for great complaint.

It is plain without argument, that such States ought either to *make grants* to the Commonwealth of such tracts of defended territory or *sell as much* of them as will pay their proper quota of defence, and *pay such sums* into the public treasury. And this ought to be done, let what rule of quota soever be adopted with respect to the cultivated part of the United States, for no proposition of natural right and justice can be plainer than this, that every part of valuable property which is *defended*, ought to contribute its quota of supply for that *defence*.

If then the value of cultivated lands is found to be an impracticable rule of apportionment of quotas we have to seek for some other, equally just and less exceptionable.

It appears to me, that the *number of living souls* or *human persons* of whatever age, sex or condition will afford us a rule or measure of apportionment which will forever *increase* and *decrease* with the real wealth of the States, and will, of course, be a *perpetual rule*, not capable of corruption by any circumstances of future time; which is of vast consideration in forming a constitution which is designed for *perpetual duration*, and which will in its nature be as just as to the inhabited parts of each State as that of the value of lands or any other that has or can be mentioned.

Land takes its value not merely from the goodness of its soil, but from innumerable other relative advantages, among which the population of the country may be considered as principal; as lands in a full-settled country will always (*cæteris paribus*) bring more than lands in thin settlements. — On this principle, when the inhabitants of *Russia, Poland, &c.*, sell real estates, they do not value them as we do by the *number of acres*, but by the *number of people* who live on them.

Where any piece of land has many advantages many people will crowd there to obtain them, which will create many competitors for the purchase of it, which will, of course, raise the price. Where there are fewer advantages there will be fewer competitors and, of course, a less price; and these two things will forever be proportionate to each other, and, of course, the one will always be a sure index of the other.

The only considerable objection I have ever heard to this is that the quality of inhabitants differs in the different States, and it is not reasonable that the *black slaves* in the *southern* States should be estimated on a par with the *white freemen* in the *northern* States. To

discuss this question fairly, I think it will be just to estimate the *neat value* of the labor of both; and if it shall appear that the labor of the black person produces as much neat wealth to the Southern State as the labor of the white person does to the Northern State, I think it will follow plainly, that they are equally useful inhabitants in point of wealth; and therefore in the case before us, should be estimated alike.

And if the amazing profits which the Southern planters boast of slaves on their plantations, are *real*, the southern people have greatly the advantage in this kind of estimation, and as this objection comes principally from the southward, I should suppose that the gentlemen from that part would blush to urge it any farther.

That the supreme authority should be vested with powers to *terminate* and *finally decide controversies arising between different States*, I take it, will be universally admitted, but I humbly apprehend that an *appeal* from the first instance of trial ought to be admitted in causes of great moment, on the same reasons that such appeals are admitted in ail the States of *Europe*. It is well known to all men versed in courts that the first hearing of a cause rather gives an opening to that evidence and reason which ought to decide it, than such a full examination and thorough discussion, as should always precede a final judgment in causes of national consequence. A detail of reasons might be added, which I deem it unnecessary to enlarge on here.

The supreme authority ought to have a power of *peace and war*, and forming *treaties* and *alliances* with all foreign powers; which implies a necessity of their also having sufficient powers to *enforce the obedience* of all subjects of the United States to such treaties and alliances; with *full powers to unite the force* of the States; and direct its operations in war; and to punish all transgressors in all these respects; otherwise, by the imprudence of *a few* the whole Commonwealth may be embroiled with foreign powers, and the operations of war may be rendered useless or fail much of their due effect.

All these I conceive will be easily granted, especially the latter, as the power of Congress to appoint and direct the army and navy in war, with all departments thereto belonging, and punishing delinquents in them all is already admitted into practice in the course of the present unhappy war in which we have been long engaged.

II. But now the *great and most difficult* part of this weigh subject remains to be considered, viz. how *these supreme powers are to be constituted in such manner that they may be able to exercise with full force and effect* the vast authorities committed to them for the *good and well-being* of the United States, and yet be *so checked and restrained* from exercising them to the *injury and ruin* of the States, that we may *with safety* trust them with a commission of such vast magnitude; — and may *Almighty*

Wisdom direct my pen in this arduous discussion.

1. The men who compose this important council must be *delegated from all the States*; and, of course, the *hope* of approbation and continuance of honors will naturally stimulate them to act rightly and to please; the *dread* of censure and disgrace will naturally operate as a check to restrain them from improper behavior: but however natural and forcible these motives may be, we find by sad experience, they are not always *strong enough* to produce the effects we expect and wish from them.

It is to be wished that none might be appointed that were not *fit* and *adequate* to this weighty business; but a little knowledge of human nature, and a little acquaintance with the political history of mankind, will soon teach us that this is not to be expected.

The representatives appointed by popular elections are commonly not only the *legal*, but *real*, substantial representatives of their electors, *i.e.* there will commonly be about the *same proportion* of *grave, sound, well-qualified men, trifling, desultory men* — *wild* or *knavish schemers*, — and *dull, ignorant fools* in the *delegated assembly* as in the *body of electors*.

I know of no way to help this; such delegates must be admitted as the States are pleased to send; and all that can be done, is when they get together, to make the best of them.

We will suppose then they are all met in Congress, clothed with that *vast authority* which is necessary to the *well-being* and even *existence, of the union*, that they should be vested with; how shall we empower them to do all necessary and effectual *good*, and restrain them from doing *hurt*? To do this properly I think we must recur to those *natural motives* of action, those *feelings* and apprehensions which usually occur to the mind at the *very time* of action; for *distant* consequences however weighty, are often too much disregarded.

Truth loves light and is vindicated by it. Wrong shrouds itself in darkness and is supported by delusion. An honest well-qualified man *loves light*, can bear *close examination* and *critical inquiry*, and is *best pleased* when he is most thoroughly *understood*. A man of *corrupt* design, or a *fool of no design*, hates close examination and critical inquiry; the knavery of the one, and the ignorance of the other, are discovered by it and they both usually grow uneasy, before the investigation is half done. I do not believe that there is a more natural truth in the world than that divine one of our SAVIOUR, “*he that doeth truth, cometh to the light.*” I would therefore recommend that mode of deliberation which will naturally bring on the most thorough and critical *discussion of the subject* previous to passing any act; and for that purpose humbly propose,

2. That the *Congress shall consist of two chambers*, an *upper* and a *lower* house, or *senate* and *commons*, with the *concurrence of both necessary to every act*; and that every State send one or more

delegates to each house: this will subject every act to two discussions before *two distinct* chambers of men equally *qualified* for the debate, equally *masters* of the subject, and of equal *authority* in the decision.

These two houses will be governed by the same natural motives and interests, viz., the good of the Commonwealth, and the approbation of the people. Whilst at the same time *the emulation* naturally arising between them will induce a very *critical* and *sharp-sighted inspection* into the motives of each other. Their different opinions will bring on conferences between the two houses in which the *whole subject* will be *exhausted* in arguments pro and con, and *shame* will be the portion of obstinate, convicted *error*.

Under these circumstances a man of ignorance or evil design will be afraid to impose on the credulity, inattention or confidence of his house by introducing any *corrupt* or *indigested proposition* which he knows he must be called on to defend against the *severe scrutiny* and *poignant objections* of the other house. I do not believe the many hurtful and foolish legislative acts which first or last have injured all the States on earth have originated so much in corruption as indolence, ignorance, and a want of a full comprehension of the subject which a full, prying and emulous discussion would tend in a great measure to remove: this naturally rouses the lazy and idle who hate the pain of close thinking; animates the ambitious to excel in policy and argument; and excites the whole to support the dignity of their house and vindicate their own propositions.

I am not of opinion that bodies of elective men, which usually compose *Parliaments, Diets, Assemblies, Congresses, &c.*, are commonly *dishonest*; but I believe it rarely happens that there are no *designing men* among them; and I think it would be much more difficult for them to unite their partisans in two houses, and corrupt or deceive them both, than to carry on their designs where there is but *one unalarmed, unapprehensive* house to be managed; and as there is *no hope* of making these bad men good, the best policy is to *embarrass* them and make their work as *difficult* as possible.

In these assemblies are frequently to be found sanguine men, upright enough indeed, but of strong, wild projection, whose brains are always teeming with *Utopian, chimerical plans*, and *political whims* very destructive to society. I hardly know a greater evil than to have the *supreme counsels* of a Nation played off on *such men's wires*; such baseless visions at best end in darkness, and the *dance*, though easy and merry enough at first, rarely fails to plunge the credulous, simple followers into *sloughs* and *bogs* at last.

Nothing can tend more effectually to obviate these evils, and to mortify and cure such maggoty brains, than to see the absurdity of their projects exposed by the several *arguments* and

keen satire which. a full, emulous and spirited discussion of the subject will naturally produce: we have *had enough of these geniuses* in the short course of our politics both in our national and provincial councils, and have felt enough of their evil effects, to induce us to wish for any good method to keep ourselves clear of them in future.

The consultations and decisions of national councils are so very important that the *fate of millions* depends on them; therefore no man ought to speak in such assemblies, without considering that the fate of millions *hangs on his tongue*,— and of course a man can have no right in such august councils to utter indigested sentiments, or indulge himself in sudden, unexamined flights of thought; his most tried and improved abilities are due to the State, who have trusted him— with their, most important interests.

A man must therefore be most inexcusable who is either *absent* during such debates, or *sleeps*, or *whispers*, or *catches files* during the argument, and just *rouses* when the vote is called to give his *yea* or *nay* to the *weal* or *woe* of a nation. — Therefore it is manifestly proper, that every natural motive that can operate on his understanding, or his passions, to engage his attention and utmost efforts, should be put in practice, and that his present feelings should be raised by every motive of honor and shame, to stimulate him to every practicable degree of diligence, and exertion, to be as far as possible useful in the great discussion.

I appeal to the feelings of every reader, if he would not (were he in either house) be much more strongly and naturally induced to exert his utmost abilities and attention to any question which was to pass thro' the *ordeal of a spirited discussion* of another house, than he would do, if the *absolute decision* depended on *his own house*, without any further inquiry or challenge on the subject.

As Congress will ever be composed of men delegated by the several States, it may well be supposed that they have the *confidence* of their several States and understand well the policy and present condition of them; it may also be supposed that they come with strong *local attachments*, and habits of thinking limited to the *interests* of their particular States: it may therefore be supposed that they will need much information, in order to their gaining that *enlargement of ideas* and great comprehension of thought which will be necessary to enable them to think properly on that *large scale*, which takes into view the interests of all the States.

The greatest care and wisdom is therefore requisite to give them the best and surest information, and of that kind that may be the most safety relied on, to prevent their being deluded or prejudiced by partial representations made by interested men who have particular views.

This *information* may perhaps be best made by the *great ministers of state*, who ought to be men

of the *greatest abilities* and *integrity*; their business is confined to their several departments, and their attention engaged strongly and constantly to all the several parts of the same; the whole arrangement, method and order of which, are formed, superintended, and managed in their offices, and all informations relative to their department centre there.

These *ministers* will of course have the best information, and most perfect knowledge, of the state of the Nation, as far as it relates to their several departments, and will, of course, be able to give the *best information* to Congress, in what manner any bill proposed will affect the public interest in their several departments, which will nearly comprehend the whole.

The *Financier* manages the whole subject of *revenues* and *expenditures* — the *Secretary of State* takes knowledge of the general *policy* and *internal* government — the *minister of war* presides in the whole business of *war* and *defence* — and the *minister of foreign affairs* regards the whole state of the nation, as it stands related to, or connected with, all foreign powers.

I mention a *Secretary of State*, because all other nations have one, and I suppose we shall need one as much as they, and the multiplicity of affairs which naturally fall into his office will grow so fast that imagine we shall soon be under the necessity of appointing one,

To these I would add *Judges of law*, and *chancery*; but I fear they will not be very soon appointed — the one supposes the existence of *law*, the other of *equity* — and when we shall be altogether convinced of the absolute necessity of the real and effectual existence of both of these we shall probably appoint proper heads to preside in those departments. — I would therefore propose,

3. That when *any bill shall pass the second reading* in the house in which it originates, and before it shall be finally enacted, copies of it shall be sent to *each of the said ministers of state*, in being at the time, who shall give said house *in writing*, the fullest information in their power, and their most explicit sentiments of the operation of the said bill on the public interest, as far as relates to their *respective departments*, which shall be received and read in said house and *entered on their minutes* before they finally pass the bill; and when they send the bill for concurrence to the *other house* they shall send therewith the said *informations of the said ministers of state*, which shall likewise be read in that house before their concurrence is finally passed.

I do not mean to give these great ministers of state a *negative on Congress*, but I mean to oblige Congress to receive *their advices* before they pass their bills; and that every act shall be *void* that is not passed with these forms; and I further propose, that either house of Congress may, if they please, admit the said *ministers* to be *present* and *assist* in the debates of the house, but *without any right of vote* in the decision.

It appears to me that if every act shall pass so many different corps of *discussion* before it is completed, where each of them stake their characters on the advice or vote they give, there will be all the *light thrown on the case* which the nature and circumstances of it can admit, and any *corrupt* man will find it extremely difficult to foist in any erroneous clause whatever; and every *ignorant* or *lazy* man will find the strongest inducements to make himself master of the subject, that he may appear with some tolerable degree of character in it; and the whole will find themselves in a manner compelled, diligently and sincerely, to seek for the *real state* of the facts and the natural *fitness and truth* arising from them, *i.e.*, the whole *natural principles* on which the subject depends, and which alone can endure every test, to the end that they may have not only the inward satisfaction of *acting properly* and usefully for the States, but also the *credit and character* which is or ought ever to be annexed to such a conduct.

This will give the great *laws* of Congress the highest *probability, presumption and means of right, fitness, and truth*, that any laws whatever can have at their first enactment, and will of course afford the highest reason for the confidence and acquiescence of the States, and all their subjects, in them; and being grounded in *truth* and *natural fitness*, their operations will be *easy*, salutary and satisfactory.

If experience shall discover *errors* in any law (for practice will certainly discover such errors, if there be any), the legislature will always be able to correct them by such repeals, amendments, or new laws as shall be found necessary, but as it is much easier to prevent mischiefs than to remedy them, all possible caution, prudence and attention should be used to make the laws *right at first*.

4. There is *another body of men* among us whose business of life, and whose full and extensive intelligence, foreign and domestic, naturally make them more perfectly acquainted with the sources of our wealth, and whose particular interests are more intimately and necessarily connected with the general prosperity of the country than any other order of men in the States. — I mean the *Merchants*; and I could wish that Congress might have the benefit of that *extensive and important information* which this body of men are very capable of laying before them.

TRADE is of such essential importance to our interests and so intimately connected with all our staples, great and small, that no sources of our wealth can flourish and operate to the general benefit of the community *without it*. Our *husbandry*, the great staple of our country, can never exceed our home consumption *without this* — it is plain at first sight that the *farmer* will not toil and sweat thro' the year to raise great plenty of the produce of the soil if there is no market for his produce when he has it ready for sale, *i.e.* if there are no merchants to buy it.

In like manner, the *manufacturer* will not lay out his business on any large scale, if there is no merchant to buy his fabrics when he has finished them; a vent is of the most essential importance to every manufacturing country — the merchants, therefore, become the natural negotiators of the wealth of the country who take off the *abundance* and supply the *wants* of the inhabitants; — and as this negotiation is the business of their lives, and the source of their own wealth, they of course, become better acquainted with both our abundance and wants, and are more interested in finding and improving the best *vent* for the one, and *supply* of the other, than any other men among us, and they have a natural interest in making both the purchase and supply as convenient to their customers as possible, that they may secure their custom, and thereby increase their own business.

It follows, then, that the merchants are not only *qualified to give the fullest and most important information* to our supreme legislature concerning the state of our trade — the abundance and wants, — the wealth and poverty, of our people, i. e. their most important interests, but are also the most likely to do it *fairly* and *truly*, and to forward with their influence every measure which will operate to the convenience and benefits of our commerce, and oppose with their whole weight and superior knowledge of the subject any *wild schemes* which an ignorant or arbitrary legislature may attempt to introduce, to the hurt and embarrassment of our intercourse both with one another, and with foreigners.

The States of *Venice* and *Holland* have ever been governed by *merchants*, or at least their policy has ever been under the great influence of that sort of men. No States have been better served, as appears by their great success, the ease and happiness of their citizens, as well as the strength and riches of their Commonwealths; the one is the *oldest*, and the other the *richest*, State in the world of equal number of people — the one has maintained sundry wars with the *Grand Turk*, the other has withstood the power of *Spain* and *France*; and the capitals of both have long been the principal marts of the several parts of *Europe* in which they are situated; and the *banks* of both are the best supported, and in the best credit, of any *banks in Europe*, tho' their countries or territories are very small and their inhabitants but a handful, when compared with the great States in their neighbourhood.

Merchants must from the nature of their business certainly understand the interests and resources of their country, the best of any men in it; and I know not of *any one reason* why they should be deemed *less upright or patriotic* than any other rank of citizen whatever.

I therefore humbly propose, if the merchants in the several States are disposed to send delegates from their body to meet and attend the sitting of Congress, that they shall be

permitted to form a *chamber of commerce*, and their advice to Congress be *demande*d and *admitted* concerning all bills before Congress as far as the same may affect the *trade of the States*.

I have no idea that the continent is made for Congress: I take them to be no more than the upper servants of the great political body, who are to find out things by *study and inquiry* as other people do; and therefore I think it necessary to place them under the best possible advantages for information, and to require them to improve all those advantages, to qualify themselves in the best manner possible for the wise and useful discharge of the vast trust and mighty authority reposed in them; and as I conceive the advice of the merchants to be one of the greatest sources of mercantile information which is anywhere placed within their reach it ought by no means to be neglected, but so husbanded and improved that the greatest possible advantages may be derived from it.

Besides this I have another reason why the merchants ought to be consulted. I take it to be very plain that the husbandry and manufactures of the country must be ruined if the present rate of taxes is continued on them much longer, and, of course, a very great part of our revenue must arise from imposts on merchandise which will fall directly within the merchants' sphere of business, and of course, their concurrence and advice will be of the utmost consequence, not only to direct the properest mode of levying those duties, but also to get them carried into quiet and peaceable execution.

No men are more conversant with the citizens, nor more intimately connected with their interests than the merchants, and therefore their weight and influence will have a mighty effect on the minds of the People. I do not recollect an instance in which the Court of London ever rejected the remonstrances and advices of the merchants and did not suffer severely for their pride. We have some striking instances of this in the disregarded advices and remonstrances of very many English merchants against the American war, and their fears and apprehensions we see verified almost like prophecies by the event.

I know not why I should continue this argument any longer, or in, deed why I should have urged it so long, inasmuch as I cannot conceive that Congress or anybody else will deem it below the dignity of the supreme power to consult so important an order of men in matters of the first consequence which fall immediately under their notice, and in which their experience and, of course, their knowledge and advice are preferable to those of any other order of men.

Besides the benefits which Congress may receive from this institution, a chamber of commerce composed of members from all trading towns in the States, if properly instituted and conducted, will produce very many, I might almost say, innumerable advantages of singular

utility to all the States. It will give dignity, uniformity and safety to our trade, establish the credit of the bank, secure the confidence of foreign merchants, prove in very many instances a fruitful Source of improvement of our staples and mutual intercourse, correct many abuses, pacify discontents, unite us in our interests, and thereby cement the general union of the whole Commonwealth, will relieve Congress from the pain and trouble of deciding many intricate questions of trade which they do not understand by referring them over to this chamber, where they will be discussed by an order of men, the most competent to the business of any that can be found and most likely to give a decision that shall be just, useful and satisfactory.

It may be objected to all this that the less complex and the more simple every constitution is the nearer it comes to perfection. This argument would be very good and afford a very forcible conclusion if the government of men was like that of the Almighty, always founded on wisdom, knowledge and truth; but in the present imperfect state of human nature, where the best of men know but in part and must recur to advice and information for the rest, it certainly becomes necessary to form a constitution on such principles as will secure that information and advice in the best and surest manner possible.

It may be further objected that the forms herein proposed will *embarrass the business* of Congress and make it at best *slow and dilatory*. As far as this form will prevent the hurrying a bill thro' the house without due examination the objection itself becomes an *advantage* — at most these checks on the supreme authority can have no further effect than to *delay or destroy a good bill*, but cannot *pass a bad one*; and I think it much better in the main to *lose a good bill* than to suffer a *bad one to pass into a law*. — Besides it is not to be supposed that clear, plain cases will meet with embarrassment, and it is most safe that untried, doubtful, difficult matters should pass through the gravest and fullest discussion before the sanction of the law is given to them.

But what is to be done if the *two houses grow jealous and ill-natured*, and after all their information and advice grow out of humor and insincere, and no concurrence can be obtained? I answer, sit still and do nothing until they get into a better humor. I think this is much better than to pass laws in such a temper and spirit as the objector supposes.

It is, however, an ill compliment to so many grave personages to suppose them capable of throwing aside their reason and giving themselves up like children to the control of their passion; or, if this should happen for a moment that it should continue any length of time, is hardly to be presumed of a body of men placed in such high stations of dignity and importance, with the eyes of all the world upon them. But if they should, after all, be capable of doing this, I think it madness to set them to making laws during such fits. It is best when they are in no

condition to do good to keep them from doing hurt, and if they do not grow wiser in reasonable time I know of nothing better than to be ashamed of our old appointments, and make new ones.

But what if the country is invaded, or some other exigency happens so pressing that the safety of the State requires an immediate resolution? I answer, what would you do if such a case should happen where there was but one house, unchecked, but equally divided, so that a legal vote could not be obtained. The matter is certainly equally difficult and embarrassed in both cases. But in the case proposed I know of no better way than that which the Romans adopted on the like occasion, viz., that both houses meet in one chamber and choose a dictator who should have and exercise the whole power of both houses, till such time as they should be able to concur in displacing him, and that the whole power of the two houses should be suspended in the mean time.

5. I further propose that no grant of money whatever shall be made without an appropriation, and that rigid penalties (no matter how great, in my opinion the halter would be mild enough) shall be inflicted on any person, however august his station, who should give order, or vote for the payment, or actually pay one shilling of such money to any other purpose than that of its appropriation, and that no order whatever of any superior in office shall justify such payment, but every order shall express what funds it is drawn upon and what appropriation it is to be charged to, or the order shall not be paid.

This kind of embezzlement is of so fatal a nature that no measures or bounds are to be observed in curing it. When ministers will set forth the most specious and necessary occasions for money, and induce the People to pay it in full tale, and when they have gotten possession of it, to neglect the great objects for which it was given, and pay it, sometimes squander it away, for different purposes, oftentimes for useless, yea, hurtful ones, yea often even to bribe and corrupt the very officers of government, to betray their trust and contaminate the State even in its public offices — to force people to buy their own destruction and pay for it with their hard labor, the very sweat of their brow, is a crime of so high a nature that I know not any gibbet too cruel for such offenders.

6. I would further propose that the aforesaid great ministers of state shall compose a Council of State, to whose number Congress may add three others, viz., one from New-England, one from the Middle States and one from the Southern States, one of which to be appointed resident by Congress, to all of whom shall be committed the supreme executive authority of the States (all and singular of them ever accountable to Congress) who shall superintend all the executive departments and appoint all executive officers, who shall ever be

accountable to and removable for just cause by them or Congress, i.e., either of them.

7. I propose further that the powers of Congress, and all the other departments acting under them, shall all be *restricted to such matters only of general necessity and utility* to all the States as cannot come *within the jurisdiction* of any particular State, or to which the authority of any particular State is not *competent*: so that each particular State shall enjoy all sovereignty and supreme authority to all intents and purposes, excepting only those high authorities and powers by them delegated to Congress for the purposes of the general union.

There remains one very important article still to be discussed, viz., what methods the Constitution shall point out to enforce the acts and requisitions of Congress through the several States, and how the States which refuse or delay obedience to such acts and requisitions shall be treated. This, I know, is a particular of greatest delicacy, as well as of the utmost importance, and therefore, I think, ought to be decidedly settled by the Constitution in our coolest hours, whilst no passions or prejudices exist which may be excited by the great interests or strong circumstances of any particular case which may happen.

I know that supreme authorities are liable to err as well as subordinate ones. I know that courts may be in the wrong as well as the people; such is the imperfect state of human nature in all ranks and degrees of men. But we must take human nature as it is — it cannot be mended — and we are compelled both by wisdom and necessity to adopt such methods as promise the greatest attainable good, though perhaps not the greatest possible, and such as are liable to the fewest inconveniences, though not altogether free of them.

This is a question of such magnitude that I think it necessary to premise the great natural principles on which its decision ought to depend. In the present state of human nature all human life is a life of chances; it is impossible to make any interest so certain, but there will be a chance against it, and we are in all cases obliged to adopt a chance against us in order to bring ourselves within the benefit of a greater chance in our favor; and that calculation of chances which is grounded on the great natural principles of truth and fitness is of all others the most likely to come out right.

1. No laws of any State whatever, which do not carry in them a force which extends to their effectual and final execution, can afford a certain or sufficient security to the subject. This is too plain to need ally proof.

2. Laws or ordinances of any kind (especially of august bodies of high dignity and consequence), which fail of execution, are much worse than none. They weaken the government, expose it to contempt, destroy the confidence of all men, natives and foreigners, in it, and expose

both aggregate bodies and individuals who have placed confidence in it to many ruinous disappointments which they would have escaped had no law or ordinance been made; therefore,

3. To appoint a Congress with powers to do all acts necessary for the support and uses of the union; and at the same time to leave all the states at liberty to obey them or not with impunity, is, in every view, the grossest absurdity, worse than a state of nature without any supreme authority at all, and at best a ridiculous effort of childish nonsense; and of course,

4. Every State in the Union is under the highest obligation to obey the supreme authority of the whole, and in the highest degree amenable to it, and subject to the highest censure for disobedience. Yet all this notwithstanding, I think the soul that sins shall die, i.e., the censure of the great supreme power ought to be so directed if possible as to light on those persons who have betrayed their country and exposed it to dissolution, by opposing and rejecting that supreme authority which is the band of our union and from whence proceeds the principal strength and energy of our government.

I therefore propose that every person whatever, whether in public or private character, who shall by public vote or overt act disobey the supreme authority, shall be amenable to Congress, shall be summoned and compelled to appear before Congress and, on due conviction, suffer such fine, imprisonment, or other punishment as the supreme authority shall judge requisite.

It may be objected here that this will make a Member of Assembly accountable to Congress for his vote in Assembly. I answer, it does so *in this only case*, viz., when that vote is to disobey the supreme authority; no Member of Assembly can have right to give such a vote, and therefore ought to be punished for so doing, When the supreme authority is disobeyed the government must lose its energy and effect, and of course the Empire must be shaken to its very foundation.

A government which is but *half executed*, or whose *operations may all be stopped by a single vote*, is the most *dangerous of all institutions*. — See the present *Poland* and ancient *Greece* buried in ruins in consequence of this fatal error in their policy. A government which has not energy and effect can never afford protection or security to its subjects, i.e., must ever be ineffectual to its own ends.

I cannot therefore admit that the great ends of our Union should lie at the mercy of a single State, or that the energy of our government should be checked by a single disobedience, or that such disobedience should ever be sheltered from censure and punishment; the consequence is too capital, too fatal to be admitted. Even though I know very well that a supreme authority with all its dignity and importance is subject to passions like other lesser powers, that they may

be and often are heated, violent, oppressive and very tyrannical, yet I know also that perfection is not to be hoped for in this life, and we must take all institutions with their natural defects or reject them altogether. I will guard against these abuses of power as far as possible, but I cannot give up all government or destroy its necessary energy for fear of these abuses.

But to fence them out as far as possible, and to give the States as great a check on the supreme authority as can consist with its necessary energy and effect, I propose that any State may petition Congress to repeal any law or decision which they have made, and if more than half the States do this, the law or decision shall be repealed, let its nature or importance be however great, excepting only such acts as create funds for the public credit, which shall never be repealed till their end is effected, or other funds equally effectual are substituted in their place; but Congress shall not be obliged to repeal any of these acts so petitioned against till they have time to lay the reasons of such acts before such petitioning States and to receive their answer; because such petitions may arise from sudden heats, popular prejudices, or the publication of matters false in fact, and may require time and means of cool reflection and the fullest information before the final decision is made. But if after all more than half of the States persist in their demand of a repeal, it shall take place.

The reason is, the uneasiness of a majority of States affords a strong presumption that the act is wrong, for uneasiness arises much more frequently from wrong than right. But if the act was good and right it would still be better to repeal and lose it than to force the execution of it against the opinion of a major part of the States; and lastly, if every act of Congress is subject to this repeal, Congress itself will have stronger inducement not only to examine well the several acts under their consideration, but also to communicate the reasons of them to the States than they would have if their simple vote gave the final stamp of irrevocable authority to their acts.

Further, I propose that if the execution of any act or order of the supreme authority shall be opposed by force in any of the States (which, God forbid) it shall be lawful for Congress to send into such State a sufficient force to suppress it.

On the whole, I take it that the very *existence and use of our union* essentially depends on the full energy and final effect of the laws made to support it, and therefore I sacrifice all other considerations to this energy and effect, and if our UNION is not worth this purchase we must give it up — the nature of the thing does not admit of any other alternative.

I do contend that *our UNION is worth this purchase — with it*, every individual rests secure under its protection against foreign or domestic insult and oppression — *without it*, we can have no security against the oppression, insult, and invasion of foreign powers; for no single State is

of importance enough to be an object of treaty with them, nor if it was, could it bear the expense of such treaties or support any character or respect in a dissevered State, but must lose all respectability among the nations abroad.

We have a very extensive trade which cannot be carried on with security and advantage without treaties of commerce and alliance with foreign nations.

We have an *extensive western territory* which cannot otherwise be defended against the invasion of foreign nations bordering on our frontiers, who will cover it with their own inhabitants, and we shall lose it forever, and our extent of empire be thereby restrained; and what is worse; their numerous posterity will in future time drive ours into the sea, as the *Goths* and *Vandals* formerly conquered the Romans in like circumstances, unless we have the force of the Union to repel such invasions. We have, without the union, no security against the *inroads and wars of one State upon another*, by which our *wealth and strength* as well as our *ease and comfort*, will be *devoured by enemies growing out of our own bowels*.

I conclude then that our UNION is not only one of the most essential consequence to the well-being of the States in general, but to that of every individual citizen of them, and, of course, ought to be supported and made as useful and safe as possible by a Constitution which admits that full energy and final effect of government which alone can secure its great ends and uses.

In a dissertation of this sort, I would not wish to descend to *minutiae*, yet there are some small matters which have important consequences and therefore ought to be noticed. It is necessary that Congress should have all usual and necessary powers of *self-preservation and order*, *e. g., to imprison for contempt, insult or interruption, &c.*, and to *expel their own members* for due causes, among which I would rank that of *non-attendance* on the house, or *partial attendance* without such excuse as shall satisfy the house.

Where there is such vast authority and trust devolved on Congress and the grand and most important interests of the Empire rest on their decisions, it appears to me highly unreasonable that we should suffer their august consultations to be suspended, or their dignity, authority and influence lessened by the idleness, neglect and non-attendance of its members; for we know that the acts of a thin house do not usually carry with them the same degree of weight and respect as those of a full house.

Besides, I think when a man is deputed a delegate in Congress and has undertaken the business, the whole Empire becomes, of course, possessed of a right to his best and constant services, which if any member refuses or neglects, the Empire is injured and ought to resent the injury, at least so far as to expel and send him home, so that his place may be better supplied.

I have one argument in favor of my whole plan, viz.: it is so formed that no men of dull intellects or small knowledge, or of habits too idle for constant attendance, or close and steady attention, can do the business with any tolerable degree of respectability, nor can they find either honor, profit or satisfaction in being there, and, of course, I could wish that the choice of the electors might never fall on such a man, or if it should, that he might have sense enough (of pain at least, if not of shame) to decline his acceptance.

For after all that can be done, I do not think that a good administration depends wholly on a good Constitution and good laws, for insufficient or bad men will always make bad work and a bad administration, let the Constitution and laws be ever so good. The management of able, faithful and upright men alone can cause an administration to brighten, and the dignity and wisdom of an Empire to rise into respect; make truth the line and measure of public decision; give weight and authority to the government, and security and peace to the subject.

We now hope that we are on the close of a war of mighty effort and great distress against the greatest power on earth, whetted into the most keen resentment and savage fierceness which can be excited by wounded pride, and which usually rises higher between brother and brother offended than between strangers in contest. Twelve of the Thirteen United States have felt the actual and cruel invasions of the enemy, and eleven of our capitals have been under their power, first or last, during the dreadful conflict, but a good Providence, our own virtue and firmness, and the help of our friends have enabled us to rise superior to all the powers of our adversaries and make them seek to be at peace with us.

During the extreme pressures of the war, indeed, many errors in our administration have been committed, when we could not have experience and time for reflection to make us wise; but these will easily be excused, forgiven, and forgotten, if we can now, while at leisure, find virtue, wisdom, and foresight enough to correct them, and form such establishments, as shall secure the great ends of our union, and give dignity, force, utility and permanency to our Empire.

It is a pity we should lose the honor and blessings which have cost us so dear, for want of wisdom and firmness in measures which are essential to our preservation. It is now at our option either to fall back into our original atoms, or form such an union as shall command the respect of the world, and give honor and security to our people.

This vast subject lies with mighty weight on my mind, and I have bestowed on it my

utmost attention and here offer the public the best thoughts and sentiments I am master of.² I have confined myself in this dissertation entirely to the nature, reason and truth of my subject without once adverting to the reception it might meet with from men of different prejudices or interests. To find the truth, not to carry a point, has been my object.

I have not the vanity to imagine that my sentiments may be adopted; I shall have all the reward I wish or expect if my dissertation shall throw any light on the great subject, shall excite an emulation of inquiry and animate some abler genius to form a plan of greater perfection, less objectionable and more useful.

² At the time when this Dissertation was written (Feb. 16, 1783) the defects and insufficiency of the Old Federal Constitution were universally felt and acknowledged. It was manifest, not only that the internal police, justice, security and peace of the States could never be preserved under it, but the finances and public credit would necessarily become so embarrassed, precarious and void of support that no public movement which depended on the revenue could be managed with any effectual certainty; but though the public mind was under full conviction of all these mischiefs and was contemplating a remedy, yet the public ideas were not at all concentrated, much less arranged into any new system or form of government which would obviate these evils. Under these circumstances I offered this Dissertation to the public. How far the principles of it were adopted or rejected in the New Constitution, which was four years afterwards (Sept. 17, 1787) formed by the General Convention and since ratified by all the States, is obvious to every one.

I wish here to remark the great particulars of my plan which were rejected by the Convention.

1. My plan was, to keep the legislative and executive departments entirely distinct; the one to consist of the two houses of Congress, the other to rest entirely in the Grand Council of State.

2. I proposed to introduce a Chamber of Commerce, to consist of merchants who should be consulted by the legislature in all matters of trade and revenue, and which should have the conducting the revenue committed to them.

The first of these the Convention qualified; the second they say nothing of, i.e., take no notice of it.

3. I proposed that the great officers of state should have the perusal of all bills before they were enacted into laws, and should be required to give their opinion of them as far as they affected the public interest In their several departments, which report of them Congress should cause to be read in their respective houses and entered on their minutes. This is passed over without notice.

4. I proposed that all public officers appointed by the executive authority should be amenable both to them and to the legislative power, and removable for just cause by either of them. This is qualified by the Convention.

And inasmuch as my sentiments in these respects were either qualified or totally neglected by the Convention, I suppose they were wrong. However, the whole matter is submitted to the politicians of the present age and to our posterity in future.

In sundry other things the Convention have gone into minutiae, e. g., respecting elections of presidents, senators, and representatives in Congress, &c., which I proposed to leave at large to the wisdom and discretion of Congress and of the several States.

Great reasons may doubtless be assigned for their decision, and perhaps some little ones for mine. Time, the great arbiter of all human plans may, after a while, give his decision; but neither the Convention nor myself will probably live to feel either the exultation or mortification of his approbation or disapprobation of either of our plans.

But if any of these questions should in future time become objects of discussion, neither the vast dignity of the Convention, nor the low, unnoticed state of myself, will be at all considered in the debates; the merits of the matter and the interests connected with or arising out of it will alone dictate the decision.