

REPORT

The select committee, to whom was referred the order, to inquire into the expediency of reporting a bill making it a high crime and misdemeanor, for any citizen or citizens of this State to plan, conspire, or combine together, to alter, or change the constitution or form of government, otherwise than is established by that instrument and the laws of the land; and to affix such penalties as may be commensurate with this offence; beg leave to

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That the subject committed to their care is of the gravest import, and should be treated with great moderation and prudence. If on the one hand, we disregard it entirely, and affix no penalties to the offences alluded to, our government would be liable at every moment to be assailed by those, who, from party zeal, personal ambition, or a spirit of radicalism, might seek to overthrow our institutions. On the other hand, while we design to fortify the State against such assaults, there is very great danger of running into the other extreme, and consolidating, in the hands of the Executive, powers dangerous to civil liberty. We have more to fear from the latter than the former. Our institutions emanate immediately from the people, and are sustained and controlled by public opinion. Whenever the majority desire an important change, it will be accorded to them, in a peaceful and constitutional mode. They have the right and the power to alter our forms of government whenever the ends of justice require it. Our constitution prescribes the mode by which it may be altered; and it may very justly be remarked, that whenever a majority of the people require a change, to promote the common