

in the extreme, who have not sense enough to discover, or virtue to pursue, their real interests. In an emergency of this kind, what will partial amendments avail? A revolution only, calamity and long sufferings, can operate their reform, and restore such a people to a just way of thinking and acting.

Does experience call for any of the proposed amendments? To amend a constitution in its infancy, from the dread of imaginary, and not from the existence of real evils, is surely most unwise. So far as the short trial we have had of the federal government will enable us to judge of its future operations, we ought to remain satisfied with its present form; for a large majority of the American people, and this state in particular, have repeatedly expressed their approbation of its administration, and their thankfulness for the benefits derived from that government. No country can be said to enjoy a free constitution, nor will long retain its essence and purity, without proper checks and balances. The framers of the federal government have so distributed powers among the parts composing it, that each may control the others; no event has yet discovered that the distribution has been injudiciously made; why then has it been thought necessary to alter it? Why take away from the two? Perhaps it may be said, that portion of power which was exclusively lodged in the nearly poised, every expedient will be tried to give the mastery to the one or to the other. Does the constitution present barriers to this wished for ascendancy? These must be levelled; amendments must do them away, and will be proposed by the defeated party on the spur of the occasion; in the very hurry and tumult of the passions, disappointed and foiled in a favourite object, at such a time can amendments be discussed and weighed with that coolness and candour so requisite to the forming a right judgment?

Why should a tribunal, other than the senate, be instituted for the trial of impeachments? No person has been impeached before the senate, and therefore no defect in the tribunal can be collected from facts and experiment; the objections, if not altogether proceeding from a love of novelty and change, must have originated from fancied apprehensions of unfairness and corruption in the senate, as a court. If the government is to be new modelled upon the visionary conceits of speculative men, for ever on the change, it never will assume a stable form, and the condition of the people living under it will be as miserable as of those under vague and uncertain laws, which, partaking of the nature of the government, if this be fluctuating and capricious, those will be equally so.

The third amendment contemplates and provides for a more frequent election and renewal of members in the senate of the United States. In this respect it appears to the committee to run directly counter to the main end of its institution. The framers of the federal government, no doubt, wished to temper and control those sallies of passion which it was foreseen party heats would at times produce in the house of representatives. No method so effectual for the purpose occurred; as to give to the senators that permanency which might secure them from the frenzy of the moment, from the contagion of faction, and the unfounded suspicions of prejudice. Besides, from a body durable as the senate, and appointed in the manner prescribed by the constitution, more experience in business, more steadiness of conduct, and consistency of views, are to be expected, than from biennial representatives, owing frequently their election as much to party zeal as to merit. The quick rotation of senators proposed to be established by the amendment would deprive the senate of those advantages, which, as at present constituted, it derives from that degree of stability imparted to it by a longer continuance in the trust of its members.

The fourth amendment was evidently levelled at the appointment of Mr. Jay as envoy extraordinary to the court of London, and no doubt was intended as an indirect censure of that measure. However, it does not strike the committee, that the appointment of a judge on a momentous occasion, to execute a temporary and particular commission, has been or can be attended with any inconvenience or danger to the public.

If the preceding observations and reasoning are just, the committee submit the following resolve, as proper to be passed by the legislature.

RESOLVED, That the first and third amendments, proposed in last December by the legislature of Virginia to be made to the constitution or frame of government for the United States, ought not to be adopted, because, in the opinion of the legislature, they would give too great a preponderancy to the house of representatives, and thus derange the balance of reciprocal control; checks and powers, so happily devised and distributed among the component parts of the federal government, and thereby endanger the liberty of the people; that the second and fourth amendments are particularly inexpedient, as not being warranted by the experience of any evils which have resulted from the government as now constituted, or from its administration.

The committee also beg leave to report, that the annual interchange of laws, as proposed by the general assembly of Virginia, may be attended with beneficial effects, and therefore recommend the following resolve:

RESOLVED, That the governor of this state be requested to inform the governor of the commonwealth of Virginia, that the legislature of this state have acceded to their proposition of an annual interchange of the laws of their respective states, and also to an exchange of the existing code of laws in each state, and that the governor be requested to procure the said laws, and determine and fix upon the means for carrying this resolution into effect.

Which was read.

ORDERED, That the said report have a second reading on Saturday next, and that the printer to the state strike one hundred copies for the use of the general assembly.

The clerk of the senate delivers the additional supplement to the act, entitled, An act for the removal of the seat of justice from Melville's warehouse to Pig Point, in Caroline county, endorsed;