

The clerk of the house of delegates delivers to the clerk of the senate a bill, entitled, An act permitting the proprietors of lots binding on the water at the west end of the basin in Baltimore-town to extend and improve the same, thus endorsed; "By the house of delegates, December 21, 1796: "Read the first and second time by especial order and will pass.

"By order,

W. HARWOOD, clk."

The honourable Charles Carroll, of Carrollton, Esquire, from the joint committee of both houses appointed to consider on the amendments proposed by the commonwealth of Virginia to the constitution of the United States, brings in and delivers to the president the following report:

THE joint committee of both houses, to whom were referred the amendments proposed to be made to the government of the United States by the legislature of Virginia in December last, have had them under consideration for some time, and cannot recommend their adoption for the following reasons.

Should the first amendment be ratified by the legislatures of nine states, no treaty of the least consequence could be made as now authorized, without the sanction of a majority of the house of representatives; thus would that house be let into a participation of a part of the executive power, which has been exclusively vested in the president and senate, as fitter for the transacting such business, and concluding treaties; for the senate being a smaller and more select body, it is presumable will be less liable to the influence of party, and therefore treaties will probably be investigated in that house with greater accuracy, and with more temper and judgment, than in the other; nor was this the only reason for giving to the senate a share of the treaty-making power; all the states being equally represented in the senate, it was considered that this equality of suffrage, coupled with the control over treaties, would reconcile the smaller states to the preponderancy which the larger possess in the other branch. But the president and senate may be corrupted, and sacrifice their country to a foreign interest. Are the president and senate more likely to be corrupted than the representatives? Few, compared to these, a greater responsibility attaches to their characters and conduct; guilt, divided among many, seems to lessen, and becomes almost imperceptible in each individual, sheltering and countenancing himself under the authority of numbers. Large popular assemblies, in their public proceedings, have been unfeelingly guilty of crimes, from the commission of which each individual, standing alone, or supported by few, would have shrunk with horror. We may reasonably conclude, that the state legislatures will, in general, elect into the senate men of good sense, information and integrity; if they do not, they will either want discernment or honesty, or be actuated by party. Admitting that in particular districts, nay, that in whole states, a party spirit may at times prevail, the delusion, it is to be hoped, will not continue long, and if it should, its spread through the greater portion of the union is quite improbable. If the state legislatures want discernment or honesty, can their constituents be discerning and honest? Corrupt, indeed, must that people be, and degraded 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 two branches, to impart in common to one, that portion of power which was exclusively lodged in the two? Perhaps it may be said, that the power has been abused—When parties run high, and are 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