

planned the Revolution and had just returned from its triumphs: heroes and sages, who had grappled with war and its necessities, in field and camp and council: free men, who knew, from experience, what oppression was: bold men, who had smitten arbitrary power and abhorred it, and meant to build a bulwark against it; in war as well as peace, for evermore. When such men, in the charter of their Government, fenced round the freedom of the citizen with the guarantees which have been cited, and gave to military power no privilege to override them, it was because they meant the citizen to be free, and were resolved that military force should be kept in perpetual subordination to the law. They knew that in peace there is small danger to civil liberty, and they meant to rescue their priceless heritage from the chances and ambitions of war. They had entered upon the Revolution, with the Declaration of Independence before them, charging these, among the oppressions of the British King:—

“He has kept among us, in times of peace, standing armies, without the consent of our Legislature.”

“*He has affected to render the military independent of and superior to the civil power.*”

They believed these to be grievances, and took up arms to redress and not to re-establish them. They had passed through the trials and needs of the struggle themselves, therefore, without once overturning the laws of the land they were liberating. When the Father of his country, their champion and leader, had delivered up to Congress his sheathed and honored sword, they had listened, with pride, and his venerable form had bent in acknowledgment, as the President addressed him these remarkable words:

“Called upon by your country to defend its invaded rights, you accepted the sacred charge, before it had formed alliances, and whilst it was without funds or a government to support you. YOU HAVE CONDUCTED THE GREAT MILITARY CONTEST WITH WISDOM AND FORTITUDE, INVARIABLY REGARDING THE RIGHTS OF THE CIVIL POWER, THROUGH ALL DISASTERS AND CHANGES.”

They had felt this to be his highest praise and theirs, and when, in the first years of his administration, and with his sanction and approval, they amended the work of the Convention, by adding to the Constitution the comprehensive safeguards of civil liberty which have been referred to, it is midsummer madness to dream that it was in his mind or theirs to leave, still, to military discretion or caprice, the inestimable privileges thus fortified anew. When they declared that “the right of the people to be secure in their persons, &c., *shall not be violated,*” they had no mental or