

These are certainly good, and the best grounds, for you to conclude in favour of the laws. You must and ought to have respect for the acts of congress, and the decisions of the judiciary, unless you think they are influenced by corrupt motives, and no such motives are imputed to congress, the president or the judiciary.

If these principles are just, and I think they cannot be questioned, and the objects of these laws are right and proper, you cannot hesitate one moment in saying, that you ought to presume these laws are constitutional, and the clamours excited against Mr. Adams ill founded.

What are the objects of these laws? The objects of the sedition law—to restrain persons from defaming the government, either branch of congress, and the president, by false, scandalous and malicious libels, and to prevent the confidence of the people in the government, in congress, and the president, being destroyed or diminished by false, scandalous and malicious libels; to prevent the hatred of the people being excited against them, and their being brought into disrepute; to prevent insurrections, riots and unlawful assemblies and combinations, to oppose the government. Are not these great, important and desirable objects? Ought the confidence of the people to be destroyed by these means? Certainly they ought not.

The objects of the alien law—to remove aliens who are dangerous to the peace and safety of the United States; to remove aliens who are suspected of being concerned in any treasonable or secret machinations against the government. Is it not right and proper that aliens should be removed, who, if permitted to remain among us, might, by treasonable and secret machinations, endanger the peace, safety and happiness of the United States? Certainly every American and friend to his country must assent to this.

It appears to me, that neither of these acts are unconstitutional, and I will communicate to you some of the reasons which have influence on my mind. The constitution of the United States is a government formed and established by the people.—The old government was a confederation of the states, transmitting certain specific powers to congress; these powers were defective and inefficient, congress not being empowered to lay taxes, impose duties and imposts, they could not raise money, only by requisitions made on the states, which requisitions were not strictly and punctually complied with. Hence the credit of the United States suffered and languished, and its dignity was diminished and sullied. One of the objects of the constitution of the United States was to supply that defect; to vest congress with the power to raise money without the intervention of the state legislatures, to enable them to provide for the common defence and promote the general welfare.

The preamble to the constitution discloses the grounds and motives which operated on the minds of the people, and incited them to establish it.

The preamble will serve as a key to unfold the minds of the framers, and may be resorted to when there is any ambiguity in the words, to aid in giving the just exposition; or where there is any seeming contradiction, to reconcile it.

The people, "to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty," do ordain this constitution.

In defining the powers of congress, the legislature of the union, the words are—Congress shall have power, to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be uniform.

The way to read the clause, to give it the true construction, is as follows:—The words, *Congress shall have power*, run through and head every article and provision of the section. The congress shall have power to lay and collect taxes, &c. The congress shall have power to provide for the common defence and general welfare of the United States.

Observe the similarity of expression in the preamble, and in the eighth section of the first article.

In the preamble—the people establish the constitution; for what? Among other things, to provide for the common defence and promote the general welfare. The words correspond; and the words in the enacting clause carry into effect the intention expressed in the preamble. Can words be more explicit and unequivocal? The very phrase and mode of expression the same. This removes all doubt, and indicates plainly an intention to cloath congress with a power to provide for the common defence and general welfare. But it is contended by some, that the operation of these general expressions is restricted by the preceding words, to wit: that the money raised by congress by taxes, &c. is to be applied to pay debts, and provide for the common defence, &c. but that cannot change the meaning; because congress cannot apply money to the common defence and general welfare, unless they have power to enact laws, take and prescribe measures, for the common defence and general welfare; so that, according to that idea, a power to apply money to the common defence and general welfare involves in it necessarily a power to take measures for the common defence and general welfare, and the money will be applied to carry such measures into effect. Again, it is laid the specification of powers, which follows, restrains the generality of the expressions to provide for the common defence and general welfare. In specifying and defining powers which congress, the legislature of the union, were to possess, it would at once occur to sensible men, who were capable of forming a government, that powers of legislation might be omitted which congress ought to be vested with; and to supply such probable omission, and to guard against the evils which would result from not enumerating all the necessary powers of legislation, the words to provide for the common defence and general welfare were inserted. Would it not be an extraordinary thing, in the organization of a national government, that the legislature should not possess the power of providing for the common defence and general welfare?

If the power does not reside in congress, it cannot, does not, exist, so as to have effect. It cannot be in the state legislatures, for their respective authority does not extend beyond the limits of their several states. If it is said to remain in the people, as not being granted, it might as well not exist, because there is no mode prescribed by which the general will of the people of the United States can be ascertained, expressed and brought into action. The result of just reasoning must be, that there is no power in America to provide for the common defence and general welfare; which proves the fallacy of it, and will

induce every rational person to reject the construction, which is founded on it, as most unwarrantable, and as leading to the worst of consequences.

It cannot be contended with any propriety, that this construction of the words will give a power to congress to legislate for the states, and to interfere with their internal police and regulations. The words common defence and general welfare restrain the exercise of such a power, and therefore it cannot be attended with any evils.

Having, as I trust, convinced every impartial, dispassionate and unprejudiced person, who is solicitous to support the constitution, provide for the common defence and promote the general welfare of the people, that there is no good cause for the clamour which has been excited against Mr. Adams, because he has approved of the sedition and alien acts, and act to raise a provisional army, I shall now endeavour to convince you that he is entitled to your suffrages, as president, in preference to Mr. Jefferson, or any other person who may aspire to fill that exalted station. I do not pretend to be acquainted with the numerous services which Mr. Adams has rendered his country since the commencement of the American revolution, and shall content myself with enumerating those which occur to me at present. Mr. Adams was a member of the first congress, and a conspicuous member in that enlightened body, and assisted in all the important business that was transacted, and rendered essential services. He has ever since devoted his time and attention to the service of his country, as a member of congress, minister to foreign courts, vice-president, and president. I am informed he was among the first who suggested the idea of the Independence of America, and was one of the principal promoters of the famous resolution of the fourth of July, 1776, which declared the American colonies *Free, Sovereign and Independent States*. It was by his agency, his sagacious and patriotic management, in conjunction with Mr. Jay, that the independence of America was secured and acknowledged, in opposition to Mr. Franklin, who was for a strict adherence to instructions, and consulting the French minister, by whose intriguing arts, and diplomatic skill, the acknowledgment of the independence of America had been retarded and delayed, and might have been prevented, had not Adams and Jay, whose magnanimity and patriotism impelled them to take every risk on themselves, determined to act without the concurrence of the French minister, and to sign the treaty. Adams and Jay secured the fisheries and Western territory.

But it is said, my fellow-citizens, John Adams is a friend to monarchy. This charge is circulated with great industry, and made use of on all occasions, to inflame your passions, and prejudice you against Mr. Adams; and to support it, Mr. Adams's defence of the American constitution has been quoted, and detached parts selected, and his real sentiments distorted.

To disprove this charge, I refer my readers to a part of the same work, page 95, in which Mr. Adams has expressed sentiments which must be admired and approved by the most democratic republican; and candour, unless stifled by party spirit, or ill grounded prejudice, will constrain him to acknowledge, that the clamour raised against Mr. Adams, on that ground, is unjust and improper, originated in electing an onerous policy, and has since been adopted by the friends of Mr. Jefferson. The quotation alluded to is as follows, and appears to be the result of inquiry and consideration, upon comparing every constitution he had seen with those of the United States of America.

"After all, let us compare every constitution we have seen with those of the United States of America, and we shall have no reason to blush for our country. On the contrary, we shall feel the strongest motives to fall upon our knees, in gratitude to Heaven, for having been graciously pleased to give us birth and education in that country, and for having destined us to live under her laws. We shall have reason to exult, if we make our comparison with England and the English constitution. Our people are undoubtedly sovereign. All the landed and other property is in the hands of the citizens; not only their representatives, but their senators and governors, are annually chosen. There are no hereditary titles, honours, offices nor distinctions. The legislative, executive and judiciary, are carefully separated from each other. The powers of the one, the few and the many, are nicely balanced in their legislatures. Trials by jury are preserved in all their glory; and there is no standing army. The habeas corpus is in full force; and the press is the most free in the world; and when all these circumstances take place, it is unnecessary to add, that the laws alone can govern."

Is it possible for any one, who reads these sentiments of Mr. Adams, to be of opinion that he is the friend and advocate of monarchy and privileged orders? No, my fellow-citizens, it is not possible. The very contrary is to be concluded; he is an enthusiastic admirer of the American constitution; he is the firm friend and supporter of the rights and liberties of the people; he prefers the American constitution to the English, because the representatives, senators and governors, are chosen by the people; because there are no hereditary titles, honours and distinctions; because the legislative, executive and judicial powers, are separated from each other; the trial by jury is preserved; the habeas corpus secured; the liberty of the press established; and because there is no standing army.

I refer my readers to the conclusion of the address of the house of representatives, in answer to the speech of Mr. Adams, in 1797, which was concurred with and approved by General Smith, as appears by the yeas and nays.

"Permit us, in offering this address, to express our satisfaction at your promotion to the first office in government; and our confidence that the pre-eminent talents and patriotism, which have placed you in this distinguished situation, will enable you to discharge its various duties with satisfaction to yourself, and advantage to our common country."

I also refer my readers to the conclusion of the address of the senate, in answer to the speech of Mr. Adams, in 1797. The honourable John Langdon being one of that body at the time, and present.

"We beg leave to assure you, that we derive a singular consolation from the reflection, that at such a time, the executive of our government has been committed to your hands; for in your integrity, talents and firmness, we place the most entire confidence."

I shall now refer my fellow-citizens to the speech of Mr. Jefferson, on assuming the office of Vice-President, contained in my hand-bill, to convince them, that in Mr. Jefferson's opinion, Mr. Adams is not the friend and advocate of monarchy, and to prove that the office of