





S. G. & E. L. ELBERT





THE  
REVELATION OF RIGHTS.

BY ELIAS E. ELLMAKER, ESQ.

Man is not the enemy of man, but through the medium of a false system of government.—RIGHTS OF MAN.

If I'm designed yon lordling's slave,  
By Nature's law designed,  
Why was an independent wish  
E'er planted in my mind?  
If not, why am I subject to  
His cruelty and scorn?  
Or why has man the will and power  
To make his fellow mourn.—BURNS.

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## TO THE HUMAN FAMILY,

THE FOLLOWING PAGES ARE INSCRIBED.

IT was once common for an author, when he wrote anything for the public eye, to fix upon some personage of literary fame, of power, or of wealth, as a suitable character for the theme of a Dedication. I feel no peculiar desire for the exclusive patronage of the learned few, of those shrouded in power, or those rolling in wealth;—but I seek the more humble approbation of the honest and independent heart, wherever it may be found—whatever may be the form or shape, the gilding or color, of the perishable case that holds it. That true and genuine government may pervade the earth—that the Fast spoken of by the prophet—“To loose the bands of wickedness, to undo the heavy burdens, and let the oppressed go free, and that ye brake EVERY YOKE”—may be observed among all nations and people, is the sincere wish, the most fervent prayer, of the

AUTHOR.





## P R E F A C E .

THE title which is prefixed to the following pages, may perhaps sound singular in the ears of some readers — “*The Revelation of Rights.*” The author does not assume this title because he has been gifted with inspiration more than any other man living. The rights and principles, which are herein expressed, are by the ALMIGHTY engraven on the hearts of all men. They have been obliterated by custom, prejudice, and false government;—they have been buried in the family vault of tradition. From a wrong habit of thinking, many things are believed to be right, which have been eternally wrong. The author has endeavored, in some measure, to remove the great impediments that have long blocked up the threshold of truth, in the noblest science of man—the SCIENCE OF GOVERNMENT.

When a man undertakes to combat with custom, with general received and long established opinions, he must expect a warm and strong opposition. He rows against the wind, and

stems the tide. Principles, however just, however true, must first become fashionable before they meet with general approbation. Prejudice and custom have covered the breast of man with a plate of steel—the covering must be removed by the hand of reason, and the heart will then exhibit the true characters, which have been engraven upon it by the finger of God.

Mankind, in general, believe that government is a dark and mysterious art—that it can be known and understood by a few only—that a knowledge of it is to be obtained only by the elaborate study of years—that its true springs could not have been discovered in earlier days, that it must be founded on custom, collected from imaginary and antiquated maxims, and erected upon storied tradition.

Government is said to be a universal blessing. It is intended as a rule of conduct for every man, for the poor as well as the rich, the ignorant as well as the wise. If it be a guide for man, it must be simple in its nature, and plain in its administration. If it is intended for all men, all men should be capable of knowing its nature, and understanding its administration. If it is calculated for *all*, it must be simple, plain, and equal.

Are our governments of this nature? Let every man ask himself the following questions:—What is the nature of the government under which I live? What is the administration by which I am ruled? Do I know the one, or understand the other? Can I become acquainted with both, or with either, in any reasonable part of my life? Is it in the power of every man, possessed of common reason, and earning a common livelihood, to know and understand them? Can every man obtain justice *himself*, without the aid of gold to hire another to do it for him? If he cannot, what is the reason? Did God give me passions, and did he also give me reason to guide them? Did he give me rights, and did he also give me power to defend them? Was this reason given to a chosen number? was this power bestowed on an exalted few? If they were, am I an ACCOUNTABLE BEING?

If my Creator gave me rights, was it necessary that any part of those rights should be given up? If it was, do not such a gift and such a disposition of them argue a blunder in him, inconsistent with his wisdom and foresight? Did he give man rights which are not absolutely necessary for the attainment and promotion of his happiness? Is he partial in

his distribution of rights to man? If oppression and tyranny in one man over another, or over thousands, be justified by the Almighty, are those thus oppressed and in bondage, accountable for anything more than submission to their oppressor and obedience to their immediate master? Can that which is the immediate gift of God to man, as necessary for the end for which he was created, be destroyed or taken away by any human or earthly power or agency? Or can that which it has pleased the Creator to bestow upon the creature for the welfare of the creature, be patiently surrendered to any other being except to him who gave it? Is the slave answerable for his use or abuse of those rights which his Creator has given him, when those rights are forcibly taken from him by a fellow mortal; if such *taking* be countenanced or sanctioned by his all-bountiful Benefactor? Is a man answerable for the government of his passions, when his reason must yield obedience to the will of another? Can he be a subject of the laws of God, whose free agency is the arbitrary will of another man? Let those who say they are supporting a just and a christian government, ask themselves the foregoing questions. Let them mark down the answers which the dic-

tates of reason and conscience will imprint upon their hearts.

If they can then say, all is right, all is well, be it so. I shall not attempt to rouse the slumbers of their repose, or disturb the quiet of their souls. If the taking away and the giving up of rights among men; if the oppressor and the oppressed are both right; if the tyranny of the creature, and the justice of the Creator are one and the same; if a man can serve two masters contradictory in their commands; if a man's duty be submission to the oppression and slavery of his fellow-man, and obedience to his Creator; we must greatly lower our conceptions of the wisdom and goodness of the Divine Being. Let the christian take his course. I have taken mine. I hereby declare my abhorrence of all tyranny or bondage, either by surrendering up in whole, or giving up in part, those rights which ALMIGHTY GOD has kindly bestowed upon me, to any other being but to Him alone who gave them, who is my only and true Sovereign; and I hereby plant my eternal veto against all usurpation by man, and all tyranny, slavery, rapine and murder, in the name, or under the titled authority of government. I acknowledge no government that is not moral in its nature, and christian in its ad-

ministration. That which contradicts the character of God, is not, and of right, ought not to be binding upon man. Reason should be the uncontrolled property of every man. Let it ever be exercised in defence of his rights, in the promotion of his happiness, and in the praise of his Creator. This is the whole duty of man.

If any principles or opinions, which are contained in the following pages, be erroneous, if he who undertakes to combat them, will annex his name to his comments or opposition; either the errors pointed out shall be acknowledged and publicly recanted, or the truth of such principles or such sentiments shall be advocated and maintained by

ELIAS E. ELLMAKER.

NOTE.—Since writing this treatise, the author has deceased. The publisher has thought best to give the preface in his own words.

# CONTENTS.

|  | PAGE |
|--|------|
| CHAPTER I.   |      |
| THE PROPER STUDY OF MAN, AND HIS ORIGINAL RIGHTS,  | 13   |
| CHAPTER II.  |      |
| SOCIETY, AND THE NATURAL AND UNNATURAL STATE OF<br>MAN,.....                                     | 21   |
| CHAPTER III.   |      |
| GOVERNMENT IN GENERAL,.....  | 25   |
| CHAPTER IV.  |      |
| POLITICAL AND CIVIL LIBERTY,.....  | 52   |
| CHAPTER V.   |      |
| THE FORM AND ADMINISTRATION OF GOVERNMENT,.....  | 63   |
| CHAPTER VI.  |      |
| CRIMINAL LAW,.....   | 111  |
| CHAPTER VII.   |      |
| SLAVERY,.....  | 128  |
| CHAPTER VIII.  |      |
| REFLECTIONS ON AN ALTERATION OF OUR SYSTEM OF<br>GOVERNMENT,.....                                | 142  |
| CHAPTER IX.  |      |
| ADDRESS TO THE CITIZENS OF THE WORLD, AND ESPE-<br>CIALLY, TO THE CITIZENS OF THE UNITED STATES, | 187  |





# THE REVELATION OF RIGHTS.

## CHAPTER I.

### THE PROPER STUDY OF MAN, AND HIS ORIGINAL RIGHTS.

THE only true knowledge of mankind is to be obtained by a proper and impartial study of ourselves.

“The proper study of mankind is Man.”

In this study there is no deception. It is in the power of every man to know himself, if he will but employ the proper means. To know himself is his duty. Without this knowledge he is ignorant, and with it he is wise. We should first endeavor to unlearn ourselves, to render our minds like a sheet of white paper, free from the scratches of a prejudiced education, and free from the blots of a traditionary superstition.

Education has been properly called a second nature. Men often believe things to be right, which in themselves are wrong, from a wrong habit of thinking. The medium through

tional *use* of the fruits resulting from, or arising out, of such exercise, so long and so far as such exercise or such use does not interfere with, or injure, a like exercise or a like use of another. Any diminution or infringement of this natural liberty, in however small a degree, defeats the end for which man was created. This is tyranny. No man is free whose natural liberty is invaded. Any other liberty, by whatever name it be called, political or civil, if it interferes with natural liberty, by diminishing, instead of aiding and preserving it, is tyranny, and unworthy the name of liberty. Liberty, commonly called natural liberty, has sometimes been defined, and is generally understood to be, *a right to do what we please*. This definition is erroneous;—it has laid the foundation of much evil, and contributed largely towards rearing the fabric of despotism in all ages. Man may commit sin, yet no man has a natural right to do wrong. Wrong is the creature of man, or of the devil: it cannot be of God, nor was a right to do wrong ever given by him. The above definition confounds natural liberty with free agency. The political or civil liberty, which is introduced or created by government, should guide and regulate the free agency of man in

support of his natural liberty, and not impair free agency by an abridgement of natural liberty.\*

Natural and civil liberty have been generally considered as two distinct, separable rights of man. From this mistake, much error has crept into society;—it has been the cause of much oppression, and has assisted in supporting our unnatural systems of government. Civil liberty has been defined to be a right to do all which

\*The least infringement of natural liberty is a constraint on free agency. If the free agency of man be fettered, he ceases that moment to be an accountable being in proportion to the encroachment on his free agency. Free agency implies a capability or power in man to do wrong: but it would be an insult, if I may be permitted the expression, to the Divine Being, to say that man has a natural right, that is, authority from God to do wrong. It would be contrary to his character or attributes, as exhibited in his Word, to inflict punishment for doing that which he has commanded or authorized to be done.

Reason, the noble characteristic of man, was given to guide and regulate his free agency. An infringement of natural liberty, which includes every species of true liberty, by whatever name it may be called, would be the thralldom of reason, which must interrupt and pervert its guidance of free agency, and terminate in the bestial and wicked creature instead of the rational and christian man. Alas, the Slave! The supporters of false government will more than tremble, while the angel of innocence pleads his cause at the Grand Assize!

the statute law and common law of the land permit. In this sense civil liberty is no certain or definite thing;—it must change with the laws, and one part of man's liberty be at war with another, and that which is of the creature be at variance with, and often greater than that which is of the Creator. *Civil liberty is that portion of natural liberty, which is protected and secured to the citizen, from the invasion of moral depravity, by the regulations established under the government.* Civil liberty as understood by the world, is a name invented by tyrants—it forms the corner stone of palaces and dungeons—it is a type of rulers, and changes with their tempers—it is a camelion—a serpent—a bottomless pit, that can, and often does swallow up all true and natural liberty. Hence, mankind are often cheated out of their lawful and natural rights by an upstart bastard called civil liberty. Civil liberty is worthy of man, only when it is in conformity to natural liberty. If it be contrary to this, it is wicked—it is tyrannical—it is wrong—and it should be rejected by every man who wishes to preserve the character and dignity of a citizen.

————— “All constraint,  
 Except what wisdom lays on evil men,  
 Is evil.”

## CHAPTER II.

### SOCIETY, AND THE NATURAL AND UNNATURAL STATE OF MAN.

SOCIETY is the natural state of man. It is the state in which the Almighty intended him to live. This is evident from his weakness and wants, his passions and affections. Deprived of society, he would not answer the end for which he was created. Savageism is the result of solitude, as civilization is the consequence of society. Society and civilization are natural; solitude and savageism are unnatural.\* All good is natural; all evil is unnatural.

\*Mankind generally, indeed, universally, call the savage state the *natural* state. Hence, our American Indians are said to be in a state of nature. This, however, was a misnomer at first, and custom has sanctioned the error. A state of nature is a state of innocence, of contentment, of virtue, and of happiness. The wandering and solitary state of the aborigines in America, or in any other part of the globe, is an unnatural state. It may be asked, whether

In a state of society, by its proper and natural operations, man is capable of attaining his own happiness, and consequently, of answering the end of his being. The great duty imposed upon man by his Creator, is, to pursue and endeavor to promote his own happiness. He can not fulfil this duty, nor obtain this object, without at the same time promoting the happiness of others. The duty of man to himself and to his God, is inseparably connected with his own welfare, and the happiness of those around him. Thus it is only in a state of society that man can fulfil his duty.

The rule of conduct laid down by the christian Lawgiver, of doing to others as we would wish that others, in like circumstances, should do to us, is the great natural law by which all the operations of society should be regulated. This

a man is not in a state of nature when he is born. I answer, yes. But if one were to continue a child for twenty, thirty, or forty years, we would all pronounce it unnatural. An idiot is not a natural creature. Some fortuitous circumstance, some human accident, or some perverted cause, must have brought such a being into existence; as a child, owing to some accident, is unlike either its father or mother. Man was created for the social state, and society is his natural state.

rule is necessarily connected with society, is founded in the nature of man, and emanates immediately from God. Whilst man continues to observe this rule, he is in his natural state—he will be right, just and charitable—he will complete the true course pointed out for him, and finally arrive at the wished-for goal prepared for him by the author of his being. False education and false government have forced man out of this course into an unnatural path. Education produces a secondary, and often a wrong nature. We are frequently the devoted slaves of external circumstances. Whenever a man wrongs himself, or injures another, *positively*, by the commission of an act, or *negatively*, by withholding a duty, he may be said to be in an unsocial or unnatural state. The laws of nature have their own vindication in their own code, and execute themselves by punishing transgression and rewarding obedience. This vindication sometimes requires the aid of society to bring it into effective operation. There is a vindication in the laws of nature against all evil. Society and government should exhibit this vindication and bring it into exercise; they should act as aids or agents, and be subservient to the laws of nature, and in strict conformity thereto.

Man, by the Almighty, was created a free agent. Free agency implies a capability of doing right or wrong. From this capability results moral depravity; and from moral depravity results the necessity of political and civil government.



## CHAPTER III.

### GOVERNMENT IN GENERAL.

GOVERNMENT, in its general sense, is reason. Reason, or rather the means by which it is acquired, was given to man by his Creator for the government of himself and all things which were created for him. Man may be compared to a ship at sea. Life is the ocean, the body the hull, and the soul the cargo; the affections are the sails, the passions the winds—conscience is the compass, and reason the helm—hope is the anchor, and happiness the port.

Political and civil government should be the exercise of reason for the enforcement of our duties, necessarily arising out of our natural rights, and our protection, in exercising those duties. It is the aid of moral virtue, employed by her as a defence against moral depravity. Therefore all true government must be defensive only, and not offensive. The original government of man is reason. It is the government of God, and intended by him for the genuine government of man. Political government is, and must be generated by, through, and out of, this original government. Therefore it must partake of the features, nature and

essence of the original or divine government. Political or civil government, to be right, must be a moral government; for a course of virtuous conduct is natural; a course of moral depravity is unnatural. The government of man should be a SCIENCE of MORALITY, and not an ART of WICKEDNESS.

As great a political writer as ever lived in any age or in any country, has pronounced government to be a "NECESSARY EVIL." Under this bold unqualified dictum, much of the rapine, tyranny, murder and slavery of the present age, is shielded and protected. A traditional and superstitious belief of this kind has been handed down from father to son, and had existed for ages before the days of Thomas Paine. That great luminary of the political world adopted it from tradition, without examination. It is this maxim, and its abuse, that have made strong the yoke of slavery—it has crimsoned rivers and laid waste the fairest portions of man's inheritance, the earth. It exhibits at once the genius of tyranny, and is an apology for tyrants. It is their invention and their shield, and is revered and supported only by the credulity of the people. However necessary this maxim may be to the *art* of corruption and oppression, it is time that it

should be exploded from the science of government, and buried in the family vault of kings and tyrants. For the honor of human nature, let those also have an early grave, and, as at the burial of an Indian chief, let their accoutrements be buried with them.

Government, as it has heretofore existed, and as it now exists, in every part of the globe, we know to be an EVIL, without the aid of inspiration. We also know by experience, as well as by the light of reason, that government is necessary. But the necessity of a good or true government does not imply the necessity of one that is wicked or false. A government that increases the crimes and miseries of the people, is not necessary to preserve the purity and happiness of mankind. True government is a blessing — false government, a curse ;— true government is necessary — false government, unnecessary. For virtue to result from vice — light to proceed from darkness, is as impossible and ridiculous, as the attempt of the foolish madman, to swallow the blazing sun to cool his parched throat. Such have been the ravages of government in every age and in every country — so frightful have been the torrents of corruption that have flowed, and daily flow from its wicked systems

and principles, invented by tyranny, and supported by prejudice, that it became necessary to bury reason in the tomb of superstition, and attribute the cause of such evils to a supernatural necessity. But reason will have her day of resurrection, and triumph over the terrors of her grave.

Government, in its true nature, is not a frightful thing; it is easy to be learned, and every man of common sense is capable of comprehending it; if he will but reflect—if he will but study his own nature by those lights which the God of nature has given him. The toiling mechanic, and the laborious farmer, can discern the springs of human action, and judge as well of the justice and harmony of the “wheels” of a true and just government, as the cloistered collegian, wise under a traditional education, or the plumed statesman, rioting on the spoils of a plundered revenue. Government, or rather those *necessary evils*, with which we are afflicted, have operated upon mankind as *scare-crows* operate upon birds—if the latter would follow the bent of their nature, they would not be deprived of the gratification of their hunger; if the former would be guided by the dictates of reason, they would not be robbed of their rights.

On true government depends much of the happiness of man. From false government spring most of the evils incident to society;— it is the great reservoir of the many corruptions and crimes which torture the individual, and degrade the character of human nature.

This is a subject in which every man is interested; the poor as well as the rich, the ignorant as well as the wise, the pitiful beggar as well as the sceptred monarch. It is under a true government only, that the physical powers of man can find a proper exertion, his faculties, their unbounded expansion, and the creature fulfil the design of his creation. Government is a subject which has engaged the ablest pens in all ages and in all countries. But it still remains much involved in obscurity, and the *grand secret* is withheld from the mass of mankind, either by ignorance or design. It is surely capable of being understood and improved, else the nature of man is truly lamentable, his destiny, truly deplorable, and his life, unworthy of being the gift of his Creator.

A people to be free, must be enlightened; to be virtuous, they must understand and pursue their true interest. It is not the *interest* of any man to be vicious, even in this life.

There is no true advantage in corruption, no true glory in crime. In every country learning has been confined to a small portion of the community, and learned men have always been the smallest class of the citizens. This class have ever found it their own selfish and perverted interest to keep all other classes in darkness and ignorance. Ignorance is the principal ingredient in the composition of a slave, as cunning is the principal instrument in the hands of a tyrant. It has ever been the business and study of the learned and powerful, to render that which by nature is simple and plain, through art, as complicated and obscure as possible; and thus to place it in the power of the *few*, to astonish and bewilder—to ensnare and oppress the *many*.—Mankind readily believe what they cannot comprehend. By custom we learn

“To stroke the prickly grievance, and to hang  
His thorns with streamers of eternal praise.”

Governments have been established of different names and forms; but they all agree in one thing, and answer one end—the *oppression of the many by the few*. No form of government can be just, no law can be equitable, or promote the true happiness of man, unless it be founded upon the eternal laws of nature;

and be erected upon the unerring and immutable principles of rectitude. As government now exists, it is wholly the creature of the *few*, founded upon their own selfish interest, and the burthen of the *many*, depriving them of their inalienable rights. It is only necessary for any man to think, to be convinced of his unnatural degradation—a degradation, imposed by his fellow man, and supported by his own blind credulity. Prejudice and credulity have chained the body, and manacled the soul of man. Free and fearless enquiry must burst the bonds of error, for truth only will establish genuine liberty.

The common opinion concerning government, amongst the mass of mankind, is founded on prejudice; it proceeds from the mouldered maxims, and the antiquated customs of barbarous ages. Reason is overwhelmed by sophistry. Custom gives uniformity to error, and time gives it strength. Time and eternity will not add one jot to truth, nor take one tittle from error.

The original forms of government as they have existed in the world, are three. Monarchical, Despotic, and Republican. A celebrated writer, Baron Montesquieu, has pretended to

discover the springs of these three different forms of government. He says that honor is the spring of a monarchy, fear, the spring of a despotism, and virtue, by which he means love of country, the spring of a republic. Honor, fear, and virtue, are not the springs of any government; they may be the effects. The only true spring of a just government is interest, and the only true effect, is happiness. Interest may be styled the *primum mobile* of man and of government. Interest is the spring, and industry, the support. The spring of a false government is the perverted interest, and its support, credulity and corruption. Interest is the spring of a just government, not the interest of a chosen few, but the interest of every individual. Equality is the base, interest, the moving cause, and industry, the support.—Man is truly powerful, only, when he acts in conformity to his nature, and from the spring of his true interest. Whenever he wanders from, or is pushed out of this course, he becomes wicked, and, consequently, weak. Government can be powerful, only when it is just, and weak, only by injustice. Its strength consists in the strength of each individual. Individual inequality is a perversion of interest, a



diminution of individual happiness and of national power. Every act of injustice in a government weakens its power, and the addition of a single slave tarnishes the glory of any people.

A difference in interest creates a difference in power. As one man's interest increases under a government, another's must diminish. The increase of one man's interest and the diminution of another's, is at war with nature; it unhinges the balance of natural rights, and throws government from its proper level. In the inequality of interest, proceeding from the inequality of rights, some men are sunk beneath their nature, while others are exalted higher than ever Heaven intended.

In the operations of society equality is preserved, men are placed upon their proper level, the interest of one is the interest of all; and were it not for the moral depravity to which man is liable, the operations of society would render man secure and happy without the aid of political government. As government is introduced merely as an aid to society, this aid should partake of its nature, it should be founded upon the same principles, it should be actuated by the same motive, UNIVERSAL BENEVOLENCE. This is an ingredient which has been

wholly omitted in the composition of governments. It is the sweetener of human joy, and the solder of human happiness. Without it, government is at best a bitter sweet. A just government will not change a single principle, nor alter a single operation, of society; it will act in unison with it, and in conformity to it, as a defence, against moral depravity. To make this defence, it is not necessary to disorder the operations of society, it is not necessary to divide the interest of the people, to rob one part of their rights, only to engraft them on another, and thus make the defence of moral virtue the source of moral depravity.

From the materials we may judge of the superstructure, notwithstanding the coloring of art, or the gilding of impostors. The political system in all countries, but in some more than in others, exhibits a fabric in which blindness and folly, corruption and crime, oppression and slavery, form the most prominent parts. As science has progressed, learning has become more subtle; the study of the *few* has been to weave thicker the veil of tyranny—to make science a scourge, government a labyrinth, and the interest of man the wretched pit of corruption and misery. The people mistake the cunning mys-

tery of the *art* for the boasted improvement of the *science*. Government has become more subtle, but little improved. It is gilded with show on its back—it has a musical rattle on its tail—but an envenomed fang in its mouth. It will sting with slavery while it rattles liberty.

False government and false principles have existed so long in the world, that custom has supplanted nature ; prejudice supplies the place of reason; and mankind believe that such principles as their forefathers believed in and maintained, are necessary, not only to their happiness, but also to their existence.

“ Such dupes are men to custom, and so prone  
To reverence what is ancient, and can plead  
A course of long observance for its use,  
That even *servitude*, the worst of ills,  
Because delivered down from sire to son,  
Is kept and guarded as a sacred thing.”

It is an undeniable fact that there are many forms and systems in the best governments now on earth, which are considered as absolutely necessary to preserve the liberty of the citizen, and are kept and guarded as sacred, though at the expense, oppression, and even servitude of thousands and tens of thousands, for no other reason than that they have existed time immemorial ; — each generation receiv-

ing them because their fathers cherished them, without exercising their reason as to their propriety or justice. Thus truth yields to indolence, and reason submits to an imaginary necessity — a necessity, generated in the brains of the pirates of human rights, and nourished by the hard earnings of honest industry.— How much of their honest earnings do the poor and laborious in every country, under governments boasting of liberty, part with, in order to fill the coffers of some parasitical representative of some visionary necessity in the formation or administration of laws!

Government must be either right or wrong; if it be a right or just government, it will aid the virtue and promote the happiness of mankind;—if it be wrong or unjust, it will increase vice and corruption, and generate crime and misery. A just government exists by the purity of its own principles; an unjust government is destroyed by the impurities of its own corruption. Whenever the wheels of government can be put in motion, only by making gods of some of the citizens and beasts of others, it is the government of heathens or of Satan, not of christians or of God. Nature, in the formation of man, made his happiness to flow from honest industry; his misery, to

be generated by luxurious idleness. Any system of government which supersedes the necessity of industry in some, by doubling it on others, encourages indolence, and is consequently unjust. Tyrants, rulers, parasites, and governmental speculators, would fondly make us believe that it is necessary to refine man in the crucible of slavery, to fit him for the enjoyment of liberty—to purify him in a hell of vice to fit him for a heaven of virtue.

It is the people that at first give character to a government, but the government in time will give character to the people. If the government be founded on bad or unjust principles, the corruption of any part of the system will run through a thousand avenues among the citizens, and, like the circulation of the blood, it will pervade the whole body. It is the government that corrupts the people, and not the people that corrupt the government. Corruption commences with the rulers, and ends with the ruled. The citizens of a country oftentimes feel themselves aggrieved under their government; they experience pain, but are ignorant of its cause; they even feel the agonies of death, but know not the instrument of their torture;—the lurking disease at length proves a mortification, and death or amputa-

tion is the only alternative. They mistake men for measures, and measures for principles. The nation is diseased; some mistake the bloom of fever, for rosy health, and others, a bewildering trance, for balmy sleep. Old wives doctor without regard to nature; quacks prescribe without knowing the cause of the disorder—till finally, the *learned physician*, with a misty jargon of scientific wonder, and under the covert of a *fated necessity*, fills his coffers at the expense of a frightful and mangled corse.

That government, as it now exists in all parts of the civilized globe, is an *evil*, no man in his senses can deny. To be convinced of this truth, we have only to look at the condition of a majority of the people in any country, at the catalogue of crimes and criminals, at the contention between those in power and those out of power, at the satisfied and the dissatisfied, at those in bondage and those rioting on the fruits of their toil, at the bickerings of parties, and the wars of governments. It is by the fruit that we must judge of the tree.—Throughout creation, there is no species that will work its own destruction—there is no living creature, from the mild dove to the ravenous hyena, that will destroy its own kind,

*man only excepted!* And man becomes the murderer of man, only through the medium of a false interest, originally springing from a decay of moral virtue, increased by a traditionary and prejudiced education, until finally consummated under the corrupting influence of false systems of government, while the petty vices of individuals are merged in the crimes of nations. To say such governments are necessary, is an outrage against Heaven. The altar and the god must fall together. The Deity never created man to be ruled by a government, and that government, at best, an *evil*. When he gave man rights, he gave them as necessary to his happiness. He never set him up as a rich old trader sets up his son, with a large stock of rights in bank to trade upon. If he had withheld a single right from man, or a part of any right which he has given him, man as his son would not have come from his hands capable of attaining the end for which God his father gave him existence. He gave no man too little—no one too much—but to all equally. Tyrants, kings and rulers, in the plenitude of their wisdom, differ from God in opinion. They believe that some men have more rights than there is any necessity for, and that others have too few to answer their

purposes. Our wise politicians tell us that many of our rights must be parted with—in indeed, some must give up all, for example, the slaves—in order to maintain the government, or rather *us*, the governmental men, in luxurious idleness. “God,” they in effect say, “made a mistake in his calculation; we will correct the error.” Vain, presumptuous mortals! The government of Christ can be maintained without supporting the kingdom of Satan. A government can be established consistent with all the rights of man. Any encroachment on the rights of man, either by individuals, or under the name or authority of government, is a violation of those LAWS which are immutable and eternal, emanating from the throne of ALMIGHTY GOD. Let tyrants and demagogues tremble, and call aloud for the hills and rocks to cover them. Where some men acquired the prerogative to take their neighbors’ rights, and others found it their duty to surrender them, I know not; but I humbly conceive that the prerogative of the one originated in usurpation, and the duty of the other began in a cowardly and criminal acquiescence.

It is said that Tiberius destroyed the morals of the people in order to preserve their customs. The same observation may, with truth,



be made of our best systems of government. A people will ever be very tenacious of their customs. When reason dethrones prejudice, nature casts off the counterfeit of custom. As the mind of man becomes more enlightened, and his faculties more expanded, his principles of action become more generous and humane, and his general views, more noble and comprehensive. To divest himself of prejudice, which is an opinion formed without the aid of reason, should be the desire, as it is the duty, of every man.

It is the general opinion of mankind, that the evils they suffer under a particular government have their origin in the rulers—and hence, like the Romans in the days of Sylla, they aim their blows at the tyrant instead of striking at the usurpation. It is true that corruption will first make its appearance among the rulers, because they are the nearest the fountain; the government is the fountain, the rulers the floodgates; too often are they hoisted, and a fair and fertile country is desolated by the flood. Corruption, in any country, never began with the people. The people have no interest in slavery, or in an invasion of rights; they gain nothing by the bickerings of party or by the corruptions of an

election; they are not benefited by the collisions of rival states, or by the havoc and desolation of war. Such things are the sport of rulers and tyrants. The poor people are the game—their wealth and their rights become the prey of unprincipled office hunters.

There are several kinds of government in the world, differing in their nature and in their form. The maxims on which one is established are wholly different from those on which another is founded; they are erected upon different plans, and administered in different modes. It is as improper and inconclusive to reason from one species of these governments to another, or from either of them to a just government, as it would be to attempt to calculate the depth of the Atlantic ocean from the heat of the meridian sun. They only serve as light-houses to the watchful mariner; they exhibit the rocks—we must beware of the wrecks. We should extract our principles from the bosom of nature, combine them with the hand of reason, and preserve them unmixed with prejudice, and unadulterated with political superstition.

All governments, whether monarchical, despotic, or representative, have ever exhibited a kind of governmental traffic. They all have their

SINECURES. Many officers have nothing to do, or they are able, by means of their high salaries, to hire others to perform the duties of their post, while they themselves riot in luxurious idleness upon the surplus. This traffic, or speculation, is surely not necessary. Is it necessary to the happiness of mankind that one man, or a certain number of men, in a community, should be, by the government, created LICENSED IDLERS, to riot on the spoils plundered from the honest industry of others; and that the hard earnings of thousands of daily laborers should be thrown into the coffers of the government, for no other purpose than to maintain the luxurious indolence, the bloated pride, and the empty name of rulers? Here is a source of corruption, of jealousy, and of contention, that contaminates the sacred temple of virtue. It is injustice felt by every man; it forms an atmosphere in which the noblest qualities of the soul will pine and die; it discourages industry, and disrobes honesty of her attire. Liberty is an active principle. It languishes by inactivity. When government is the cause of indolence or luxurious idleness in part of the citizens, it creates drones in the hive of society. A drone is a detestable creature. It lives and riots on the

labor of others—often to the starvation and destruction of honest laborers. Plenty should be the reward of the laborer; want, the punishment of the indolent. Those who hold sinecures, are drones; their existence is unnatural, and their continuance unnecessary and unjust.

Government can and should be so instituted as to cherish patriotism. Nature has implanted this principle in the constitution of man. It is a principle, not mere instinct—it is the production of nature, not the creation of art. The aim of governments has been to smother its growth, and finally to terminate its existence. Avarice nips it in the bud. It cannot live and thrive in the midst of corruption. The sordid love of gold cankers it—selfishness poisons it. It is a natural, an active, and a disinterested principle, implanted in the heart of man, to be brought into action for the general good of the human race. Universal benevolence is its exciting cause, and universal good, its object; the heart is its habitation, and the world, its sphere of action. Such has been the influence of governments of every denomination, such the power of a secondary nature, and so dense the mist of prejudice, that in the most enlightened countries, some philosophers, who have drunk deep

from the pool of tradition, have roundly denied the existence of such a principle in nature. And indeed we need not be surprised, inasmuch as the mind is as varied as the form that contains it. It varies with education,—it is sensibly changed with the changes in life, and is daily influenced by the objects that surround it.

Office and power are trusts which have their corresponding duties. Under our government, the gold which is annexed to the office, becomes the motive to action, and not the good of those who delegate the trust. The mind readily partakes of the nature, and moulds itself according to the force that acts upon it. Custom, in time, usurps the seat of nature, our true interest becomes perverted, and we follow a real evil under the form of an imaginary good. We ought not to hold out temptations to evil. It is better to check the motives to corruption than to be the avengers of crime. We create crimes only to torture criminals; and become the patrons of that moral depravity which it was our intention to prevent.

All civil rights arise out of society, and are only the guards, aids, and support of natural rights. Civil liberty is only the protection of natural liberty, afforded by the establishment

and administration of government. Civil and acquired rights only, can be a subject of forfeiture. Natural rights can be forfeited to God only. Forfeiture implies a superior who gave; society can neither give nor take away a natural right. That alone which is created by society, can be forfeited to society. All governments have confounded civil or acquired rights with those which are natural, and derived immediately from God. This confusion has created much of the tyranny, barbarity, and injustice, which exist in the world. The duties of civil government are simple, and the limits of its operation extremely narrow. Men have endeavored, and their endeavors have been crowned with too much success, to render government as complex as possible, by interweaving it with powers which are foreign to its nature, and incompatible with the eternal principles of equity. Government has nothing to do with natural rights, only to protect them in each individual as he has received them from his Maker, without carving or dividing—without diminishing or increasing them.\* The

\*Governments attempt to increase the rights of some men, by giving them power over the natural rights of others—by depredations on their industry, property, and

rights which man has received from God, are as unchangeable and eternal as God himself. In the mysteries of government, rulers have interfered with many things with which they have no concern.

The mysteries of government, like the mysteries of religion, have ever kept the bulk of mankind in the dark. Rulers "love darkness rather than light, because their deeds are evil." It is only necessary to release reason from the tyranny of prejudice, to free nature from the dominion of custom, and you emancipate man from the thralldom of oppression, and give him the full enjoyment of a true and virtuous government. Prejudice and custom are the handmaids of false government. Superstition and tradition are the nurses of false religion. Give reason her sway, and she will establish the rights of man in spite of injustice and oppression.

lives. Any increase of rights must be the commission of sin; any decrease, a violation of the order of God. The slaveholder adds to himself by taking largely from the African; let him justify his rebellion against the decrees of heaven, and let the politicians of the age, justify the governments that support the abomination; and let him cast the first stone whose hands are clean. The thief and the abettor are alike guilty before the throne of justice.

The rights of man are invaded, because the possessors are ignorant of their value, and of the means of preserving them. The pebble and the diamond are alike trampled upon by the swine; he only is fit to be the guardian of the ruby, who can make a true estimate of its value. Government, in order to be stable, and a blessing to those over whom it is exercised, must be founded on the eternal laws of nature, and be erected by the unerring scale of right. Integrity, justice, benevolence, wisdom, and industry, are the pillars that support the beautiful dome of liberty. Dishonesty, injustice, ignorance, and indolence, are the massive walls that enclose the wretched prison of slavery. A nation should endeavor to become enlightened. Wisdom diminishes vice, and knowledge decreases the catalogue of criminals. Crimes, in every country, increase or decrease in number and cruelty, in proportion to the darkness or illumination of the people. Look back on past ages, and pore over the melancholy catalogue of the subjects of the prison, the gallows, and the gibbet, and you will find that the corruption of their hearts was shrouded in the gloomy ignorance of their minds; that a large portion were ignorant of the first rudiments of learning, and of the first principles of mo-



rality—unable to read their sentence, or construe their death warrant.

Thousands who are now only known in the dark annals of crime, by their indomitable patience and unyielding firmness exhibited only in a career of vice and infamy, had they been properly instructed and enlightened, might have become ornaments to their country, and benefactors of the human race.

“But knowledge to their eyes her ample page  
 Rich with the spoils of time, did ne'er unroll;  
 Chill penury repressed their noble rage,  
 And froze the genial current of their soul.”

In a government founded on reason, every individual contributes to its strength and support. It is the government of each individual, of the lowest as well as the highest, of the poor as well as the rich. The rights of the poor are as easily infringed as those of the rich. Every man has a property to defend, if it be only the scanty pittance that barely supports life. If he have but little, violence to that little, is easily felt; and the injury, though comparatively small, is relatively great. The government and the laws should be so constructed and so administered as to be understood by all persons of common capacity.— They should operate on man in a civil sta-

tion as conscience operates in a moral relation. They should act as a guide. They should point out what is right, and what is wrong; they should judge the act, and punish the crime. When they are so constructed as to require the cloistered study of collegians for years, and the labor of civilians for half their lives, to understand them, and then, perhaps, the wisest differing in their opinions as to the meaning of certain parts, and as to the construction of the whole—surely, such a government and such laws must be a miserable guide for the mass of the community for whom they were formed. To punish a man for a wrong, when he knows not, and has not the means of knowing what is right, should be the exclusive province of the fabled judges of the infernal regions! Let government and laws be founded on equality, and the plain dictates of nature and of reason. When I speak of equality, I mean an equality of rights and duties, of security and danger, and of benefits and burthens. A violation of this equality opens the road to contention and anarchy, and finally paves the highway to corruption, slavery, and despotism. As it has ever been the prerogative of one class of mankind to fashion a religion for the rest, thereby securing to

themselves great worldly advantages; so, it has been the prerogative of another class to mould a government for the rest, to suit their own purposes of self-aggrandizement. Both classes unite in holding the consciences and purses of their fellow-men in their safe keeping. Superstition is the wand of the one, and an imaginary necessity, the divining rod of the other. Reason only, can destroy both false religion and false government, and establish  
**UNIVERSAL EMANCIPATION.**

## CHAPTER IV.

### POLITICAL AND CIVIL LIBERTY.

POLITICAL liberty is derived from the constitution of a state or country. *A constitution is that code formed by the people, which expresses the delegated trust of the nation, and is a line of demarkation which creates and bounds the constituted authorities of the government.* Political liberty is that security which the people have under the constitution, that their natural rights shall not be infringed or invaded, by the operations of the constituted authorities. A people who have no constitution, can have no political liberty. The preservation of their natural rights, and the enjoyment of them, must wholly depend upon the moral virtue of their agents in the government. It is the frenzy of ignorance, or the madness of folly, to boast of the perfection of the government, and of the liberty of a people, that are without a constitution. The nature and operations of their government must depend on the virtues and vices of their rulers, and not on any prin-

ciples of equity established by the nation. England exhibits to the world, at this day, the degradation of a people without a constitution. The people of that country enjoy government under their rulers, as the African slave enjoys the government of his master; it changes with his humor, his interest and his passions. The government of England is great, glorious, and terrible; but the mass of the nation are ignorant, poor, and wretched. It is truly the government of the *few*, but the scourge of the *many*.

It is deplorable for a people to be without a constitution, but to have a bad or defective one, is also to be lamented. The constitution creates political liberty, and this is the guardian or protector of natural liberty. If political liberty be defective, natural liberty will be left unprotected. The constitution may be defective by giving too much power to the constituted authorities, and also by restraining them within too narrow limits. The experience and wisdom of the citizens must determine this point.

Civil liberty is derived from the laws formed under the constitution, by the authority therein established for that purpose. Civil liberty is only that portion of natural liberty which is

secured to the citizen by the laws of his country, and it is the protection of those rights which he may acquire under the government. Writers on the subject have defined it to be, "a right to do all which the laws and long established customs of the country permit." In this sense, it is no fixed or definite thing, but changes with the laws, and depends on the customs of the country, whether just or unjust. In this sense also, the slave of a tyrant enjoys as much civil liberty as the freeborn citizen of a republic; the enlargement of civil liberty is the diminution of natural liberty; and the former may be enlarged until it totally destroys the latter and all natural rights. Civil liberty, properly so called, depends on political liberty; political liberty depends on the constitution; the nature of the constitution depends on the vigilance, virtue, and wisdom of the people; and all these must be united for the protection and preservation of natural liberty. Then, and then only, are the people citizens of a FREE AND INDEPENDENT GOVERNMENT.

Genuine liberty is a theme often discussed, but little understood or enjoyed. It is a word which is constantly in the mouths of tyrants, as honesty is continually in the mouths of rogues.

In order to prepare the way for oppression, it is only necessary to sound the name of liberty. Nations are deluded by the enchanting sound, without ever feeling the benign influence of real liberty. Thousands of its enthusiastic worshippers, like the bewildered followers of an *ignis fatuus*, have perished in darkness and error. There is hypocrisy in politics, as well as in religion. The one is necessary to the tyrant, the other is an attribute of devils.

It is certainly strange that mankind do not see the manner in which they are cajoled out of their rights. The schemes of the politician of the day are as pitiful as his intentions are criminal. They are on a level with the deceitfulness and wickedness of his heart. It is only necessary for a man to think, to open his eyes, and the management, the duplicity, and the intrigues of designing demagogues, will be presented to his view, in all their native deformity. The plans of rulers, like spiders' webs, are only calculated to catch the unwary, and ensnare the weak.

“A free agent, in a free government, should be his own governor,” was the language of the greatest of men in the basest of governments. He pronounced it while groaning under the ty-

ranny of a Louis. I will venture to repeat it amidst the independent yeomanry of America. If the government be not free, it should be reformed immediately. The best repentance is, to do right now—at the present moment. Continuing to do wrong is to perpetuate misery. Those who flourish in power never wish reform, as those who thrive in wickedness never desire repentance. Reform will never commence with the rulers, but must always originate with the ruled. The aim of rulers is, to deny the necessity of repentance, and to break down the spirit of reform, as hostile to civil liberty, and opposed to the true religion. This opposition to reform may be considered a religious duty in an Eastern mosque, but the churches in America should reject it, or Christ will reject them.

Our rulers inform us that we have already arrived at the achme of perfection in the NOBLEST SCIENCE OF MAN—THE SCIENCE OF GOVERNMENT. There is now as much room for improvement as there ever was,—greater opportunity, and more necessity. God has implanted in man faculties commensurate with his wants, and capable of an infinite progression in the career of improvement. A soul capacitated for improvement, ought not to be bounded by a tyrant's



landmarks. But our *learned men* of the day tell us, that in the science of government we have already reached the *ne plus ultra*, that we must now stop, that to advance is to fall, to attempt improvement is to meet with ruin. To this sentiment, tyrants respond a hearty amen; but the voice of nature proclaims it false. I shall reverence and endeavor to obey the latter, without consulting the wishes of the former.

The extremes to which a wrong habit of thinking will carry the mind, are truly wonderful. The greatest evils are often regarded as the greatest blessings. A partial right to our own is considered a great favor, and a partial liberty an emancipation from slavery. If the cabinets of political cunning and corruption were ransacked, perhaps a more wicked scheme of deception could not be found than that called TOLERATION. We boast of our government as a government of freedom, because it *tolerates* religious liberty, and the liberty of the press. From what does this toleration proceed—from the constitution or the government? Can a government tolerate a right? Can any government create any right, independent of the eternal principles of justice? All rights are self-existent, independent of the will or power

of man. They necessarily arise from the nature of things. If there can be any such thing as the toleration of a right, it can proceed only from him who gave the right. What! the creature tolerate the gifts of the Creator! One would think that rulers were the deputies of God, and, like kings of old, held their authority immediately from heaven. We, ourselves the dupes of craft, laugh at the credulity, and wonder at the ignorance of those whom we call slaves. Blessed toleration! There are some things belonging to us of natural right, and government, in its good humor, will permit us to have them! Which is the more wicked, for us to tolerate government as it now exists, or for government to pretend to tolerate us in the enjoyment of our natural rights? To tolerate a false government is trampling on the bounty of the Creator, and trifling with his gifts. Toleration, if it can exist at all, can exist only in the relation of the giver and receiver, of the master and servant, of the creature and Creator. It would be as just to praise government for permitting a man to retain the nose on his face, or the heart in his body, as to extol it for the toleration of religious liberty or of any other right. A toleration of a right implies the power and

right to withhold it. *Toleration in government either gives that which it has no right to withhold, or it grants or permits that which it is wrong to grant or permit.* Government may tolerate that which is wicked, but it cannot tolerate that which is good. It may tolerate the slaveholder in the bondage or murder of his fellow creatures; it may tolerate rulers in plundering the ruled; but it cannot tolerate a man in enjoying the fruits of his industry, or in the possession of his genuine liberty.\*

\*We all acknowledge that government has no right to interfere with the religious liberty of man. Why? Because religious liberty is a part of natural liberty. It is the gift of God. Religion is a concern wholly between man and his Maker; his temporal and earthly happiness as well as his eternal salvation, depends upon it. That part of natural liberty called religious liberty, comes under the definition which has been given of liberty in general, and can be exercised so far and so long, only, as it does not affect the genuine liberty or rights of another.

Does not any other part or portion of man's natural liberty stand upon the same basis, flow from the same source, being given for the same purpose, as natural liberty? If it does, why make a difference? Why hold the one part as sacred, and give the other up to be carved out and plundered—to be curtailed and destroyed under the titled authority of government? Let the advocates of necessary evils, or of false governments, and the supporters of anti-christ, explain the reason. \* \* \* \* \*

Deluded man! the truth must prevail.

The plain truth is, that even God himself cannot tolerate a man in anything. God cannot do that of which he does not approve. Toleration is contrary to his divine and immutable attributes. To do one thing and approve of its opposite, belongs only to a false government and the kingdom of Satan. For a man to tolerate another in anything, is sinning against the judgment of his own conscience. Therefore, let christians cease to boast of the toleration of governments. It is blasphemy against the King of Heaven.

The laws of nature are eternal and immutable. Like causes must, and ever will, produce like effects. Pure water cannot flow from an impure fountain. If a government be bad, the fruit of it cannot be good. If a people do not possess genuine political and civil liberty, they cannot enjoy natural liberty. Why has not government, as it exists, if good, meliorated the condition of man? Why are not crimes diminished? Why does injustice continue to mar and degrade the character of man? It is a fact, denied by none, that crime and injustice exist and prevail in a greater degree, under our best political systems, than among those who are said to live without any regular government, and whom we call barbarians and

savages. I do not mention this as an advocate for a barbarous or savage state of society, but as a proof that our present systems of government are neither constructed upon the true principles of society, nor founded upon the unerring laws of nature. Why does not true religion progress? Why does it not refine mankind? Because the governments of men are at variance with the government of Christ. The government of Christ is, to do as we would wish to be done by; the government of our politicians is, to do as we would not wish to be done by. The one is founded on benevolence, the other, on usurpation; the one acts from true interest, the other, from a perverted self-interest; the one is natural, the other, unnatural; the one is equity, the other, iniquity.

Men will naturally partake of the nature of the government under which they live. He who lives six days in conformity to, and under the influence of, a false government, and one day only, under a just government, will soon become the devoted slave of the former. The approver of false principles of political liberty, will soon become the approver of unnatural crimes. Erroneous views of civil liberty will cause a perverted interest, and this will originate false affections and unlawful desires, till

finally man, under its influence, becomes a cold, a selfish, and a wicked creature. False government and false liberty create crimes to feed their own base and insatiable appetites. From the disaffection, the contentions, the wars, and crimes of governments, you may estimate the amount of their virtue. It is noble, it is worthy the true dignity of man, to struggle for the attainment of the end for which he was created, even if he should fail in the attempt. Silent submission to tyranny is degrading; a temporizing acquiescence is criminal.

“ He who holds not freedom,  
Has not his will his own, and chooses nothing.”

## CHAPTER V.

### THE FORM AND ADMINISTRATION OF GOVERNMENT.

As the rights of man only constitute the foundation of a true government, so the eternal principles of equity only constitute the basis of a just administration. All true government must be constituted and enforced by the whole of the citizens, either in person or by agency. It is impossible where the community is large, for them to act in person. The government must, therefore, be conducted, as well as formed, by agency. Hence, a Democracy, properly so called, which is a government where all the citizens act in person, or a Democracy by agency, which constitutes a Representative Government, is the only just and true government. It is as evident, that where a man is competent to do an act by agency, he has the right, and he alone, of nominating that agent, and of prescribing his powers, as that things that are equal to one and the same thing, are equal to one another.—*Qui facit per alium, facit per se.* Who does an

act by another, may be said to do it himself. Thus every man becomes his own governor, and then, and then only, is he the citizen of a free government. Therefore, all government which is not democratic or representative, must be a wicked, unnatural usurpation. All power, however small, which is exercised by an agent, must be prescribed by those who grant the power. If the agent be not chosen by the people, if he transcend his power, or overleap the limits which are prescribed, he is not an agent, but a tyrant; the power which he exercises, is a usurpation, and a violation of the order of nature; and his authority is not binding upon the people. All nature and reason revolt at the idea of self created power, to be exercised by one man over another. Self created agency is a monster in political government; the constant appearance of the beast has made it familiar to our minds, and custom has reconciled us to its deformity.

A government consists of two parts; the formation and the administration. If a people find that their government is founded on the wisest plan, and the laws made under it, the best that man could devise; yet if the administration be bad, the condition of the citizen must be wretched. The administration of



a government depends on the nature of its formation, as the movements of a clock or a watch depend on the materials of which it is made, and on the manner in which it is constructed. The effect must follow the nature of the cause.

We may, with safety, lay down the following general rule in regard to governmental action:—If the agents or rulers do not transcend the powers of their agency, and the people feel inconvenience, or, as is common, find themselves oppressed by the administration, we may conclude that there is something wrong in the original formation of the government. Therefore, a change of agents in the administration, will never effect a redress of the evil. Hence, the contention of parties as to the agents in power, demonstrates the folly of the people, and the cunning of their rulers. The evil continues; corruption increases with every change of agents; at length confidence is destroyed; and the bewildered and oppressed citizens lament the measures of men, instead of striking at the root of the evil, by reforming the original system of their government.

The Revolutionary contest of America with England, was doubtless the most just, and its termination, the most glorious, on the part of

the former, of any war recorded in the annals of history. But though we obtained a great and splendid victory, much was left unconquered. We conquered kings, parliaments, and hereditary aristocracy; but we failed to subdue principles, maxims, and customs, which spring from, are coexistent with, and pertain to them all. Long established customs, the maxims which originate in them, and give rise to principles of action, will remain firm and unshaken, when the sword of the conquerer is sheathed over the ruin of empires. Fire and sword may lay waste whole countries; but reason only can conquer the kingdom of prejudice. The stride from kingly and hereditary dominion to that of a representative government, was as great as it was just. We conquered our enemies, but did not make a conquest of ourselves. We broke the instrument of our torture, we healed the wound; but we retained the poison in our system. It is easier for a man to obtain a victory over others, than to subdue his own appetites and passions; it is easier to heal the wound than to extract the poison we have imbibed.

After our successful and glorious resistance against the power and tyranny of England, we constructed a fabric of government out of the same materials that our British ancestors had

used in the formation of their government. We made a new body, a little different from the old, and christened it with a new name. It requires no supernatural aid, no divine inspiration, to understand that what is necessarily connected with, and is natural to one thing, is not necessary, but is unnatural to another which is altogether different in its nature. The principles, maxims, and customs of a monarchy, have no more relation or connection with those of a representative government than slavery has with freedom, or the burning sands of an African desert, with the snowy cliffs of an Alpine mountain.

In judging of a community, it is neither reasonable nor just to form an opinion of its members from a specimen of the worst, and from that to condemn the whole. In speaking of governments, and in pointing out their errors, I shall keep in view the most rational form now in existence, which is that called the representative; and of representative governments I shall select that of Pennsylvania,\* which is equal to most, and superior to many, in the confederation of the United States of America.

\*This treatise was written before the adoption of the new constitution of Pennsylvania.

When the government of Pennsylvania, and those of the other confederated States, as well as the federal government itself, were created, they were constituted and formed out of what the world pleases to call "THE WISDOM OF AGES," THE BRITISH GOVERNMENT. What is this wisdom? Principles and maxims established by the prejudice instead of the experience of ages, collected and drawn from a monarchy, and that monarchy the most wicked and corrupt under the canopy of heaven! British precedents, British principles, British maxims, and British customs, established and sustained the representative governments on one side of the Atlantic, as they had established and sustained an hereditary monarchy on the other. Can this be reasonable, natural or just? Is England a subject of envy? or is her government a superstructure calculated to awaken the love and admiration of freemen in America? With all her learned principles, wise maxims, and antiquated customs, which we have blindly imbibed, and credulously adopted, what is she at this day? Behold her now, bleeding at every pore; behold her sinking under her own corruption, generated by her own unnatural principles and systems, against which her customs and maxims

are no antidote, and for which there can be no consolation but despair—no remedy but death!

In England the government is made to consist of three branches—the Legislative, the Judicial, and the Executive. The great policy or art, is to maintain and preserve a proper BALANCE between these three powers. This is the great wisdom of the government, and this balance must be preserved, even though the liberty of the people should be lost in adjusting the equilibrium. This balance is nothing but the invention of tyrants and the craft of rulers, to increase the number of the *riders* of the people, and, perhaps, to gain that great national blessing, *a national debt*. The blessings of Englishmen must exceed the powers of the imagination, if we calculate them from the enormous size of their debt. Envidable situation! Convince me that it is sacrilege to cross a field of beans, and I also will be a Persian.

This balance is an organization of the government in such a manner that the three great branches may be a check upon each other; and they *check*, and *check*, until they *check* away all natural rights from the deluded subject. When there is nothing left to plunder, the balance becomes adjusted; all the rights and power being

on one side, and all the wretchedness and slavery on the other.

Citizens of America! Citizens of the world! here lies the GRAND SECRET. In this balancing and checking operation, originates the great and fatal necessity of giving up some of our natural rights in order to preserve the scanty remainder. Here commences the kingdom of Satan; and necessity is the robe in which he sits enthroned—a robe sufficiently large and commodious to conceal his cloven foot from the inconsiderate and short-sighted multitude.

This balancing and checking of powers may be the *art* of government, but it is not the *science*; it may be the *mystery*, but it is not the *wisdom* of government. It constitutes what is often called the *independence* of government. It is the independence of rulers at the expense of the ruled. It is a direct invasion of the order of nature, making the servant independent of the master—the creature, greater than the creator. Distinctions are made for which there is no necessity, and being unnatural, unnatural means must be resorted to, that they may be perpetuated. An officer is created, and in order to make him independent of another officer, he is invested with unnecessary powers; he is made independent of those who created

him, and for whom he was created. Thus the agent becomes independent of his employer, and, in order that he may be equal to his fellow agents in spoil and power, he bankrupts and enslaves his principal.

These checks and balances may be perfectly consistent with an hereditary monarchy and an hereditary aristocracy, where there is an idle and unnatural nobility which has many mouths to be fed, and boundless wants to be supplied; they may be calculated for the “omnipotence” of a British Parliament, for swarms of pensioners and salary officers with sinecures, for princes and princesses, peers and peeresses, lords and ladies, knights of the garter, and knights of all sorts; — but how or why such checks and balances were engrafted on a representative government, professing to be founded on the natural equality of man, and intended to be the government of the WHOLE PEOPLE, is a question not to be answered by an appeal to the dictates of reason and nature; it must have originated in ignorance or prejudice — in negligence or design.

This may sound harsh in the ears of some persons, and wound the feelings of others. — There were many men concerned in the establishment of our government, who knew the

value of liberty, because they had earned it. I prize the patriots of '76 as high as any man. I know their labors and their worth. Let their entombed bodies mingle in peace with their mother earth, and let recorded honors embalm their noble achievements. I would not tread profanely on the green sod that blossoms on the patriot's grave; nor would I wish to tarnish the bright laurels that our noble minded ancestors won in the council or in the cabinet, in the camp or on the battle field. They will live in the memory of every true American. I regard all mankind alike. Worth alone, in my view, makes a difference among men. I flatter no man, but fearlessly proclaim the truth. Truth, like the wind of heaven, while it shakes the slender reed, causes the sturdy oak to tremble.

In England, the parliament consists of the House of Lords and the House of Commons; in Pennsylvania, the legislature consists of the Senate and the House of Representatives.—The lords hold their seats for life; the members of the house of commons are, by a mock election, chosen for seven years. The senators in Pennsylvania are elected for four years, and the representatives are chosen annually. The comparison, then, between the legislature of



England and that of Pennsylvania, stands thus:—*As the Lords are to the Senate, so is the House of Commons to the House of Representatives.* Query—If the lords and commons cause so much expense as to increase the national debt two millions per annum, how much must the senate and representatives expend, and how long must they sit every year to consummate the oppression of the people?

In Great Britain, the executive, that is, his Majesty, the King, has a check on the parliament, by his power of negating all laws in favor of which there is only a majority in each house; therefore, in Pennsylvania, the executive, that is, his excellency, the Governor, must have a like negative on all laws passed by the legislature. In England, the judges are appointed by the crown, and removed by the parliament; so, in Pennsylvania, they are appointed by the governor, and removed by the legislature. In England, they hold their offices during good behavior, of which the parliament is the judge; hence, in Pennsylvania, they are appointed for the same time, and concerning their conduct, the legislature must determine. In England, the magistrates are appointed for life; in Pennsylvania, only as long as they live.

Now, why all this? Only to complete the similarity. The right of suffrage in the people, is invaded. In order to make the executive a check on the legislature, he is invested with powers which belong to the people only. To them, and to them alone, belong the right and power of choosing their agents. To choose an agent to appoint other agents, and to choose agents only to watch agents, is retaining the name of a democracy, but not the reality. It is representation, but it is not that government in which every man is his own governor. The magistrates and judges, with whom rests the administration of the laws, are appointed wholly on monarchical principles, at the expense of free suffrage and free government. All this is done to effect what is called a balance of powers. It is a wretched balance for the people.

It is a principle as well settled in the science of government, that the jealousy of power should increase in proportion to its greatness; as it is in mathematics, that all the angles which can be formed around a given point, are equal to four right angles. Where the largest share of power is delegated, there liberty is in the greatest jeopardy. In Pennsylvania, the executive of the State, or governor,

is elected for three years, with the liberty of being re-elected until the expiration of nine years; the executive of a county, or sheriff, is elected for three years, without the possibility of being re-elected before the intervention of three years more; and the executive officers of townships, or constables, are elected annually. Is not this in direct opposition to the foregoing principle? Is it not inverting the order of nature? The election of a constable only is placed on principles of republicanism. Where the office is an inferior one, and the temptation to abuse the trust, is small, there we find the public good prevails; but where the office is superior in power and emolument, and the temptation great, there we see that the public weal is sacrificed to private interest. The accountability of the agent to the people is decreased in proportion as the power and responsibility of the agency are increased. This is increasing the power and independence of the rulers, but it is diminishing the power and independence of the people. It would seem that those who were engaged in the formation of the government, had in view a seat for themselves in the uppermost rooms, where they did not wish to be disturbed by the noisy and vulgar herd.

Why are the senate elected for four years, and the assembly, for one? Does it answer any other purpose than to lessen the power of the people, and maintain a groveling imitation of the British parliament?

Such a representation as that formed by the legislative, the judicial, and the executive branches of our governments, exhibits a strange compound of an elective monarchy and a representative republic—of prejudice and reason—of slavery and liberty—of the exaltation of rulers and the debasement of the people. It may produce the balance of powers, but it is a very unequal balance of rights.

In the adoption of laws, there should be no check but the constitution; in their administration, no balance but the people. Under the government of Pennsylvania, the former is taken from the constitution, or rather, by the constitution, is lodged with the executive; and the latter is taken from the people and lodged with a part of their agents, the senators, who are placed beyond the reach of the people for four years.

The right of petitioning the legislature for a redress of grievances, is said to be a part of our civil liberty. Who would ever have dreamed

of the master petitioning the servant, before he had found such an anomaly existing in a false and unnatural government? The injured citizens must petition their servants to remove other servants; the former may partake of the same corruption as the latter. Besides, the machinery of government is so vast and complicated, that by the time the whole is set in motion the mischief sought to be remedied may be past redress; by the time the offender is removed, all his villainous purposes may have been accomplished. But this our great men jeeringly tell us is "*slow and sure;*"—yes, it is slow and sure destruction. It may be called prudence; but it is that hard, unfeeling prudence, which would stay the hand of charity until the wretched mendicant has perished with hunger and cold.

Citizens of Pennsylvania! Suppose one of your magistrates should act corruptly in his official capacity; suppose he should wrong one of you, a poor man, designedly, wilfully, and under color of his office, out of your only cow. Reflect upon the procedure which is necessary to remove him from his seat of authority, and say, whether you would not prefer earning another cow and giving it to him to continue in

his post, to the process of petitioning the Legislature for his removal, and the consequences. Let every man bring the matter home—let conscience speak, although its tones should make you tremble.

It should be a first principle in the political creed of a free people, that all the agents of government should be chosen by those over whom their power is to be exercised, and that no agent should be chosen for a longer period than one year at a time. It is a truth drawn from the experience of ages, a truth which every day confirms, that generally, when a human being is clothed with power for a great length of time, the principles of the man are lost in the feelings of the tyrant. He who is entrusted with authority for a long period, may be a man, and feel as a man, when he first ascends the ladder of power—he may become a villain before half his time expires, and a *demon* in human shape, before the close of his career. Rotation in office is the pivot of a representative government. The people should be careful to retain all power within their immediate control.

The reward of merit should proceed from the nation; it should never be the bounty of an individual. Individuals have their favorites who

may not always be the favorites of the people. Of this truth every administration affords abundant examples.

Solon, the great legislator of the Athenian republic, caused the judges to be elected by the people, thus making them immediately amenable to those whom they could immediately injure. The best way to defend property, is, to defend liberty; and the best way to defend liberty, is, to secure the people from the oppression and tyranny of their agents. The great pillars hitherto erected for the temple of liberty, have been taken from the mouldering prisons of slavery, polished anew by the art and cunning of modern impostors; and while they display the wise artifice of one part of mankind, they exhibit the ignorance and blind credulity of the other.

The judges are said to be the depositaries of the law. They are certainly *safe* depositaries. What little they happen to know they keep to themselves, till all the mischief arising from ignorance is done. They dare not, or will not, give their opinion or judgment of the law which may arise in a dispute, lest they should prejudge the case; but they *prudently* reserve their judgment until the whole *posse* of officers, and pre-

tended officers, have clutched their fees, and plucked their reward. At length, after long and tedious delays, the aggrieved and oppressed suitor comes through the process of administered justice, literally lamenting that he ever attempted to vindicate his rights. This may be justice engrafted on power, but it is not equity flowing from reason; it may be necessary to feed the harpies of false government, but it is not necessary to maintain the rights of man.

Mankind suffer as much by the delays of justice as they do by acts of injustice. The withholding of a right is a kind of negative injustice. And it is immaterial to the injured whether he suffer by an actual wrong, or by the withholding of a right. By delays in the administration of justice, the innocent and the injured suffer for want of a restoration of their rights, and a compensation for the injuries they have received; by a delay of punishment, the guilty are hardened in wickedness, and continue their career of crime.

For a government to be powerful, it must be loved; in order to be loved, it must be understood. To love a government we do not understand, is like admiring beauties we never saw. The mysteries of government may gra-



tify the lust of wicked passions; but they can never enlist the generous feelings of the soul.\*

Can a man love, or be attached to a government, where to know how to save or recover his right to a *pig*, he must pay the value of a *cow*. Suppose my neighbor, by some means or other, has wrongfully got possession of my pig, and pretending to claim it as his own, re-

\*If a people understood and loved their government, there would be no difficulty in obtaining soldiers to defend it; there would be no necessity for artifice and deceit in order to raise an army; there would be no need of concealing a *bounty in a bowl of grog*, for the purpose of flattering and enlisting the unwary citizen. Men would, in the time of need and danger, fight from a principle of affection and love; and prove good soldiers from the genuine dictates of nature. That which is now effected by art and by force, would then arise spontaneously from the heart.

One man who would fight his country's battles from feelings of real patriotism, would be worth a hundred *slaves* forced to the field, and goaded on by unjust power, to defend they know not what. Every man would be at once a citizen and a soldier. Like a grateful child of a fond parent, he would be a defence against the rude blasts of war, and a shield against intestine broils and tumults. He would be armed with justice, and fight from the warm impulse of nature; for

“He is doubly armed who hath his quarrel just.”

Governments would no longer hire, but reward; the reward would be mutual peace and prosperity.

fuses to give it up. How am I to get it back? According to the streams of justice, as they flow in Pennsylvania, and in England, whom the former has blindly followed, I must, in the first instance, apply to *counsel learned in the law*. This threshold of a court of justice, I can enter only with a *pass of gold!*

After I have paid at least the price of a cow, I am permitted to know that my pig may be recovered by an action of "REPLEVIN." I have now started on the high road to the Temple of Justice, and must lay my purse instead of my shoulders, to the wheel. I am now in the dark and winding labyrinths of the law; a faithful and experienced guide, a lawyer, is absolutely necessary to lead me out. I must go through the probationary state of what is called a 'Trial by Jury'; and years may elapse before the wished-for justice is obtained. At last, perhaps, I recover my pig, or the value of it; but I have spent my plantation in the recovery! Is not this loving darkness rather than light? Is it not justice with no small portion of injustice? It is however a part of the administration of our republican government; and our *learned sages* in the law teach us that it is necessary to maintain our rights.

The administration of the English govern-

ment corresponds with the nature and principles of that government. Where a government is founded on usurpation—in order that it may be consistent in all its parts—that symmetry may pervade the whole—it is necessary that the administration of the laws should proceed upon rapine and plunder. The mass of the people must necessarily groan under the most oppressive burdens. But why a similar administration of justice should be introduced into a representative government, founded, or professing to be founded, on the rights of man, I must leave to those in power to explain. As reason cannot solve the problem, it must be referred to that monster, necessity, the shield of error, and the defender of our present political faith. England has a huge mass of common law; and Pennsylvania has had the honor of importing it by cargoes, for the equipment of her government. It is time to lay aside the livery of slaves, and put on the apparel of freemen.

When we imported so many *wise customs, learned forms, and infallible maxims*, from England, it became necessary to import or rear at home, learned men to retain and expound them. Those men are the **LAWYERS**.

The study of law is the noblest study of

man; and the practice of it, the true employment of a christian. Every man who is a christian and a citizen, should study those laws to which he is subject. ALL LAWS EMANATE FROM GOD; THE WHOLE DUTY OF MAN IS, TO DISCOVER, ADOPT, AND PRACTICE THEM.

The professional character of a lawyer as it now exists, is a satire upon society; and the necessity of one under any government, is a proof of its being corrupt, wicked, and false. But under our existing systems of government, lawyers are a necessary evil; as in the kingdom of Satan, sub-agents are necessary to maintain his empire, and prepare suitable subjects for his dark dominions. Is not society benefitted more by one good industrious farmer, than by ten thousand lawyers? Who, after having heard the learned arguments, and mysterious pleas of a court, ever returned home more edified, more enlightened, or in any wise bettered thereby? Of what use or benefit to society can a class of men be, who draw their subsistence from the miseries of their fellow-men—whose gains are other men's ruin—who are nourished and pampered by the injuries of the innocent and the crimes of the wicked—who flourish only in the chaos of misery and corruption, of wretchedness and crime?

Every man has a chancery in his own breast. The lawyer exchanges the chancery of nature for the chancery of art. This system of equity is composed of antiquated forms and mouldered precedents—of *quibbling quirks* and unmeaning pleas—of contradictory judgments and intricate mysteries. How vain have been the attempts of the legislature of Pennsylvania to supercede the necessity of lawyers! We all lament the disease, yet we cherish the poison; we abhor the evil, yet we remain stupidly ignorant of its cause. Our legislature mistook the cause of the evil which they undertook to remedy. It lies in the very frame and structure of our system of government. Not men, but principles—not measures, but the system itself, must be changed.

The curse of the “law’s delay” is proverbial among mankind. Whence arises the delay? and why, if a curse, is it suffered to afflict and torture the good as well as the wicked—the innocent as well as the guilty? It arises from unnecessary forms and an erroneous procedure, which are necessary only to complete the juggle of mystery;—first to blind, and then to torture the citizen. It is continued to feed the drones in society, and to enable parasites to riot on the gains of honest industry. Who

is benefited, or what advantage does either party to a lawsuit, or any member of society, save the officers of a court, derive from the common proceedings of a *nonsuit*, or from a *motion in arrest of judgment*? Let those who are learned in the law, answer the question.

In the formal process of an action, after the suit is commenced, the foundation or cause of action is laid or set forth in what is technically called a "*Declaration*." Here the strictest common law formality is necessary;—a common man cannot state his own case, *uncommon* men must be employed to do it for him;—a mere technical mistake of a word is, in many cases, fatal, and renders the whole *declaration* null and void, according to common law, and becomes the ground of a nonsuit. The statement of the cause of action, though perfectly plain to every man of common sense, and to the whole jury, is often erroneous to men of *uncommon* sense and common law. Thus justice is sacrificed to form. The innocent suffer by *form*; through *form* the villain triumphs.

Plain justice is dressed in such antiquated apparel, that none can become acquainted with her but judges and lawyers; and they are frequently deceived by her unnatural trappings and barbarous habiliments. The noble em-

ployment of administering justice, is converted into the *black art* of dealing out injustice. A motion in arrest of judgment is founded on form only. The merits of the case are not in question. After a fair and upright verdict, it is in the power of villainy to stop the stream of justice, at least, for a considerable time — to keep a man out of the enjoyment of his right, after a jury of his country have pronounced it to be his. If common law, or common *form*, or common *injustice*, is justifiable in preventing a man from enjoying his own for a day, a week, or a month; why not for a year, a hundred, or ten thousand years? We administer justice through the medium of the common law. So does England. *This is enough to justify us!* England drew the common law from the dregs of corruption and tyranny; — we nourish it as the protector of our liberty, and cherish it as the guardian of our rights.

“Common law is immemorial custom, or custom so long continued that the memory of man runneth not to the contrary.” There is no scheme of wickedness or crime — of usurpation or plunder — but may find its sanction in the common law. Are the customs of a government originating in usurpation, continued by corruption, and supported by rapine — of a

government which exhibits a continual scene of oppression, of tyranny, and of slavery, from its rise and during its progress;—are the customs of such a government fit objects of admiration in forming laws for a representative republic, founded on the rights of man? Does it become freemen to copy the administration of such a government? That which is suitable and proper in an hereditary monarchy, is not necessarily suitable and proper in a representative democracy. The customs and usages which are adapted to a country with a wealthy and noble aristocracy and a poor ignoble peasantry, are by no means adapted to a land where no such distinction prevails, and where all men are alike equal and free.

A government which is founded upon error, must be supported by mystery;—wrong must wear the appearance of right; for the original naked deformity of vice would be too shocking to the minds and consciences of all men to be long endured. As the light of reason is not suited to the dark abodes of error and oppression, a censorship must be established over the press, under pretence of shutting out darkness and error; but in reality, with the base design of shutting out light, and of keeping the people involved in a worse than Egyptian night.



The government of England may justly be styled the cunning and duplicity of ancient tyranny, instead of the wisdom and wonder of ages.

For what purpose are the numerous pleas and counter pleas — the forms and counter forms of common law courts, imported from a land of tyrants and slaves, and imposed upon American Freemen? Why are antiquated terms, and mysterious and unmeaning forms, introduced into a government which is intended to be understood and controlled by the people? The multitude were taught by the monks of the dark ages, that if religion partook of mystery it savored of heaven. If religion and government were both stripped of their mysteries, the one would not need the mock inspiration of a priest, nor the other, the learned interpretation of a lawyer.

That which is intended as a rule of action and a guide for man, should be plain, and easy to be understood. It is not necessary that mankind should be governed by deception. Vice requires the aid of darkness to conceal her odious features; but virtue becomes more beautiful and lovely when beheld by the light of TRUTH.

“ Truth divine forever stands secure,  
Its head as guarded as its base is sure,  
Fixed on the rolling flood of endless years,  
The pillar of th’ eternal plan appears,  
The raving storm and dashing wave defies,  
Built by that Architect who built the skies.”

Tyrants know that an appearance of liberty is necessary to reconcile the people to the chains of slavery; and Machiavel knew that an appearance of religion is necessary to maintain and extend the kingdom of Antichrist. It is said that the celebrated Cardinal Richlieu would not, knowingly, employ an honest man, if there chanced to be one, in the government. The cardinal as well as many of our late statesmen, might have made his mind easy on that point. However honest his servants might have been when first employed by him, before they had continued long in his service, they would have parted with their honesty, with as much ease as a spendthrift parts with his money.

We need not go out of our own country, to see the powerful effects of office sympathy. How often does a plain honest man, on being taken from his usual occupation and placed in office—perhaps, made a member of the legislature, become in a very short time, wholly

changed in his feelings and conduct. Whether it be the change of diet or of apparel that works so powerful a revolution in his mind, I must leave to our modern political doctors to determine. He however soon regards the people as the "swinish multitude," and himself as their keeper. There is a selfish sympathy generated among those in power, wholly different from that which pervades the hearts of the honest and industrious citizens. In a just or true government, there would be but one common political sympathy, participating equally in the general benefit and the general injury—in the common security and the common danger, of all the community.

The possession of power ought not to make a man selfish;—the good he may do, by the exercise of his power, ought only to ennoble him. But it is not generally the possession of power that gives rise to vain and selfish feelings; it is the unjust, the extravagant, and unnatural appendages with which the power or office is encumbered.

A mere power to do good, can make no man worse, or engender pride. Humility is a principal ingredient in the character of a righteous man. But our systems of government have little or nothing to do with humility, benevo-

lence, charity, and brotherly love. They retain the name of justice, while they renounce the substance of righteousness.

Is there one man in a thousand among the citizens of Pennsylvania, or of any other state, or indeed, of any government, who understands the manner in which the laws are administered? Is it in the power of one in a thousand to plead his own cause, or make his own defence in any case? It is said that every man may plead his own cause. But such is the nature of government—such the administration of common law and *uncommon* reason, that he must first be cloistered three or four years in a college, and then serve an apprenticeship of three or four years more to common law, before he can pretend to be a champion, or understand the weapons of defence; and then, without half a lifetime of practice in the trade, he would be liable to be out-generated at last, even with justice, equity, and truth, on his side. To acquire even a tolerable knowledge of the common law, is an herculean task, and requires a seven years' labor. To tell a man he may make his own defence, or plead his own cause, and at the same time, to put it out of his power to do so, is like binding him fast, and then telling him to go at liberty. It is like

telling him he need not starve, while you withhold from him the means of satisfying his hunger, by keeping the bread of life at such an exorbitant price that he cannot obtain it. Lawyers are the gamesters of the law; their clients do not even know the cards.

Our reason and our true interest unite for the support of moral virtue;—ignorance and prejudice have created a perverted interest; and they unite for the production of moral turpitude. It is impossible for virtue to be cherished where prejudice prevails—for liberty to flourish where ignorance rules. Mysteries are the hiding places of selfish men in power. They have no sense of their true interest to restrain their ambition—no political fear to work a repentance for their political sins. Happy that nation, whose government is administered upon the principles of virtue and liberty—happy, indeed, when every measure which infringes and weakens that virtue and that liberty, is carefully avoided by a people jealous of the rights of man.

TRIAL BY JURY is said to be the great PALLADIUM of the liberty of the citizen. When the trial by jury was first introduced into the English government, it was, undoubtedly, a great blessing to the subjects of oppression; and, per-

haps, it continues a partial blessing to this day under that government. But that mode of trial, both in England, and in the United States, where it is blindly adopted, is a blessing only in a comparative sense. It is only the appearance of liberty, instead of the reality. It appears a blessing to the jaundiced eye of prejudice. Notwithstanding all the good qualities it may possess, it is opposed to virtue, to justice, to liberty, and the rights of man.

This mode of trial has existed time immemorial. Whatever way it may have been first introduced, it now has immemorial custom, or common law, for its sanction;—it is, therefore, considered right; and it has been blindly adopted in America without the exercise of reason as to its fitness or unfitness for a republican government. No length of time, no ancient usage, and no sophistry, can justify it as it now exists. If all the constitutions in the world should proclaim it right, reason and reflection must pronounce it wrong. It is the tyranny of the mind, and the slavery of the soul—the source of the most abandoned vice, and the most foul corruption.

TWELVE MEN are impaneled to decide the case in dispute—a dispute in which the parties

both believe they are right, and, in which the lawyers on both sides, perhaps, also believe they are right; the judges, probably, differ in opinion. *Those twelve men are sworn, on the holy evangelists of Almighty God, to render a verdict according to the light of their understandings, and according to what each of them believes to be right.* ALL ARE BOUND TO AGREE IN OPINION, AND GIVE THEIR VERDICT ACCORDINGLY!!

Is this either liberty of reason, or liberty of conscience? Is not the salvation of the souls of men jeopardized by this procedure? Is it not an open and direct violation of the rights of man—a daring violation of the ordination of God? I have heard of the racks of tyrants, and of the bed of Procrustes; but it was reserved for the *wisdom* and *mercy* of England to invent, and for the blindness and barbarity of America to adopt, this imprisonment of the conscience, this torture of the soul.

Is the mind of man of such a pliable nature as to be wrought like wax into any shape? Can the same degree of heat that melts lead, soften a flint? Can the same reasoning have the same effect upon different apprehensions? The minds of men are as different as their forms; but the magical effect of an oath, and the tyranny of a court, will at once make the

minds of twelve men of precisely the same dimensions! It is truly a powerful and wonderful machine which so easily and so surely, produces uniformity of sentiment among men differently constituted. It is certainly worthy of a patent, but one could be obtained only in the infernal regions.

Can a man believe that which is contrary to his reason and experience? Can he change the vibrations of his nerves, or the necessary result of their operations? Can he reject the natural impressions which things may make upon his mind? Let any man who has ever heard a juror sworn, think for a moment, of the nature of the oath, and then reflect on the tyranny of the court, which compels twelve men to agree on a point, that divides a neighborhood, and, perhaps, at the same time, divides five hundred who are present at the trial. The idea is horrible—it shocks reason, conscience, and religion. No alternative is left to the affrighted juror, but starvation or perjury! Unfortunate man! Wretched alternative! Too many, alas, have chosen to perjure their souls, at the risk of forfeiting heaven and happiness. Is it not high time to explode this horrid and barbarous custom? It would puzzle the brain of sophistry to point out its advantages, and



the head of tyranny, itself, with its ready plea of necessity, would fail to make that necessity apparent.

The trial by jury in its present mode, has existed so long, men have become so habituated to it, government, by the aid of the tyrant custom, has so firmly fastened and bound it upon them, that in England and America, the people believe it would be entombed only with their liberty. If it be necessary to the existence of liberty, every christian should earnestly pray that she may have an early grave, and he should anxiously desire to attend her funeral rites.

To attack a common error, or a long established custom, seems to many persons like making war with nature. Man is often the child of education and of prejudice, and the slave of custom. Reason must regain her empire over the mind, before man can attain his true rank as a rational and immortal being. How many thousand barter a real, for an imaginary good—an eternal, for a temporary blessing!

That a mode of trial so notoriously wrong, and so easily remedied, should be retained by a christian people, is, indeed, surprising. It is not simply the trial by jury, that is, a reference to men, which is herein condemned as wrong,

and as meriting the detestation and abhorrence of every man; but the *plan* upon which it is conducted — the tyranny, the injustice and persecution, which compel *twelve men, the whole number, to agree in one opinion, and to be of one mind*. It is surely a tyranny of the mind — a tyranny exercised over that which ought not, and cannot be a subject of dominion or control. I have heard of a tyrannical monster who lopped and stretched the body according to the fanciful size of his bed; but this lopping and stretching of thought, of mind, and of conscience, is an improvement and refinement of tyranny — an honor of which civilized man only can boast.

Justice, in this mode of trial, depends on the constitution and strength of the body; and he who can starve the longest, has the privilege of having the consciences of his colleagues in his keeping. Why not let a majority give a verdict in all cases? If there be any virtue in the number *twelve*, let the whole number of jurors be increased to twenty-three; and, then, a bare majority will constitute the *divine number, twelve*.

A forced consent is no more an agreement of opinion than forced slavery is unbounded liberty. But ‘trial by jury shall be as heretofore;’

it is the great palladium of liberty—the birth-right of freemen! Let him who can, swear allegiance to a government sustaining such a principle. The long existence of customs is no proof of their justice or utility. That may be the logic of slaves; freemen should renounce such modes of reasoning.

Our ancestors fled from the cultivated gardens of Europe, and sought an asylum from persecution in the wilds of America. They cultivated the wilderness, but, alas, they planted the seed of that curse which they abhorred, and from whose deadly infection they had fled. The seed so early planted has sprung up, and become a mighty tree, overshadowing the whole land. Trial by jury is a branch of that pestilential tree, whose shade is moral death.

When the laws of society, or of government, conflict with the laws of God, the latter are of paramount importance, and of superior obligation and authority. If a juror believes an establishment, a regulation, or a law, made by society or government, to be wrong, unjust, or wicked; ought he to give a verdict which will operate unjustly? Is a man bound by an oath when the fulfilment of that oath would violate the law of God? If a man take an oath to

commit murder, is it better to keep his oath by perpetrating the crime, or to repent of his oath by abstaining from the murder? Ought a man, in any case, to be compelled to do injustice, to injure the innocent, and to aid the guilty?

How necessary is it for every man who is desirous of living a christian life, to be subject to a just and moral government! It may be said that a juror is sworn to give a verdict according to law and evidence. Admit it. If he knows the law made by the government, to be contrary to the eternal principles of equity; ought he, even under the solemnity of an oath, and the power of a court, to give virtue or effect to that law? Under a system of false government, virtue and reason, christianity and the salvation of men, are sacrificed on the ALTAR OF FORM—an altar erected by the prejudice and wickedness, the credulity and traditions of mankind. Are these things necessary? and is God unwise? or are they unnecessary, and God consistent with himself? True political government is christian; false political government is anti-christian.

To our many importations from England, the antiquated custom, or ingenious mode of deciding cases by PRECEDENT, was added. This has

a tendency to manacle the independence of the mind, to pollute the streams of justice, and to block up the avenues of reason. *Decision by precedent* is fixing the *ne plus ultra* to reason; it is preventing all improvement in human knowledge and wisdom; it is, in fact, entailing upon the living the errors of the dead.

Reasoning by simile is always a dangerous kind of logic. It is plainly unreasonable, that the *dictum* of a judge in a case that transpired in a remote age, should become the ground of decision in every case supposed to be similar, to all future time. The former judge was but a man, living in a less enlightened age, and may have been mistaken. Besides, very few cases ever occur, scarcely two in a lifetime, that are, in all points, exactly similar. The correctness of the prior decision may be questionable; the similarity between the cases may be doubtful; therefore the propriety of the present decision founded upon such premises, can be only conjectural.

Why should a decision in Westminster Hall, determine a disputed point in America? Why should the dictums of a Coke or a Plowden form the basis of a modern opinion? Why should the rights of man under a free govern-

ment, be confined and jeopardized by the clogs and fetters of slavery? Antiquated decisions, and mouldered reports of law cases, can serve only to darken and perplex; instead of diminishing, they multiply doubts, by increasing the confusion. A man may understand natural rights and the natural laws, he may be acquainted with the government and laws of the country in which he lives; but because he is ignorant of the English Reports for at least two hundred years back, he is incapable of deciding what is justice. These reports compose the justice of courts, and the equity of lawyers. They form a huge mass, and serve as mementoes of human folly.

The error and wickedness of false government make it the private interest of a large class of mankind to do wrong, rather than to act uprightly. A little reflection will convince any man, that the invasion of natural rights, in the constitutions, and by the usurpations of governments, and their false, prejudiced, and corrupt administrations, are the great sources of injustice and crime. By affording security to villainy, they encourage that moral depravity they were formed to oppose and prevent.

Hope and fear are the most powerful stimu-

lants to human action. The villain in society has his hopes and his fears. An unjust government and a corrupt administration, increase his hopes and diminish his fears. Injustice has its chance for success in a controversy with justice; and crime has a like chance in a contest with innocence.

Under our present government and the existing administration of our laws, the villain is like the gamster with his cards, who rests his success, not upon the card which fortune may put into his hand, but upon his trickery in shuffling and his dexterity in deceiving his partners in the game. Lawyers are professed gamblers at law—they gamble for any one who will employ and pay them—it is immaterial for whom they play—honest men are beaten by rouges. The counsel table in a court house, may be compared to a gambling table—it is attended by gamsters of every degree, from the pettifogging novice to the learned and experienced sharper. The villain cheerfully runs the risk of the game—he has every thing to gain, and little or nothing to lose. In the catches and quibbles—in the windings and labyrinths of the law and its administration, how often does injustice succeed against justice—fraud, against honesty—

and crime, against innocence! In games at law, success depends not on the merit, but on the cunning and dexterity of the gamsters.

From the confusion and corruption attending the law and its administration, the certainty of obtaining redress for an invasion of our rights, is entirely destroyed. Uncertainty of this sort, is despair to the honest man, but hope and encouragement for the villain. Men would often renounce crime, were they not emboldened in their career by the uncertainty of its consequences. One man seizes upon and retains that which belongs to his neighbor; because the former knows that he has a fair prospect of success in a legal contest with the latter. Another man engages in crime, and steeps his hands in blood; because hope, strengthened as well as created by the uncertainty and intricacy of the law, sustains him in the expectation that he may escape merited punishment.

Whatever the ultimate decision may be, a controversy at law is generally unfavorable to the promotion of humanity and an honest regard for the rights of others. Such was probably the opinion of the apostle Paul, when he so pointedly reprimanded his Corinthian brethren for going to law with each other. As things are,



in ninety-nine cases out of a hundred, it is better and more profitable for a man to part with his rights, and relinquish his property, at the first invasion, than to undertake the defence or recovery of either, at the risk of incurring the expense, trouble, and perplexity, of launching into the unfathomable vortex of a lawsuit. He is ignorant of the maxims of the common law, he is unacquainted with the voluminous reports of foreign tribunals; and he is unskilled in the niceties and forms of pleadings. He understands and appreciates the principles of natural justice and equity only; but these have little to do with the law, and less with the administration.

“ He that with injury is grieved,  
 And goes to law to be relieved,  
 Is sillier than a sottish chouse  
 Who, when a thief has robbed his house,  
 Applies himself to *cunning men*,  
 To help him to his goods again;  
 When all he can expect to gain,  
 Is but to squander more in vain.”

In the administration of justice as it at present exists in our courts, hope buoys up the villain; but despair weighs down the honest man. From the invasion of rights, arise crimes in society. Against this invasion, unfathomable law and its unintelligible administration

are a poor security. Right and wrong are plain and easy to be known according to nature, but obscure and difficult, according to law. A modern law library is a satire upon society; and, from the manner in which it is applied, a curse upon man. If farmers, mechanics, and the industrious and useful portion of society, are supposed to be able to distinguish right from wrong, without books; why does it require a *wagon load of law books* to satisfy a jury or a reference, as to what is justice and what is injustice?

If lawyers and judges, as it appears, only understand law, they only are the fit and proper subjects of its control and punishment. According to the heathen mythology, the judges of the infernal regions, only punish those as culprits, who knew their duty, and sinned against light and knowledge. But our modern courts of law, enlightened by the judicial system of old England, pursue the opposite course, as more agreeable to common law and ancient usages; and punish for a wrong when it is impossible to know the right. It is a sad government where none can understand the laws but the legislators; it is a woful administration which none can comprehend but judges and lawyers; sad, to those for whom the one was

made—woful, to those over whom the other is exercised.

Representative government has been said to be a democracy acting by agency. This agency must originate out of the people, and be created by them. This must be effected by election. Hence, on the freedom and purity of the elective franchise, will depend, in a great degree, the freedom and purity of the government. Election should be the voice of the nation, and express the real sentiments of the people. Any regulation or any principle in the government which has a tendency to interrupt or prevent a free, dispassionate, and unprejudiced exercise of this right, is injurious, and should be abandoned.

The extravagance of official salaries has ever been, in all governments where representation has existed, the source of perversion and corruption in the exercise of the elective franchise. The temptation is great to the selfish and the avaricious; and success ensures an ample reimbursement of all expenses incurred in electioneering, that is, in gulling and bribing the people. So the public good falls a sacrifice to private interest. From self interest, and the hope of self aggrandizement, arise the bickerings of rival parties. Their disputes

and contentions often convulse the nation to its centre.

Party spirit which is begotten and nourished into life and vigor, by avarice and the love of power, is a hydra in a representative government — a monster, whose breath poisons the atmosphere of liberty. As private economy is a great virtue, and necessary to personal credit and independence; so public economy is no less a virtue, and equally essential to the purity and happiness of any community. In proportion as offices are lucrative, the people become corrupt; and, in a like ratio, as officers have the power of dispensing individual favors, the people become enslaved.

No part of man's history exhibits a greater degree of folly and madness than the details of party warfare. The officers gain the spoils; the people, the misery. After the fever and frenzy of a heated election are over, the successful candidate ascends to the seat of voluptuous idleness; the people retire in silent and sullen disappointment. The latter often flatter themselves with the vain hope of a redress of grievances in a promised change of measures. The government purse only changes hands. The feast is the same — the old guests are supplanted by new ones; and all the difference is, the

latter have more craving stomachs and keener appetites than the former.

The exorbitant and extravagant salaries annexed to offices, are the cause of many evils in society. The fact, that they are considerably less in America than in England, is no argument as to their being just or moderate. Comparisons often lead to false conclusions. That the English government riots in oppression, is no reason why ours should sport with misery. Because England squanders a million a year on a *fool*, it is no reason that Pennsylvania should throw away thousands, on hundreds of *nonentities*, like her associate judges.

Independent of the corruption which the extravagance of salaries produces in officers, and the tendency it has to enslave the people, it also forms, in addition, a heavy tax, extorted from the gains of honest industry. This taxation, however, is overlooked, because though collectively large, it is relatively small. The principle is the same, and the government, equally unjust, whether it rob an individual of a single cent, or of ten thousand dollars. The practice of laying taxes so that they will yield the greatest revenue, yet be the least felt, because least known, is an invention of feudal tyrants. This is effected by laying taxes in

the shape of duties, on articles consumed, by which their cost to the consumer is increased. The people, in purchasing the necessaries and conveniences of life, fancy they are only paying the actual value of the articles they buy, while, in fact, they are paying a tribute to the government. Truth needs no artifice; justice requires not the aid of deception. True government shuns not the light; tyranny and injustice seek the shades of darkness.

Among the many signs of an unjust and corrupt government, none is more plain and notorious than that of the employment of clerks and secretaries under other officers. It shows that there are surplus gains independent of the honest earnings of those in office, which support them in luxury and voluptuous idleness. It also shows that there are sinecures in the government, which breed and pamper drones in society. The fact that one man labors, and another reaps the profits, argues something wrong at head quarters.

Fellow men! when we understand our true interest, reason and virtue will unite us all in a glorious struggle for UNIVERSAL EMANCIPATION!

## CHAPTER VI.

### CRIMINAL LAW.

CRIMES and criminals are subjects that have employed the pens of moralists, legislators, and philosophers. The mild hand of clemency has been tried to little purpose, and stern severity has been exercised with like effects.

To form a just criminal code for any people, is at once, a nice, a difficult, and an important task; and requires all the ingenuity and wisdom of a people deeply interested in their present and future wellfare. If their criminal code be defective, or its administration be erroneous, their rights will be invaded, and their property and lives will be insecure.

The *end* of all punishment should be a RESTITUTION to society, and the REFORMATION of the criminal. With the mistaken notion that it is sometimes necessary to sacrifice individual rights to the general good, example has been made one of the ends of punishment. But the severity of the *examples* have, generally, caused an increase of crime. Governments have always seemed more inclined to extermi-

nate with cruelty, than to reform the guilty by reason.

The administration of criminal justice, in every age, and in every country, presents a scene of cruelty and injustice at which the mind revolts with horror. The rule so equitable, so consonant to reason, justice, and common sense, that the punishment should be proportionate to the crime, has been little regarded by the framers of criminal law. Even in the United States, where there are some of the best criminal codes extant, we find that in some of the state governments, the horse thief, in respect of infamy and punishment, is placed on a level with the dark assassin. The English government, which has been so much eulogized by her own and foreign writers, and which some, with more boldness than truth, have pronounced to be the most perfect fabric of human reason, punishes no less than one hundred and sixty different crimes with death!

Whether it be just and politic, in any community, to prefer punishment for the sake of example, to punishment for the purpose of reformation, and to punish different crimes in the same manner, and with the same severity, are considerations as important as they are interesting.



As to what justice would dictate, there can be but little doubt in the mind of any reflecting man. Reason and justice revolt at the idea, that the petty swindler, the polluted ravisher of innocence, and the midnight murderer, should all receive the same punishment. Such a principle destroys the foundation of rewards and punishments. It wars against the eternal justice of God. If smaller crimes merit the same degree of punishment that greater ones deserve, then, are inferior acts of virtue entitled to the same reward with superior ones. An equality appears often to exist in the *vengeance* of governments, which cannot be found in their *benevolence*. A Roman tyrant is said to have wished that his subjects had but one neck, that he might sever it at a single blow; governments sometimes seem to express the same wish in regard to all classes of criminals.

Sanguinary punishments are usually justified on the ground of policy. Can a policy be justifiable which is contrary to justice itself? It is said by the advocates of capital punishments, that by making an example of a criminal by a public execution, terror is struck into the minds of those who witness the awful scene—that they are deterred from committing a like crime, lest they should meet with a similar punishment.

Is this a fact? or is it not rather the offspring of the imagination? Have not there been numerous examples of persons, who, while present at the place of execution, have committed crimes which, by the law of the land, made them liable to suffer the infliction of that punishment they had just witnessed? I have heard of a man who, having in a certain instance, discharged the office of a hangman, within four and twenty hours thereafter committed a crime which required another to perform the like service for him.

Why has example so little effect? and why are violent impressions so soon obliterated?—Because such is the nature of man, that strong passions are soon exhausted, and violent emotions, the result of forcible impressions on the nervous system, destroy themselves by disordering the substance on which they act; therefore, the emotion will cease when the impression which gave it birth is obliterated, and the system returns to its former and usual course.

Further, when any object is frequently presented, the mind becomes habituated to it; and its presence, having become familiar to the imagination, the novelty and terror it may have had at first are gradually lost. Who can say that he experienced the same vivid emotions on

a second view of a public execution, that he did on the first? Surgeons can inform us with what distressing feelings they were agitated, on first witnessing a bloody operation upon a ghostly body in agonizing pain; and with what ease and deliberate coolness they could, in time, perform the same operation which before they had beheld with so much horror. A horrid and bloody spectacle has the same effect on the mind that a novel and pleasing prospect has on the eye. Let them be often presented, and the frequency of the presentation will rob the one of its novelty, and disarm the other of its terror.

Can the policy of inflicting sanguinary punishments be defended by an appeal to the experience of mankind? Let us examine this point.

In Russia, during the reign of the great, yet bloody, Peter, criminals of every description were punished with all the torture which ingenious cruelty could invent, or a blood-thirsty mind suggest. He used the rack, the stake, and the hook. On hooks and spikes miserable wretches hung in agony, till relieved by a lingering death. The Volga and the Niemen were daily crimsoned with the blood of his subjects.

In what city or community have crimes been more frequent or more barbarous, and criminals

more tortured, than in Moscow? By day they meditated the crimes which by night they perpetrated; and every morning the sun rose upon the fresh mangled bodies of her citizens.

If history be correct, under the mild reign of the daughter of Peter, who abolished all capital punishments, crimes lessened in number and in frequency, as her propitious reign increased in length. The minds of her subjects became less habituated to blood, and their hearts less callous towards suffering humanity. Those deeds which shock human nature were no longer meditated, no longer committed.

Among what people are crimes more numerous and unnatural, and punishments more severe and inhuman, than among the Japanese? For the punishment of the most trivial offence as well as of the most heinous crime, excruciating torture is employed. It is even necessary, in order that their servants and children may be free from the worst and foulest crimes, to keep them from the daily spectacles of suffering and cruelty exhibited at the places of public execution.

But why have recourse to these countries? They are, in a great degree, barbarous and uncivilized. We will come near home.

The more civilized and refined people of

France will afford us an instructive example. Behold the northern provinces of that country covered with crime, at the very period when its edicts and laws were most sanguinary! The blood of one victim was not dry on the assassin's hand, before it was raised to plunge the dagger in the breast of another.

Are crimes less frequent in England than in America? In America, are they the least in number and atrocity in those States where punishments are the most severe?

In a country where capital punishments exist, and the laws are as sanguinary as they are unjust; the people become accustomed to scenes of cruelty and barbarity; punishment loses its efficacy, and death itself is disarmed of its terrors.

If we wish to improve and humanize mankind, we must address their reason, and not operate merely upon their passions. We must convince them of the excellency of virtue by the equity of our laws, and not harden them into malevolence by exhibitions of cruelty.

Has society a right, in any case, to take the life of one of its members? This is surely a question of primary importance. The deprivation of life for crimes and offences, is exercised by all civilized nations. It has been ex-

exercised since the first introduction of political government. If universality and antiquity can confer a right, there can be no doubt of the justice of this procedure. But truth is not established by years, nor right created by time. The murder of Abel by his brother Cain, is of great antiquity, and the deed has continued to be repeated in every country; yet no man will attempt to justify fratricide, or pretend to legalize murder at this day.

There is but *one case*, wherein one man, or a number of men, or a nation, can be justifiable in taking away the life of a human being. This is in the case of SELF-DEFENCE. The right of self-defence is founded upon an eternal law of nature; it is absolutely necessary for the preservation of the individual and the species, and for the attainment of the end for which man was created. On this principle of self-defence, the citizens of one country have a right to kill and destroy the people of another, in the time of open and declared war.

But whence arises the right in a nation—whence does government derive authority to take away the life of one of its own citizens or subjects. It must be derived, either,

1. From NATURE, or
2. From HIM whose life is taken away.

Let us examine both these sources. If it flow from neither of these, it must be created by government itself; if it be so created, it must be power usurped, and, consequently, wicked and unjust.

1. If it arise from *nature*, it must be on the ground of *necessity*, or of *self-defence*. Does this necessity exist? Is this self-defence necessarily brought into action against an individual who is in the power of the nation? If A. make an attack upon the life of B., and B. has it in his power, and actually does bind A., so that he is utterly deprived of the power of injuring him; if, after he is so bound and secured, B. should take away the life of A., would it be *murder*, or *justifiable manslaughter*, in B? There is not a man in the community who would not say it would be murder; nor a criminal code extant, which would not consider it as such, and express its abhorrence of the deed, by the *legal murder* of B. A nation is a body politic, and bound to obey the law of God, or the natural law, as much as the individuals composing that body.

If an act be criminal in one man; is its criminality absolved by its being perpetrated by a number of men with the silent consent, or with the approbation of thousands, or of a nation?

The nature of virtue and vice is intrinsic, uniform, and unchangeable. If it be criminal in me to break the law of God, or violate the law of my nature, surely, I am not absolved in the one case, or innocent in the other, because a thousand men, a nation, or a world, join me in the crime. That which is contrary to the unchanging justice of God in an individual, is equally a violation of the natural law, and of the eternal principles of righteousness in a nation.

The murderer or felon is confined by prison walls, and manacled with chains; can he be deliberately taken out of his confinement, his chains burst asunder, and then be put to death in cool blood, by *a man*, under the titled authority of a warrant from a MAN?

“—————And what man, seeing this,  
And having human feelings, does not blush,  
And hang his head, to think himself a *man*.”

In a community authorizing such deeds to be perpetrated, does not every individual consenting thereto, sin against his own conscience, and insult the majesty of Heaven?

2. We enquire, in the second place, whether the right of putting a fellow creature to death, is derived from *him* whose life is taken.

Suicide is a crime which has been condemn-



ed and abhorred by mankind in every age. If a man voluntarily deprive himself of life, he commits a crime against nature, and an outrage against Him by whom life is bestowed. Can a man surrender to another, to a body of men, to a nation, or to a government, a right which he has not in himself? Would it not be as ridiculous, as absurd, and as impossible, as it would be for him to give the sun to the Hindoos, in order that it might shine for their glory and benefit to the exclusion of the rest of mankind? If all the subjects of the king of England were to give a right to parliament and to the king and his ministers, to plunder all the nations of the earth; would it justify the British Government in doing so? or would any English subject be justifiable in assisting them in a scheme of universal rapine and plunder? One is almost tempted to believe that the Cabinet of England, in their high modes of thinking, sometimes reason in this way; inasmuch as they seem at times willing to try the right, by putting the principle in practice.

It is said that by the commission of a crime, a man incurs a forfeiture; and that by taking away the life of another, he forfeits his own. To whom does he forfeit it? to society or to government? The forfeiture of a thing im-

plies a bestower who gave. Does a man receive his life from society or government? If not—then, he cannot forfeit it to either. Society or government can take away that only which it has given. Acquired rights only can be the subject of forfeiture to society. Life is the gift of God, and to God alone is it a subject of forfeiture. He only is the judge of such forfeiture. If governments have a right to take away the life of a human being, it is necessary to make it appear, either that they gave that life, or that they are the immediate agents or deputies of God. I am inclined to believe neither.

Restitution to the injured, and Reformation of the criminal, should be the ends of all punishment inflicted by man, or under the authority of man. Capital punishments prevent both. They operate like a man's reforming his son, by putting him to death, for doing an injury to a neighbor; whereby he utterly prevents the injurer, were he ever so well disposed, from ever making any recompense or restitution to the injured. Reason, philanthropy, and christianity, call aloud for the abolition of capital punishment in every country, as a measure of both policy and justice.

It is a maxim in the administration of crimi-

nal law, that it is better that ninety and nine guilty persons should escape punishment, than that one innocent person should suffer. This maxim has been introduced into the State governments of America, from England. This is sufficient to give it value and currency with the whole herd of servile admirers of every thing English.

Let us examine this maxim. It is immaterial where it had its origin, by whom it was matured, or by whom it is maintained. It is evident that it flows from the injustice and barbarity of the laws. If the laws inflicting capital punishments, be founded in truth and justice, the principle is incorrect, that it is better that even *two* guilty persons should escape, than that *one* innocent person should suffer.

This principle shows at once that there is no *absolute necessity* for putting the guilty to death. It is wrong to adopt bloody, unjust, and barbarous laws, and then leave them to be regulated, mollified, and justified, by an uncertain, fluctuating, and indiscriminate mercy in their administration. If an *absolute necessity* required society to take away the life of a criminal, it would be as wicked to suffer *one* to escape, as it would be to put an innocent person to death.

Which is the more merciful, by mistake to send a good and innocent man into eternity, who is, in some measure, prepared to die, or designedly, to allow ninety and nine wicked men to run at large, the loss of whose lives was *absolutely necessary* for the good order and safety of society? Which is the more merciful, to hang an innocent person, or to launch one into eternity, “uncalled for, unannealed, with all his imperfections on his head.”

If the law were just and reasonable, and the absolute necessity of society required, for its own preservation, on which the happiness of millions is depending, the life of the guilty, then ought the maxim in question to be reversed, and to read thus:—It is better that ninety and nine, or ninety and nine hundred innocent persons should suffer, than that one guilty person should go unpunished, to roam at large in society, by which the happiness of millions is endangered.

But the truth is, that an *absolute necessity* for inflicting capital punishment in any case, does not exist. It is like the rest of the *necessities* of government, unjust and unnatural; and cannot be defended but by unjust and unnatural maxims.

Capital punishment can answer no good end, either as it regards society, or as it respects the criminal. It is at best *legal murder*. Christianity revolts at the thought, and humanity shudders at the deed. It is strange that it should be continued in an age of christianity and civilization. Barbarity gave it birth—prejudice nurtured its growth; and mankind, from custom, imagine its existence necessary to their peace and security. It is time that nations and states should learn wisdom, and not practice themselves those things they abhor and punish in individuals. In proportion as a government becomes just, it will be moderate; reason will supplant the sword.

Severity in punishment is intended to prevent the commission of crimes. But it is so contrary to the nature of things, that it produces exactly the opposite effect. Severity addresses itself to the animal passions; reason appeals to the intellect and to the conscience. Mankind are not to be governed like brutes;—reason was intended for the government of man.

The prevention of crimes depends more on the *certainty* than on the *severity* of punishment. The hope of escaping punishment diminishes fear; but the certainty of its infliction destroys

hope. If a man were to reflect on the consequences of a crime, before he would commit it, the certainty of undergoing half the punishment due for the offence, would operate more to deter him from his evil intentions, than the uncertainty of suffering double that punishment.

Mercy, in one course of conduct, implies injustice and barbarity in a contrary course. Justice is separable from mercy, but mercy is inseparable from justice. That which is unmerciful cannot be just; but that may be just which is not merciful. The administration of criminal law upon the maxim heretofore spoken of, makes mercy and justice, two attributes of God, at variance with, and contradictory to, each other, when exhibited in his image, man. But reason and revelation pronounce them eternal and immutable.

The judge in his charge to the jury, tells them to lean to the side of mercy—that it is better that ninety and nine guilty persons should escape, than that one innocent person should suffer. Does he mean that the jury should lean from justice? Surely not from justice, for that would not be mercy. But the plain english of it is, “Gentlemen of the jury, the punishment which must follow your verdict

of *guilty*, is cruel, unjust, and barbarous, contrary to the dictates of reason, and to the law of God. Lean to mercy, which is also leaning to justice; if you can possibly find any pretext, acquit the prisoner—save him from the inhuman and blood-thirsty jaws of the law.”

It is high time that this crime of government was exterminated from the face of the earth. One wicked principle in a government requires a thousand crimes to support it. Injustice in government is of a procreative nature. One wicked act begets another—and another—until a whole progeny of governmental crimes is produced, which will sooner or later corrupt and destroy any people. Severity of punishment begets impunity, and impunity, hope of escape. This hope emboldens to the commission of innumerable crimes. Thus, severity of punishment becomes the prolific source of those evils it was intended to prevent.

Let punishment be proportionate to the offence. One crime cannot warrant another, or justify injustice. When reason conquers prejudice, justice will triumph over barbarity.

“Law that shocks Equity, is Reason’s murderer!”

## CHAPTER VII.

### SLAVERY.

SLAVERY, like kings, existed as early as we know anything of the history of man. If the antiquity of a system, strengthened by its long continuance, be any proof of its rectitude, then, that of slavery outrivals in purity British customs and British maxims; and its origin must be pronounced not human but divine. Where it was first introduced, and how it came to be continued, we know not; but why it is now supported, excites wonder and baffles conjecture.

This is said to be an age of civilization, of reason, and of christianity. We are civilized, yet we act the barbarian; we are rational, yet are guided by irrationality; we are christian by name, yet we are infidel in reality. Something is wrong in the great outlines of our conduct. We aim at happiness, but it eludes our grasp. Our reason and our practice are at variance.

Let it be remembered—let it be engraven on the tablets of the heart—let it be proclaim-



ed to the uttermost corner of the earth, that Almighty God has so constituted man, that when we attempt to pluck gold from another's chest—to plant shame on another's brow—to stain our hands with another's rights—the brain becomes intoxicated with the pleasing and mingled draught of success, of confusion, and of guilt; until we ourselves become entrapped in our own snares, and fall a prey in the bottomless pit we had prepared for another's ruin.

The wanton usurpation and exercise of uncontrolled power over the rights of one man by another, is slavery in the one, and tyranny in the other, of the worst kind. There is no doubt but that slavery had its origin in conquest. Thus, it sprung from the miseries of war which is an unnatural state of man—itself the worst of warfare, and the worst of miseries.

When a nation is at peace, that one man, or a body of men, in that nation, should hold another in slavery, by plundering him of his rights, and exercising an uncontrolled authority over him, is the greatest tyranny that man can exercise, the greatest crime against nature, and the greatest outrage against God. It is a tyranny which no sophistry can palliate—an outrage which no reason can justify—a crime which no necessity can absolve.

Some writers have endeavored to vindicate slavery on the ground of conquest. Slavery arising from this source, at best, can be but limited in its nature, and in its duration. It can never extend to the posterity of the conquered or enslaved. The punishment of an offence committed by the living, ought not to extend to, or affect those that are unborn.

All men are born alike and equal as it regards their rights. The difference among men, in color and complexion, in form and appearance, is the result of physical causes operating on the human system.\* The human race are all sprung from one common parent.

If liberty and slavery are to be determined by complexion, and rights to be measured by color; what complexion or what form is to be received as the standard of liberty, and what as the subject of slavery? Man is the image of his Maker—not his body or his physical nature, for that is changeable—but his soul and its attributes which are inalienable, eternal, and immutable. If a difference in physical appearance create a difference in moral rela-

\*The reader is referred to a celebrated Essay on Color, by Dr. Samuel Smith. An Essay which should be in the hands, as it merits the perusal, of every christian.

tions, or in natural rights; how are we to determine this difference, or know who has the prerogative?

All men were created to pursue their own happiness; slavery counteracts this pursuit. All men were created free agents; slavery destroys free agency, by making it the fated machine of a usurped and unnatural power. On free agency depends the whole doctrine of rewards and punishments. Is not slavery a direct rebellion against the decrees of Heaven? The angel of purity and innocence will plead the cause of the oppressed, and of those in the bondage of tyrants and of slaveholders, trumpet-tongued, at the bar of Eternal Justice!— There will be a Judgment, just, though awful, to the rioters on human privileges, and the pirates of human rights!

As men have, under the name of government, justified the taking on one side, and the giving up on the other, of some of the natural rights of man, on the ground of necessity; so, others, have gone further, and, on the same ground, justify, or attempt to justify, the exercise of an uncontrolled power over a part of the human race. It is certain, that if government have a just power to control, to alter, or, in any manner, to usurp a natural right, or any part

of a natural right; any man may have equally as just a power to exercise uncontrolled authority over all the rights of another man. Thus, slavery may be justified, even in its hereditary nature, and its origin acknowledged to be divine.

The true test of a principle in political science, is, to carry it out to its legitimate results. If it be correct, if it be just, it will be beneficial to man in all its bearings, and terminate in universal good; on the other hand, if it be erroneous, if it be unjust, it will produce crime in individuals, and terminate in general corruption and misery. Thus, the encroachments on the natural rights of man by government, have terminated in the absolute slavery of a great part of the human race—in manifest injury to mankind, and in open insult to the Divine Being.

Necessity is a vortex that has swallowed up every principle of reason and justice, of equity and true religion. Necessity is the idol of wickedness erected on the trampled divinity of reason. The first must be pulled down, even though its fall should, for a moment, shake the earth to its centre; the latter must rise to the glory of God, and the salvation of man.

The man who first established the slave trade on the coast of Guinea, was SIR JOHN HAWKINS. No doubt Sir John received many honors from his cotemporaries—no doubt he received many thanks from his generous government for the discovery of his new traffic. The anniversary of his birth, or of his discovery, should be a day of thanksgiving to Satan, the great jubilee of slaveholders in every corner of the earth. They should honor the agent, while they serve the master.

Sir John made the discovery of bartering human flesh; and Americans boasting of the equal rights of man enjoyed on their soil, riot on the fruits of his discovery. Which party is more guilty, more abandoned—he who first introduced the infernal barter, or they who continue it, and enjoy its profits?

If our government be founded on the equal rights of man, and be administered on the principles of universal equity; if it have any pretence to benevolence, or any claim to the semblance of philanthropy; it will be necessary for our politicians to define what they mean by MAN. Their definition must be more limited than the common acceptation of the word, which is, a being who is capable of reasoning, or who possesses the faculties by which reason

is exercised. It must also be more limited than the definition of Plato, who defined man to be, "a two legged animal without feathers."

They will be obliged to tell us what shaped legs, arms, and head, and what shade of complexion, what color of the eye, and what sort of hair, what kind of a nose, and what thickness of the lips, the creature must possess, to entitle him to the appellation of *man*. Nature has classified all her works. Perhaps, politicians have discovered an error in the classification of nature. We must leave it to modern sticklers for American liberty to point out which are the chosen, and which are the rejected of God.

God has decreed that certain causes shall produce certain effects; and he has so adapted the physical world to the moral, that certain conduct in the one shall be followed by certain consequences in the other. And if tyranny, oppression, the invasion of the natural rights of another, and a violation of the great order of God, be a sin; the slaveholder will bring such consequences on himself as to work out his own destruction.

I am not so much of a fatalist as to believe that Almighty God decreed one part of the human family to be slaves, and the other part to

be wanton rioters on the fruits of their labor, and the toil of their bondage. God created the creature, and the creature's rights; the distinction of master and slave, is the creation of man. I am afraid the friends of our government, as it now exists, must have recourse to the ingenuity of a Kaimes; and prove that all those who have not the same shade of complexion, and the same shaped noses, with themselves, are not of the human race; but a species of ouran-outangs, created for their children to torture for their amusement.

In America, the great cry is, *we have the Africans among us, and how will we get rid of them?* Alas, we have tolerated the crime, and how can we cease to sin in the deed? May not the African in his turn say, we have the whites among us, and how will we get rid of them? We have submitted to bondage, how shall we regain our freedom?

Have we any better claim to the air or the soil of America than the Africans? Have we any charter from God which secures it to us in exclusion of all others, of a different complexion, or of different features? Are the Africans and ourselves of different families? and did Christ come into the world as a Saviour of a part or of all? Did he cover with his wing the

white and delicate slaveholder, and exclude the dark and toilworn slave? Are those damned past all redemption who have not the particular color, complexion, form, and features, of Christ? Is there any more resemblance between him and a bloated, inflated, proud, overbearing and rioting slaveholder, than between him and a poor persecuted slave?

If priority were to determine who should have the preference to the air and soil of this country; then, the copper-colored Indian would have the best title of any.

Slavery was introduced into America by the whites. It is a principle of English Jurisprudence, and a maxim in the administration of law in the United States, that NO MAN SHALL TAKE ADVANTAGE OF HIS OWN WRONG.

Can Americans justify themselves by a necessity of their own creating? If a negro rise against his self-created master, he is called a traitor; if he kill him, he is called a murderer. Yet we say, and say it truly, self-defence is a law of nature. But if a human being with a skin differently colored from our own, nobly defends himself against aggression and tyranny, in obedience to a law of nature; he is, by men boasting of liberty, and calling themselves christians, dragged to an ignominious death.



Can any necessity justify that which is originally wrong? Can a necessity, the creation of man, overturn and destroy rights which are the creation of God? Will one crime justify another? It is said that slavery is so interwoven with the internal *policy* of our government, and with our *domestic* institutions, that we cannot rid ourselves of the curse. Ours is a wretched condition, indeed, if we have sinned away the day of grace, and have become so hardened in iniquity, that we can find "no place of repentance."

Remember, the grave is a republic;—the resurrection will arouse not one alone, but all—not the master only, but the slave also. Will the master plead his own innocence with the negro at his side? The appearance of the slave will be more *damning* than Shakespeare's ghost to his hero.

It is true, that it would operate hard on the slaveholder, if there were a general abolition of slavery in the United States. If, however, the hardship of the case is the principal objection—if this chiefly perpetuates the necessity of the sin—an absolution of the crime should be immediately obtained by an annihilation of the deed. Which is the harder case, that one man should be obliged to labor and live by his own

industry, or that ten, a hundred, or five hundred persons should be compelled to labor for him, and be deprived of all their natural rights, and christian privileges? Which is the more praiseworthy—the more godlike, to emancipate thousands from the galling chains of slavery, or to retain them in bondage for the ease and gratification of the pampered few?

A smaller evil or temporary injustice, if I may so express myself, when opposed to a greater crime and eternal injustice, becomes a virtue. Which is better, to destroy the perverted interest of a slaveholder in order to promote the true interest of our country and of mankind—or to continue in the violation of the latter, for the support of the former?

Let no man who calls himself a christian, any longer say, “We are obliged to keep our slaves.” No obligation can justify an invasion of human rights—an invasion once commenced, no necessity can justify its continuance.

Is not each individual of the human race equally interested in pursuing and promoting his own happiness? As the Almighty, when he created man, made happiness the end of his being, and endowed him with faculties fitted for the attainment of that end; are not all men

equally acceptable in his sight? Benevolence should be bounded only by the universe. The boasted governments of America exercise their benevolence within very narrow limits. The benevolence of a slaveholder extends not beyond the precincts of his own hardened and corrupt heart. His heartstrings are rods of steel, that never vibrate with feelings of humanity.

In a country where slavery is tolerated, is it probable, is it possible, that the minds of the masters, or those of the slaves, can be prepared for a moral or just government? Voluptuous idleness has raised the former above, while degrading abasement has sunk the other below, the level of man. Slavery poisons the very elements around it. We inhale the corruption with our breath, and nurture the pestilence in our bosoms. Whilst we live in this condition we must beget evil and bring forth sin. There can be no palliation but a cessation—no redemption but an annihilation of the curse.

It is in vain for a people to attempt to enjoy liberty while they enslave others—to reap happiness while they sow misery. The name of christian does not belong to them. “RENDER UNTO THE HIRELING HIS HIRE.” They violate every principle, human and divine.

We call ourselves *freemen!* we call our government *free!* Tyrants are the worst of slaves, the slaves of corruption and vice. A government that tolerates slavery, is, at best, a despotism. The exchange of one tyrant for ten or ten thousand, is not a diminution of slavery; it is only an increase of tyranny. We condemn other governments for supporting a single tyrant, while we ourselves support our thousands and tens of thousands. We see the *mote*, but are blind to the *beam*.

Citizens of America! you stand in your own light. You are pursuing a course that must terminate in the utter ruin of your republic—you nurture a serpent with the warmth of your own bosoms—you hold the instrument and prepare the tortures of your own punishment.

“Slavery, thou art a bitter draught!” Bitter, not only to those who drink it, but to those also who administer it. Its corruption and poison flow among the citizens through a thousand channels.

Independent of its influence on government, and its effect on the people, remember, slavery is a crime awful and tremendous—awful in its commission, and tremendous in its consequences! It is a crime in the sight of man, of nations, and of God.

He is a poor, a wretched christian, whose benevolence, justice, humanity, and charity, do not extend to those of his own household.— While ye continue, citizens of America, to “*deal damnation*” on those around you; your religion is a farce; your prayers, a mockery; and your profession, hypocrisy!

It is anxiously hoped that truth will triumph over error, and that true religion and universal liberty will walk hand in hand, over all the regions of the earth. With this hope beating in my breast, I close my thoughts on slavery.

“A day, an hour of virtuous liberty,  
Is worth a whole eternity of bondage.”

## CHAPTER VIII.

### REFLECTIONS ON AN ALTERATION OF OUR SYSTEM OF GOVERNMENT.

AT the time when the American people resisted the encroachments of the British parliament, there was no such thing established or known on earth, as a Representative Government. The citizens of America made the grand experiment, and exhibited to the world, a System of Government better calculated for the happiness of man, than any system that had preceded it. Thousands wondered, and thought the plan visionary.

When we consider the corruption which prevailed, the power of prejudice, and the tyranny of custom, the attempt at representative government, and for the relinquishment of nurtured and cultivated barbarity, was as bold as the termination was great. I say *nurtured* and *cultivated* barbarity, because the governments which then existed in the world, and, among others, that which our fathers opposed, were founded on barbarity, and *improved* only by

refinement in wickedness, and by an increase of corruption.

The English government was then, and is now, eulogized as the best, and the system of its administration as the wisest, that man can devise. Thousands believe the assertion true, and blindly worship the monster that devours them. This is only a melancholy confirmation of the truth, that there is nothing so unnatural, that time will not render it natural; nothing so erroneous, that prejudice will not make it right; nothing so hard, that habit will not mollify it; nothing so criminal, that custom will not give it abettors.

By a representative system of government, I do not mean a system of government in which the agents are elected by a part of the people; but a system in which all who are entrusted with any power, however small, are elected by the people *immediately*, and not *remotely*—a system in which the delegated powers are within the grasp or reach of the citizens, to be by them resumed at as short periods as convenience will allow—a system in which such delegated powers are conditional only, and not absolute.

The independence of the agents of the government, so much contended for by politicians,

is the slavery of those whose rights government should be formed to protect. All governments, monarchical, aristocratic, and despotic, whether elective or hereditary, may in a certain sense, be called representative. They represent the power of the people given up to, or usurped by the *few*, and exercised for the slavery of the *many*.

A monarchy, an aristocracy, or a despotism, may be created by the free suffrage of the people, and yet be very far from being a free government. The liberty of the people does not consist merely in the creation of the government by election, but in their power and right to change their agents, and also to resume the trust delegated to these agents at reasonable periods. The government should be the WILL of the people expressed by their agents. The people should be the MIND that *wills*, the agents, only the ORGANS manifesting that *will*.

If the agents be made to depend exclusively on the people, there will be no need of plundering the rights of the people, or of violating the natural laws of God, in order to make one agent independent of another. The dependence of one agent upon another, arises either from a wrong power being given, or from a wrong manner of exercising a given power.



To say the power should be independent of the people, is, to say the effect should be independent of the cause.

To make one agent a check upon another agent, is only *political juggling*. The people should be that check put in force and operation by their will expressed by election. That a people have granted greater powers than they are able to watch, may show their weakness, but it affords no great proof of their prudence. It is surely a piece of great folly for a man to expend all his property in making one servant watch another servant, when he might, with infinitely less trouble and expense, dismiss the unfaithful servant from his employ.

The independence of government, by which is generally meant the independence of one agent of another, is usually effected by an independence of the agent of his master. It originated at first, and is continued at present, under false and wicked systems of government—under monarchies and aristocracies, which are systems of corruption and injustice, of rapine and cruelty.

The vesting of power in the servant or agent beyond the control and reassumption of the master, first created the necessity, and still continues the wisdom, of creating supernumerary

officers only to look at each other; and it also created the necessity of the master's parting with his own rights to secure the independence of the servant. If a man were to hire a person to make rails for him, and then hire another, at the same wages, to watch whether the former attended to his work, and pay a *third* to see whether the *second* watches the *first*; would we not be inclined to believe that the hirer was possessed of great indolence and less wit?

The agents of the people in the government, are called the servants or hirelings of the people. We know they ought to be such. We have retained the name, and lost the substance.

If a superior being were to come from some unknown region—a region of truth and reason, and if he were to see a great people *petitioning* those in power; would he believe that the latter were the servants of the former? The servant ought to know and obey the will of his master; and before venturing on an untried experiment, he ought to consult, or if you choose, *petition* his superior.

The agents, representatives, or officers of government, are called the servants of the people, and the people, their constituents, are called their masters. These terms, master and servant, are words without meaning—are misap-

plied—are used merely for deception—or they have degenerated from their original use and meaning. The truth is, the manner in which the people act by their agents, is wrong; the powers with which the latter are entrusted, are frequently too great; and the trust is often placed in improper hands.

Let a citizen of any country under any government, reflect for a moment, and he will soon discover how he is hoodwinked by the terms, master and servant; he will find that the pretended application of them is a violation of common sense.

Why do mankind torture their brains to forge their own fetters? why exhaust their ingenuity to discover and form plans for the security of their rights, when the only true and natural plan is plain before their eyes, ready to be assumed, and easy to be executed! Let every man who is a free agent, be his own GOVERNOR, either by acting himself, or by choosing his agent. If his agent misbehave, let him have the power of dismissing such unfaithful servant, and of choosing another in his place.

In a monarchical or aristocratical government, where the agents in the government, or the servants of the people, are made indepen-

dent of those over whom they rule; it becomes necessary that one agent should be a check upon another; and that when the people have given up *two thirds* of their rights, they should have some security for the remaining *one third*.

In England, where there is an hereditary king and an hereditary nobility, the rulers are removed as far as they can be above the reach of the ruled. Virtue and vice, wisdom and folly, have an equal chance to be predominant qualities in the hereditary claimants of power.

Taking it for granted, that kings and nobles are necessary for a just government, and that they must be hereditary, and that all power should be placed beyond the reach of those over whom it is exercised; the necessity follows, of creating checks by making one officer watch another, and of having one agent independent of another, even at the expense of a great part of the natural rights of the people. But as the premises are false, all that which is established upon them, and all the conclusions drawn from them, must be also false. Admitting the nature and form of such a government to be just, we cannot but admire the ingenuity, learning, and wisdom, displayed in endeavoring to frame the government so that what little liberty was left

to the people, might not be invaded by an avaricious and wicked son of a ruler, educated under the false dazzle of power, and brought up in the ways and sins of his father.

In a truly representative government, where the government is the will of the nation, it is not necessary that the will of the latter should be fettered by the interest of the former; or that the free mind of the citizen should be bound by a long and uncontrolled delegation of his will. The government should be the WILL OF THE NATION. The mind that forms this will, should be free. This will should prevail. Hereditary governments and elective monarchies, rule by fate. Whenever the agents in the government become independent of the people, the administration depends on a political fate.

In the formation of a government, the first object that presents itself is that branch commonly called the Legislature. The legislative power is the highest power that one man, or a body of men, can delegate to another.

Let it be borne in mind that in a free government, every man who is a free agent, must be his own governor. Wherein does the government of man consist? Did He who created him, give him laws? and did he give him facul-

ties fitted to discover those laws? Are those laws adequate to the end for which man was created? Did not the Almighty, when he made him a free agent, know that the creation of free agency, was the creation of a liability to moral depravity? Did he give man laws which are necessary as a defence against this depravity? and does such defence necessarily arise out of man's nature?

A serious consideration of these questions, will lead us to a correct understanding of the term Legislation. It is the duty of man, not to *make*, but to DISCOVER AND ADOPT LAWS. If this be the case, there can be no *true sovereignty* on earth, save the SOVEREIGNTY OF GOD—no *true government*, save the GOVERNMENT OF HEAVEN—a government of Love and Truth, of Wisdom and Justice!

All tyranny, injustice, and slavery, proceed from man's attempting to make law. All true law must necessarily arise out of the nature of the substance which it is intended to regulate, and partake of the attributes above mentioned, as belonging to the government of Heaven. It is the business of man, by the exercise and improvement of reason, to discover the laws which are necessarily connected with, and flow from

his nature; and it is a duty, in which his happiness is necessarily involved, to adopt and obey them.

What, then, should be the business of that body of men, denominated the Legislature? and what the duty of the nation, or citizens? It should be the business of the one to discover and adopt laws; and the duty of the other, to follow and obey. 'This, and this only, constitutes all true and genuine government.

It has been said that the government of the nation should be the will of the citizens. The mind of the nation is in the whole body of the citizens; the government should be solely the organ which expresses the volitions of that mind. The mind of a nation, like the mind of a man, is, or should be, free in its volitions. As the doctrine of fatality, as sometimes understood, is the slavery of the soul; so, the doctrine of necessity, as introduced into governments, is tyranny over the person.

All power which does not originate with the people, and which is not within their control, is tyranny. When power is placed beyond their control, their freedom of mind is invaded; and the exercise of that power becomes the bondage, instead of the liberty, of the citizen.

There is no term in the English language,

which has been more abused, and more erroneously applied, than that of *Legislator*. A legislator, properly speaking, is a *lawgiver*, not a *lawmaker*. In the first sense, it can be applied to God alone, in the second, only to Satan.— All law which is just and true, and calculated for man, must and does emanate from God. The plain and imperative duty of man, is, to discover and obey it.

The head of a nation should consist of a COUNCIL, or a body of men, whose whole business should be to discover laws already in being—to discover the laws corresponding to rights already created—not to create rights.

All things in heaven or on earth, have their laws. The laws for their regulation and government, are coexistent with the things themselves. Reason is the true government of man. The head of a nation denominated the Legislature, should consist of an assembly or council, who should exercise their rational powers for the preservation of the rights of man. This preservation is not to be obtained by curtailing or creating rights.

The creation of a right by man, must be the creation of a wrong; the making of a law must be the invention of evil. The laws of God are good, those of man are evil; the laws of God



are founded in justice, those of man, in injustice; the laws of God produce only liberty, those of man, only slavery.

Upon a right consideration, it appears that lawmaking is not the proper business of man; that government is not a *necessary evil*—an evil necessary to promote the true interests of man: but, that the true government of man, is in itself plain, and easy to be understood; and, that on its proper administration, depends the whole happiness of man. It is also evident, that by supporting a false system of government, we uphold the kingdom of darkness, which, it is the duty of every man who professes to be a partaker in the government of Christ, to endeavor, by the exercise of his rational powers, to put down, and to substitute in its place the true government of man and of God.

The legislature of the State of Pennsylvania, consists of three parts or branches—the Senate, the House of Representatives, and the Executive or Governor. This body has been making laws these forty years, and has as much business now on hand, as when it first commenced its operations. It is formed every year in December, and is generally dissolved sometime in the next April. The last session

was consumed in luxurious idleness, and in lawmaking; and so was every preceding session.

As much time and as much expense, will be necessary twenty hundred or twenty thousand years hence, as at present, and considerably more, if false government continues to thrive by a violation of the rights of man. Let the situation of affairs be as they may—come war or peace, trouble or contentment, the time is the same; the business, the same; the expense, the same; the consequences, the same; the dupes, the same; and our last disappointment only reminds us of our first.

Citizens of Pennsylvania! can you inform yourselves or the world, for what purpose you sent your representatives, your servants, to Harrisburg this year? and in what length of time they ought to finish your work? It is worth your consideration, inasmuch as it will cost you many thousand dollars. A prudent, wise, economical, and christian man ought to know how he lays out the gains of his industry, and for what purpose they are bestowed. If he is not just to himself, he is not just to his God.

The MULTIPLICITY of laws is the confusion of justice; it is a rock upon which govern-

ments have wrecked nations. If our legislature go on, we shall have a huge *mass* of law, but a very confused *heap* of justice. They must go on — they cannot be idle — they must sit from December to April every year — or else, the members would not have a fleece worth *shearing*, or worth the *packing* home in the spring.

It already requires several large volumes to contain a Digest of the laws enacted by the legislature of Pennsylvania. We must also have a Digest of the laws of the United States. As for the common law, which is indispensably necessary, the best team of five horses in the Union, would not be able, at one time, to draw a full and complete Digest of it! This need not surprise any one, since there are four or five hundred judges in England, who are daily engaged in the manufacture of common law; and as many *bunglers* in America who receive it from their hands, and add to it the fruits of their own *journey-work*.

When will this procedure stop? The Judges in England and America, the Federal Legislature, and the State Legislatures, are annually employed in increasing the stock of law. Our own legislature in Pennsylvania, are now, and have been for years past, employed, like chil-

dren in building houses of *corncocks*, building up and pulling down, only to build up and pull down again; while time is on the wing, the heavy, indolent, and luxurious hours pass away in the *innocent amusement*.

The legislature generally employ one half of their time in the *repealing of laws*. Under a just government, there would be no such thing as the repeal of a law. Law can no more be repealed, than it can be made; it need only to be discovered and adopted; it is unchangeable in its nature, and eternal in its existence.

If a law ought to be repealed, the repeal may be repentance; but the creation of it must have been sin, as necessarily as effect is the result of cause. The object of a law's operation, may cease, and with it, the operation of the law. But the cessation of the operation is no more proof of the non-existence of the law, than a man's not having been born in England, is proof that he never was born.

If a law be just, it can never operate as a wrong. The moment anything material or immaterial, comes into existence, that moment the corresponding laws for its regulation, also exist. Reason must discover these laws; and true interest, peace, order, justice, and virtue, require them to be adopted and obeyed.

If we only examine any law which has ever been enacted and repealed, reason and conscience will pronounce it, either not to have been a law, or its repeal to have been a violation of rectitude. The business of making and repealing laws is, in the mildest language, the sport of wickedness, and the frolic of tyranny. No law which is truly adopted, can be repealed; while all those that are made, should be annulled. If there be error in the adoption of a law; such error should be corrected by a reform, and by a public acknowledgment of the mistake, and not be justified under the plea of an imaginary necessity for its existence during a certain limited period.

If a law be just and true when it is adopted by the legislature, it will remain the same; and, like the laws of the Medes and Persians, it should not be altered or changed. When there are erroneous principles in the original organization or establishment of a government, as the giving up of any part of natural rights, it will require a continued course of legislative injustice and mal-administration, to support the original error; and the longer the government proceeds in that course, the further it will diverge from the path of rectitude.

In a just government, such as man is capable of adopting and living under, there are few laws necessary, and few agents needed to administer them. The perversion of legislation, by making instead of adopting laws, originates, continues, and increases many of the evils, corruptions, and crimes, which annoy the social compact. The procedure of legislative bodies is seldom scrutinized by the citizen — the mysterious process of lawmaking is looked upon as too sacred for his eye, and too wonderful for his judgment. It is well, as a great English judge remarks, if the *common people* will follow and obey, without scrutinizing too closely into the reasons of existing establishments!

The questions which naturally arise in our minds concerning the body denominated the Legislature, are

I. Wherein is it defective?

II. How can its defects, if any exist, be removed?

I. In the first place, then, we are to enquire, wherein the legislative body is defective.

It is defective in two important particulars.

1. In its formation, and

2. In its mode of action.

1. It is defective in its formation. It is said

to consist or to be formed of three branches, the Senate, the House of Representatives, and the Executive.

It has been already observed that all power in a government should be in the people. If it be delegated to agents, the agents should be within their reach, or under their immediate control. The time for which an agent is created by election, should be as short as it possibly can be, and be convenient.

Why are the Senators elected for four years? Can there be any reason given, which will partake of equity, liberty, or true policy? A senator may be a very good servant when he is first elected, and, before he has exercised his agency two years, his sentiments and conduct may be opposed to the will of his constituents. Yet the people must bear with him, and their business must be managed by an agent whom they detest. If they have sinned against reason or prudence in their choice; repentance is denied them, until they have expiated their folly or their crime in a four years' purgatory.

It may be observed of our senate, as a great, though anonymous, writer observes of the septennial parliaments in England. "They have six years to commit sin, and one year to

repent; but a death bed repentance seldom reaches restitution.”

This observation of “Junius” may be applied to our senate, and to all officers under the government, who hold their offices for a longer term than one year. Where would be the inconvenience of electing senators, if it be necessary to have them, at the same time and place, and as often as the representatives are chosen? Can there be any reason given for the present procedure, save that it is a clumsy imitation of an English parliament? In the senate the will of the people is liable to be changed for the perverted or corrupt will of the senator; and thus the government is in danger of becoming, as in England, the tyranny of the *few*, and the slavery of the *many*.

2. But secondly, our legislative body is defective in the mode of its action. A majority of both houses and the consent of the governor must unite for the enactment of what is called a law. Those who are our immediate agents, cannot do any thing of themselves. What they may wish to establish as the will of the people, may be, and often is, counteracted and defeated by our remote agents—those who once felt and acted as men, but now feel and act as tyrants.



The governor, who is a branch of our legislature, is elected for three years. It is in his power to resist and render ineffectual the will of a majority of the whole state. The last year of his reign he may be unanimously despised by the citizens of the state; yet his will may be, and often is, triumphant over the will of the people.

Is this freedom? and this that government where every man who is a free agent is his own governor? The rulers may be free; but as to the people, they are fettered by their own choice at some period long since past. Let those trumpet forth the praises of such freedom, who enjoy it most. Such agency as governors and senators possess may be the agency of slaves, but not the agency of freemen; it may suit the foul climate of despotism, but not the pure atmosphere of liberty.

There are two pleas by which this unjustifiable oppression is generally defended.

1. The opportunity for *improvement* afforded the rulers; and,

2. The *check* upon the passions of the people.

1. It is said, that when a man is elected to office for a long time, he becomes acquainted with his business by turning his attention to it,

and thus, in time, he gets to be master of his *trade*.

This is an excellent argument for a monarchy and an aristocracy. And that the rulers may begin in time it is necessary, or at least best, to make them hereditary. Hence, we find that infants have often been kings while the nation had to hire nurses for their attendance. The above argument is sound, only, where government is an *art*; where it consists of mysteries which require years to unravel; where old customs have outlived the reasons which gave them birth; and where the hieroglyphics of antiquated corruption can be decyphered only by long study, and known only by long practice.

If the government be just, it will not require years to understand it. A people can easily give their lessons or instructions to their agents or servants: and the latter, if willing, can as easily learn them. If the evil to be redressed is felt, it is easily described; if it is not felt, it will not do much injury; and the agents, for their own ease and convenience, need not perplex their brains about it. If they should run out of employment as legislators, before the month of April arrives, they may return home to the exercise of industry.

Legislators are apt to imagine evils that are never felt, and to dream of dangers that are never thought of by others; and while they make business for themselves, they exhibit their charity to the world, by the extraordinary care they take of the *dear people*.

If the art of legislators be of so intricate a nature, as to require years of apprenticeship for them to become masters of the trade; it will also require years for the people, even with the assistance of lawyers, to understand their work after it is finished.

Reason teaches, and experience confirms, the great truth, that man is not to be trusted with power for a long time. The mind forms and changes its character with the objects which surround it, and the impressions that are made upon it. The opinions of a man are the result of his impressions. No opinions are natural; they are acquired, and change with the change of impressions that affect the mind. Hence the force of education, hence too, the danger of power; the perversion of the one is often mistaken for nature; and the abuse of the other for distributive justice.

2. It is said that the Executive and Senate are necessary as constituent branches of the

Legislature, to operate as a *check* upon the passions of the people.

If this be sound doctrine, it must be proved that when governors and senators are chosen, the people are guided by reason only. Suppose the citizens are in a tumult of passion when a governor or a senator is chosen; must they sit down and mourn in despair the madness of their passion, and the folly of their choice, for three years in the one case, and for four, in the other?

Cannot the people trust themselves? Must the many give up their liberty to be taken care of by the few? as a child gives its toys into the care of its parents. This looks like the shepherd's giving up his sheep to be herded by the wolf, least he might himself, for a few minutes, fall asleep.

Kings and tyrants are more charitable to the people than governors and senators can be. The former, while they live, take care of the people, their slaves; and lest the rights of the good people should suffer for the want of a guardian, they leave them a son or a daughter as a protector, lineally descended from the blood royal, who will rule them by hereditary right.

It is an observation of a celebrated writer,

J. J. Rousseau, that "the spirit of all laws, in all countries, is to favor the strong in opposition to the weak, and to assist those who have possessions, against those who have none." Rousseau, though in some respects a visionary writer, was often a true copier of nature; he understood the springs of human action, and was a close observer of man. The truth of the above quoted observation, is daily confirmed under all governments.

Every year the legislature of our state presents us with a volume of laws. The multiplicity of laws is quite as bad as no law at all. Which is worse, to have so many laws that no man can know them, or to be without law? If our legislature should continue this business of lawmaking much longer, a man will be under the necessity of keeping a horse and cart to draw law after him; unless he should be able to hire a lawyer or a judge to accompany him in his walks. Alas, where will this business end? It is time to look out for the rocks; we are already on the breakers!

II. In our second general enquiry, this question was proposed:—How can the defects in our present legislative body be remedied?

The whole duty of legislators being to discover and adopt laws, and to make regulations

for their observance, the Head of a nation should consist of a COUNCIL annually chosen by the people. This council should neither be so small as to lack information, nor so large as to be impeded in its business, and create confusion. The number should be fixed and certain.

Very erroneous ideas have gone abroad into the world relative to the subject of representation. Our government in Pennsylvania have fixed upon a certain number of inhabitants in a district, as being necessary to entitle that district to choose a member for the legislature. As the number of inhabitants increases, the number of agents in the legislature also increases. This is making rights to increase and decrease with the population of a country. Liberty is made to ebb and flow by the influence of population, as the tide ebbs and flows by the influence of the moon.

Liberty does not consist in the number of agents, but depends wholly on the right and power of choosing and changing them. I am equally a slave whether I am ruled by one tyrant or by fifty; and I am equally a freeman whether I choose one man to do my business, if he be adequate to the task, or choose five hundred to do the same. If forty men can

adopt a law, and form regulations to carry it into effect, consistent with truth, justice, and the genuine rights of man, for a community of five hundred men; then, forty men can do the same for a community of five hundred millions. Law is the same, whether it be exercised over ten men, or over ten thousand. The number of the citizens cannot change the intrinsic nature of the laws, either as regards those who adopt them, or those for whom they are adopted.

Let us suppose the head of a nation to consist of a COUNCIL. This council should be composed of a certain and fixed number of members, say, forty or fifty. Let the state or country over which its jurisdiction is to extend, be divided into as many districts as there are members in the council. Let this division be made according to population and extent of country, as equally as possible. A difference in the increase of one over others, should cause no change in the rights and liberty of the people. This would preserve an equality throughout the state—an equality of rights. On this equality, depend the glory, the power, and the liberty of any people.

The rights of a few are as easily invaded as the rights of many. Injustice operates as hard

on an individual in a small body of men, as it does on an individual in a large body. Oppression is felt as much by the poor man, as by the rich. Did an equality of rights and privileges obtain in our republic, the strong would not prey upon the weak; the fertile plains would not tyrannize over the unproductive regions; cities would not triumph over villages, nor villages, over the surrounding country.

All laws should be general in their nature and operation. We would not then be burdened with a multitude of local laws which are oppressive in their nature, and tyrannical in their operation. If some districts should become much more populous than others, it would be more easy and infinitely less expensive to change or new-model the districts, by enlarging some and diminishing others; than to support a host of supernumerary legislators, in order to preserve an ideal liberty by a real oppression.

The subject of equal representation, which means an equal number of agents in the legislature, according to the population, has been the theme of much eulogy in America. It is generally believed that this is all that is necessary to constitute a free government, and to maintain the equal rights of man. This kind



of equality has nothing to do with an equality of rights, which is the grand desideratum in a just government. Undoubtedly, my observations on representation will shock the mind of a superficial politician. The subject, however, only requires a little reflection. The people will find that a real *inequality* of rights has been concealed under a veil of political craft—that the citizen has been amused with the sound of equality, and tickled with the shadow, without enjoying the substance.

The effects of equal representation as it exists in this country, may be readily seen by taking a view of it in the confederate or general government of the United States. If a new territory be added to the union, it is entitled to a representative to *look on*, without any power or liberty of acting, until the territory he represents contains a certain number of citizens.

Now I would ask the candid reader, if a territory, under a government, and in a country, professing to maintain the equal rights of man, should contain only thirty, forty, or fifty souls, men, women, and children; whether these thirty, forty, or fifty, ought not to have as many rights and privileges as if the territory contained many hundreds or thousands? and whether an invasion of their property, rights, or lib-

erty, would not be felt as soon and as severely by each one of the few as though there were a hundred or a thousand fold?

We often confound the power to act, with a right to act; we give the one, and withhold the other; and we make the one supplant the other. Let it be remembered that equality in a government, is the equality of each individual—an equality of rights and privileges, of security and danger.

If the legislative power in a government were vested in a council such as I have described, there would be no need of creating *checks*. The line of demarkation for the council, would be drawn by the constitution. The members of the council being annually chosen from among the people, they would have no power to injure, no temptation to allure, and no danger to fear.

A council being established, and the number of its members being fixed and certain, an increase of population and wealth would be a decrease of national expense, relatively as it would affect an individual in the community. Thus the advantage of each individual would become the blessing of the nation.

If the council were confined by the constitution to the adopting of law, and not allowed to

make law; perhaps, there would be some probability that the citizens might be acquainted with the laws of their country. Should government cease to be a traffic, and cease to present a scene of rioting on the spoils of industry; and should the members of the council receive only a reasonable compensation for their services; they might not feel disposed to sit three or four months every year, when their business could be finished in as many weeks.

The members of the council, being taken immediately from among the people, and obliged in a short time to mingle with them again, would have no desire or temptation to act the tyrant. They would express or manifest the will of the people. This will would, as it ever should, be triumphant—not the will of a few who have been many years clothed with power, and who have ceased to feel with the nation. The study of the members would be to make things simple and plain; it would be the NOBLE SCIENCE OF GOVERNMENT—not the *vile art*, in which the sole object is to increase its mysteries, and leave the citizen grouping in a labyrinth of darkness and error.

Under our present system of government in Pennsylvania, ONE MAN, the Governor, is the

source of all judicial authority in the state; the stream of administered justice flows, or may flow, from *one man*. This man has the power of opposing the will of the people—of opposing, successfully, a majority of the whole state. For the exercise of this unjust, illiberal, and unnatural power, he receives, from the coffers of the state, a yearly compensation or reward, equal to the yearly income of twenty five laborious and independent farmers, or of fifty toiling and industrious laborers, in the community over which he rules.

With such things staring us in the face, we say, we are free; with such an exaltation of power in our midst, we boast of our equal rights! The giving of law belongs to God; its discovery and administration belong to man. On the justice and purity of this administration, depend the prosperity and power of the nation. This administration, in our present system, is placed under the control of one man and his minions. He has time to plan and to execute. He can sow the seeds of tyranny, see them spring up, blossom, and ripen, during his long continuance in office.

If an officer were invested with reasonable power only, there would be no necessity of his

employing secretaries and clerks. It is surely extravagant and unjust, to give one man more business than he can do—more than he can execute himself without the aid of underlings and deputies. It savors not of liberty or policy, of justice or reason.

Can a man take a view of the duties and powers of our governor, of the pageantry and show attendant on the office, and of the salary of five or six thousand dollars, “wrung from the hard hands of peasants”—can he take a view of these things, and not feel the mingled emotions of indignation, of pity, and contempt.

How important that the people should become enlightened! that they should see how they are duped and enslaved by the supporters of false government; that they should understand their rights, and know how to maintain them! This can only be effected by the general diffusion of knowledge, and by a correct system of education adapted to the nature and wants of man.

Education, in its general sense, may be said to form the character of the man. By education, I do not mean merely the instructions of schools, academies, and colleges, but all impressions, ideas, and information, which the

mind acquires. The former constitute but a small part of education; the latter fix and determine the character of the individual.

It is generally said that a man has a certain temper or disposition of mind *naturally*. This remark, in the sense in which it is often used, is certainly erroneous. A certain temper of mind may become *constitutional* in some families. Many things are constitutional which are not natural. Children often inherit the diseases with which their parents were afflicted; yet few will pretend to say that disease is natural. Some families are also addicted to petty crimes, such as lying, cheating, and pilfering. This latter propensity often exhibits itself in an individual when it is not prompted by necessity or by any apparent motive. In such instances, it is solely constitutional, and inherited by the individual from his ancestors. It cannot be natural; for if it is it must be attributed to God, who is not the author of evil.

A malicious temper and other evil propensities may be strengthened and increased by education; until, in process of time, or by descent through many generations, they produce the perverted and wicked creatures we now find in the world. It is said in Holy Writ, that the

iniquities of the father shall be visited on the children. By this we are not to understand that God, by an immediate interposition, punishes the child for the crimes of the father; but that he has so constituted his creature, man, as to make him susceptible of change, and liable to receive and partake of the *acquired nature*, if I may be allowed the expression, of his parents.

We have been commanded by the highest authority in the universe, to love our neighbor as ourselves, and to do unto others as we would wish that others, in like circumstances, should do unto us. Why is man partial and selfish in his affections? Why is he incapable of yielding implicit obedience to the instructions of Christ, our great Teacher? Why is he not a genuine christian instead of being a mock professor? It is because he is now "born in sin"—in the acquired or constitutional sins of his ancestors—because he has been brought up under a perverted education, and is now living under, and supporting a false and wicked government. It is by means of a true course of education, and by living under a righteous government, that man can *unlearn* himself, and, by pursuing the path pointed out by Christ, retrace his steps, and return to his original purity. Then, he may be

said to "be born again," and to "work out his own salvation."

The deplorable ignorance that reigns among the mass of mankind on this subject, and its inseparable connection with our present and future happiness, must be my only apology for introducing it here. The above observations will suggest, to a reflecting mind, the great importance of a true education, and the absolute necessity of a just government. We are now under the dominion of darkness and error; we are guided by a false education, and the false reasonings of perverted minds. We are supporting an unjust and a wicked government — a government that wars with the ordinances of God, and tramples without remorse upon the rights of man.

In a free government, every man should have justice "without sale, delay, or denial." Under our present government, a man seldom gets it without *sale* and *delay*, and too often he must rest contented with *denial*. For the correctness of this assertion, I appeal to the honest hearts of thousands in our community, who can attest its melancholy truth from sad and dear-bought experience.

Let governments expiate the crimes, and re-



dress the miseries of a COURT-HOUSE. It may be compared to a lion's den, which shows the tracks of prey going in, but only the tracks of the devouring beast coming out. The feelings and experience of mankind confirm the justice of the comparison.

If justice and villainy encroach on an individual in society, he is prevented from entering the temple of justice without a PASS OF GOLD. If he gains admittance he may starve—he may, in fact, die of old age, before he can know his doom. The equity and justice of his case can be no assurance of success. His mind must be tortured with doubt; till, at length, the tortures of a doubting mind have only prepared him, whatever may be the event of the suit, to meet his certain and irretrievable ruin.

Where there is no moral virtue, there can be no certainty of obtaining justice. The only thing of which a man can be certain, under the present administration of law, is misery, ruin, and despair. As to this, let those speak who are involved in the miseries of *law*, and are under the immediate influence of its administration. Let those speak who have experienced the excruciating tortures of being fastened upon by the *leeches* of a court-house. Let the wretchedness, the beggary, the mise-

ry, and the ruin of thousands, rise and plead, trumpet-tongued, against the "deep damnation" of the craft.

Is there NO REDRESS?

Cannot justice, the great attribute of the Deity, which is moulded into his image, man, be vindicated and administered without a retinue of evils and of crimes? Must man undergo the ordeal of injustice, of wretchedness, and want, in order to regain that which God has given, and his fellow man has taken away? If such be the case, horrible, indeed, must be our doom!

I have heard of an enthusiast who believed that the more misery he had in this world, the more happiness he would enjoy in the next. He had recourse to building a wall before his window, in order to prevent him from enjoying the pleasures which the sight might receive from the objects that surrounded his dwelling; he wore a girdle of thorns to torture his body while he was satisfying the cravings of hunger. In my opinion, if this well-meaning enthusiast had lived in later times, he might have saved himself the trouble of the *wall* and the *girdle*, by engaging in the torment of a modern *lawsuit*. A lawsuit would have wrapped his soul into a pleasing agony that would have given

an agreeable torture to all his thoughts and actions. And, if he had judged of his *heaven* in the other world by his *hell* in this, there can be no doubt, that the exquisite misery of the latter would have given him very exalted ideas of the bliss of the former.

Is there no redress?

There surely is. The state being divided into districts, let three men be chosen by the citizens in each district, as JUDGES or DEPOSITARIES of the regulations and adopted laws of the state. These judges, or whatever else they might be called, should be annually elected by the people, and should receive a reasonable compensation for their services, to be paid out of the district or state treasury.

It should be the duty of these judges to attend at a certain place in some central part of the district every day in the year, sundays excepted, during certain and regular hours; and there to relate, read, and expound the law to any individual, or to any number of individuals, who might apply to them for that purpose.

The judges, in all cases of dispute, might issue the process necessary to bring the contending parties before them; the parties might do their own business by serving their own process for procuring the attendance of wit-

nesses. The judges might be the advocates and counsel of both parties. Arbitrators chosen by the parties, the judges choosing an odd one, might decide all matters in dispute, under the direction of the judges. A majority of the arbitrators should decide all the disputed points; from this decision there should be no appeal; it should be final and binding.

What would be the consequences of adopting such a plan as is here proposed?

1. The people would have the right of choosing those who would preside over their disputes.

2. The judges would be independent of the contending parties, as they would receive their remuneration from the district or state treasury. To be independent of the people as to retaining their seats, would be an unnatural tyranny.

“I dare do all that may become a man;  
Who dare do more, is none.”

3. The regulations and laws would become known, and their administration, understood. In case the people were acquainted with the laws which governed them; if those laws were good, they would be loved and cheerfully supported; if they were bad, the people would dislike and change them. A government cannot

be an object of real love, unless it is known and understood.

4. Men would obtain justice without "sale, delay, or denial."

5. The judges being bound to make known the law, the necessity of a countless host of lawyers would be dispensed with.

6. In case of a dispute, if one party were to ask the opinion of the judges, he would hear the law expounded, as it would be applied; the other party, on coming to the same place, would drink from the same fountain which had quenched the thirst of his adversary. The right withheld, would be frequently given up, and the injured party put in possession of his own, without further trouble or expense.

7. The poor man would be able to contend for his rights, and to obtain justice, as well as the rich.

8. An honest man would have some hopes that, with justice and equity on his side, he might succeed in a controversy with a dishonest adversary.

9. The judges would earn their recompense; their wages would be the gains of honest industry.

10. We would not be obliged to support judges in luxurious idleness. Let the people

of Pennsylvania look at the numerous judges they are daily supporting; and reflect that when they want to know the law on a particular point, they must see a lawyer, before they can make their appearance in the presence of their HONORS, the JUDGES!

11. We would not be obliged to go through a clerk's or prothonotary's office, which cannot be entered without a *pass of gold*, in order to prepare our minds for the plunder, beggary, and ruin, which must now overtake us in that GREAT TEMPLE OF DISTRIBUTIVE MISERY, A COURT-HOUSE!

12. Every man would be enabled to seek his own remedy, and to make his own defence.

13. We would be rid of a legion of *court-house leeches* that now drain us to the last drop.

14. The just would enjoy their rights; and the unjust would meet their speedy reward.

15. We would be saved from unnecessary expense, unnecessary officers, unnecessary delay, unnecessary persecution, and unnecessary tyranny.

The right of appeal has been considered as a great privilege to the citizen. This right ought to be thoroughly investigated, and its nature and consequences, carefully examined.

If the matter in dispute were decided by

persons chosen by the parties themselves, the latter ought to rest contented with the decision.

What are the effects of an appeal? It is generally attended with a delay which exhausts the patience, and with an expense that empties the purses of both parties. It opens a field into which the poor man dare not, cannot enter; it presents ruin to the man of ordinary circumstances; the rich only may triumph in an unrighteous victory often obtained without the struggle of a contest.

The laws in regard to appeals, generally fix upon a certain pecuniary amount as a test of the allowance of an appeal. If the sum in dispute be less than that amount, there can be no appeal taken; if greater, there may. Let us for a moment consider the nature and consequences of such an arrangement. Laws of this kind are partial; they are made, not adopted. They are, therefore, unjust.

If there is no necessity for an appeal where the claim is *one cent*; no such necessity can exist where the claim is a hundred or a thousand dollars. The principle is the same in both cases. Justice is eternal and immutable, one and indivisible, admitting neither of measures nor degrees.

Injury in itself is always unjust; but in its

effects, it may be relatively great or small. A less injury is as much felt by a poor man, as an injury a hundred fold greater, by one who is a hundred fold more able to bear it. The injustice to both is the same; their right to complain is the same; and the manner of redress should be the same.

This subject of appeals shows that when men undertake to create rights, they manufacture wrongs. A man's right to his own property, and the defence of that property, are natural rights. The government or the law which makes a difference in the mode of defending a large or a small amount of property, cannot be just—it cannot be founded on equality of rights. Justice prescribes the same course in all cases; rights are the same in all persons; and the mode of defence should be the same. The laws that make a difference, are unnatural, tyrannical, and contrary to reason and sound policy.

The poor compose the majority of the citizens in any country. Their demands are generally small. If the allowance of an appeal where the demand is large, be founded on principles of justice, the law which withholds the right in cases where the demands are small, must be founded on injustice and iniquity. That which is unjust cannot be politic.



The poor man's rights are as dear and as valuable to him, as the rights of the rich are to them. The poor man is entitled to as much civil and political liberty as the wealthy and the great; and his rights require as much protection and guardianship as theirs. In the just and equal protection of the rights of each individual, consists the interest, the security, and the strength of the nation. Inequality in the administration of the laws, is tyranny in the government. Inequality arises from partiality. Partiality belongs not to God, nor to his noblest work, an honest man.

The administration of a government, should be the equal and universal administration of justice. By this I do not mean, that the administration should be equal and alike to all men, under *certain limitations and restrictions*; but that the mode of distributing justice should be the same in every case, and to all persons. Justice can flow but in one stream; it can have but one channel—the channel of eternal rectitude. To obstruct this channel by a partial allowance of appeals, and by laws of man's creation, is to change the course of justice—to make it flow in an unnatural channel, contrary to the order of nature.

There is no necessity for that which is unnatural. Such a necessity destroys order, equity, and goodness. It is a necessity which is the concomitant of usurpation—a necessity founded in, and proceeding from, monarchy, aristocracy, despotism, and false government.

Let these sacred and eternal TRUTHS be engraven on the hearts of all men—that the BASIS of all just government, and of all equitable administration, is, and ever must be, UNIVERSAL EQUALITY OF RIGHTS; that JUSTICE is of GOD; that it is ONE and INDIVISIBLE, ETERNAL and IMMUTABLE.

I have endeavored, in this chapter and the preceding ones, to prove that our present system of government is false; that false government produces false sentiments; that false sentiments produce a false interest; that false interest produces false affections; and that false affections produce the UNNATURAL MAN.

I may, therefore, properly conclude this chapter with the motto prefixed to these pages:—  
“MAN IS NOT THE ENEMY OF MAN BUT THOUGH THE MEDIUM OF A FALSE SYSTEM OF GOVERNMENT.”

## CHAPTER IX.

### ADDRESS

TO THE CITIZENS OF THE WORLD, AND, ESPECIALLY,  
TO THE CITIZENS OF THE UNITED STATES.

READ, PAUSE, AND REFLECT!

CITIZENS!

It is the duty of every man to inquire into the nature of the government under which he lives; to examine by what kind of an administration he is directed, and the consequences of that administration. If the constitution be unjust—if it be not founded upon such principles as result in a just government, and an equitable administration, it should be changed—it should be reformed.

Mankind have been deterred from reform by the frightful stories and bugbear tales of the self-interested *few*. Reform is the revolution of reason; war is the revolution of corruption.

Reformation and revolution have, in all ages, been confounded. Revolution in bloodshed has been mistaken for revolution in principle. Re-

form is the antidote of revolution; the neglect of the one paves the road for the other. Kings and tyrants cry blood and revolution; citizens and freemen demand peace and reform. Those who are clothed with power oppose reform, until they are ripe for dictators and emperors, and then reform, by convulsion, war and bloodshed.

As a good piece of mechanism can be preserved in perfection only by frequent repair; so the best system of human policy will retain its original purity only by frequent reform.

If Carthage had reformed her government she need not have made cables of her matrons' hair. If Rome had reformed in the days of Sylla, by striking at the root of the tyranny instead of aiming her blows at the tyrant, she would not have fallen an easy prey to the "Northern Hive." If France had reformed in the sixteenth century, she would not have groaned under the tyranny of a military despot in the nineteenth. If England had reformed at her "glorious revolution" in 1688, which was but a change of old tyrants for new ones, she would not now behold the poverty, wretchedness, and wo, that are goading her people almost to the verge of desperation. If America had reformed forty or fifty years ago, she would not now be suffering under the scourge

of party warfare, and the curse of slavery, which threaten to tear the union asunder, and bury the republic in the ruins.

Citizens! if you do not now reform, by removing your governments which trample upon the rights of man; which support slavery by oppressing the poor, and “him that hath none to help him;” which countenance crime by the commission of murder; which uphold idleness, and generate corruption—if you do not quickly reform—the time will soon come, when the feelings of injured nature will supplant reason; when the sword of provoked justice will be unsheathed; and when the reform of your principles will be written in the book of posterity with the mingled blood of the guilty and the innocent.

He who attempts to stir up war among his own countrymen; who aids the rebellion of the sword instead of the revolt of reason; who causes or instigates a people to rise up in arms against themselves—to rebel against their own laws, or their own government; deserves the execration of mankind: while he who endeavors by his labors to enlighten, by his reason to reform his fellow-men; and, by a just and proper exercise of his rights, to ameliorate their

condition, merits the thanks of his cotemporaries, and the gratitude of posterity.

To rise up in arms against laws which we ourselves have established—against authorities which we ourselves have constituted, is to revolt against nature and reason, and to sin against God. But as true repentance, by exchanging the filthy garments of sin for the white robe of righteousness, is enjoined upon us by Christ our Saviour; so reform in a nation, by substituting a just, for an unjust government, is sanctioned by the voice of Nature, and of Nature's God.

Reform, in every age, and in all countries, has been opposed with the frightful cry of *innovation*. We are afraid to build a cheering fire, in order to warm the blood, and remove the chills of winter, lest we should, like fools or children, fall into the flames. Reason is the enemy of unjust power. Reform commences with the people; opposition comes from those who are exalted in authority by the degradation of others.

Those in high stations have no interest in reform; inasmuch as the departure from primitive principles, while it decreases the blessings of the *many*, augments the self-aggrandizement

of the *few*. The ruled would burst the chains that bind them; the rulers would draw them closer. In the long and unnatural histories of nations, from the earliest ages down to the present time, a solitary instance cannot be produced, where those who were rioting on the spoils of power attempted to reform the corruptions of the government, by breaking the yoke which degraded the people, and by returning to original principles.

The nature of power is to advance—to increase by constant encroachments on the rights of the people. Its bewitching smiles beguile the heart; and the brain of its possessor becomes bewildered with its allurements. In general, when man is invested only for a short period, with power, it becomes the “immediate jewel of his soul.” There have been a *few*, it must be admitted, who, in this respect, have differed from the general mass; but they are *raræ avis in terra*, and must be considered only as exceptions to the general rule.

Why do those in possession of power, oppose reform? Because it is their selfish perverted interest to maintain things as they are, even at the expense of private and public virtue. Why do those not in power, encourage reform? Because it is their true interest to rid themselves

of the abuses and corruption of their rulers, even with the sacrifice of property, and at the peril of life.

Under an unjust government, there must, and ever will be, two great contending parties—those in power, and those out of power. Third parties, by whatever name they may be called, are only hypocrites on one side, and ready sojourners to the other.

If a man who has fearlessly avowed his principles, from an honest conviction of his supposed errors, openly changes his views; though we may think that he was originally right, yet while we lament the weakness of his understanding, we cannot but admire the candor and dignity of his soul. But there are men, in every country, who are weak enough to change publicly in matters of more than a sublunary nature—to renounce their God, by a daring avowel of atheism; yet they have not the courage to change at once in things of a terrestrial nature, and of inferior importance—men who are willing to be *open* apostates from their God, yet *secret* betrayers of their fellow men.

There is something so base in deserting a friend, that even the most abandoned hesitate, and seek to hide their blush, and palliate their



conduct by doubt, indecision, and a wayward, wavering, inconsistency. Shame will work miracles, even when conscience is lulled asleep. It is shame, and not conscience, that creates the hypocritical sojourners from one political party to the other. Cunning and principle will always be separated, candor and treachery can never be united. It is virtue and principle that form the man of decision, weakness and shame that create the hypocritical sojourner in politics. The latter has too much weakness to adhere to virtue firmly, and too much shame to depart from it openly.

Shame is the last citadel of human virtue which vice seeks to demolish. Let this be destroyed, and every evil propensity, from the weakest to the strongest—every crime, from petty falsehood to the blackest villainy, may possess the heart without remorse or resistance. They who will evade or disguise the truth with a wicked intent, will betray when temptation offers, forswear themselves when self-interest prompts, and renounce their country and their God, for the consummation of their crimes.

In proportion as governments become just, they will become moderate; in the same ratio as they become moderate, wars and internal

strife will diminish. Reform, not war, is the interest of the ruled; war, not reform, is the selfish interest of the rulers. Hence it is, that nations love reform, and governments delight in war.

Citizens, when you hear the cry of innovation, of anarchy, and ruin, raised in opposition to the reform of reason and justice; you ought to examine and ascertain from what quarter the alarm proceeds. I hold that man weak or abandoned, ignorant or corrupt, who can be influenced by the *naked dictum* of any person, without considering the relative circumstances in which that person may be placed, the bias which may be upon his mind, and the interest that may influence him at the time—above all, without considering whether that which is advanced, be consistent with the maxims of experience, the dictates of reason, and the laws of nature. If contrary to these—it is immaterial by whom the doctrine is announced, or in what consecrated spot it may be proclaimed, even though it be done kneeling at the altar—nothing less should carry conviction to the heart, than the immediate FINGER OF GOD.

When is the proper time for a people to correct their errors, and reform their government? "*Now is the accepted time.*" When error is

known, it should be corrected. Whenever the corruption of our government, or rather, the source of that corruption, is discovered, we should not continue the one, by upholding the other. Error and corruption gain strength by time. Those in power are never ready for reform, until they are ripe for tyrants and usurpers; and, then, they reform by giving fresh splendor to oppression, and expiate old vices by the commission of new crimes.

Does a man desire a correction of error, and a return to first principles? Those who are fondled in the luxurious lap of power, immediately view him as a rival. Men are jealous of those things they love; they are revengeful when that love is founded on lust. Hence, those in power are full of hatred and revenge towards every man who proposes a reformation, however good may be his intentions, however honest and virtuous, his motives. Every species of deception, and even of crime, is employed in opposing him; and no scandal proceeding from the most jealous and revengeful heart, can be too black, to be heaped on the ASSERTER OF THE RIGHTS OF MAN.

Slander feeds the crimes that give it birth—  
itself the greatest enemy to the social creation.

It is the opposite of charity. Charity covers many sins, but slander creates many. It is opposed to justice and purity of heart, to benevolence and a good conscience. Its parents are jealousy and envy; it is nurtured by malice, and pampered by cowardice. He who will slander his neighbor without fee or reward, will prostrate his country when his self-interest is involved, and betray his God when temptation is presented.

There is a virtue often attendant even on crime. The wretch who has waded in blood, until the measure of his iniquity is full, by his boldness, often challenges our admiration, by his ingenuity, excites our wonder, and, by his temptations and hopes, calls forth our pity. But in slander, there is no ingenuity in the conception; no temptation, to the act; no boldness, in the execution, and no reward, in the consummation. When a crime is divested of ingenuity, temptation, or reward, when a lurking cowardice supplies the place of a daring boldness, the crime itself becomes stripped of the last tatter of virtue; and the villain is beheld in all the naked deformity of vice, without a single redeeming quality to excite our sympathy.

Those who seek reform in their government, must be alike dead to the smiles, the slander, and the anathemas of the great. They must possess souls that soar above the threats, the contempt, and the pitiful revilings of those in power. Reform has always had opposition to encounter in every age, and in every country. This opposition flows from corruption. Corruption commences and exists, for the most part, with the governmental party. A whole people never act wrong from corrupt principles; but they often err from ignorance. Governments do wrong by design; nations, by mistake. The people must become enlightened. They have no interest in error and deceit, in corruption and crime; these may exalt the rulers, but they degrade the nation.

Citizens! remember, a crime committed or justified by a government, becomes the crime of each individual who supports and advocates that government. The union of thousands or of millions in a crime, cannot absolve the guilt of each individual in the sight of God. God is not influenced or conquered by numbers. The whole world cannot change his law; the splendor and power of kingdoms cannot alter his nature and character.

The rapine, the injustice, the crimes, and the murders of government, are the sins of the people. They are sins for which each man, according to the talents entrusted him, is answerable. The subjects of the rack, the gallows, and the gibbet, will have a defender; those oppressed, and those bound in the iron chains of slavery, whose cry of anguish has been heard in heaven, will have a defender; they will have an ADVOCATE and a JUDGE, before whose frown nations, governments, and kingdoms will TREMBLE!

It is a duty which we owe to ourselves, to our fellow-men, to posterity, and to our God, to use our industry, and to exert all our rational powers, that we may reform ourselves by reforming the errors of our government. Reform is repentance—the only repentance that will avail us in the sight of God. We should oppose with reason—not rebel by war; we should reform with virtue—not revolutionize by crime.

Can any man be a christian, who advocates a government that commits murder, countenances slavery, and hourly tramples on the rights of man and violates the order of God? The slaveholder is not guilty alone, but the government also, that protects him in his abomination. Is it not a laughable, or rather, a sorrowful

farce, to see a man laboring six days in the support of the kingdom of Satan, and every seventh day, invoking the Deity for mercy and forgiveness? Is it not a hypocritical begging, that will not, that cannot, receive the blessing of Heaven?

I have no desire to step between any man and his creed—between any man and his God. I judge no man. I condemn no christian profession, or christian worship, whatever may be the name, or the form. Let every man sit in peace under his own vine. I claim this privilege myself, and I am willing that others should enjoy the same. But let us all beware, lest we seat ourselves under the *bramble* instead of the *vine*.

Nevertheless, in the spirit of candor, I will propound a few questions for the serious consideration of Christians of all denominations.

Can a man be an advocate and supporter of a false system of government created by man, and a subject of the government of Christ, at one and the same time? If faith comes by works, and works come by faith—what kind of faith, and what sort of works must that man have, who supports a government producing indolence, corruption, injustice, slavery and

murder? Are such faith and such works, of God, or of the Devil?

Who is more culpable in the sight of God — he who commits the crime, or the aider and abettor of the criminal? Can political government be truly moral, or must it be necessarily wicked? Is he who teaches genuine political government, teaching the doctrine of Christ, or the doctrine of devils? If a man sees or knows any part of the government, or of its administration to be wrong and wicked in its nature and effects; ought he as a man and a christian, to endeavor, by his reason, to put it down? or ought he silently to support it?

Can the kingdom of righteousness, and the empire of wickedness, be joined? Are not all professors of christianity who advocate, countenance, or support our false political systems — systems that produce idleness, luxury, injustice, slavery, and murder, attempting to join the kingdom of God and the kingdom of Satan? Can righteousness flourish where wickedness prevails? Can genuine righteousness and genuine political government, be separated?

Let those who fancy themselves safe in the kingdom of Christ, arouse from their slumbers,



and behold their works. I tell no man what he should believe; but I am desirous that all men should THINK. Let the christian *watch* as well as *pray*. Prayer without watching, like faith without works, availeth nought.

Need we wonder why the government of Christ does not prevail? Need we wonder why our journey through this world towards the regions of eternal rest, is beset with trouble, pain, and vexation? Alas! man is caught in his own snares. While we cause the misery of others, we must expect to eat the bitter fruits of our own doings. Those who are heavy laden, and are groaning under the yoke of oppression, will have an **ADVOCATE** who will not be intimidated by power, swayed by corruption, or bribed or dazzled with **GOLD**—an **ADVOCATE** whose voice their oppressors shall hear, and hearing, shall tremble!

The rules of conduct for the guidance of all men, as laid down by the great Christian Lawgiver, are summed up in Charity and Brotherly Love. His disciples now on earth, or those who profess to advocate his doctrines, must lay the axe to the root of false government. It is folly, it is impiety, to preach to the slaveholder the wrath of God against sin, while you acqui-

esce in his crime of buying and selling his fellow-men, like cattle in the market.

While we advocate or silently acquiesce in a False Government, we are supporting not the True Government of MAN or of GOD, but the Government of the BEAST. "*The BEAST must be slain, and his Body destroyed, and given to the Burning Flame!*"

CITIZENS OF THE WORLD! Reform your governments! Reform now! Your corrupt Political Systems are already ripe for destruction. Rise, then, in the Majesty of Virtue, and speedily REFORM them; or, by fomenting *strife* and *rebellion*, new TYRANTS will soon usurp the seats of your old MASTERS, while the insatiate VULTURE OF WAR will croak and flap his dark wing over your ONCE PEACEFUL and HAPPY HOMES!

CITIZENS OF THE UNITED STATES! Reform your government while you may! Purify yourselves from oppression and iniquity. Unless you quickly REFORM, the time is fast coming when it will be too late—a time when AMERICA'S EAGLE will droop and languish in the sullen gloom of eclipsed glory, and weep, in mournful silence, over the RUINS OF HER ONCE EXALTED COUNTRY!







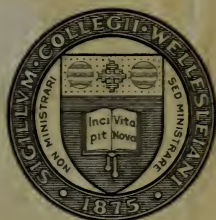








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