

Mr. Mason, of Virginia, in the Constitutional Convention of 1787, had said: "I go on a principle often advocated that a *majority*, when interested, will oppress a *minority*." Mr. Greyson, also of Virginia, in the same Convention, declared: "We ought to be wise enough to guard against the abuse of *such a government*. *Republics*, in fact, oppress more than *monarchies*."

Jefferson, the democrat, took alarm at the doctrine, so anti-democratic, advanced by the great and illustrious of the land. He, too, feared that if a general government received too much power, it would enable a king or dictator to crush out democratic factions in some of the colonies by the aid of a majority of the colonies, whose leaders were thus opposed. He therefore turned his attention to promulgate the doctrine of States rights. In other words, to have it distinctly understood that no power could be derived by the general government, from the reading of the Constitution as it was framed, to interfere with the internal affairs and government of any state in the American Confederacy. This understanding was agreeable to all parties, for it enabled the feudal aristocracy of the South to have control in their States as formerly. While it gave assurance to the Northern Democracy that no external power could compel them to recede from their position.

Even after this was settled the fatal article was allowed to remain, "that the general government would maintain a republican form in each of the States." In these days, the meaning of this was permitted to be that the representation of every State in the general government should be chosen after the Republican model, namely: The senators of a State should be appointed by the Governor, and the representatives elected by the people. It was not supposed to extend into the State and decide who might be a citizen, who might be a governor, and who a senator or representative. Had it meant any such internal interference the alteration of State constitutions would have followed the adoption of the national Constitution; for few states had the same method of forming citizenship, and a feudal government existed in every one of the Southern States, the negro serfs not being permitted to vote, and estates, with local magistracy passing hereditarily in those families having entailments. This local magistracy was in the power the planter had in judgment over the actions of his serfs. He also, according to the law, if his property was beyond a certain amount, was eligible to certain offices. His property being entailed, his eligibility was hereditary. Had any one of the States chosen, in those days, to make the governorship hereditary in a certain family, the general government would have been lacking in delegated power to prevent it, according to the meaning of the Constitution as it was then understood. That primary understanding was the true one. It was on that *principle of internal sovereignty* that the very war against the Home Government was waged in '76. Now that that principle had been established it became the corner-stone of the adopted Constitution. Each State was to be absolute sovereign in matters of its own internal government. If a State desired to make its own governorship hereditary it had a right so to do. It was on this understanding only that the conflicting elements in the various colonies could be brought together in one confederacy. All that the Constitution could impose on each State was that each one should form its constituent element in the national legislature after the same pattern, and the Republican, or elective principle was chosen as the manner after which the national Government should be formed.

The Constitution was adopted by the various states at different times. The last one to come into a union with the others was Rhode Island, in 1798.

It will be remembered that while the War for Independence was in progress the Continental Congress, composed mostly of democrats, was opposed to the officers of the Continental Army who had among them titled men and members of the colonial aristocracy. These officers had been formed into an hereditary order termed Order of Cincinnati in 1783, while Congress had been declaiming against hereditary principles generally. Now, after the Constitution was adopted, the first of the acts of Congress was to *repudiate* the revolutionary war debt. This included those loans advanced to the provisional government by the wealthy and prominent families on the colonial side. The case of Robert Morris was particularly sad. At the request of Washington, who had pledged his own property to raise funds to pay the troops and for their provisionment, Morris signed for a loan

to the Government, and in addition gave security for the Government to other wealthy people who also loaned. When the Government repudiated this debt, Morris was seized by the Government creditors, as its endorser, and flung into jail for the debt. His property was taken and he died in prison-bounds.

In later years the ungrateful democracy, to celebrate its own centennial of rule in America in 1876, had the body of Robert Morris placed under an elegant monument with the highest honours, while at the same time his descendants in Virginia, plunged in the waves of adversity, were suffering for the public generosity of their ancestor. The United States still allows them to suffer. It never has and never will pay that debt, either to the descendants of Morris or to the descendants of the officers of the Continental Army, because such an act would be "fostering the aristocracy."

Virginia, however, pursued an honourable course. Her own troops under Gen. George Rogers Clarke, sent by the Colonial Government of Virginia, during the War of '76, had conquered what was then known as the North-West Territories, now formed into the States of Ohio, Indiana and Illinois. This territory Virginia ceded to the general Government to pay for her share of the revolutionary war debt. The Government accepted the trust, but failed to fulfil it. No appropriation of money from the sale of the land was set apart for that purpose.

General Clarke, who had contributed much to further the success of this enterprise of Virginia, by private means and personal ability, was presented with a sword by the Virginia Government. His action illustrates the sentiment of the military class of that time and section. Breaking the sword in pieces he cast it at the feet of the Commissioners as he uttered the words: "Let Virginia pay her debts before she makes presents." Virginia afterwards did pay them and granted General Clarke 40,000 acres of land in the Province of Kentucky to reimburse him for what personal outlay he had been put to in the North-West expedition.

April 11, 1789, Washington was informed that he had been elected President of the United States, which had adopted the Constitution presented to them separately, in their sovereign capacities. Some of the States only accepted the Constitution temporarily. Such was the manner of New York. April 30th, Washington was inaugurated with John Adams, of Massachusetts, for Vice-President.

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A Few Strictures on Huxley's "Evolution and Ethics."

BY the "cosmic process" Huxley means nothing more than the internecine struggle for existence, which, so it is said, is the method of evolution.

By the "ethical process" he means only that doctrine which teaches us to "love our neighbour."

Then he says these are antagonistic; that up to a certain point evolution proceeded by ruthlessness; now it is supposed to proceed by mercy. Of course the processes are antagonistic: they need not be *proved* so; he makes them so.

But surely both the so-called "cosmic process" and the "ethical process" are each but parts of a true cosmic process, the beginnings and the ends of which we cannot see. The internecine strife was one step in the process; perhaps the step that led to the evolution of reason; but even during the action of this step we see the germs of the second—of the "ethical process": all gregarious species show it; all animals that form colonies or communities show it; its germ is in the maternal instinct; bees could not hive, ants could not build, wolves could not hunt, cattle could not protect themselves, and the young of animals could not have thriven if, in the midst of this so-called "cosmic process," the "ethical process" had not had some play also. And now that the internecine process has played its part and evolved reason, the ethical process comes to the front and plays its part—and not so antagonistic a part after all. The community still puts to death its enemies—its foreign foes and its murderers—even imprisonment, in short all *law*, is but a form of that internecine strife by which communities protect themselves, is a form of the "cosmic process" so-called. And communities protect themselves from other communi-