

This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1796 Excerpt: ... answered. It has been customary to consider government under three distinct general heads. The legislative, the executive, and the judicial. But if we permit our judgment to act unincumbered by the habit of multiplied terms, we can perceive no more than two divisions of power, In England, the improvements in agriculture, useful arts, manufactui-es, and commercc, have been made in opposition to the genius of its government, which is that of following precedents. it is from the euterprise and indultry of the ii;-dviduals, andvtheir numerous associations, in which, tritely speaking, government is neither pillow nor bolstcr, that these improvements have proceeded. No man thought about the go of which civil government is composed, namely, that of legislating or enafting laws, and that of executing or administei-ing them. Every thing, therefore, appei-taining to civil government, classes itsel under one or other of these two divisions. So far as regards the execution of the laws, that which is called the judicial power, is strictly and properly the executive power of every country. It is that power to which every individual has appeal, and which causes the laws to be executed; neither have we any other clear idea with respect to the oficial execution of the laws. In England, and also in America and France, this power begins with the magistrate, and proceeds up through all the courts of judicature. I leave to courtiers to explain what is.meant by calling monarchy the executive power. It is merely aname in iwhich acts of government are done; and any other, or none at all, would answer the same purpose. Laws have neither more or less authority on this account. It must be from the justness of their principles, and the interest which a nation feels th...

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