

*Friday*

MADISON

*July 20*

simple in the whole Kingdom. Yet Charles II was bribed by Louis XIV. The Executive ought therefore to be impeachable for treachery; Corrupting his electors, and incapacity were other causes of impeachment. For the latter he should be punished not as a man, but as an officer, and punished only by degradation from his office. This Magistrate is not the King but the prime-Minister. The people are the King. When we make him amenable to Justice however we should take care to provide some mode that will not make him dependent on the Legislature.

(It was moved & 2ded. to postpone the question of impeachments which was negatived. Mas. & S. Carolina only being ay.)<sup>13</sup>

On ye. Question, Shall the Executive be removeable on impeachments?

Mas. no. Ct. ay. N. J. ay. Pa. ay. Del. ay. Md. ay. Va. ay. N. C. ay. S. C. no. Geo-ay- [Ayes — 8; noes — 2.]

“Executive to receive fixed compensation, Agreed to nem. con-

“(to be paid out of the National Treasury” agreed to, N. Jersey only in the negative.)<sup>14</sup>

Mr. Gerry & Govr. Morris moved ‘that the Electors of the Executive shall not be members of the Natl. Legislature, nor officers of the U. States, nor shall the Electors themselves be eligible to the (supreme) Magistracy.”<sup>15</sup> Agreed to nem. con.

Docr. McClurg asked whether it would not be necessary, before a Committee for detailing the Constitution should be appointed, to determine on the means by which the Executive is to carry the laws into effect, and to resist combinations agst. them. Is he to have a military force for the purpose, or to have the command of the Militia, the only existing force that can be applied to that use? As the Resolutions now

<sup>13</sup> Taken from *Journal*.

<sup>14</sup> Madison originally had added to preceding question “to be paid out of the Natl treasury” and had recorded the whole as agreed to unanimously. He was misled by *Journal* into making the changes incorporated in the text. See above note 3.

<sup>15</sup> This motion by Gerry and Morris is placed earlier in the *Journal*.