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THE DOCUMENTARY HISTORY OF THE
RATIFICATION OF THE CONSTITUTION

Volume V

Ratification of the Constitution
by the States

MASSACHUSETTS

[2]

Editors

JOHN P. KAMINSKI GASPARE J. SALADINO

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WE, the People of the United States, in a more perfect Union, establish Justice, Tranquility, provide for the common defence, promote the General Welfare, and secure Liberty to Ourselves and our Posterity, do ordain a Constitution for the United States of America.

A R T I C L E I.

Sec. 1. ALL legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Sec. 2. The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative; and until such enumeration shall be made, the State of New-Hampshire shall be en-

RATIFICATION OF THE CONSTITUTION BY THE STATES

MASSACHUSETTS was the sixth state to meet in convention to ratify the Constitution. As one of the three largest states, its decision could determine the fate of the new form of government. The increasing intensity of its public and private debate on the Constitution and the often contentious elections of state Convention delegates demonstrated that Massachusetts ratification was by no means a certainty. In fact, Massachusetts was the first state to meet in convention in which ratification was doubtful, and, soon after the Convention met on 9 January 1788, it was evident that opposition to the Constitution was substantial.

This second of three volumes on Massachusetts contains the continuing public and private debate over the Constitution from 18 December 1787 through 12 February 1788; the elections of Convention delegates from 19 November to 7 January; and an appendix of about 95 out-of-state letters and newspaper items speculating about the prospects for Massachusetts ratification.

In toto, this volume includes more than 200 letters, 300 newspaper items, twenty diary entries, and nine "Editors' Notes" that discuss the reprinting of important out-of-state Antifederalist literature. Groupings of documents focus on George Washington's position on the Constitution, the Continental post office's restrictive policies on the circulation of newspapers, the clergy and the state Convention, the Massachusetts reprinting of the Antifederalist pamphlet by "Federal Farmer," a meeting of Boston tradesmen, and a charge of Federalist corruption and bribery in the state Convention.

Federalist accounts dominate the private debate with letters by former Constitutional Convention delegates Nathaniel Gorham and Rufus King, by Jeremy Belknap, Christopher Gore, Jeremiah Hill, Henry Jackson, Henry Van Schaack, and Theodore Sedgwick. Federalist newspaper accounts are also voluminous with numerous single pseudonymous pieces, the last of six serialized essays by "Cassius," six lengthy poems, and an avalanche of squibs and short news filler items.

Antifederalists are represented by letter writers John Quincy Adams, Nathan Dane, Silas Lee, Samuel Osgood, Thomas B. Wait, and several New Yorkers. Serialized newspaper essays include those by "Agrippa," "Candidus," "Helvidius Priscus," and "The Republican Federalist," while an influential essay on amendments by "Hampden" appeared both in newspapers and as a broadside.

Almost one-third of this volume deals with the election of Massachusetts Convention delegates. Only documents that provide substantive infor-

(continued on back endflap)

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MADISON
STATE HISTORICAL SOCIETY OF WISCONSIN
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Organization

The Documentary History of the Ratification of the Constitution is divided into:

- (1) *Constitutional Documents and Records, 1776–1787* (1 volume),
- (2) *Ratification of the Constitution by the States* (13 volumes),
- (3) *Commentaries on the Constitution: Public and Private* (6 volumes),
- (4) *The Bill of Rights* (1 or 2 volumes).

Constitutional Documents and Records, 1776–87.

This introductory volume, a companion to all of the other volumes, traces the constitutional development of the United States during its first twelve years. Cross-references to it appear frequently in other volumes when contemporaries refer to events and proposals from 1776 to 1787. The documents include: (1) the Declaration of Independence, (2) the Articles of Confederation, (3) ratification of the Articles, (4) proposed amendments to the Articles, proposed grants of power to Congress, and ordinances for the Western Territory, (5) the calling of the Constitutional Convention, (6) the appointment of Convention delegates, (7) the resolutions and draft constitutions of the Convention, (8) the report of the Convention, and (9) the Confederation Congress and the Constitution.

Ratification of the Constitution by the States.

The volumes are arranged in the order in which the states considered the Constitution. Although there are variations, the documents for each state are organized into the following groups: (1) commentaries from the adjournment of the Constitutional Convention to the meeting of the state legislature that called the state convention, (2) the proceedings of the legislature in calling the convention, (3) commentaries from the call of the convention until its meeting, (4) the election of convention delegates, (5) the proceedings of the convention, and (6) post-convention documents.

Microfiche Supplements to Ratification of the Constitution by the States.

Much of the material for each state is repetitious or peripheral but still valuable. Literal transcripts of this material are placed on microfiche supplements. Occasionally, photographic copies of significant manuscripts are also included.

The types of documents in the supplements are:

- (1) newspaper items that repeat arguments, examples of which are printed in the state volumes,

- (2) pamphlets that circulated primarily within one state and that are not printed in the state volumes or in *Commentaries*,
- (3) letters that contain supplementary material about politics and social relationships,
- (4) photographic copies of petitions with the names of signers,
- (5) photographic copies of manuscripts such as notes of debates, and
- (6) miscellaneous documents such as election certificates, attendance records, pay vouchers and other financial records, etc.

Commentaries on the Constitution: Public and Private.

This series contains newspaper items, pamphlets, and broadsides that circulated regionally or nationally. It also includes some private letters that give the writers' opinions of the Constitution in general or that report on the prospects for ratification in several states. Except for some grouped items, documents are arranged chronologically and are numbered consecutively throughout the six volumes. There are frequent cross-references between *Commentaries* and the state series.

The Bill of Rights.

The public and private debate on the Constitution continued in several states after ratification. It was centered on the issue of whether there should be amendments to the Constitution and the manner in which amendments should be proposed—by a second constitutional convention or by the new U.S. Congress. A bill of rights was proposed in the U.S. Congress on 8 June 1789. Twelve amendments were adopted on 26 September and were sent to the states on 2 October. This volume(s) will contain the documents related to the public and private debate over amendments, to the proposal of amendments by Congress, and to the ratification of the Bill of Rights by the states.

Editorial Procedures

With a few exceptions all documents are transcribed literally. Obvious slips of the pen and errors in typesetting are silently corrected. When spelling or capitalization is unclear, modern usage is followed. Superscripts and interlineated material are lowered to the line. Crossed-out words are retained when significant.

Brackets are used for editorial insertions. Conjectural readings are enclosed in brackets with a question mark. Illegible and missing words are indicated by dashes enclosed in brackets. However, when the author's intent is obvious, illegible or missing material, up to five characters in length, has been silently provided.

All headings are supplied by the editors. Headings for letters contain the names of the writer and the recipient and the place and date of writing. Headings for newspapers contain the pseudonym, if any, and the name and date of the newspaper. Headings for broadsides and pamphlets contain the pseudonym and a shortened form of the title. Full titles of broadsides and pamphlets and information on authorship are given in editorial notes. Headings for public meetings contain the place and date of the meeting.

Salutations, closings of letters, addresses, endorsements, and dockings are deleted unless they provide important information, which is then either retained in the document or placed in editorial notes.

Contemporary footnotes and marginal notes are printed after the text of the document and immediately preceding editorial footnotes. Symbols, such as stars, asterisks, and daggers have been replaced by superscripts (a), (b), (c), etc.

Many documents, particularly letters, are excerpted when they contain material that is not directly relevant to ratification. When longer excerpts or entire documents have been printed elsewhere, or are included in the microfiche supplements, this fact is noted.

General Ratification Chronology, 1786–1791

1786

- 21 January Virginia calls meeting to consider granting Congress power to regulate trade.
- 11–14 September Annapolis Convention.
- 20 September Congress receives Annapolis Convention report recommending that states elect delegates to a convention at Philadelphia in May 1787.
- 11 October Congress appoints committee to consider Annapolis Convention report.
- 23 November Virginia authorizes election of delegates to Convention at Philadelphia.
- 23 November New Jersey elects delegates.
- 4 December Virginia elects delegates.
- 30 December Pennsylvania elects delegates.

1787

- 6 January North Carolina elects delegates.
- 17 January New Hampshire elects delegates.
- 3 February Delaware elects delegates.
- 10 February Georgia elects delegates.
- 21 February Congress calls Constitutional Convention.
- 22 February Massachusetts authorizes election of delegates.
- 28 February New York authorizes election of delegates.
- 3 March Massachusetts elects delegates.
- 6 March New York elects delegates.
- 8 March South Carolina elects delegates.
- 14 March Rhode Island refuses to elect delegates.
- 23 April–26 May Maryland elects delegates.
- 5 May Rhode Island again refuses to elect delegates.
- 14 May Convention meets; quorum not present.
- 14–17 May Connecticut elects delegates.
- 25 May Convention begins with quorum of seven states.
- 16 June Rhode Island again refuses to elect delegates.
- 27 June New Hampshire renews election of delegates.
- 13 July Congress adopts Northwest Ordinance.
- 6 August Committee of Detail submits draft constitution to Convention.
- 12 September Committee of Style submits draft constitution to Convention.
- 17 September Constitution signed and Convention adjourns *sine die*.
- 20 September Congress reads Constitution.
- 26–28 September Congress debates Constitution.
- 28 September Congress transmits Constitution to the states.
- 28–29 September Pennsylvania calls state convention.
- 17 October Connecticut calls state convention.
- 25 October Massachusetts calls state convention.

26 October	Georgia calls state convention.
31 October	Virginia calls state convention.
1 November	New Jersey calls state convention.
6 November	Pennsylvania elects delegates to state convention.
10 November	Delaware calls state convention.
12 November	Connecticut elects delegates to state convention.
19 November– 7 January 1788	Massachusetts elects delegates to state convention.
20 November– 15 December	Pennsylvania Convention.
26 November	Delaware elects delegates to state convention.
27 November– 1 December	Maryland calls state convention.
27 November– 1 December	New Jersey elects delegates to state convention.
3–7 December	Delaware Convention.
4–5 December	Georgia elects delegates to state convention.
6 December	North Carolina calls state convention.defined.
7 December	Delaware Convention ratifies Constitution, 30 to 0.
11–20 December	New Jersey Convention.
12 December	Pennsylvania Convention ratifies Constitution, 46 to 23.
14 December	New Hampshire calls state convention.
18 December	New Jersey Convention ratifies Constitution, 38 to 0.
25 December– 5 January 1788	Georgia Convention.
31 December	Georgia Convention ratifies Constitution, 26 to 0.
31 December– 12 February 1788	New Hampshire elects delegates to state convention.

1788

3–9 January	Connecticut Convention.
9 January	Connecticut Convention ratifies Constitution, 128 to 40.
9 January–7 February	Massachusetts Convention.
19 January	South Carolina calls state convention.
1 February	New York calls state convention.
6 February	Massachusetts Convention ratifies Constitution, 187 to 168, and proposes amendments.
13–22 February	New Hampshire Convention: first session.
1 March	Rhode Island calls statewide referendum on Constitution.
3–27 March	Virginia elects delegates to state convention.
24 March	Rhode Island referendum: voters reject Constitution, 2,711 to 239.
28–29 March	North Carolina elects delegates to state convention.
7 April	Maryland elects delegates to state convention.
11–12 April	South Carolina elects delegates to state convention.
21–29 April	Maryland Convention.
26 April	Maryland Convention ratifies Constitution, 63 to 11.
29 April–3 May	New York elects delegates to state convention.
12–24 May	South Carolina Convention.
23 May	South Carolina Convention ratifies Constitution, 149 to 73, and proposes amendments.

2–27 June	Virginia Convention.
17 June–26 July	New York Convention.
18–21 June	New Hampshire Convention: second session.
21 June	New Hampshire Convention ratifies Constitution, 57 to 47, and proposes amendments.
25 June	Virginia Convention ratifies Constitution, 89 to 79.
27 June	Virginia Convention proposes amendments.
2 July	New Hampshire ratification read in Congress; Congress appoints committee to report an act for putting the Constitution into operation.
21 July–4 August	First North Carolina Convention.
26 July	New York Convention Circular Letter calls for second constitutional convention.
26 July	New York Convention ratifies Constitution, 30 to 27, and proposes amendments.
2 August	North Carolina Convention proposes amendments and refuses to ratify until amendments are submitted to Congress and to a second constitutional convention.
13 September	Congress sets dates for election of President and meeting of new government under the Constitution.
20 November	Virginia requests Congress under the Constitution to call a second constitutional convention.
30 November	North Carolina calls second state convention.

1789

4 March	First Federal Congress convenes.
1 April	House of Representatives attains quorum.
6 April	Senate attains quorum.
30 April	George Washington inaugurated first President.
8 June	James Madison proposes Bill of Rights in Congress.
21–22 August	North Carolina elects delegates to second state convention.
25 September	Congress adopts twelve amendments to Constitution to be submitted to the states.
16–23 November	Second North Carolina Convention.
21 November	Second North Carolina Convention ratifies Constitution, 194 to 77, and proposes amendments.

1790

17 January	Rhode Island calls state convention.
8 February	Rhode Island elects delegates to state convention.
1–6 March	Rhode Island Convention: first session.
24–29 May	Rhode Island Convention: second session.
29 May	Rhode Island Convention ratifies Constitution, 34 to 32, and proposes amendments.

1791

15 December	Bill of Rights adopted.
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Calendar for the Years 1787-1788

1787

S M T W T F S	S M T W T F S	S M T W T F S	S M T W T F S
JANUARY	FEBRUARY	MARCH	APRIL
1 2 3 4 5 6	1 2 3	1 2 3	1 2 3 4 5 6 7
7 8 9 10 11 12 13	4 5 6 7 8 9 10	4 5 6 7 8 9 10	8 9 10 11 12 13 14
14 15 16 17 18 19 20	11 12 13 14 15 16 17	11 12 13 14 15 16 17	15 16 17 18 19 20 21
21 22 23 24 25 26 27	18 19 20 21 22 23 24	18 19 20 21 22 23 24	22 23 24 25 26 27 28
28 29 30 31	25 26 27 28	25 26 27 28 29 30 31	29 30
MAY	JUNE	JULY	AUGUST
1 2 3 4 5	1 2	1 2 3 4 5 6 7	1 2 3 4
6 7 8 9 10 11 12	3 4 5 6 7 8 9	8 9 10 11 12 13 14	5 6 7 8 9 10 11
13 14 15 16 17 18 19	10 11 12 13 14 15 16	15 16 17 18 19 20 21	12 13 14 15 16 17 18
20 21 22 23 24 25 26	17 18 19 20 21 22 23	22 23 24 25 26 27 28	19 20 21 22 23 24 25
27 28 29 30 31	24 25 26 27 28 29 30	29 30 31	26 27 28 29 30 31
SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
1	1 2 3 4 5 6	1 2 3	1
2 3 4 5 6 7 8	7 8 9 10 11 12 13	4 5 6 7 8 9 10	2 3 4 5 6 7 8
9 10 11 12 13 14 15	14 15 16 17 18 19 20	11 12 13 14 15 16 17	9 10 11 12 13 14 15
16 17 18 19 20 21 22	21 22 23 24 25 26 27	18 19 20 21 22 23 24	16 17 18 19 20 21 22
23 24 25 26 27 28 29	28 29 30 31	25 26 27 28 29 30	23 24 25 26 27 28 29
30			30 31

1788

S M T W T F S	S M T W T F S	S M T W T F S	S M T W T F S
JANUARY	FEBRUARY	MARCH	APRIL
1 2 3 4 5	1 2	1	1 2 3 4 5
6 7 8 9 10 11 12	3 4 5 6 7 8 9	9 10 11 12 13 14 15	6 7 8 9 10 11 12
13 14 15 16 17 18 19	10 11 12 13 14 15 16	16 17 18 19 20 21 22	13 14 15 16 17 18 19
20 21 22 23 24 25 26	17 18 19 20 21 22 23	23 24 25 26 27 28 29	20 21 22 23 24 25 26
27 28 29 30 31	24 25 26 27 28 29	30 31	27 28 29 30
MAY	JUNE	JULY	AUGUST
1 2 3	1 2 3 4 5 6 7	1 2 3 4 5	1 2
4 5 6 7 8 9 10	8 9 10 11 12 13 14	6 7 8 9 10 11 12	3 4 5 6 7 8 9
11 12 13 14 15 16 17	15 16 17 18 19 20 21	13 14 15 16 17 18 19	10 11 12 13 14 15 16
18 19 20 21 22 23 24	22 23 24 25 26 27 28	20 21 22 23 24 25 26	17 18 19 20 21 22 23
25 26 27 28 29 30 31	29 30	27 28 29 30 31	24 25 26 27 28 29 30
SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
1 2 3 4 5 6	1 2 3 4	1	1 2 3 4 5 6
7 8 9 10 11 12 13	5 6 7 8 9 10 11	9 10 11 12 13 14 15	7 8 9 10 11 12 13
14 15 16 17 18 19 20	12 13 14 15 16 17 18	16 17 18 19 20 21 22	14 15 16 17 18 19 20
21 22 23 24 25 26 27	19 20 21 22 23 24 25	23 24 25 26 27 28 29	21 22 23 24 25 26 27
28 29 30	26 27 28 29 30 31	30	28 29 30 31

Symbols

FOR MANUSCRIPTS, MANUSCRIPT DEPOSITORIES, SHORT TITLES, AND CROSS-REFERENCES

Manuscripts

FC	File Copy
MS	Manuscript
RC	Recipient's Copy
Tr	Translation from Foreign Language

Manuscript Depositories

CtHi	Connecticut Historical Society
CtY	Yale University
DLC	Library of Congress
DNA	National Archives
M-Ar	Massachusetts Archives, Boston
MB	Boston Public Library
MHi	Massachusetts Historical Society
MNF	Forbes Library, Northampton
MWA	American Antiquarian Society
MeHi	Maine Historical Society
NHi	New-York Historical Society
NN	New York Public Library
NNC	Columbia University Libraries, Rare Book and Manuscript Library
PHi	Historical Society of Pennsylvania

Short Titles

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Allen, <i>JQA Diary</i>	David Grayson Allen et al., eds., <i>Diary of John Quincy Adams</i> (Cambridge, Mass., 1981–).
Amory, <i>Sullivan</i>	Thomas C. Amory, <i>Life of James Sullivan: With Selections from His Writings</i> (2 vols., Boston, 1859).

- Belknap Correspondence* "The Belknap Papers," *Collections of the Massachusetts Historical Society*, 5th series, Vol. II-III (Boston, 1877).
- Blackstone, *Commentaries* Sir William Blackstone, *Commentaries on the Laws of England. In Four Books* (Re-printed from the British Copy, Page for Page with the Last Edition, 5 vols., Philadelphia, 1771-1772). Originally published in London from 1765 to 1769.
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- Butterfield, JA *Diary* L. H. Butterfield, ed., *Diary and Autobiography of John Adams* (4 vols., Cambridge, Mass., 1962).
- Evans Charles Evans, *American Bibliography* (12 vols., Chicago, 1903-1934).
- Farrand Max Farrand, ed., *The Records of the Federal Convention of 1787* (3rd ed., 3 vols., New Haven, 1927).
- Fitzpatrick John C. Fitzpatrick, ed., *The Writings of George Washington . . .* (39 vols., Washington, D.C., 1931-1944).
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- JCC Worthington C. Ford et al., eds., *Journals of the Continental Congress, 1774-1789 . . .* (34 vols., Washington, D.C., 1904-1937).
- LMCC Edmund C. Burnett, ed., *Letters of Members of the Continental Congress* (8 vols., Washington, D.C., 1921-1936).
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- Plutarch, *Lives* Plutarch, *The Lives of the Noble Grecians and Romans* (New York: Modern Library Edition, [1932]). This edition of Plutarch was translated by John Dryden and revised by Arthur Hugh Clough.

- Price, *Observations* Richard Price, *Observations on the Importance of the American Revolution, and the Means of Making It a Benefit to the World . . .* (London, 1785), in Bernard Peach, ed., *Richard Price and the Ethical Foundations of the American Revolution . . .* (Durham, N.C., 1979), 177–224.
- Rutland, *Madison* Robert A. Rutland et al., eds., *The Papers of James Madison*, Volumes VIII– (Chicago and Charlottesville, 1973–).
- Smith, *Letters* Paul H. Smith, ed., *Letters of Delegates to Congress, 1774–1789* (Washington, D.C., 1976–).
- Syrett Harold C. Syrett, ed., *The Papers of Alexander Hamilton* (27 vols., New York, 1961–1987).
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- Warren, “Ratification” Charles Warren, “Elbridge Gerry, James Warren, Mercy Warren and the Ratification of the Federal Constitution in Massachusetts,” *Proceedings of the Massachusetts Historical Society*, LXIV (1930–1932), 142–64.

**Cross-references to Volumes of
The Documentary History of the Ratification of the Constitution**

- CC References to *Commentaries on the Constitution* are cited as “CC” followed by the number of the document. For example: “CC:25.”
- CDR References to the first volume, titled *Constitutional Documents and Records, 1776–1787*, are cited as “CDR” followed by the page number. For example: “CDR, 325.”
- RCS References to the series of volumes titled *Ratification of the Constitution by the States* are cited as “RCS” followed by the abbreviation of the state and the page number. For example: “RCS:Pa., 325.”
- Mfm References to the microform supplements to the “RCS” volumes are cited as “Mfm” followed by the abbreviation of the state and the number of the document. For example: “Mfm:Pa. 25.”

Massachusetts Chronology, 1773–1790

1773

16 December Boston Tea Party.

1774

19 January News of Boston Tea Party reaches London.
March–June Parliament passes Intolerable Acts.
13 May General Thomas Gage arrives in Boston as royal governor.
17 June General Court elects five delegates to First Continental Congress.
7 October–10 December First Provincial Congress of Massachusetts.
5 December Provincial Congress elects five delegates to First Continental Congress.

1775

1 February–29 May Second Provincial Congress of Massachusetts.
6 February Provincial Congress elects five delegates to Second Continental Congress.
31 May–19 July Third Provincial Congress of Massachusetts.
9 June Second Continental Congress recommends that people of Massachusetts revert to Charter of 1691.
20 June Provincial Congress acts to dissolve itself and calls for election of house of representatives.
19 July General Court meets.

1776

7 June Motion in Continental Congress for independence.
2 July Congress declares the colonies independent.
4 July Congress adopts Declaration of Independence.

1777

17 June–6 March 1778 Massachusetts legislature transforms itself into a constitutional convention.
15 November Congress adopts Articles of Confederation and sends them to states for their approval.

1778

5 March Proposed state constitution submitted to freemen (not approved).
10 March General Court instructs delegates to Continental Congress to sign Articles of Confederation with recommended amendments.
23 June Continental Congress rejects Massachusetts amendments to Articles of Confederation.

- 9 July Massachusetts delegates to Congress sign Articles of Confederation.
- 1779**
- 1 September–
2 March 1780 Massachusetts constitutional convention drafts state constitution and submits it to towns.
- 1780**
- 15 June Massachusetts Constitution declared ratified.
- 1782**
- 4 May General Court approves Impost of 1781.
- 1783**
- 20 October General Court approves Impost of 1783.
- 1784**
- 1 July General Court grants Congress commercial powers for fifteen years.
- 13 November Massachusetts cedes western lands to Congress.
- 1785**
- 13 April Report of congressional committee accepting Massachusetts land cession.
- 19 April Massachusetts delegates to Congress deed land cession to Congress.
- 2 July General Court approves 1783 population amendment to Articles of Confederation.
- 1786**
- 24 March Appointment of Annapolis Convention commissioners (Caleb Davis, Benjamin Goodhue, Tristram Dalton, and John Coffin Jones—all eventually resign).
- 17 June Appointment of Annapolis Convention commissioners (Francis Dana, Elbridge Gerry, Stephen Higginson, and George Cabot—all eventually resign).
- 5 July General Court grants Congress supplementary funds requested in 1783.
- 6 July General Court adopts resolution authorizing Governor and Council to fill vacancies taking place among Annapolis Convention commissioners.
- July–August County conventions meet in Berkshire, Bristol, Hampshire, Middlesex, and Worcester counties recommending debtor relief and new state constitution.
- August–September
11 August Farmers in armed groups close courts in five counties. Governor and Council appoint Thomas Cushing an Annapolis Convention commissioner.

- post 24 August Governor and Council appoint Samuel Breck an Annapolis Convention commissioner.
- 11–14 September Annapolis Convention meets and calls for a convention to meet in Philadelphia on 14 May 1787.
- 30 November New York and Massachusetts settle land dispute.

1787

- 25 January Militia under General William Shepard routs Shaysites at Springfield.
- 4 February Militia under General Benjamin Lincoln routs Shaysites at Petersham (end of Shays's Rebellion).
- 21 February Congress calls for Constitutional Convention to meet in Philadelphia.
- 22 February General Court adopts resolution authorizing appointment of delegates to Constitutional Convention.
- 3 March General Court appoints delegates to Constitutional Convention (Francis Dana, Elbridge Gerry, Nathaniel Gorham, Rufus King, and Caleb Strong; Dana does not attend).
- 10 March General Court repeals resolution of 22 February.
- 10 March General Court adopts resolution requesting Governor to grant commissions to delegates to Constitutional Convention.
- 9 April Governor James Bowdoin issues commissions to delegates to Constitutional Convention.
- 14 May Constitutional Convention meets, but lacks a quorum.
- 21 May Rufus King first attends Constitutional Convention.
- 25 May Constitutional Convention attains quorum.
- 28 May Nathaniel Gorham and Caleb Strong first attend Constitutional Convention.
- 29 May Elbridge Gerry first attends Constitutional Convention.
- 1 June John Hancock becomes governor.
- 27 August Caleb Strong leaves Constitutional Convention by this date.
- 12 September Elbridge Gerry's motion in Constitutional Convention for committee to consider a bill of rights is defeated unanimously.
- 17 September Constitution signed in Constitutional Convention by Nathaniel Gorham and Rufus King; Gerry refuses to sign.
- 25 September First printing of Constitution in Massachusetts.
- 17 October–
24 November General Court meets in Boston.
- 18 October Governor Hancock delivers Constitution to General Court.
- 18 October Elbridge Gerry writes to General Court explaining why he did not sign Constitution.
- 20–25 October General Court debates and calls state convention.
- 24 October James Wilson's speech of 6 October first printed in Massachusetts.
- 31 October Massachusetts Senate reads Gerry's 18 October letter.
- 2 November Massachusetts House reads Gerry's letter.
- 3 November Gerry's letter first printed.

- 19 November–
7 January 1788 Towns elect delegates to state convention.
21 November George Mason's objections first printed in Massachusetts.
23 November First number of "Agrippa" printed in Massachusetts.
3 December Benjamin Franklin's speech to Constitutional Convention printed in Massachusetts.

1788

- 7 January Boston tradesmen meeting at Green Dragon Tavern.
9 January–7 February Massachusetts Convention meets in Boston.
16 January *Massachusetts Centinel* prints first pillars illustration.
30 January John Hancock attends Convention for first time.
31 January Hancock proposes conciliatory proposition recommending amendments.
6 February Convention ratifies Constitution 187–168 with nine recommendatory amendments.
8 February Boston procession celebrates ratification of Constitution.
16 February Governor Hancock transmits copies of Form of Ratification to other states.
27 February–1 April General Court meets.
21–24 November General Court elects Caleb Strong and Tristram Dalton as U.S. Senators.
18 December Election of U.S. Representatives (4 of 8 elected).

1789

- 29 January Election of U.S. Representatives (2 of 8 elected).
2 March Election of U.S. Representative (1 of 8 elected).
11 May Election of last U.S. Representative.
8 June James Madison proposes Bill of Rights in U.S. House of Representatives.
25 September Congress approves 12 proposed amendments to Constitution and submits them to states.

1790

- 14 January Governor Hancock transmits 12 amendments to Constitution to the General Court.
29 January Massachusetts Senate adopts 10 of 12 amendments.
2 February Massachusetts House of Representatives adopts 9 of 12 amendments.
9 March General Court adjourns without adopting amendments.

Officers of the Commonwealth of Massachusetts 1787-1788

Governor

John Hancock

Lieutenant Governor

Thomas Cushing

Council

Nathan Cushing

Edward Cutts

Thomas Dawes

John Frost

Jonathan Greenleaf

Israel Hutchinson

Peter Penniman

Oliver Phelps

James Sullivan

Secretary

John Avery, Jr.

Treasurer

Alexander Hodgdon

Commissary General

Richard Devens

Commissary of Pensioners

John Lucas

Comptroller General

Leonard Jarvis

Attorney General

Robert Treat Paine

Justices of the Supreme Judicial Court

William Cushing, Chief Justice

Nathaniel Peasley Sargeant

David Sewall

Increase Sumner

Francis Dana

Charles Cushing, Clerk

John Tucker, Clerk

Judge of the Admiralty Court

Nathan Cushing

Annapolis Convention

Samuel Breck**

George Cabot*

Thomas Cushing**

Tristram Dalton*

Francis Dana**

Caleb Davis*

Elbridge Gerry*

Benjamin Goodhue*

Stephen Higginson*

John Coffin Jones*

John Lowell*

Theophilus Parsons*

James Sullivan*

* Resigned appointment.

** Failed to arrive in time for convention.

Delegates to Congress

Elected 27 June 1786

Nathan Dane

Nathaniel Gorham

Samuel Holten

Rufus King

Elected 27 June 1787

Nathan Dane

Samuel A. Otis

Theodore Sedgwick

George Thatcher

Confederation Secretary at War

Henry Knox

Confederation Board of Treasury

Samuel Osgood

Constitutional Convention

Francis Dana*

Elbridge Gerry

Nathaniel Gorham

Rufus King

Caleb Strong**

* Did not attend.

** Left Convention before 27 August.

U.S. Minister to Great Britain

John Adams

**The Ratification of the
Constitution by
the States**

MASSACHUSETTS
[2]

III.
THE DEBATE OVER THE
CONSTITUTION IN MASSACHUSETTS
28 October 1787–12 February 1788
(Continued)

Cotton Tufts to Abigail Adams
Weymouth, 18 December (excerpts)¹

Dear Cousin,

The System of Government reported by the late Continental Convention has afforded much Matter for Pens and Tongues—The Friends & opposers of it are distinguished by the Party Names of Fœderalists & Antifœderalists—These Names I suspect will continue as long as Whig & Tory—which of the Parties will carry their Point, is difficult to say—Many of the Advocates for the Constitution are enthusiastic open & severe in their Attacks upon all that oppose it, those on the other Side act more secretly, but with great Success—A prevailing Sense of present Weakness & Danger for want of an efficient Government together with the Fear of having one that shall be the Result of Force, will probably reconcile many to this, who would otherwise be decidedly against it—The Choice of Delegates (for our State Convention) in the County of Suffolk & Essex so far as they have proceeded, has in general fallen on the most respectable Characters² The Town of Braintree, has done itself Honour in the Choice of Bro[the]r Cranch & the Revd. Mr Wibirt³—also there are some of the first Characters from other Parts of the Country—New York is said to be opposed to this Plan—and have not as yet called a Convention—Pen[n]sylvania is said to have met & adopted it—The Determination of all the States will not probably be had in a less Time than a Year till which Time we must wait with Patience. . . .

Delaware & Jersey States as well as Philadelphia have acceded to the proposed Plan of Government—I should have been highly gratified to have received Mr. Adams Sentiments upon it previous to our Decision,⁴ but as our State Convention will meet on the Second Wednesday of January next, I must be deprived of that Happiness—till at a more distant Period—I confess I feel more than commonly anxious, for although I have seen my Country trampling down Law & Government

& sporting with Right & Justice & have wished for an Government adequate to our Necessities. Yet I should be exceeding sorry to see any other than a Government of Laws—Is the present Plan well calculated to produce a Government of Laws? Does it not savour too much of Aristocracy for future Freedom, Quiet & Duration? Does it provide for an adequate Representation? Is the Executive sufficiently independent? Are the Powers properly defined & sufficiently explicit? Are the Three Powers duly balanced? Where is the Bill of Rights or is it unnecessary? These are Questions which I hope My Friend will one Day do me the Pleasure to resolve, versed in the Knowledge & Study of Government—His Advice reasonings & Council would Weight much—I wish him to write me what the Scituation of Europe is with Respect to War, for although We Abound with News, yet We have but very little that can be relied on—Youll be pleased to inform Mr. Adams, that I drew an order on him in favour of Mr. Elworthy for £100 Sterlg dated ye. 26th. Inst—

1. RC, Adams Family Papers, MHI.
2. On 17 December Tufts himself was elected to represent the Suffolk County town of Weymouth.
3. For the election of Richard Cranch and the Reverend Anthony Wibird, see IV below, Braintree section.
4. Tufts had written John Adams on 28 November, requesting his sentiments on the Constitution (RCS:Mass., 326–27). Adams replied on 23 January 1788, although his letter did not reach Tufts until after the state Convention ratified the Constitution (CC:Vol. 2, pp. 499–500).

Joseph Ward to Penuel Bowen Boston, 18 December (excerpt)¹

... The great subject of universal discussion, at present, is the new Constitution—But whether it will be adopted in this State, is problematical. What say the southern Geniuses as they live nearer the sun, perhaps their political rays are brighter than ours. . . .

1. RC, Bowen-Cooke Papers, South Carolina Historical Society. Colonel Ward (1737–1812), a former schoolmaster and Continental Commissary-General of Musters, 1777–80, was a Boston real estate dealer and stock broker. In 1796–97 he represented Newton in the state House of Representatives. Bowen (1742–1788), a graduate of Harvard College (1762), was colleague pastor of the New South (Congregational) Church of Boston, 1766–72, when he resigned. One of his parishioners was Samuel Adams, whose Whig politics Bowen espoused. After trying his hand at shopkeeping in Boston, Bowen left in 1786 for Charleston, S.C., where he hoped to find a living in the Episcopal Church. He took Episcopal orders in 1787, and the next year he became rector of St. John's Parish, Collington, on St. John's Island, near Charleston.

Cassius VI**Massachusetts Gazette, 18 December¹**

To the Inhabitants of this State.

(Continued from our last.)

Section 5, of the new constitution says, Each house shall be a judge of the elections, returns and qualifications of its own members—a majority shall constitute a quorum, and be authorized to compel the attendance of absent members, in such manner and under such penalties as the law may provide. Each house shall determine the rules of its proceedings—punish its members for disorderly behaviour—and with the consent of two thirds, expel a member. Each house shall keep a journal of its proceedings, and from time to time publish the same, &c.—No one, who professes to be governed by reason, will dispute the propriety of any assembly's being the judge of the qualifications requisite to constitute a member of their own body. That part of the fifth section which says a majority shall constitute a quorum, has been an object against which many anti-federal shafts have been levelled. It has been asserted by some, that this clause empowers a majority of members present, to transact any business relating to the affairs of the United States, and that eight or ten members of the house of representatives, and an equal number of the senate, might pass a law which would benefit themselves, and injure the community at large. The fallacy of such assertions is sufficiently conspicuous to render them ridiculous and contemptible in the eyes of every unprejudiced mind—for the section further expresses, That a smaller number than a quorum may adjourn from day to day, and be authorised to compel the attendance of absent members. This is all the power that is vested in a smaller number than the majority. It is therefore evident, that when it says a majority shall constitute a quorum to do business, it means a majority of the whole number of members that belong to either house.

Sect. 5, further provides, That each house shall keep a journal of its proceedings, and from time to time publish the same, &c. This clause is so openly marked with every feature of republicanism, and expressed in such liberal and comprehensive terms, that it needs no comment to render it acceptable to the enlightened citizens of Massachusetts.

Sect. 6, provides, That the senators and representatives shall receive a compensation for their services, to be ascertained by law—they shall, except in cases of treason, felony, or breach of peace, be privileged from arrest during their session.—The necessity of such regulations must appear plain to every one; the inhabitants of Massachusetts, fully convinced of the justness of such provision, made it in the constitution

of this state.² The 6th section further says, No member shall be called to account for sentiments delivered in either house, at any other place. In this clause, the freedom of debate, so essential to the preservation of liberty and the support of a republican form of government, is amply provided for. Impeded by no obstacle whatever, the patriot may here proclaim every sentiment that glows within his breast. How far despotism can encroach upon such a government I leave the antifederal junto to declare.

The 6th section further provides, that no senator or representative shall, during the time he is in office, be elected or appointed to any office under the United States—nor shall any person, holding any office under the government, be elected a member of either house during his continuance in that station. This clause at once confutes every assertion of the antifederalists respecting the new congress' being able to secure to themselves all offices of power, profit and trust. This section is even more rigidly republican than the constitution of this commonwealth; for in the general assembly of Massachusetts, a civil officer is not excluded a seat; whereas the new constitution expressly asserts, that no person in civil office under the United States, shall be eligible to a seat in either house.

Sect. 7 provides, that all bills for raising revenues shall originate in the house of representatives. Here again must the anti-federalists appear weak and contemptible in their assertions, that the senate will have it in their power to establish themselves a complete aristocratick body; for this clause fully evinces, that if their inclinations were ever so great to effect such an establishment, it would answer no end, for being unable to levy taxes, or collect a revenue, is a sufficient check upon every attempt of such a nature.

The 7th section further provides, That every bill which passes the house of representatives and the senate, before it becomes a law, shall be presented to the president of the United States, if he objects to it, the sense of both houses will be again taken on the subject; and if two thirds of the members are in favour of the bill, it passes into a law.—Much clamour has been made about the power of the president; it has been asserted, that his influence would be such as to enable him to continue in office during life. Such insinuations are founded on a very slender basis. If the president opposes the sense of both houses, without *sufficient reasons* for his conduct, he will soon become obnoxious, and his influence vanish like the fleeting smoke; and his objection to any thing which the house and senate may think calculated for the promotion of the publick good, will be of no effect.

Sect. 8 provides, That Congress shall have power to lay and collect taxes, duties, imposts, excises, &c.—to pay debts, to provide for the common defence and general welfare of the United States—that all duties, imposts and excises shall be uniform throughout the Union—they shall have power to coin money, and to fix the value thereof, &c.—The impotency of the present Congress sufficiently indicates the necessity of granting greater powers to a federal head; and it is highly requisite such a head should be enabled to establish a fund adequate to the exigencies of the Union. The propriety of all duties and imposts being uniform throughout the states, cannot be disputed. It is also highly requisite that Congress should be enabled to establish a coin which shall circulate the same throughout all the states. The necessity of such arrangements is certainly very obvious. For other particulars contained in the 8th section, I must refer my readers to the Constitution, and am confident they will find it replete with nothing more than what is absolutely necessary should be vested in the guardians of a free country.

Can, then, those murmuring sycophants, who oppose the plan of federal government, wish for any thing more liberal than what is contained in the aforementioned section? If the powers of a federal head were to be established on as weak a frame as that on which the present confederation is founded, what effect would *any* constitution have in giving energy to measures designed to promote the glory of the UNION, and for establishing its honour and credit? One great object of the federal Convention was, to *give* more power to future ASSEMBLIES OF THE STATES. In this they have done liberally, without partiality to the interests of the states individually; and their intentions were known before the honourable body was dissolved. And now that a form of government, every way adequate to the purposes of the Union, has been proposed by them, in which proper powers are to be vested in the supreme head, a hue and cry is raised by the sons of sedition and dishonesty, as though *an army of uncircumcised Philistines were upon us!* They are bellowing about, that tyranny will inevitably follow the adoption of the proposed constitution. It is, however, an old saying, that the greatest rogue is apt to cry rogue first. This we may rely upon, that if we follow perfidious counsels, as those are, I dare affirm, of the anti-federalists, every evil, which that *sappy* brood anticipates, WILL befall us. Besides, foreign creditors will not be cheated out of their property; nor will the creditors of our own country be tame spectators of the sacrifice of their interest at the shrine of villainy.

Section 9th says, The writ of habeus corpus shall not be suspended, unless in case of rebellion, or the invasion of the publick safety may

require it. It has been asserted by some, that a person accused of a crime, would be obliged to ruin himself, in order to prove his innocence; as he would be obliged to repair to the seat of federal government, in order to have his cause tried before a federal court, and be liable to pay all expenses which might be incur[r]ed in the undertaking. But the section beforementioned proves that assertion to be futile and false, as it expressly provides for securing the right of the subject, in regard to his being tried in his own state.

The 9th section further provides, that a regular statement and account of the receipts and expenditures of all publick monies, shall be published from time to time. Thus the people will have it in their power to examine the appropriations made of the revenues and taxes collected by Congress; and if they are not satisfied in regard to the conduct of their rulers in this respect, they will be able to effect a change agreeable to their wishes.

The last section of this article provides, that no state shall enter into any treaty, alliance, &c. coin money, emit bills of credit, make any other but gold and silver coin a tender in payment of debts—all laws respecting imposts, duties, and excises, shall be subject to the revision and controul of Congress.

The absolute necessity of power of this nature being vested in a federal head is indisputable. For want of such a power, what vile proceedings have of late disgraced almost every legislative measure of Rhode Island!³ For want of such a power, some honest creditors in Massachusetts, have been paid in *old horses* and *enormous rocks*, in return for money loaned upon interest. With respect to the controul of Congress over laws of the afore-mentioned description, it is highly requisite that it should take place: nor have the people any thing to fear from such a proceeding; for their controul cannot be extended farther than the powers granted in the new constitution; the words of which are, "all powers HEREIN GRANTED." If any act originates contrary to this, it will be of no effect, and a mere nullity.

Section one, of article second, provides, that the executive power shall be vested in a president of the United States. The necessity of such a provision must appear reasonable to any one; any further remarks, therefore, on this head, will be needless.

In the same section it is provided, (among other things which, to argue upon would be unnecessary as they are founded on the firmest principles of republicanism) that Congress shall determine the time for choosing electors, and the day of election shall be the same throughout the Union. Can any thing more strongly mark a liberal and free government than this clause. No one state will in the least be

influenced in their choice by that of another; and Congress cannot have the least controul in regard to the appointment of any particular men for electors. This, among other things, proves, that all requisite power will still remain in the hands of the people; and any insinuation to the contrary, must be a mere chicane, to blind the judgments of the misinformed.

(To be continued.)

1. This is the second of four installments of "Cassius" VI. The first installment appeared in the *Gazette* on 14 December (RCS:Mass., 423-26), the third and fourth installments on 21 and 25 December, respectively.

2. Thorpe, III, 1899 (Chapter I, Section III, Article X).

3. For example, see Rhode Island's policy regarding paper money (RCS:Mass., 178n).

Agrippa VII

Massachusetts Gazette, 18 December¹

To, the PEOPLE.

There cannot be a doubt, that, while the trade of this continent remains free, the activity of our countrymen will secure their full share. All the estimates for the present year, let them be made by what party they may, suppose the balance of trade to be largely in our favour. The credit of our merchants is, therefore, fully established in foreign countries. This is a sufficient proof, that when business is unshackled, it will find out that channel which is most friendly to its course. We ought, therefore, to be exceedingly cautious about diverting or restraining it. Every day produces fresh proofs, that people, under the immediate pressure of difficulties, do not, at first glance, discover the proper relief. The last year, a desire to get rid of embarrassments induced many honest people to agree to a tender-act, and many others, of a different description, to obstruct the courts of justice. Both these methods only increased the evil they were intended to cure. Experience has since shewn, that, instead of trying to lessen an evil by altering the present course of things, that every endeavour should have been applied to facilitate the course of law, and thus to encourage a mutual confidence among the citizens, which increases the resources of them all, and renders easy the payment of debts. By this means one does not grow rich at the expense of another, but all are benefited. The case is the same with the states. Pennsylvania, with one port and a large territory, is less favourably situated for trade than the Massachusetts, which has an extensive coast in proportion to its limits of jurisdiction. Accordingly a much larger proportion of our people are engaged in maritime affairs. We ought therefore to be particularly attentive to securing so great an

interest. It is vain to tell us, that we ought to overlook local interest. It is only by protecting local concerns, that the interest of the whole is preserved. No man when he enters into society, does it from a view to promote the good of others, but he does it for his own good. All men having the same view, are bound equally to promote the welfare of the whole. To recur then to such a principle as that local interests must be disregarded, is requiring of one man to do more than another, and is subverting the foundation of a free government. The Philadelphians would be shocked with a proposition to place the seat of general government and the unlimited right to regulate trade in the Massachusetts. There can be no greater reason for our surrendering the preference to them. Such sacrifices, however we may delude ourselves with the form of words, always originate in folly, and not in generosity.

Let me now request your attention a little while to the actual state of publick credit, that we may see, whether it has not been as much misrepresented as the state of our trade.

At the beginning of the present year, the whole continental debt was about twelve millions of pounds in our money. About one quarter part of this sum was due to our foreign creditors. Of these France was the principal, and called for the arrears of interest. A new loan of one hundred and twenty thousand pounds was negotiated in Holland, at five per cent. to pay the arrears due to France.² At first sight this has the appearance of bad economy, and has been used for the villainous purpose of disaffecting the people. But in the course of this same year, Congress have negotiated the sale of as much of their western lands on the Ohio and Missis[s]ippi, as amount nearly to the whole sum of the foreign debt;³ and instead of a dead loss by borrowing money at five per cent. to the amount of an hundred and twenty thousand pounds, in one sum, they make a saving of the interest at six per cent. on three millions of their domestick debt, which is an annual saving of an hundred and eighty thousand pounds. It is easy to see how such an immense fund as the western territory may be applied to the payment of the foreign debt. Purchasers of the land would as willingly procure any kind of the produce of the United States as they would buy loan-office certificates to pay for the land. The produce thus procured would easily be negotiated for the benefit of our foreign creditors. I do not mean to insinuate that no other provision should be made for our creditors, but only to shew that our credit is not so bad in other countries as has been represented, and that our resources are fully equal to the pressure.

The perfection of government depends on the equality of its operation, as far as human affairs will admit, upon all parts of the empire,

and upon all the citizens. Some inequalities indeed will necessarily take place. One man will be obliged to travel a few miles further than another man to procure justice. But when he has travelled, the poor man ought to have the same measure of justice as the rich one. Small inequalities may be easily compensated. There ought, however, to be no inequality in the law itself, and the government ought to have the same authority in one place as in another. Evident as this truth is, the most plausible argument in favour of the new plan is drawn from the inequality of its operation in different states. In Connecticut, they have been told that the bulk of the revenue will be raised by impost and excise, and therefore they need not be afraid to trust Congress with the power of levying a dry tax at pleasure. New-York, and Massachusetts are both more commercial states than Connecticut. The latter, therefore, hopes that the other two will pay the bulk of the continental expense. The argument is in itself delusive. If the trade is not over-taxed, the consumer pays it. If the trade is over-taxed, it languishes, and by the ruin of trade the farmer loses his market. The farmer has in truth no other advantage from imposts than that they save him the trouble of collecting money for the government. He neither gets or loses money by changing the mode of taxation. The government indeed finds it the easiest way to raise the revenue; and the reason is that the tax is by this means collected where the money circulates most freely. But if the argument was not delusive, it ought to conclude against the plan, because it would prove the unequal operation of it, and if any saving is to be made by the mode of taxing, the saving should be applied towards our own debt, and not to the payment of that part of the continental burden which Connecticut ought to discharge. It would be impossible to refute in writing all the delusions made use of to force this system through. Those respecting the publick debt, and the benefit of imposts, are the most important, and these I have taken pains to explain. In one instance indeed, the impost does raise money at the direct expense of the seaports. This is when goods are imported subject to a duty, and re-exported without a drawback. Whatever benefit is derived from this source, surely should not be transferred to another state, at least till our own debts are cleared.

Another instance of unequal operation is, that it establishes different degrees of authority in different states, and thus creates different interests. The lands in New-Hampshire having been formerly granted by this state, and afterwards by that state, to private persons, the whole authority of trying titles becomes vested in a continental court, and that state loses a branch of authority, which the others retain, over their own citizens.

I have now gone through two parts of my argument, and have proved the efficiency of the state governments for internal regulation, and the disadvantages of the new system, at least some of the principal. The argument has been much longer than I at first apprehended, or, possibly, I should have been deterred from it. The importance of the question has, however, prevented me from relinquishing it.

1. Reprinted: *New York Journal*, 14 January 1788 ("Inserted by desire"). In the *Massachusetts Gazette*, "Agrippa" appeared under the heading "*political*."

2. See RCS:Mass., 406, note 2.

3. See RCS:Mass., 383, note 1.

Candour

Massachusetts Centinel, 19 December

Mr. RUSSELL, Thank God I have done reading the English papers—one must purchase too many lies for the sake of a few truths. They are in London a matter of speculation for bankers, stock-jobbers, &c. and all other men who are concerned in the publick funds—every one of whom is interested to bribe the editors to insert such pieces as may increase or lessen (according as private interest requires) the price of stocks.

I am thus led to inform you, Mr. Printer, that I see, with great pain, that our papers are too sincerely, the *echo* of those miserable lies, which in London are only talked of in drinking their tea, or toasting their Madeira—one piece of news gives place to another—one lie to another lie—and this last even pleases most if it is most wicked:—But I would be very happy, Mr. Russell, to find our papers more *decent*, more *true*, that is, more worthy of a free people. I would have them afford us informations necessary for our democracy—I would have them shew us the utility of being governed by the *law*, not by the *man*. I would likewise have all the discussions on such subjects, in which the majesty of the people is concerned, be decent and civil: For example, that our writers for or against the new Constitution, should not so often use each other like *drunken lackies*. I will repeat on that subject what the celebrated Dr. *Price* told us three years ago.—

"Nature has so made us, that an attachment must take place within us to opinions once formed; and it was proper that we should be so made, in order to prevent that levity and desultoriness of mind which must have been the consequence had we been ready to give up our opinions too easily and hastily. But this natural tendency, however wisely given us, is apt to extend its proper limits, and to render us unreasonably tenacious. It ought, therefore, like all our other natural propensities, to be carefully watched and guarded; and education should put

us upon doing this. An observation before made should, in particular, be inculcated, 'that all mankind have hitherto been most tenacious when most in the wrong, and reckoned themselves most enlightened when most in the dark.' This is, indeed, a very mortifying fact; but attention to it is necessary to cure that miserable pride and dogmatism which are some of the worst enemies to improvement. Who is there that does not remember the time when he was entirely satisfied about points which deeper reflection has shewn to be above his comprehension?—Who, for instance, does not remember a time when he would have wondered at the question, 'why does water run down hill?' What ignorant man is there who is not persuaded that he understands this perfectly? But every *improved* man knows it to be a question he cannot answer; and what distinguishes him in this instance from the less improved part of mankind is his knowing this. The like is true in numberless other instances. One of the best proofs of wisdom is a sense of our want of wisdom; and he who knows most possesses most of this sense."¹

The Doctor adds, "I now see that I do not understand many points which once appeared to me very clear, the more I have enquired, the more sensible I have been growing of my own darkness."²—How far the modesty of so learned, so able, so wise, and after all, so great a friend to America, must correct our inconsiderate antifederal writers, who so *conveniently* decide in one moment an object leisurely weighed, as it were, by our sages for four months, let the candid determine.

I am happy to have it in my power to send you a small pamphlet which I have lately received, for the style of the preface I hope will teach our champions to respect each other in their combat, as it has obtained the approbation of Dr. Price himself. It may arrest the attention of your readers at this present crisis, when we ought to seek by the meditation and theory of the works of Montesquieu, Dr. Price, Mr. Adams, Mr. Jefferson, and other great men, who have treated on this subject, informations adequate to the discussions to which our Convention will give birth next month.

1. Price, *Observations*, 204–5.

2. *Ibid.*, 205.

Anti-Cincinnatus

Hampshire Gazette, 19 December

On 14 November the *Hampshire Gazette* reprinted James Wilson's 6 October speech before a Philadelphia public meeting (CC:134), the first authoritative explanation by a delegate to the Constitutional Convention of the principles

embodied in the Constitution. Wilson's speech was widely criticized by Antifederalists. Among Wilson's harshest critics was "Cincinnatus" (Arthur Lee), the author of six essays, the first of which appeared in the *New York Journal* on 1 November (CC:222). "Cincinnatus" I was reprinted in the *Massachusetts Gazette* on 16 November and in the *Hampshire Gazette* on 5 December. It was answered two weeks later in the *Hampshire Gazette* by "Anti-Cincinnatus," which was reprinted in the *New York Journal* on 29 December. (For more on the publication and reception of Wilson's speech in Massachusetts, see "The Massachusetts Reprinting of James Wilson's Speech of 6 October Before a Philadelphia Public Meeting," 24 October–15 November, I above.)

Mr. Printer, An antifederal piece, in No. 66, purporting to be an answer to Mr. Wilson, under the signature of Cincinnatus, "appears to me to abound" with misrepresentation, misconstruction "and sophistry, and so dangerous" to the uninformed and less discerning readers, as for their sakes and theirs only, "to require" reprehension and "refutation." "If we" reject "the new Constitution, let us understand it: whether it deserves to be" rejected "or not, we can determine only by a full" and honest "examination of it; so as truly and clearly to discern what it is we are so" warmly, and I may boldly "say, indesciently called upon to" reject, and for what important reasons: such "examination," so far as the objections and reasonings of said piece have the appearance of weight or force, is the "object" of the following paragraphs.

The introduction is filled with little else but sarcastical taunts liberally bestowed both upon the Constitution, and Mr. Wilson, one of its framers and advocates, which I shall pass without further notice, only requesting the reader to take the trouble in the issue to judge, whether, "the hope" of Cincinnatus "to avoid the censure of having industriously endeavoured to prevent and destroy" the Constitution "by insidious and clandestine attempts," is not founded on slippery ground.

His only objection to the Constitution (after, we may presume, a narrow and critical search for facts) is, "the omission of a declaration of rights;" which omission Mr. Wilson, and with him every man of common sense and candor, justifies, for this reason, viz. in the State Constitutions a bill of rights is necessary, because whatever is not reserved is given, but in this Congressional Constitution whatever is not given is reserved. This, says our author, "is a distinction without a difference, and has more the quaintness of a conundrum than the dignity of an argument;" and exerts himself briskly in the "play of words and quaintness of conundrums" to set aside the distinction: to all which it is sufficient to reply, that it must be obvious to the discerning and candid reader, that the new Constitution, although it contains not a declaration of the rights of the people; yet it contains a declaration of

the powers given to rulers; intentionally with precision defines and limits them; thus firmly and stably fixeth the boundaries of their authority, beyond which they cannot pass, unless in violation of the Constitution: To have made a formal declaration, that all the rights and powers not mentioned nor defined are reserved and not granted, would have been as great an affront to common sense, as if after having made a grant of a certain tract of land or other articles of property particularly specified and described in a deed or bill of sale, I should add a particular enumeration of my every other piece of land and article of property, with a declaration in form, that none of these are meant to be granted; for not being granted they are certainly reserved, as certainly without as with a declaration of it.—Common sense requires not a declaration that articles either of property or power not mentioned in the bill are not granted by the bill.

To illucidate the danger arising from this omission of a bill of rights, and prove "*that a dangerous aristocracy springing from it (the Constitution) must necessarily swallow up the democratic rights of the union, and sacrifice the liberties of the people to the power and dominion of a few,*" he refers to the liberty of the press, as an instance taken by Mr. Wilson, to shew that a bill of rights is not necessary, because this remains safe and secure without it; for this reason, viz. "there is no express power granted to regulate literary publications.["] The Constitution grants no power more nor less with respect to the liberty of the press; but leaves it just as it found it, in the hands of the several state constitutions: but to enervate this argument, my author sagely observes, "that where general powers are expressly granted, the particular ones comprehended within them must also be granted:"—and with keen sagacity discovers a general power granted to Congress "to define and punish offences against the law of nations," and after a plausible parade or inconclusive argumentation, assumes to have proved, "that the power of restraining the press is necessarily involved in the unlimited power of defining offences against the law of nations, or of making treaties, which are to be the supreme law of the land." To clear off the obscurity and confusion which involve the ideas and reasonings of this author, concerning the law of nations and public treaties, and set this matter in a clear convictive point of view, it is needless and would be to no purpose to pursue him through an intricate maze or winding in a pompous declamatory harangue; it is needful, to that end only to consider, that by the law of nations, is intended, those regulations and articles of agreement by which different nations, in their treaties, one with another, mutually bind themselves to regulate their conduct, one towards the other. A violation of such articles is properly defined an offence against the law of nations: and there is and can be no other law of nations,

which binds them with respect to their treatment one of another, but these articles of agreement contained in their public treaties and alliances.

These public treaties become the law of the land in that being made by constitutional authority, i.e. among us, by those whom the people themselves have authorized for that purpose, are in a proper sense their own agreements, and therefore as laws, bind the several states, as states, and their inhabitants, as individuals to take notice of and govern themselves according to the articles and rules which are defined and stipulated in them: as law of the land they bind to nothing but a performance of the engagements which they contain. How then doth it appear "that a power to define offences against the law of nations, necessarily involves a power of restraining the liberty of the press?"

Have we the least possible ground of fear, that the United States in some future period will enter in their public treaties an article to injure the liberty of the press? What concern have foreign nations with the liberty or restraint of the American press?

This writer seems to have been set to work with design (not his own) to yield his assistance to verify an observation, said to be made by Dr. Franklin, viz. "That the goodness and excellency of the federal Constitution is evidenced more strongly by nothing, than the weakness and futility of the objections made against it."

That our author had a design in the choice of a signature, to fasten a stigma on the worthy patriotic society,¹ I can not assert. Be assured this is by no means the wish of ANTI-CINCINNATUS.

1. The Society of the Cincinnati.

Joseph Barrell to Nathaniel Barrell
Boston, 20 December¹

When I heard you was chosen delegate to the Convention I was glad, because I esteemed you an honest man, and knew you a Sensible one, and from every conversation I ever had with you upon the subject, (if I am not much mistaken) you were always on the side of a Federal Government, I have therefore, upon all proper Occasions mentioned the delegate from Old York, and vouched for the honor and Justness of his Sentiments on this important subject; judge then my surprize when I am told, that my brother is the most decided *Antifederalist*, in the Eastern Country, and that he had declared in the Town Meeting, he would loose his right hand before he would accede to the proposed Constitution;² yet, notwithstanding this report, I still defend your Character as a *Federalist*, because I will not suppose you wish that confusion

to the Continent wch. seems agreed on all hands will be the consequence of rejecting; and because I think you too independent to aim at popularity upon any score, much less by opposing a System wch. almost every honest man approves and which will, I hope and believe render its opposers at least contemptable—

I have never 'till now put my pen to paper on account of the proposed constitution, and I have never yet conceived it necessary for any one to do it, it needs only to be read with an unprejudiced mind to be approved; while on the other hand it has always appear'd to me, that the Antifederal Writers, have clearly proved themselves, either wickedly selfish, or opposed to all good government; and I am clear to declare according to my poor abilities, I have never yet seen in print, or heard in Conversation, any weighty Objection that was founded in truth; perhaps you, or I, might wish some things alter'd to suit this particular State, or our particular situation; but shall the man, who is entrusted with this important appointment *for the general good*, be so absorb'd in self, or blinded by local situation, as to endeavour to destroy, or marr, a Fabrick designed for the happiness of Millions,? surely such a Wretch deserves the detestation of every man of honor; and can never be pleasing to that Being, who governs with an eye to the happiness of all—

If I did not know your opposition to the late Revolution, was owing to Religious Scruples which I hope you have now dismissed, I should suppose your present opposition, sprung from the same cause³ and (as I can make every allowance for Religious Frensey) that might save me from the mortification I must suffer in ranking my brother amongst those Antifederal Writers, and opposers of this Excellent Constitution, who, as often as they are found out, appear the most contemptable, and wretched Characters, "*Vox Populi*,"⁴ if he had any regard to truth, would have appeared under the more suitable signature of "*Vox Diaboli*," for he is known to be one Abraham Holmes of Rochester, a chief amongst the Insurgents, and who was obliged to quit the State for a Season, on Accot of a State Warrent; this fellow returning upon a general pardon, was sent by that town to disgrace them in General Court; and it need no skill in Physiognomy, to determine on the slightest glance of his detested person, that nothing good could come from him; Agrippa, & John deWit, are no doubt as respectable Characters,⁵ but be that as it may; I would ask the *impartial*, have *they* said any thing true and important against the proposed constitution? and if we go to the Southward, and look at the Objections of a Mason;⁶ what are they but such as would disgrace a Tyrant? viz. "*because the proposed constitution does not reserve a right in Congress to make retrospective Laws*"! a Cursed power, which the *most abandoned Despot* alone would wish to possess;

and none but the most abject Slaves could possibly endure—and another, “that Congress should make no Navagation Laws unless $\frac{2}{3}$ ds should agree to them, [”] when it is manifest, any Laws of this kind made by Congress, must be in favor of these Northern States, and thereby give the United States, a preference to the British, & effectually preventing the intention of their Mistaken Policy, and the Advantage they have taken of our wretched Government, to render us contemptable in the eyes of those, who once respected the name of America; this Idea alone I should think would fire your Soul, to exert every nerve to adopt a Constitution, which if every circumstance is taken into view, appears to be dictated by Heaven itself; but if you are really opposed to it, I will suppose it is from Principal, and if so, I think this one consideration alone will induce you to adopt it, vizt. because the present Confederation cannot be alterd, unless *all the 13 States* agree and I was going to say *Heaven and Earth may pass away before that event will take place!* While the Constitution now proposed may be alterd when ever *Nine States* shall require it, *Is it not therefore better to adopt this Constitution* (even if it was not the best) *which may be alterd rather than to retain the present Wretched System wch. never can?*—

I shall say no more at present, because I will not beleive you so lost to every noble sentiment, as to oppose but from principal, but if such should be the case, altho’ I shall be glad to see you as a brother, yet depend you will meet the most pointed opposition from all your friends here, as an Antifederalist—

You will find inclosed a Medal wch was struck to commemorate, the first American Enterprize to the Pacific Ocean,⁷ If you are Federal you will be pleased, but to the Antifederalists, the man of Enterprize must be disgusting, nor can he wish him success, nor upon his principals is success needfull, for what is property without good government?—

1. RC, Sandeman-Barrell Papers, MHi. Joseph Barrell (1739–1804) was a Boston merchant (see also note 7). His brother Nathaniel Barrell (1732–1831), a former merchant, was a farmer in York, Maine (see also note 3). On 3 December Nathaniel Barrell was elected to the Massachusetts Convention, where he voted to ratify the Constitution on 6 February even though he had been elected as an Antifederalist. (The other delegate from York voted against ratification.) The day before the vote, Barrell explained to the Convention why he had changed his mind. (See V below.) For more on his views about the Constitution, see his 15 January 1788 letter to George Thatcher.

2. For Nathaniel Barrell’s election to the state Convention, see IV below, York section.

3. Nathaniel Barrell was one of the earliest followers of the Reverend Robert Sandeman who had left Scotland in 1764 to preach the doctrines of his father-in-law John Glas. Glas had broken with the Church of Scotland. During the Revolution Barrell helped to establish a Sandemanian church in York. Because Sandemanians believed that obedience to the King was a Christian duty, they refused to take up arms against Great Britain and were persecuted as Loyalists.

4. See "Vox Populi," *Massachusetts Gazette*, 30 October (RCS:Mass., 168-71).

5. See "Agrippa I," *Massachusetts Gazette*, 23 November, and "John De Witt" I, *American Herald*, 22 October (RCS:Mass., 109-13, 303-6).

6. See "George Mason's Objections to the Constitution," *Massachusetts Centinel*, 21 November (RCS:Mass., 287-91).

7. A reference to Joseph Barrell's joint-stock mercantile venture in 1787 that sent the first American ship, the *Columbia*, to the Pacific Northwest around Cape Horn.

Candidus II

Independent Chronicle, 20 December¹

"Remember, O my Friends, the Laws, the Rights,
The generous plan of Power, deliver'd down
From age, to age, by your renowned forefathers,
So dearly bought, the price of so much Blood!
O! Let them never perish in your hands,
But piously transmit them to your Children."

ADDISON.²

In my last, I endeavoured to guard my countrymen, against the artful suggestions of many who say that the proposed Constitution is the *only one* that can be adopted: that we *must* receive it without any *amendments*: and that *anarchy and civil war*, will be the consequences of rejecting it.—The two former pleas, I contended was derogatory to freemen, and the latter affronting to our understanding.

I need not urge my countrymen, to a serious consideration of the important business before them; presuming that the wisdom and prudence which have ever been the characteristic of Americans, will lead the members of the convention to consider maturely, before they decide on so momentous a question.

Many arguments have been offered to the public, both for, and against the new Constitution; on one side we have the rapturous strains of a *Wilson*, on the other the nervous reasoning of *Brutus*:³—But the advocates for the Constitution, have always assumed an advantage by saying, that their opposers have never offered any plan as a substitute; the following outlines are therefore submitted, not as *originating* from an individual, but as *copied* from former resolutions of Congress, and united with *some parts* of the Constitution proposed by the respectable Convention. This being the case, I presume it will not be invalidated by the cant term of antifederalism, viz.

1st. That the Legislature of *each State*, empower Congress to frame a *navigation act*, to operate uniformly throughout the States; reserving to Congress all necessary powers to *regulate our commerce with foreign nations, and among the several States, and with the Indian tribes*. The revenue arising

from the *impost* to be subject to their appropriations, "to enable them to fulfil their public engagements with foreign creditors."⁴

2d. That the Legislature of each State, instruct their delegates in Congress to frame a treaty of AMITY, for the purposes of discharging each State's proportion of the public debt, and support of the fœderal government. To assist each other in cases of *insurrections* and *invasion*: and in case any State within the confederacy should be *delinquent* in discharging their proportion of the public debt, either *foreign or domestic*, to enforce (if necessary) their immediate payment. Each State *obligating themselves in the treaty of amity*, to furnish (whenever required by Congress) a proportionate number of the Militia, who are ever to be well organized and disciplined, for the purposes of repelling any invasion; suppressing any insurrection; or reducing any delinquent State within the confederacy, to a compliance with the fœderal treaty of commerce and amity.—Such assistance to be furnished by the *Supreme Executive* of each State, on the application of Congress.—The troops in cases of *invasion* to be under the command of the Supreme Executive of the State immediately in danger; but in cases of *insurrection*, and *when employ'd against any delinquent State in the confederacy*, the troops to be under the command of Congress.

3d. That such States as did not join the confederacy of *commerce and amity*, should be considered as *aliens*; and any goods brought from such State into any of the confederated States, together with their vessels, should be subject to heavy extra duties.

4th. The treaty of amity, agreed to by the several States, should expressly declare, that no State (without the consent of Congress) should enter into any treaty, alliances or confederacy, grant letters of marque and reprisal; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder; *expost facto* law, impairing the obligations of contracts; engage in war, or declare peace.

5th. A Supreme Judicial Court to be constituted for the following *fœderal purposes*, viz. To extend to all treaties made previous to, or which shall be made under the authority of the confederacy. All cases affecting Ambassadors, and other public Ministers and Consuls; controversies between two or more States; and between citizens of the same State, claiming lands under grants of different States.—To define and punish piracies, and felonies committed on the high seas, and offences against the law of nations.

6th. That it be recommended to Congress, that the said *navigation act*, and *treaty of amity*, be sent to the Legislatures (or people) of the several States, for their assenting to, and ratifying the same.—The ratification of nine States, to be sufficient for the establishment of such a

navigation act, and treaty of amity, between the States, so ratifying the same.

7th. A regular statement and account of the receipt and expenditures, of all public monies, should be published from time to time.

The above plan it is humbly conceived secures the *internal government* of the several States, promotes the *commerce* of the whole union; preserves a due degree of *energy*; lays restraints on *aliens*; secures the several States against *invasions* and *insurrections*, by a MILITIA, rather than a STANDING ARMY; checks all *expost facto* laws; cements the States by certain *federal restrictions*; confines the Judiciary powers to *national matters*; provides for the public information of *receipts* and *expenditures*: in a word, places us in a compleat *federal state*.

Every man must be sensible, that a federal system, is of the utmost importance to our national prosperity.—The deranged situation of our public affairs, now calls on us to adopt such measures as will relieve the distresses of the PEOPLE, and establish upon a permanent basis the COMMERCE of these States.

The encouragement of a beneficial commerce must be acknowledged, to be of the greatest public utility; as the value of our produce and our lands, must either rise or fall in proportion to the prosperous, or adverse state of trade. This essential concern, has ever claimed the particular attention of Congress; their earnest solicitations to vest them with sufficient powers for this purpose, fully evince of what importance they considered this object. Provided their requisitions had been complied with, our trade would probably have been upon a respectable footing,—and foreigners would largely have contributed to the payment of our national debt.

The question now is, what public measures must be adopted to restore our decayed commerce, and give energy to government? These I presume, are the great objects to be considered: And, provided this business is earnestly undertaken, every embarrassment we now experience would subside; our public credit would revive; our government would receive every support; a circulation of currency would ensue; our taxes would be quickly collected; the husbandman, merchant and tradesman, would experience the salutary effects; and *public confidence*, which has long been wanting among us, would be again restored.

Notwithstanding the many advocates for the adoption of the new Constitution, I cannot but doubt, whether this establishment will remedy our complaints. It is true the government of these States has been for many years in a decline; *for want of a federal system*, all our measures to promote the public interest have proved abortive. But in order to remedy these evils, shall we now pass to the other extreme; and, from

denying Congress every power whatever, wantonly surrender into their hands our *Excises*, and submit to their *direct taxation*? with powers to raise armies, &c. &c.

The readiness of the people to adopt the new Constitution, arises in a great degree from the apprehension that *no other mode* can be adopted: But this is a mistaken idea, as Congress a few years since, pointed out a mode similar to a part of the plan now offered,—which they recommended to the several States for their adoption.

(The resolves of Congress, 18th April, 1783, “recommends to the several States, to invest them with powers to levy for the use of the United States, certain duties upon goods, imported from any foreign port, island or plantation;”⁵ which measure is declared by them, “To be a system more free, from well founded exceptions, and is better calculated to receive the approbation of the several States, *than any other; that the wisdom of Congress could devise; and if adopted, would enable them to fulfil their public engagements with their foreign creditors.*”⁶

The address of the General Court of this Commonwealth, to the people, 30th October, 1786,⁷ fully evinces, that measures much short of the proposed Constitution, would restore these States to the highest degree of harmony and respectability.

They say “Of the *national debt*, that part which is due to foreigners, must be paid in gold and silver;—if the *Continental Impost*, should take place, which there is much reason to expect, *it would immediately discharge us from the principal of this debt*; with respect to the *Continental domestic debt*,⁸ Congress have resolved that the lands ceded to them, by the individual States, shall be disposed of, *for the payment of that debt; the particular debt of this Commonwealth*, is almost whole due to its citizens; considerable sums are expected from the sale of lands in the easterly part of this State.”

From the above quotations, it does appear, that the *Continental Impost*, is fully adequate to enable Congress to fulfil their engagements with their *foreign Creditors*. The *lands ceded to Congress*, are to be disposed of, for the payment of the *Continental domestic debt*.^(a) And the *particular debt of this State*, will probably, (exclusive of the Western territory) be discharged in a great measure, from the sale of the *Eastern lands*. If then, these three great national objects, can be accomplished, without a total surrender of the Sovereignty of these States, why should each State with such *alacrity*, reduce themselves to mere corporations,—and submit their *Excises*, with every other tax, to the unlimited controul of Congress? This conduct in the American annals, may appear as inglorious, as King *John’s* resignation of the Crown, to the *Pope’s Legate*.⁹ The magnitude of the surrender is expressed most forcibly by Mr. *Wilson*, when

he says, "Thirteen Sovereign States, some of which, in territorial jurisdiction, *population*, and *resource*, equal the most respectable nations of Europe; but likewise myriads of citizens, who in future ages, shall inhabit the vast uncultivated regions of the Continent." Certainly then, the importance of the business before us, ought to "fill our minds with awe and apprehension."¹⁰

The creditors of the particular States, would become great sufferers, if the *Excises* are wholly subject to the use of Congress. The interest of the State debt must remain for many years unpaid; as the necessary arrangements of Congress; the pay of their officers; the great expences naturally attending so extensive a system of government; the parade and page[a]ntry necessary to keep up the etiquette of *Dignities*; together with the enormous expenditures, within the confines of the Federal town, will call for the greatest part of the money that can be for many years collected.

Provided the Constitution should be adopted in *all its parts*, the Congressional Body, would have so many important matters to consider, that the most essential object of *Commerce* might not claim that particular attention, which our present situation requires. The merchant and tradesman, might be waiting with earnest expectations for some commercial regulations, while Congress were busily engaged in framing other systems of legislation.

When we consider the great revenue requisite to support the proposed Constitution, we ought to reflect whether the *abilities* of the people are proportionate. How can the tradesman, farmer and merchant in the present feeble state of their several occupations, and employments, be able to support the immediate expences of the new Constitution? The demands on them, would be *hastily* made; and they must be answered, even before any beneficial operations could arise from the establishment; and after those great advances of taxes, it is quite uncertain, whether we should not be disappointed in our expectations, of the revival of our commerce.

But should we adopt the plan proposed by Congress, in their resolves of the 18th April, 1783, (already mentioned) no extraordinary expences would arise, and Congress having but *one object* to attend, every commercial regulation would be uniformly adopted; the duties of impost and excise, would operate equally throughout the States; our ship-building and carrying trade, would claim their immediate attention: And in consequence thereof, our agriculture, trade and manufactures would revive and flourish. No acts of legislation, independent of this great business, would disaffect one State against the other; but the whole, uniting in one Federal System of commerce, would serve to

remove all local attachments, and establish our navigation upon a most extensive basis. The powers of Europe, would be alarmed at our Union, and would fear least we should retaliate on them by laying restrictions on their trade.

These being the probable consequences of a commercial system, the questions are, Whether it is necessary, to adopt the Constitution proposed; or whether each State, complying with the request of Congress, together with the other parts of the plan proposed, would not answer every purpose we would wish to effect? If the latter is competent to these purposes, why should we be so urgent to adopt a plan of government, among other defects, destitute of that basis of freedom, A BILL OF RIGHTS; and which exposes every man, within these States, to be drag'd hundreds of miles, to a Federal Judicial Court?^(b)

The Constitution proposed, may aggrandize a few individuals: *The offices of honor and profit may please the AMBITION of some, and relieve the EMBARRASMENTS of others.* It may serve to multiply Judicial controversies, and embarrass the citizens of the several States, by appeals to a Federal Court. It may give an undue influence to Congress, by the appointment of a numerous Body of officers. It may discourage *Industry*, by promoting an infinite train of dependants and seekers.—But the great object of commerce,—our national respectability,—together with industry and frugality, would probably be the happy consequences of a Commercial Confederation.

⟨These States, by the blessing of Heaven, are now in a very tranquil state.—This government in particular, has produced an instance of ENERGY, in suppressing [the] late Rebellion, &c. which no absolute Monarchy can boast: And, notwithstanding the insinuations of a “*small party*,” who are ever branding the PEOPLE, with the most opprob[r]ious Epithets; representing them as aiming to level all distinctions; emit paper money; encourage the Rebellion: Yet the present General Court, the voice of that Body, whom they have endeavoured to stigmatize, have steadily purused measures foreign from the suggestions of such revilers. And the public credit has been constantly appreciating since the present Administration.

Let us then be cautious how we disturb this general harmony. Every exertion is now making, by the people, to discharge their taxes. Industry and frugality prevail. Our commerce is every day encreasing by the enterprize of our Merchants.—And above all, the PEOPLE of *the several States are convinced of the necessity of adopting some Federal Commercial Plan.*

May that kind Providence, which has ever conducted America through every changing scene, guide and direct the ensuing Convention, to adopt such measures, as will promote the lasting happiness of these States.⟩

((a) The Continental domestic debt, is £. 27,000,000; Congress have already sold lands to the amount of £. 6,000,000, and about £. 11,000,000 are already collected in the different State Treasuries; so that there remains to be redeemed, not more than £. 10,000,000.)

(b) Supposing a merchant at the southward, should order his correspondent in Boston, to build him a vessel: The merchant after forwarding his accounts, in case of any dispute, might be carried to the Supreme Judicial Court: the shipcarpenter would be obliged to attend the trial, and probably call'd on, to carry a number of his workmen as witnesses; the expences attending their journey; the delay of the cause; neglect of business—together with numberless intervening charges, would absorb the earnings of a whole year's labour.

1. Excerpts from "Candidus" (enclosed in angle brackets)—with some variations and some deletions—were reprinted in the *Salem Mercury*, 25 December. For responses to "Candidus," see *Massachusetts Centinel*, 26 December, and "A Friend to Honesty," *Independent Chronicle*, 10 January 1788.

2. Joseph Addison, *Cato. A Tragedy* (1713), act III, scene 5. The words were spoken by Cato himself.

3. For James Wilson, see "The Massachusetts Reprinting of James Wilson's Speech of 6 October Before a Philadelphia Public Meeting," 24 October–15 November (RCS:Mass., 120–22). For "Brutus," see "The Massachusetts Reprinting of the Brutus Essays," 22 November 1787–8 May 1788 (RCS:Mass., 301–3). In the eighteenth century, "nervous" meant "strong, vigorous, robust."

4. For the identification of the quoted material, see note 6. The italics were added by "Candidus."

5. See the Impost of 1783 (CDR, 146).

6. The quoted text first appeared in a 15 February 1786 report of a committee of Congress "concerning the System of General Revenue" recommended by Congress to the states on 18 April 1783 (JCC, XXX, 72, 73. For the system of general revenue, see CDR, 146–48.). The report was sent to the states, and on 5 July 1786 the Massachusetts legislature incorporated it into an act granting Congress supplementary funds from a tax on polls and estates. (See *Acts and Laws . . .* [31 May–8 July 1786] [Boston, 1786], 464, 466 [Evans 19779], for the text quoted here.) The italics were added by "Candidus."

7. See *An Address from the General Court, to the People of the Commonwealth of Massachusetts* (Boston, 1786), 9 (Evans 19781). The Senate approved this forty-page address on 30 October 1786 and the House of Representatives concurred on 14 November. The italics in the quoted material were inserted by "Candidus." This address was the work of a special session of the legislature that was concerned with the August 1786 requisition of the Confederation Congress and with the disturbances caused by Shays's Rebellion.

8. From this point until the end of the paragraph, the address actually reads: "Our full share of the Continental domestic debt, is undoubtedly due to the inhabitants of this State; Congress have resolved, that the lands ceded to them by the individual States, shall be disposed of, for the payment of that debt; and we have lately received information, that such measures have been taken for surveying those lands, that a very large tract may in a short time be disposed of for that purpose, and that purchasers will not be wanting."

9. In 1207 Stephen Langton was consecrated Archbishop of Canterbury, but King John refused to confirm the appointment. Pope Innocent III placed England under an interdict in 1208 and the following year he excommunicated the king. In 1213 John capitulated and resigned the kingdoms of England and Ireland to Pope Innocent. John got them back under a bond of fealty and homage, after agreeing to pay an annual tribute of 1,000 marks to the Holy See. Later that year the ban of excommunication was lifted and the interdict was withdrawn the following year.

10. See the speech that James Wilson delivered to the Pennsylvania Convention on 24 November (RCS:Pa., 340). See also "The Massachusetts Reprinting of James Wilson's 24 November Speech to the Pennsylvania Convention," 12-27 December (RCS:Mass., 419-21). The italics in the quoted passages were inserted by "Candidus."

Cassius VI

Massachusetts Gazette, 21 December¹

To the Inhabitants of this State.

(Continued from our last.)

Section 1, of article II. further provides, That the president shall, previous to his entering upon the duties of his office, take the following oath or affirmation.—I do solemnly swear (or affirm) that I will faithfully execute the office of president of the United States, and will, to the best of my ability, preserve, protect, and defend the constitution of the United States.—Thus we see, that instead of the president's being vested with all the powers of a monarch, as has been asserted, that he is under the immediate controul of the constitution, which if he should presume to deviate from, he would be immediately arrested in his career, and summoned to answer for his conduct before a federal court, where strict justice and equity would undoubtedly preside.

Section 3, of article II. provides, That the president of the United States shall, from time to time, give Congress information of the state of the union, and recommend to their consideration such measures as he shall judge necessary and expedient—he may, on extraordinary occasions, convene both houses or either of them, and adjourn them to such time as he may think proper—he shall take care that the laws be faithfully executed, and shall commission all officers of the United States.

Very little more power is granted to the president of the United States, by the above section, than what is vested in the governours of the different states. The propriety of vesting such powers in a supreme executive cannot be doubted. What would it signify to appoint an executive officer, and immediately after to make laws which would be a barrier to the execution of his commission? It would answer the same end that the nominal power which is vested in the different states answers, that is, it would answer the end of paying for the support of a

shadow, without reaping the benefit of the substance. It is certainly requisite that proper powers should be vested in an executive (and certainly no more than necessary powers are vested in the executive of the United States by the new constitution) or else the establishment of such a branch is needless.

Section 4, of article II. says, The president, vice-president, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of treason, bribery, or other high crimes and misdemeanors.—Thus we see that no office, however exalted, can protect the miscreant, who dares invade the liberties of his country, or countenance in his crimes the impious villain who sacrilegiously attempts to trample upon the rights of freemen. Who will be absurd enough to affirm, that the section alluded to, does not sufficiently prove that the federal convention have formed a government which provides that we shall be ruled by laws and not by men? None, surely, but an anti-federalist—and from them falshood receives constant homage; for it is on the basis of falshood and the summit of ignorance, that all opposition to the federal government is founded.

Section 1, of article III. provides, That the judicial power of the United States shall be vested in one supreme court, and in such inferior courts as Congress may from time to time appoint.—It has been asserted, that a federal court would be an engine of partiality in the government, a source of oppression and injustice to the poorer part of the community; but how far consistency influenced the conduct of the authors of such assertions, the publick must determine. The anti-federalists have said, that if a cause should come before one of [the] state judicial courts, and judgment be given against the person who possessed most interest, that he would immediately appeal to the federal court, whose residence would be at the seat of government, and consequently at so great a distance that an inhabitant of the state of Georgia or New-Hampshire, if he was in low circumstances, would not be able to carry his cause before the federal court, and would, therefore, be obliged to give it up to his wealthier antagonist. The glaring improbability with which such insinuations abound, must be obvious to every one. Can it be supposed, that any person would be so inconsistent, after a cause was given against him, in a court where judges presided whose characters, as honest and just men, were unrivalled, as to attempt to have the cause re-heard before the federal court? Indeed if such a thing was to take place, the man in low circumstances would have nothing to fear, as the payment of all charges would fall upon the person who lost the cause, and there is not the shadow of a doubt, with respect to the

person's losing the cause, who had lost it before in a court of justice in either of the states.

In regard to the equal administration of justice in all the states, a rattle-brained anti-federalist, in the last Mass. Gazette, under the signature of *Agrippa*,² has asserted, that the *inequality* of the administration of justice throughout the states, was a favourite argument in support of the new constitution—an assertion founded on as impudent and barefaced a falshood as ever was uttered; for the very reverse is the case. The *equality* of the administration of justice in the different states, has ever been dwelt upon as recommendatory of the new plan of government. I am induced to think that *Agrippa* is *non compos*, and this might proceed from his *close application* to study, while the library of a celebrated university was under his care:—he seems to be one of those whom Pope describes when he says,

“*Some are bewilder'd in the maze of schools,*” &c.³

I hope my readers will forgive this digression, when they consider that such scandalous lies, absurdities, and misrepresentations as the productions of *Agrippa*, that political Quixote, abound with, may have a tendency to prejudice the minds of the misinformed against the new constitution, unless they are properly noticed.

Section 2, of article III. provides, among other things, that the trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the crime shall have been committed; but when not committed within any state, the trial shall be at such place or places, as Congress may by law have directed. It has been frequently asserted that the new constitution deprived the subject of the right of trial by jury; on what grounds such an assertion could be founded, is to me a mystery; for the constitution expressly says, that the trial shall be by jury, except in cases of impeachment. In our own state, if a civil officer is impeached he will not be tried by a jury, but by that branch of our legislature styled the senate. Tired, no doubt, with a repetition of *arguments*, upon parts of the constitution which did not appear quite plain till investigated, and rightly construed, the anti-federalists have taken upon them to assert things which the proposed system does not afford them the least grounds for. Presumptuous, indeed, must they be in the highest degree, if they suppose *any* will be so blind as to listen to the most palpable falsehoods, uttered by them. Their conduct seems to evince, that they harbour sentiments similar to those of the Romish priests, in countries where the common people have scarcely any knowledge of things wherein their interests are insuperably connected, and imbibe their principles wholly from what the priests think proper to inform them. But such artifices will not avail to

practice upon the inhabitants of America; for here, almost all have some knowledge of government, derived from their own study and experience; and very few are so stupidly ignorant as to believe all that is circulated by minions and miscreants.

Section 3, of article III. provides, that Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attain[*t*]ed.—This section is truly republican in every sense of the expression, and is of itself fully adequate to proving that the members of the federal convention were actuated by principles the most liberal and free—this single section alone is sufficient to enroll their proceedings on the records of immortal fame. Contrast this section with the laws of England, in regard to treason, and, notwithstanding the boasted rights of the subject in that isle, we shall find our own in this, as well as almost every other particular, far to exceed them.

Section 1, of article IV. says, full faith and credit shall be given in each state, to the publick acts, records and judicial proceedings of every other state. The benefit to be derived from such a regulation must be great, especially to those who are sometimes obliged to have recourse to law, for the settlement of their affairs.

Section 2, of article IV. provides, that the citizens of each state shall be intitled to all the privileges and immunities of citizens in the several states. This section must also be a source of much advantage to the inhabitants of the different states, who may have business to transact in various parts of the continent, as being equally intitled to the rights of citizenship in one as well as another. They will find less difficulty in pursuing their various concerns than if it were otherwise.

In the same article, section 3, it is provided, That new states may be admitted into the Union; but no new state shall be formed or erected within the jurisdiction of any other state, nor any states be formed by the sanction of two or more states, or parts of states, without the consent of the legislatures of the states concerned, as well as of Congress. This section can be opposed by none who have the peace and happiness of the states at heart; for, by this section, the designs of those who wish to effect the disunion of the states, in order to get themselves established in posts of *honour* and profit, are entirely defeated. The majority of the citizens of Massachusetts, in particular, will see the good effects to be derived from such a regulation.

(To be continued.)

1. The first two installments of "Cassius" VI were printed in the *Gazette* on 14 December (RCS:Mass., 423–26) and 18 December, and the fourth and last installment was published on 25 December.

2. See "Agrippa" VII, *Massachusetts Gazette*, 18 December.

3. Alexander Pope, *An Essay on Criticism*, line 26. This essay was first published in 1711.

Ocrico

Massachusetts Gazette, 21 December

Mr. ALLEN, I feel myself *greatly hurt* at the liberties lately taken by certain *scribblers* with the characters of the *hon.* E. GERRY and JAMES WINTHROP, *esquire*, of Cambridge, two gentlemen, no less distinguished, for their *honesty*, *patriotism*, and *extensive abilities*, than a Washington or a Franklin. Every one who knows the difference between *white* and *black*, must *KNOW*, *certainly must KNOW*, that the *hon.* mr. GERRY opposed the proceedings of the late federal convention from motives of *pure, untainted patriotism*, and that *self-interest*, that source of *every evil*, did not *in the least* influence his conduct on the important occasion. How *ungenerous*, *base*, *defamatory* and *cruel*, then, must be the many *scandalous aspersions* levelled at that gentleman, on account of his antifederal *principles!* Surely if any person has a *mind to believe* that the GENUINE PRINCIPLES OF REPUBLICANISM (and on such most certainly is the new constitution founded) are *tyranny*, we ought never to *vilely asperse* him for it; but, with truly *Christian sympathy*, we should *weep* for the *bewildered state of his senses*—we should, with the *balm of consolation*, do all in our power to console his friends on the unfortunate event.—But, *alas!* (and *it is with sorrow I relate it*) it has been too often the case, in modern times, when a person has been *bewildered in senses* (especially about political principles, when they are as plain and comprehensive as the letters A and B)¹ to set him up for an object of *mirth* and *ridicule*, at the *expense of humanity*.

In regard to J. WINTHROP, *esquire*, (of said Cambridge) it has been insinuated, that that gentleman is the author of the pieces in the *Mass. Gazette*, signed *Agrippa*—but every one who can *boast the pleasure of his acquaintance*, must *know that insinuation* is grounded on a *falsehood*. The heterogenous compound of nonsense and absurdity with which the compositions of *Agrippa* are so replete, are certainly not the productions of a man so *celebrated* for his *superiour knowledge* and *understanding*.

In short, mr. Printer, I hope you and your brother typographers, will be very careful how you are *guilty of exposing* such *exalted characters*, in future.

1. Possibly a reference to "A. B." who published an attack on Elbridge Gerry in the *Massachusetts Centinel*, 14 November (RCS:Mass., 227–31).

Massachusetts Centinel, 22 December¹

Come hither, ye opposers of a reform, and inform us what is the state of the publick finances; what progress has been made (we will not

ask) in discharging the *principal*, but the *interest* of the national debt? What are our resources, in case invasion from abroad or rebellion at home, should render it necessary to appeal to arms; Inform us how far the States have complied with congressional requisitions—whether any of the States, (excepting *New-York*) have paid any considerable part of their quotas into the publick treasury?² What is the probability of their speedy compliance, and whether many of the publick embarassments must not be charged to these deficiencies; and finally, whether they imagine that the sounds of *publick spirit* and DEMOCRACY will prove as effectual a charm in blunting the *tomahawk* and *dagger*, as they have been in lulling the senses and fears of the multitude? Let truth reply, and on the answer we will venture to rest the question.

1. Reprinted: *Norwich Packet*, 27 December.

2. See Henry Van Schaack to Theodore Sedgwick, 9 December (IV below, Pittsfield section, note 5).

John Quincy Adams to Abigail Adams Newburyport, 23 December (excerpt)¹

... I have frequently been prevented from expatiating in my letters, upon political topics, by the sterility of the subject; an uncommon fertility now produces the same effect. I can only say in general terms that parties run very high, and that we are most probably at the eve of a revolution: Whether it will be effected, in silence, and without a struggle, or whether it will be carried at the point of the sword is yet a question.—The Newspapers, will show you how much the public is engaged in the discussion of the new continental form of government, which I fear will be adopted. . . .

1. RC, Adams Family Papers, MHi. Printed: Worthington C. Ford, ed., *Writings of John Quincy Adams* (7 vols., New York, 1913–1917), I, 36–39.

Christopher Gore to George Thatcher Boston, 23 December¹

I am really rejoiced to hear you are well over the small pox—and thank you & Mr Otis, to whom present my best respects, for your kind attention in delivering my packages to Ketland—It is yet very uncertain what will be the determination of our Convention—you will see by the inclosed list of delegates that many are known to be opposed—the probability is that there will be a majority in favor of adopting the plan as it stands—but in as democratic a governmt as ours, this is not sufficient—to be administred with benefit to the citizens, it is necessary the constitution shoud be adopted with cordiality by the people—and this may be done,—

The inclosed list of dēls you will after perusing, send to friend King,² who I sincerely hope will be here at the first meeting of Convention—

Have you made a Congress—and what are you doing?²—has the french requested leave to pass through our territories, & attack John Bull in Canada?²—if any thing new turns up let me hear it and whatever is written (viz all Publius³ pieces at least) on the Constitution I will thank you to send me—I mean such as throw light on the subject—your own observations will be peculiarly gratifying—

[P.S.] *Candidus* in Adams & Nourse is said to be *Honestus*⁴—

1. RC, J. S. H. Fogg Autograph Collection, MeHi. The letter was addressed to Thatcher in New York City, where he represented Massachusetts in Congress.

2. See Gore to Rufus King, 23 December, at note 3.

3. *The Federalist* essays by “Publius” (CC:201) did not circulate widely in Massachusetts. Only the *American Herald*, which reprinted six numbers by 24 December, published more than one complete number. Rufus King thought that the essays of “A Landholder” printed in Connecticut (CC:230) would be more useful in New England “than the elaborate works of Publius” (to Jeremiah Wadsworth, 23 December, CC:368). For the circulation of “A Landholder” in Massachusetts, see RCS:Mass., 151.

4. Benjamin Austin, Jr., was probably “Honestus.” See “Candidus” I, *Independent Chronicle*, 6 December (RCS:Mass., 392n).

Christopher Gore to Rufus King Boston, 23 December¹

I thank you for the offer of your books, at NPrt [Newburyport], & shall write for them by this post—I sincerely wish, as is my duty, to be inform'd on the momentous question soon to be agitated—We are too much interested in its determination, to neglect any thing that may further the adoption of the plan proposed—Among those, who are elected, & are avowedly opposed to the form, none have yet appear'd of abilities, except Nat. Barrell from old York—Symmes a young lawyer of Andover, and Bishop—unless S. Adams may be consider'd as its enemy—wh I believe to be the case—Those who are in favor of the constitution feard the consequences of opposing S. A's election²—they suppos'd he wou'd, in such mortification openly declare himself against it, and endeavor to make proselytes—Whereas, an election, by his townsmen, under an idea, that he was really its advocate, might damp his opposition, for he is too old not to know his dependence is more on the people, than theirs on him—Further, it was said that his arguments coud be opposed, with greater probability of success, while he was a member—than, if he was absent, suggesting objections to small circles of the delegates—and that the rumour of his opposition woud weigh more, than any real objections he coud raise in Convention—You will

perceive, by a list I have enclosed Thatcher,³ & which I have desired him to hand you, how many of those known to be elected, are in opposition—in my marking, I may have mistaken some, but not many—the probability is that a bare majority may be in its favor on the first meeting—our endeavors must be to make this majority respectable in numbers—

Judge Dana, & Colo Dana were elected at Camb. J Winthrop had 14 votes—Mr Gerry 2 or 3⁴—I have not heard, that this latter gentleman enters the lists as an opponent—I rather think he has not yet wrote or said much on the subject—it is said, Winthrop writes under Agrippa—these pieces gain him no credit—Dane is silent on the subject, and I believe, mortified that all those he respects in this quarter differ from him on this great question—and this circumstance induces him to hold his peace—It was impossible to elect Sullivan in this town, I interested myself warmly in his favor—but the people will not confide in him and he may from this neglect be oppos'd—pray bring with you his letter in reply to yours wh. obviated his objections to the Constitution,⁵ it can do no hurt—& may answer a good purpose—Let me know the reasons for Congress having a right to order the time & place &c of election of representatives—& the reason for their laying excises & direct taxes—and what can be done with state debts?—How is Mrs King,—I am anxious to hear she is well abed—present my and Ann G's best regards to her, & believe me sincerely yours

1. RC, King Papers, NHi. The letter was addressed to King in New York City.

2. For Samuel Adams's election to the state Convention from Boston, see IV below, Boston section.

3. See Gore to Thatcher, 23 December (immediately above).

4. For the Cambridge election, see IV below.

5. See James Sullivan to King, 23 and 28 September (RCS:Mass., 16-17, 21-22).

Poplicola

Boston Gazette, 24 December

In the debate over the ratification of the Constitution in Massachusetts, essayists cited political and legal writers, poets, playwrights, and novelists. One of the more often cited sources was the poet Alexander Pope. Among the favorite lines taken from Pope was the following couplet from *An Essay on Man* (1733; London, 1758), Epistle III, lines 301-2:

For forms of government let fools contest,
Whate'er is best administred, is best.

The essence of this couplet appeared at the end of a controversial speech delivered in the Pennsylvania Convention on 28 November by Federalist

Thomas McKean, a signer of the Declaration of Independence and the chief justice of the Pennsylvania Supreme Court.

An essay by Antifederalist "Poplicola" published simultaneously in the *Boston Gazette* and the *American Herald* on 24 December criticized McKean's speech as reported in the *Pennsylvania Herald* on 1 December. The *Pennsylvania Herald's* complete report reads: "On Wednesday Mr. M'Kean closed a long speech on the legislative article of the new constitution, with this striking observation. 'Though a good system of government is certainly a blessing, yet it is on the *administration* of the best system, that the freedom, wealth, and happiness of the people depend. DESPOTISM, if wisely administered, is *the best form of government invented by the ingenuity of man*; and we find that the people under absolute and limited monarchies, under aristocracies and mixed governments, are as contented, and as prosperous as we are, owing, undoubtedly, to the wisdom and virtue of their rulers. In short, the best government may be so conducted, as to produce misery and disgrace, and the worst so administered, as to ensure dignity and happiness to a nation' " (RCS:Pa., 422). The *Pennsylvania Herald's* report was reprinted in Massachusetts in the *Independent Chronicle*, 13 December; *Boston Gazette*, 17 December; *Salem Mercury*, 18 December; and *Hampshire Chronicle*, 18 December. (For other versions of McKean's speech, see RCS:Pa., 411-21.) "Poplicola" was reprinted in the *New York Journal* on 30 January 1788.

For other comments on McKean's remarks, see "Dependent Chronicle," *American Herald*, 7 January 1788, at note 2; "The Republican Federalist" IV, *Massachusetts Centinel*, 12 January, at note 8; and "The Republican Federalist" V, *Massachusetts Centinel*, 19 January, at note 2.

Messieurs EDES, Mr. McKean, says a Philadelphia paper, closed a long speech on the legislative article of the new Constitution with this striking observation: "Though a good system of government is certainly a blessing, yet it is on the *administration* of the best system, that the freedom, wealth and happiness of the people depend." There is nothing, I confess, so striking to my mind in this observation—A good system of government may be, and too often is, administered by weak and corrupt men; and while this is the case, the people will suffer injury. The fault then will be not in the system, but in the administration; though many persons, when they see public affairs badly managed, are apt to ascribe it to the wrong cause; and hence they wish to change the very nature of a good Constitution; and very frequently change for the worse. The *Federalists*, as they call themselves (improperly in my humble opinion) seem to be aware that the plan offered by the late Convention will not endure a strict scrutiny; they wish, however, that the people would adopt it in its present form, and depend on a wise administration. But do they think the people of America, after so magnanimous and arduous a conflict for the rights of mankind, will be so *improvident* as to adopt a form which they may not think safe for themselves, and their posterity, because Mr. McKean thinks, as we find in another part of his speech, that even the worst government *may* be so administered

as to ensure the dignity and happiness of a nation? I presume they will not—Let us aim at a *Federal* Constitution, calculated to establish the *Federal* Union of these sovereign States, and secure the liberties of the people; and having fixed upon *such* a Constitution, we shall even then have enough to do, if we turn our utmost attention to the means of having it administered well. This would be acting up to the character of citizens of a free sovereign and independent State.

But there is one observation made by that honorable gentleman, in the same speech, which, to me, appears *striking* indeed, “DESPOTISM, (says he) if wisely administered, *is the best form of government ever invented by the ingenuity of man!*[”] I cannot but wonder that such a sentiment should fall from the lips of Mr. McKean, who is undoubtedly a man of sense and knowledge—In the course of his studies in the law, and from his other reading, I should have thought he would have been led to a different conclusion.—Is *Despotism* then the offspring of human ingenuity? No. In societies of men, it springs from an intolerably haughty, and imperious temper—an insatiable lust of domination; and from servility and ignorance in multitudes of the human race, who have been flattered and coaxed to give up their unalienable rights of nature, by degrees, till the tyrant has become strong enough to invade the whole, and immerse the deluded multitude in slavery and wretchedness. For my part, I do not believe there is a man on earth, to whom it would be safe for the people to intrust the powers of a despot, whose will must be their law—I would not trust him however mild and gracious his natural temper might be. *Nero*, was said to be blest with a kind and affectionate heart; but the powers of a despot intoxicated his mind—He soon became wild and unruly, as the most untameable beasts of the forest—Every tender feeling was eradicated from his soul, and he was the butcher of the *subjects* (not *citizens*) of Rome in a very few years.—Fatal experience has taught the world, that despotism has proved ruinous to the dignity and happiness of men—*Despots* have very rarely, if ever, had wisdom, integrity and other essential qualities, to “administer” their governments “wisely;” and they have as seldom had inclination to spend a thought about it. The Supreme Being, indeed, governs the Universe by the council of his own understanding; and if all his creatures are not happy under his government, it is owing to their imperfection, or their fault. He alone is perfectly wise, powerful, and good—He leaves it to the wisdom of men to institute governments for themselves, and it must be owned that the wisest human institutions are *imperfect*—But it is exceedingly clear, from the government which He prescribed for his favourite people, that *despotism* was not *His* choice—They foolishly changed their free government for a monarchy, though

they were faithfully warned of the intolerable burdens it would bring them under, which they afterwards felt to their cost without remedy¹—The pride and madness, not the *ingenuity* of man, *invented* DESPOTISM.

I wish Mr. McKean would again recur to the histories of Despotic Governments, and see how many of the tyrants have treated their people with savage and brutal barbarity, to one who govern'd with a tolerable degree of mildness and wisdom: Even under the best of them, their forlorn subjects hold their property, their liberties, and lives, on no better a tenure than their sovereign pleasure—I have seen and experienced so much of the depravity and weakness of the human mind, that I hope these States will never be prevailed upon to relinquish a greater share of their powers, to the Federal Union, than is sufficient to give the government a degree of energy, adequate to the emergencies of the Union; and that while they cheerfully do this, they will wisely guard those rights and powers which shall remain, and watch with *republican* jealousy against the least encroachment on them.

Mr. McKean, after speaking of the *Supreme* excellency of DESPOTISM, if wisely administered, mentions absolute and limited monarchies, aristocracies, and mixed governments, and says the people under each of them “are as *contented* and prosperous as we are, owing, undoubtedly to the wisdom and virtue of their rulers.” Absolute monarchies and hereditary aristocracies are much the same, so far as the people whom they govern, are affected. By gazing at the splendor of a monarch, or a nobility, and being well accustomed to military tyranny, they bow to the yoke and bear it as patiently as their brother-oxen—They drag their heavy loads without repining, and will be *contented*, though they are cruelly whipped for their pains. Whence is this abject submission? From their ignorance.—Slavery renders them incapable, even of thinking—The means of information are kept from them, and they have not the idea that men were designed to be free, and that some communities, alas! how few! actually are free. England is a limited monarchy, and a mixed government—The people of that nation must be allowed, to be very *contented*; for they have seen their nation governed by a junto—They have seen that junto purchasing parliaments to give a sanction to all their profligate measures—They have seen the junto raising and keeping a standing army in a time of profound peace: That army murdering peaceable and quiet subjects, and the murderers pardoned—And they have seen that junto employing an army and navy for the most dishonorable purpose of slave-making in America, and finally squandering away thirteen of their richest jewels! and after all they have scarcely breath'd a murmur.—God Almighty grant, that these United

States may never be ruled by a *junto*, or if they should be so unfortunate, may they not long rest *contented* under it!

1. For the institution of monarchy in Israel, see 1 Samuel 8–12. See especially 1 Samuel 11:15 for the anointing of Saul as king of the Israelites, and 1 Samuel 8:10–18 for the “intolerable burdens” that Samuel predicted monarchy would bring upon the Israelites.

Cassius VI

Massachusetts Gazette, 25 December¹

To the Inhabitants of this State.

(*Concluded from our last.*)

The 3d section, in article IV. also provides, that Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property of the United States; and nothing in this constitution shall be construed as a prejudice to the claims of the United States, or any particular state.—There is not, certainly, any thing contained in the aforementioned clause, which can be opposed on reasonable grounds. It is certainly necessary that Congress should have power to make all needful rules and regulations respecting the concerns of the Union; and if they exceed what is necessary, their regulations will be of no effect; for whatever is done by them, which the constitution does not warrant, is null and void, and can be no more binding on the inhabitants of America, than the edicts of the grand signior of Turkey. You will remember, my countrymen, that the words of the constitution are, “ALL POWERS HEREIN GRANTED.”

Section 4, of article IV. says, The United States shall guarantee to every state in the Union a REPUBLICAN FORM OF GOVERNMENT: and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestick violence.—At the perusal of this clause, anti-federalism must blush, and opposition hide its head. Could any thing have more openly, or more plainly evinced to the world, the noble motives which influenced the conduct of the delegates of America, than the clause aforementioned? it provides, that a republican form of government shall be guaranteed to each state in the Union. The inhabitants of America are surely acquainted with the principles of republicanism, and will certainly demand the establishment of them, in their fullest extent. The section just mentioned, secures to us the full enjoyment of every thing which freemen hold dear, and provides for protecting us against every thing which they can dread. This article, my countrymen, is sufficient to convince you of the excellency of that constitution which the federal convention have formed; a constitution

founded on the broad basis of liberty, and, should the citizens of America happily concur in adopting it, its pillars may be as fixed as the foundations of created nature.

Say, ye mighty cavillers, ye inconsistent opposers of the new plan of government, of what avail, to the thinking part of the community, do you suppose will be all your clamours about a bill of rights? Does not the abovementioned section provide for the establishment of a free government in all the states? and if that freedom is encroached upon, will not the constitution be violated? It certainly will; and its violaters be hurled from the seat of power, and arraigned before a tribunal where impartial justice will no doubt preside, to answer for their high-handed crime.

Article V. of the new constitution, says, That Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this constitution; or on the application of the legislatures of two thirds of the states, shall call a convention for proposed amendments, which in either case shall be valid to all intents and purposes, as part of the constitution, when ratified by the legislatures of three fourths of the states, or by conventions in three fourths thereof; as one or the other modes of ratification may be proposed by Congress; provided that no amendments which may be made prior to the year one thousand eight hundred and eight, shall in any manner affect the first and fourth clauses in the ninth section of the first article, and that no state, without its consent, shall be deprived of its equal suffrage in the senate.—On what grounds can the opposers to the new plan found their assertions that Congress will have it in their power to make what laws they please, and what alterations they think proper in the constitution, after the people have adopted it? The constitution expressly says, that any alteration in the constitution must be ratified by three fourths of the states. The 5th article also provides, that the states may propose any alterations which they see fit, and that Congress shall take measures for having them carried into effect. If this article does not clearly demonstrate that all power is in the hands of the people, then the language by which we convey our ideas, is shockingly inadequate to its intended purposes, and as little to be understood by us, as Hebrew to the most illiterate.

The 6th section provides, that this constitution, and the laws which shall be made in pursuance thereof, and all treaties made, or which shall be made, in pursuance thereof, under the authority of the United States, shall be the supreme law of the land, and the judges in every state shall be bound thereby, any thing in the constitution or laws of

any state to the contrary notwithstanding.—This is the article, my countrymen, which knaves and blockheads have so often dressed up in false colours, and requested your attention to their construction of it. Adopt not a constitution, say they, which stipulates that the laws of Congress shall be the supreme law of the land—or, in other words, they request of you not to obey laws of your own making. This is the article which they say is so arbitrary and tyrannical, that unless you have a bill of rights to secure you, you are ruined forever. But in the name of common sense I would ask, of what use would be a bill of rights, in the present case?—It can only be to resort to when it is supposed that Congress have infringed the unalienable rights of the people:—but would it not be much easier to resort to the federal constitution, to see if *therein* power is given to Congress to make the law in question. If such power *is not* given, the *law* is in fact a *nullity*, and the people will not be bound thereby. For let it be remembered, that *such laws*, and *such only*, as are *founded on this constitution*, are to be the supreme law of the land;—and it would be absurd indeed, if the laws which are granted in the constitution were not to be, without reserve, the supreme law of the land. To give Congress power to make laws *for the Union*, and then to say they should not have force throughout the Union, would be glaringly inconsistent:—Such an inconsistency, however, has hitherto been the evil which the whole continent have complained of and which the new constitution is designed to remedy.—Let us reverse the proposition, and see how it will then stand.—This constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made under their authority, shall *not* be the supreme law of the land—and the judges in the several states shall *not* be bound thereby.—This is exactly what the anti-federalists wish to be the case; this, and in this alone would they glory—But, fellow citizens, *you* will discern the excellency of the aforementioned clause; *you* will perceive that it is calculated, wisely calculated, to support the dignity of this mighty empire; to restore publick and private credit, and national confidence.

Article IV. further provides, That the senators and representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States, and of the several states, shall be bound, by oath or affirmation to support this constitution:—but no religious test shall ever be required as a qualification to any office or publick trust under the United States.—Thus, my fellow citizens, we see that our rulers are to be bound by the most sacred ties, to support our rights and liberties, to secure to us the full

enjoyment of every privilege which we can wish for; they are bound by the constitution to guarantee to us a republican form of government in its fullest extent; and what is there more that we can wish for?

Thus the people of the United States, "in order to form a more perfect Union, establish justice, insure domestick tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity," have appointed a federal convention to "ordain and establish," with the concurrence of the people, a constitution for the United States of America. That federal convention have assembled together, and after a full investigation of the different concerns of the Union, have proposed a form of government, calculated, to support, and transmit, inviolate, to the latest posterity, all the blessings of civil and religious liberty.

Citizens of Massachusetts! consider, O, consider well these important matters, and weigh them deliberately in the scale of reason! Consider at what a vast expense of toil, difficulty, treasure and blood, you have emancipated yourselves from the yoke of bondage, and established yourselves an independent people! Consider that those immortal characters, who first planned the event of the revolution, and with arms in their hands stepped forth in the glorious cause of human nature, have now devised a plan for supporting your freedom, and increasing your strength, your power and happiness.

Will you, then, O my countrymen! listen to the mad dictates of men, who are aiming, by every artifice and falshood, which the emissaries of hell can invent, to effect your total destruction and overthrow? who wish to ascend the chariot of anarchy, and ride triumphant over your smoking ruins, which they hope to effect, by their more than hellish arts: in your misery they hope to glory, and establish their own greatness "on their country's ruin." If they can effect this, they will laugh at your calamity; and mock your misfortunes—the language of each brother in iniquity, when they meet, will be, "hail damn'd associates," see our high success!

Think, O my countrymen! think, before it is too late!—The important moment approaches, when these states must, by the most wise of all conduct, forever establish their glory and happiness, on the firmest basis, by adopting the constitution, or by the most foolish and inconsistent of all conduct, in rejecting it, entail on themselves and on their posterity, endless infamy.

*"There is a tide in the affairs of men,
Which, taken at the flood, leads on to fortune;
Omitted, all the voyage of their life
Is bound in shallows."*²—

If you embrace not the golden moment now before you, & refuse to receive that which only can establish the dignity of your towering EAGLE, this, and generations yet unborn, will curse, with a *maran-atha*,³ your dying fame, and breathe, with imprecations and just indignation, vengeance and insults on your sleeping ashes!—But should you, on the contrary, with energy and vigour, push your fortune, and, with eagerness and gratitude, clasp to your arms this great blessing which Heaven has POINTED to your view, posterity, made happy by your wisdom and exertions, will honour and revere your memories. Secure in their prosperity, they will weep for joy, that Heaven had given them—FATHERS!

1. This is the fourth and last part of "Cassius" VI, the first three parts having been printed in the *Gazette* on 14 December (RCS:Mass., 423–26) and on 18 and 21 December.

2. William Shakespeare, *Julius Caesar*, Act IV, scene 3, lines 217–20.

3. A terrible curse.

Agrippa VIII

Massachusetts Gazette, 25 December¹

To the PEOPLE.

It has been proved, by indisputable evidence, that power is not the grand principle of union among the parts of a very extensive empire; and that when this principle is pushed beyond the degree necessary for rendering justice between man and man, it debases the character of individuals, and renders them less secure in their persons and property. Civil liberty consists in the consciousness of that security, and is best guarded by political liberty, which is the share that every citizen has in the government. Accordingly all our accounts agree, that in those empires which are commonly called despotick, and which comprehend by far the greatest part of the world, the government is most fluctuating, and property least secure. In those countries insults are borne by the sovereign, which, if offered to one of our governours, would fill us with horreur, and we should think the government dissolving.

The common conclusion from this reasoning is an exceedingly unfair one, that we must then separate, and form distinct confederacies. This would be true, if there was no principle to substitute in the room of power. Fortunately there is one. This is commerce. All the states have local advantages, and in a considerable degree separate interests. They are, therefore, in a situation to supply each other's wants. Carolina, for instance, is inhabited by planters, while the Massachusetts is more engaged in commerce and manufactures. Congress has the power of deciding their differences. The most friendly intercourse may therefore

be established between them. A diversity of produce, wants and interests, produces commerce, and commerce, where there is a common, equal and moderate authority to preside, produces friendship. The same principles apply to the connection with the new settlers in the west. Many supplies they want, for which they must look to the older settlements, and the greatness of their crops enables them to make payments. Here then we have a bond of union which applies to all parts of the empire, and would continue to operate if the empire comprehended all America.²

We are now, in the strictest sense of the terms, a federal republic. Each part has within its own limits the sovereignty over its citizens, while some of the general concerns are committed to Congress. The complaints of the deficiency of the Congressional powers are confined to two articles. They are not able to raise a revenue by taxation, and they have not a complete regulation of the intercourse between us and foreigners. For each of these complaints there is some foundation, but not enough to justify the clamour which has been raised. Congress, it is true, owes a debt which ought to be paid. A considerable part of it has been paid. Our share of what remains would annually amount to about sixty or seventy thousand pounds. If, therefore, Congress were put in possession of such branches of the impost as would raise this sum in our state, we should fairly be considered as having done our part towards their debt; and our remaining resources, whether arising from impost, excise, or dry tax, might be applied to the reduction of our own debt. The principal of this last amounts to about thirteen hundred thousand pounds, and the interest to between seventy or eighty thousand. This is, surely, too much property to be sacrificed; and it is as reasonable that it should be paid as the continental debt. But if the new system should be adopted, the whole impost, with an unlimited claim to excise and dry tax, will be given to Congress. There will remain no adequate fund for the state debt, and the state will still be subject to be sued on their notes.—This is, then, an article which ought to be limited. We can, without difficulty, pay as much annually as shall clear the interest of our state debt, and our share of the interest on the continental one. But if we surrender the impost, we shall still, by this new constitution, be held to pay our full proportion of the remaining debt, as if nothing had been done. The impost will not be considered as being paid by this state, but by the continent. The federalists, indeed, tell us, that the state debts will all be incorporated with the continental debt, and all paid out of one fund. In this, as in all other instances, they endeavour to support their scheme of consolidation by delusion. Not one word is said in the book³ in favour of such a scheme, and there

is no reason to think it true. Assurances of that sort are easily given, and as easily forgotten. There is an interest in forgetting what is false. No man can expect town debts to be united with that of the state; and there will be as little reason to expect, that the state and continental debts will be united together.

1. On 21 December the *Gazette* announced: "Agrippa came too late for insertion in to day's paper, but shall have a place in our next."

2. For a commentary on this statement, see *Massachusetts Centinel*, 26 December, at note 2.

3. The "book" refers to the Constitution. According to the *Oxford English Dictionary*, an obsolete definition of "book" is "a writing; a written charter or deed." For "Agrippa's" earlier use of the term "book," see "Agrippa" VI, *Massachusetts Gazette*, 14 December (RCS:Mass., 427).

Massachusetts Gazette, 25 December

The pitiful shifts to which the votaries of anti-federalism and anarchy are reduced, says a correspondent, plainly evince that opposition is at its last gasp. Having nearly exhausted their fund of falshoods, and worn thread-bare their mis-constructions of the articles of the new constitution, the opposers to the federal plan of government now turn to the resolve of the legislature, respecting the appointment of delegates to the federal convention, to see if every particular of the conventional proceedings, is *expressly* authorised in it. The resolve just spoken of, was inserted in the BOSTON GAZETTE, of yesterday,¹ no doubt at the request of a *leather-dressing* TOOL of a certain honourable gentleman,² whose popularity has long been on the decline, and whose opposition to the federal plan of government, unless he soon "turns from the error of his ways to the wisdom of the just," will consign him over to the shades of oblivion.

The members of the federal convention, continues our correspondent, no doubt considered themselves as the representatives of America, and fully authorised to conduct as they have done. After fully investigating the articles of the old confederation, and finding it impossible to render them adequate to the establishment of a proper government for the United States, they devised an entire new plan, and laid it before their constituents to adopt or reject, as they in their wisdom shall see fit.³

1. In the 17 December issue of the *Boston Gazette*, "B" had requested the publication of the March 1787 resolutions appointing Massachusetts delegates to the Constitutional Convention (RCS:Mass., 431). The *Boston Gazette* complied on the 24th. For the resolutions, see RCS:Mass., 459.

2. Probably Samuel Adams. For a New Yorker's attack on an unidentified person who was perhaps Adams, see *Maryland Journal*, 28 September (CC:108, at note 2).

3. This paragraph was reprinted in the *Pennsylvania Mercury*, 8 January 1788, and Annapolis *Maryland Gazette*, 24 January.

Massachusetts Gazette, 25 December

*Extract of a letter from a gentleman in Salem to his friend in this town,
December 23.*

“Notwithstanding you frequently asserted it to me, as your opinion, that B— A—, jun.¹ esquire, the *supposed* author of the pieces signed HONESTUS, was, in that matter and many others, the tool of the hon. S— A—s,² I never could bring myself till lately to think so; but the laboured absurdities of CANDIDUS³ have convinced me that you are not mistaken in your opinion. I have been informed that mr. A—s is an enemy to the new plan of government, and that HONESTUS is the oracle of his anti-federalism. I have this from such a quarter, that I think there is little room for a doubt concerning the truth of it. If you have any good reasons to suppose that I have been misinformed with regard to the above, you will please to let me know in your next.”

1. Benjamin Austin, Jr.

2. Samuel Adams.

3. Essays by “Candidus” were printed in the *Independent Chronicle* on 6 December (RCS:Mass., 392–99), 20 December, and 3 January 1788. It was alleged that Benjamin Austin, Jr., was the author of these essays.

Salem Mercury, 25 December¹

Nine states have now determined to call Conventions to consider of the New Constitution—which, say its friends, (is tantamount to its final adoption and ratification—as, in these assemblies, such unanswerable arguments will be given, as must convince every member, disposed to hearken to truth, of the expediency of the measure, whatever may have been their former sentiments respecting it.)

1. The text in angle brackets (with a minor variation) was reprinted in the *Massachusetts Centinel* on 26 December as part of a brief item noting that ten states had called conventions. On 25 December, the *Mercury* also printed a short item attacking the warmth of party spirit in the Pennsylvania Convention (CC:Vol. 3, p. 558).

Candidus (Spurious)

Massachusetts Centinel, 26 December¹

*To the PRINTER of the CENTINEL.
A SUGARPLUMB.*

“—Telling of the Moldwarp, and the Ant,
Of dreamer *Mertin*, and his prophecies,

And of a Dragon, and a finless Fish,
 A clipt-wing'd Griffin, and a moulting Raven,
 A couching Lion, and a ramping Cat,
 And such a deal of skimble-skamble stuff,
 As puts me from my faith."

SHAKESP. Henry 4.²

As the malice of a certain "order and a small party" has been once more AT^(a) work to blacken my reputation, and destroy the influence I have acquired over the people, shall be much obliged, if through the channel of your paper, can lay before the publick, a few words in own justification.—I would first observe, that if my advice had been taken, AND my measures pursued,^(b) every embarrassment we now experience would have subsided—our land would have flowed, like Canaan, with milk and honey, and publick confidence which has long been wanting among us, would have been restored;—the destroyers of THE fatherless, and the widow would have no longer been harboured in the bosom of our dear country, or these States, for whose sake I would willingly sacrifice every thing valuable; and even my life; but patriotick principles, being too republican to suit certain tastes, have been run down; the glorious reformation I had designed has been nipped IN the bud, and I have been meanly and basely attacked from a quarter where I thought myself safe:—But it is my consolation that the wisdom and prudence which have ever been the characteristicks of Americans, will not be always imposed on, BY the artifices of a "small party," and a cruel and relentless "order": But I would not be understood by this to condemn the whole body of lawyers, for there are many good men among them, for whom I have the greatest respect: Indeed there are bad men IN all orders and communities; but the good people of these States may easily distinguish those among us by their desperate circumstances, their gloomy, dark and hanging looks, and by the low miscreants they associate with and employ, who are the executioners of the vilest schemes that necessity aided by vil[]ainy can plan. However I do not mean TO transgress my usual phlegm and moderation, or enter into another war with this set of hornets; my only view now is to offer the out-lines of an answer to some vile reports, which have been spread far and wide, to the present as well AS future injury of all such as may take upon them the distinguished character of patriots, in which order my dear, honest, wise, sweet countrymen have thought fit to place me.

It has been industriously propagated that I am an enemy to the new constitution; but HOW this should be known I am at a loss to guess; for I solemnly declare that I have never said it: But these are trying times for sage politicians and patriots: I have only said that these States

are certainly in a most flourishing AND blessed condition; and if the people in the poor towns could be prevailed on to live without money, or avoid laying it out to buy necessaries for their wives and families, retrench their expenses, and *become* industrious, prudent AND economical, encourage our own manufactures, and abolish the law, we should not stand in need of THE new constitution or indeed of any constitution AT all; the constitution to be sure has many excellencies in it; but I trust it will be amended by our convention, according to my *out lines* of a plan which must suit all these states better THAN any thing that the wisdom of the Continent could invent, and this I positively declare: But as union and harmony, and brotherly love and charity, and forbearing and forgiving one another, is what must be encouraged in order to save us from anarchy and aristocracy, every true patriot and sage politician ought to make that his study, and not irritate one another in publick news-papers or IN the law.

Another evil and malicious report contrived to injure me by my secret and malicious enemies, and a small party, is, that having received a large sum of money belonging to some gentlemen in England, the proceeds of a vessel and cargo that were-CAST away, I refused payment under one pretence and another, and let out all the money at the extravagant usury of *four per cent.* a month; and that while I was IN this gainful traffick, I clamoured loud against British agents, *and* did all I could to raise a flame in order to consume the courts of justice, and the whole body of lawyers, for fear of being called to an account; that I have been sued into the county of Worcester *for* usury, and that I have offered one person from whom I have received *four per cent.* a month, *ninety pounds* to say no more about it; that I have deceived and imposed upon the tradesmen and mechanicks OF this town in numberless instances, to answer my own political purposes, and that this my conduct has BUT lately come to light. Now I would answer to these vile charges, that IF I did take *four per cent.* a month for the loan of money, of the distressed, it is not so much by *one per cent.* as others took at that time; and is by no means equal to the extravagant fees and demands of a certain order: Besides I think that a sage politician, like a saint, ought not to be accountable TO any human courts, and for the same reason—it may hinder his usefulness: But I solemnly declare upon the word of a sage politician, and a patriot, that I never did let out all this money at that extravagant rate; for above all things my countrymen, I detest an extortioner and usurer; that I never *did* offer any person ninety pounds to keep any business OF that sort a secret, and that I have not been yet sued into the county of Worcester.

Whether I shall be believed, or whether the malicious cavils and evasions of the order, shall be again employed to torture my expressions and bespatter my reputation, is soon to be determined; but if I have done any thing to forfeit the good opinion of my dear, sweet countrymen, by lending on usury, or grinding the face of the poor, or by opposing their true interests respecting the constitution, I hope they will pray for me that I may be forgiven; for as I have but a short part to act in this transitory scene, I would willingly die in peace; and may the Lord have mercy upon us all, protect my precise, and well digested outlines of a plan, and guide and direct us to adopt such measures as will promote the lasting happiness of these States.^(c)

(To be continued if necessary)

(a) Note, we print in *Capitals* as *Candidus* has under scored.

(b) We suppose *Candidus* means his crude ideas in favour of a partial navigation-act, some years ago, under the signature of *Brutus*; his skimble skamble stuff about abolishing the law, under the signature of *Honestus*; and his trite observations last year about the *Insurgents*, under the signature of a Citizen, in which piece he calls himself a sage politician.³ MART. SCRIB.⁴

(c) See my last in the *Independent Chronicle*.⁵

1. The real "Candidus" had published essays attacking the Constitution in the *Independent Chronicle* on 6 December (RCS:Mass., 392-99) and 20 December.

2. William Shakespeare, *King Henry the Fourth*, Part One, Act III, scene 1, lines 149-55.

3. For his "Honestus" essays, see RCS:Mass., 392n.

4. A reference to "Martinus Scriblerus," a fictitious character created by members of the Scriblerus Club, including John Arbuthnot, John Gay, Robert Hartley (Earl of Oxford), Thomas Parnell, Alexander Pope, and Jonathan Swift. The purpose of the club was to ridicule the abuse of learning. Several essays signed "Martinus Scriblerus" were published, beginning in 1714 and culminating in 1741 in the publication of Alexander Pope's *Works* as the *Memoirs of the Extraordinary Life, Works, and Discoveries of Martinus Scriblerus*. Arbuthnot, however, was the principal author of the *Memoirs*.

5. See *Independent Chronicle*, 20 December.

Thomas a Kempis

Massachusetts Centinel, 26 December¹

MR. RUSSELL, The attacks upon Dr. FRANKLIN,² the Hon. Mr. SEDGWICK,³ and other federal men, in a number of late papers, are base, false and malicious to the highest degree—the whole tenour of their conduct proves this.—May the enemies to the proposed constitution continue to support their cause by such lies and misrepresentations—

they defeat the purposes of their authors.—One detected falshood invalidates the authenticity of ten truths. Our good friend Trumbull thus describes the effect of the writings of such partizans—

“As some foul musquets so contrive it,
As oft to miss the mark they drive at,
And though well aim’d at duck or plover,
Bear wide and kick the owner over.”⁴

Yours, in haste,

THOMAS A KEMPIS.

A CARD.

THOMAS A KEMPIS presents compliments to those antifederal gentlemen who appear so anxious to investigate, whether the Convention, in RECOMMENDING—mind ye—recommending the Federal Constitution, acted according to the letter of the Commission to the Delegates of Massachusetts⁵—and begs leave to ask, admitting that it did not act agreeably thereto, whether the Convention could not, quite as properly, *recommend a new* Constitution, for the adoption of the people, as the worthy gentlemen can, who are continually recommending their *new Constitutions* to the publick in the news papers.—And, if so, whether the People are not the best judges which to adopt.

1. Commenting on this item, “Q” wrote in the *American Herald* on 31 December that the coupling of Benjamin Franklin and Theodore Sedgwick, “brother Sufferers, under the ‘base’ attacks of the Anti-Constitutionalists, puts one in mind of the old fable—‘SEE HOW WE SWIM, BROTHER’ ” (Mfm:Mass.).

2. For comments on Franklin, see “Z,” *Independent Chronicle*, 6 December; *Cumberland Gazette*, 6 December; two unsigned items in the *Massachusetts Gazette*, 14 and 18 December; and “Clito,” *Massachusetts Gazette*, 18 December (RCS:Mass., 373–78).

3. The recent criticisms of Theodore Sedgwick were largely concerned with his alleged attempts to convince fellow Stockbridge townsman John Bacon, an Antifederalist, to support the Constitution. See IV below, Stockbridge section.

4. John Trumbull, *MFingal: A Modern Epic Poem, in Four Cantos*, Canto First, lines 95–98. The first canto was printed in Philadelphia in 1776 (although the title page reads 1775) and the completed work appeared in Hartford in 1782. (See Evans 14528, 17750–52.)

5. See RCS:Mass., 461.

Massachusetts Centinel, 26 December

The seven paragraphs printed here were published under a Boston dateline of 26 December, immediately below reports of ratification by Delaware, Pennsylvania, and New Jersey in that order (see Editors’ Note, immediately below). The paragraphs were set off from the preceding and following texts by typographical rods.

The State of Delaware being the first to adopt, ratify and confirm the American Constitution, augurs well, says our correspondent *Sancho*. It is a good maxim which inculcates the practice of "*entering at the little end of the barn.*"—As at every step we take our circle is increased, and our basis progressively growing broader and broader.

Ten States have called Conventions—South-Carolina we have not heard from—New-York as yet could not, and Rhode-Island—*shame come upon her rulers for it*—will not. The call of Conventions (is tantamount to the final adoption of the Constitution—as, in these assemblies, such unanswerable arguments will be given, as must convince every member, disposed to hearken to truth, of the expediency of the measure, whatever may have been their former sentiments respecting it.)¹

It has often been predicated of the antifederal writers that their objections are not ultimately levelled against the proposed Constitution, but are designed to frustrate every attempt to form an efficient federal system. AGRIPPA, for instance, in his last publication says, that "Commerce is the only band of union,—That Congress has the power of deciding the differences of the States—that the above bond of union applies to all parts of the States," &c. &c.²—plainly implying (what all our senses contradict) that the *existing* confederation is adequate to all the purposes of the union, and to our enjoying the hard-earned purchase of Independence.

When the Constitution of this Commonwealth was under the consideration of the several towns, many of them objected to the powers therein delegated to the Legislature—contending, that in order to obtain the *real majority* of the people, it was necessary that every law, previous to its being enacted, should be submitted to the judgment of every town and district in the State. Similar to the above sentiment are those of the opposers of the proposed Constitution—and we have found by woeful experience, that those mischiefs which would have resulted to the *Commonwealth* upon the above system, have been realized by the *American States* from the *unqualified* sovereignty of the individual governments.³

The proposal of CANDIDUS in the last Chronicle,⁴ for a "TREATY of *Amity and Commerce*" between the United States, comprizes nothing short of a complete dissolution of every principle of confederation—It localizes the several State Governments, as completely as if they were 3000 miles asunder—and in its *nature* is creative of those jarring and

discordant interests, which have ever proved paramount to, and destructive of, every description of TREATIES that have existed among the different nations of the earth.

—And really—says a correspondent—the antifederal writers are determined that by some means or other, praise *shall* be bestowed upon their productions.—The *Philadelphians*, the *Cincinnatuses*, the *Old Whigs*, &c. of Philadelphia, are continually extolling their brethren the Brutuses, the Catos, &c. of New-York—who in their turn, discharge the obligation by eulogiums on the Pennsylvanians.—This, continues our correspondent, is *one* way of getting praise: But will not the readers of these publications, readily advert to the line of *Boileau*:

*Un sot trouve toujours un plus sot qui l'admire.*⁵

The grand question at present is, what shall be the quantity of power to be delegated in order to establish our national government upon a basis, permanent and stable?—It is agreed on all hands that a *certain proportion must be relinquished*: Then, if the wisest of politicians disagree in the premises, how can it be a matter of surprize that private citizens make it a matter of question:—From thence originate the opposite opinions we see published from time to time: We conceive them however to be temporary evils, which in the end will terminate in our political salvation.⁶

1. This paragraph was reprinted in the *New Hampshire Gazette*, 2 January 1788. The first sentence only was reprinted in the January 1788 issue of the *Philadelphia American Museum*. The text in angle brackets (with a minor variation) first appeared in the *Salem Mercury*, 25 December.

2. See "Agrippa" VIII, *Massachusetts Gazette*, 25 December, at note 2.

3. This paragraph was reprinted in the *Salem Mercury*, 1 January 1788.

4. See "Candidus" II, *Independent Chronicle*, 20 December.

5. Nicolas Boileau-Despréaux (1636–1711), *L'Art Poétique*, Canto I, line 232 (last line). "A fool always finds a greater fool to admire him." *L'Art Poétique* was first published in 1674.

6. This paragraph was reprinted in the *Providence United States Chronicle*, 3 January 1788.

Editors' Note

The Raising of the First Three Pillars to the Federal Superstructure Massachusetts Centinel, 26 December

On 26 December the *Massachusetts Centinel* printed three separate reports that Delaware, Pennsylvania, and New Jersey had ratified the Constitution. The report on Delaware was headed "*The FIRST PILLAR of a great FEDERAL SUPERSTRUCTURE raised,*" that on Pennsylvania

"*SECOND PILLAR raised*," and that on New Jersey "*THIRD PILLAR raised*" (Mfm:Mass.). With these headings, Benjamin Russell, the *Centinel's* printer, began the popularization of perhaps the most widely used metaphor for describing the ratification process.

Russell possibly based his metaphor on newspaper items appearing in other Boston newspapers. "Union," *Boston Gazette*, 12 November—remembering that unity among the states had saved America during the American Revolution—pleaded with Federalists to "strip off the Mask from the unprincipled Enemies to all Government, and to this Constitution in particular—let the Motives of Antifederalists be thoroughly investigated" and be exposed "with Temper and Moderation, but with Firmness.—Upon the Basis of *Truth and Right Reason* let us Erect the Pillars of UNION" (RCS:Mass., 220–21). An item published in the *Massachusetts Gazette*, 7 December, compared "the *disunited* states of America" to "thirteen distinct, separate, independent, *unsupported* columns." The structure of the federal republic would be completed when the Constitution, "the heaven-descended *DOME*," was added both "*supporting* and *supported* by" the columns (RCS:Mass., 400).

Russell reminded his readers on 29 December that "Three Pillars of the great Dome of Federal Empire, are reared—and as the Convention of Georgia has been in session—and that of Connecticut will set next week—we hope soon to have it in our power to felicitate our readers on the better half of the pile being completed." On 9 January, the day that the Massachusetts Convention convened, Russell hoped that God would inspire the Convention to follow the "*wisdom, disinterestedness and patriotism*" of the three states, "who have already erected Three Pillars of the glorious Fabrick of the Federal Republic."

Antifederalists quickly responded to Russell's metaphor. On 29 December "The Republican Federalist" I (possibly James Warren), writing for the *Massachusetts Centinel*, declared that "In investigating the subject of the proposed constitution, let us first inquire, upon what *ground* it stands: Because if it has no *foundation*, the superstructure must *fall*." "Helvidius Priscus" II, writing for the *Independent Chronicle* on 10 January, averred that "The three pillars lately erected at the southward, are like the hanging towers of Pisa, to be prop[p]ed up and cemented by the blood of posterity, if ever they stand at all; for the present generation have too strong a sense of the rights of nature, of the sufferings experienced for their re-establishment, to set down passively under a tottering pile, erected on pillars of porcelain—and if half a dozen others should yet be added to the guilded dome, it will still be astonishingly defective; as the artificers have hurried it through for their own present accommodation, without one solid heart of oak to support an edifice,

whose wings extend to embrace the territory from the Mississippi, to the chain of lakes, and from the inland seas to the eastern shore."

On 15 January 1788 the *Massachusetts Gazette* also adopted Russell's metaphor and announced the ratifications by Connecticut and Georgia, the fourth and fifth pillars. The *Gazette* said that Massachusetts would be the sixth pillar, if it ratified. Russell returned to his metaphor on 16 January, when, for the first time, the *Massachusetts Centinel* printed an illustration under the heading "*THE FEDERAL PILLARS.*" It showed five erected pillars, with a sixth labeled "MASS." in the process of being raised by two hands emerging from a cloud. (In the *Boston Gazette*, 12 November, "Union" had said: "We have penetrated through the Clouds that enveloped our Prospect.") Russell, however, now described the Constitution as "that GRAND REPUBLICAN SUPERSTRUCTURE," a term he borrowed from the *Massachusetts Gazette* of 15 January. Below the illustration, Russell reprinted the *Gazette's* reports with variations. Both the *Gazette* and the *Centinel* referred to Connecticut and Georgia as the fourth and fifth pillars, respectively. The illustration, however, correctly labeled Georgia as the fourth pillar and Connecticut as the fifth.

Russell updated his cartoon as each additional state ratified the Constitution, ending with North Carolina's ratification (the twelfth state). A handful of newspaper publishers throughout America printed variations on his illustration, while many more used the pillars metaphor in their written reports. For the illustration that the *Massachusetts Centinel* printed when New Hampshire became the ninth state to ratify (thus satisfying the requirement for the adoption of the Constitution as provided by Article VII), see CC:Vol. 6, pp. 381-83.

Nathan Dane to Henry Knox

Beverly, 27 December, and Boston, 30 December¹

Your friendly letter of the 21st. Ulto. I received Several days ago I have been waiting the event of our Elections here of Delegates for the Convention, which have run more in favour of the Constitution than many expected—I am not particularly acquainted with the Sentiments of the members chosen, relative to the merits or demerits of the System—but many very respectable characters are chosen and men whose Sentiments in General are in favor of good Government—ten days ago the friends of the Constitution thought there was no chance of its adoption—but, I believe, the better opinion now is that there is nearly an equal chance in its favor—the State appears to me to divide on the question nearly as it has in all political questions for several years past—

thinking men seem, in general, to be impressed with an idea of the necessity of adopting it or at least something like it—it will have substantial friends here, but not, I believe, a great many very zealous admirers—I doubt whether it has monarchy enough in it for some of our Massachusetts men or democracy enough for others there will be from three to four hundred men in the Convention—a body numerous enough for so intricate a subject—

we hear nothing satisfactory of European affairs I want to know exceedingly what G. Britain intends to do—I cannot wish our good friends the Dutch to destroy each other—but after so much bustle I think some of the neighbouring powers must find it difficult to settle all their matters of dispute without blows—Should there be a war in Europe, and we take no part in it but attend to the establishment of commerce, regular branches of Business and firm and stable Government among ourselves we shall, in a few years, be in a happy Situation

I hope in a few months we shall know what will be the [success?] of our attempts to establish Government—we are in that kind of suspense now which is injurious to all private pursuits—

I expect to see you in New York as soon as Congress shall get assembled for business which I am informed will probably be sometime in January²—

Boston Decr. 30—since I arrived here yesterday I find the elections in the province of Main and in the three Western Counties³ have not been so much in favor of the Constitution as was supposed—

Give my respects to Mrs. Knox—

1. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York. The postscript to this letter was dated 30 December from Boston.

2. Dane had attended Congress until 27 October 1787; he returned on 21 February 1788.

3. The three western counties were Berkshire, Hampshire, and Worcester.

Remarker

Independent Chronicle, 27 December¹

To the Citizens of Massachusetts.

FRIENDS and FELLOW-COUNTRYMEN!

When any nation is about to make a change in its political character, it highly behoves it to summon the experience of ages that have past, to collect the wisdom of the present day, and ascertain clearly those just principles of equal government, that are adapted to secure inviolably the lives, the liberties and the properties of the people. In such a situation are the United States at the present day. They are now called

to pronounce the *alpha* or the *omega* of their political existence, to lay a deep foundation for their national character, and to leave a legacy of happiness, or misery to their children's children. The Constitution recommended to the United States, is a subject of very general discussion, and while it involves in its fate, the interest of so extensive a country, every sentiment which can be offered upon it, deserves its proportion of the public attention. It is worth our while, before we make any observations on the Constitution, as it stands recommended, to recur to the motives which gave rise to the calling of a Convention. Sad experience taught us the defects of the present articles of confederation. At the framing of these however, the bond of union among the States, which arose from a community of danger, in some measure superseded the necessity of wisdom. A common interest excited us to unite our exertions for the public good: At such a time a system of government conceived in perfect wisdom, and adopted with deliberation, was not expected, and as soon as those common principles which supplied its defects ceased to operate, the inconveniences which arose from them, were very sensibly felt. Since that time the seeds of civil dissention, have been gradually ripening, and political confusion hath pervaded the States. Commerce hath been declining, our credit suffering, and our respectability as a nation hath almost vanished. The deficiency of supreme power, was indeed glaring, and became the object of universal censure. In such a situation, it was thought proper to collect the patriotic wisdom of the States, for the purpose of framing a system of national government, that should effectually secure the peace and prosperity of these States.

This wisdom hath conceived one, and it is now offered to the several States, for their ratification. The time of pronouncing the voice of this State is approaching, and as a citizen of it, I feel myself bound to offer my opinion with the reasons on which it is founded, for their perusal. This State hath indeed of late experienced a great fermentation; but thanks to him who ordered it, it was not a presage of its dissolution—but only a temporary tumult derived from that natural jealousy of the people, which Montesquieu says is the very life and soul of republican States. On considering barely the integrity and abilities of the members of the late continental Convention, a presumption would arise that any Constitution framed by them, would be as free from imperfections as humanity would warrant us to expect: It is true indeed that in most cases, the scrutiny of the public eye, viewing any production in an infinite variety of lights, would more readily discover its defects; but when we consider that this Constitution is intended to unite the jarring interests of thirteen States, variously differing in their customs and privi-

leges, for the purpose of one efficient national government, we are anxious to delegate the extremity of our wisdom, to decide upon its merits: Laying it down then as a principle detached from the other excellencies of this government, that union is the principle object, and that therefore no objection from one State dictated by local partiality or interest, can lie against it; let us look a little into those objections, with which the public has been favoured. We shall first premise that there are certain classes and ranks of persons in every State, who are no doubt determined to oppose this Constitution, not because they think it a bad one, but because they know it to be one at all. These are demagogues in particular towns, whose popularity will probably be done away—persons holding certain places of emolument or honor, which may be discontinued, and those who became noticed by the public, barely by their excentric opposition to the wisest measures: Objections therefore from these sources, that are not founded in judgement and truth, are not much to be regarded. I believe however, that the futility of all objections can be easily exposed.

The first, and perhaps the most common, is that this Constitution does not contain a bill of rights. This is an objection which might be acknowledged to exist in full force upon the supposition that we have heretofore been slaves. It is a very common opinion, that this constitution hath for its object, the security of the rights and privileges of the people. I beg however to remark, that to secure the liberties of the people, was not the intended, or at least the immediate labour of Convention. Here was not the defect, neither our liberties were endangered, nor our privileges lessened: The people *have, do, and I hope will* ever possess them in perfection. National *defence, peace and credit*, were the grand points to be attended to, in this Constitution; and to these, the tenor of it inclines. The doctrine, that all which is not given, is reserved, is, notwithstanding all that hath been said of it, perfectly true. Men in full possession and enjoyment of all their natural rights, cannot lose them but in two ways, either from their own consent, or from tyranny. This Constitution, neither implies the former, nor creates an avenue to the latter. Therefore no cause can operate to this effect,—because the *people*, are always both able and ready, to resist the encroachments of Supreme Power.—Viewing the States as individuals, entering into social compact, for their mutual support and protection, some rights must doubtless be given up to the Governours of society. All that are delegated to Supreme Power, by this Constitution, are expressly declared. This amounts to a perfect limitation.—First, the whole are possessed,—some are given up, and the remaining are held valid and secure. *Hitherto* shalt thou go, and *no farther*.² A clear delegation of

power, implies in itself a limitation. We do not decree to Governours, the power of saying what rights the people shall possess; but on the contrary, the people grant them their power, and define and limit it by the very declaration. The people therefore, are in no danger of losing the rights which they now possess, because they have granted no power that can possibly reach to the deprivation of them. The enumeration of the rights of the people, besides being tedious, would be unnecessary and absurd. The omission therefore, of a *Bill of Rights*, was wisdom itself, because it implies clearly that the people who are at once the *source* and *object* of power, are already in full possession of all the rights and privileges of freemen. Let the people retain them forever.

Another objection that has been started among some persons, is, that the President is to continue in office four years; whereas he ought not to continue but one. In that time, the most accomplished politician, in so high an office, could not reduce his theory to practice. Let it be remembered, that in these things, each State hath its own opinion, which would undoub[t]edly be various. If therefore, union be the object, each is entitled to its proportion of respect. An average of the whole must be the ultimate resort. The State of Massachusetts, conceives the term of four years too long; and it is certain that Carolina thinks it too short: Both cannot be gratified,—each therefore, must yield its part, and a medium must be taken. It is sometimes said that the Legislative Body, should not be divided. This however is not the voice of wisdom. No public deliberative Assembly, is perfectly uninfluenced by secular interest; but all are in some degree subject to those temporary relapses from prudence, which passion occasions. Nature oftentimes draws her own picture, in opposition to the constraint of education. To guard against evils which might possibly spring from these sources, the Legislative must be divided into two distinct branches, that the coolness of the one shall always counteract the wisdom [i.e., warmth] of the other. It is an objection nearly akin to this, that the legislative and executive are not kept perfectly distinct, but that the latter has a negative upon the former. This is superficial. Legislation includes all the rights of rulers. The executive should always have a negative upon the legislative, for this simple reason, that the former hath its own limits, but the latter, independent of it, would have none at all. To make laws is an unlimited authority; but to execute them when made, is limited to their existence.

December 15, 1787.

1. The continuation of this article was printed in the *Chronicle* on 17 January 1788.

2. Job 38:11. Speaking to Job, God said: "Hitherto shalt thou come, but no further: and here shall thy proud waves be stayed?"

Atticus IV**Independent Chronicle, 27 December**

LETTER IV,

From a gentleman in the country, to his friend in town.

“But Heaven hath a hand in these events,
To whose high will we bound our calm contents.”

SHAKESPEARE.¹

Every State, of any considerable magnitude, contains three classes of men. Those who have small estates in land, and little money: those who have large estates in one, or both of these: and those who depend for their support, upon salaries, or wages given for personal service. The influence of the first mentioned class, tends to a mere democracy; that of the second evidently to aristocracy; and, of the last, a monarch is the natural defender, and patron. This latter class will always find, that great men will oppress them; men of small estates will pay them ill; but a monarch will defend them; for they are in turn the instruments of his power.—To make the citizens peaceable, the government of every country, of any considerable extent, should be mixed, and should consist of the combined influence of all these three classes of men.

It is certain that in a country like ours, mere democracy can never be the prevailing government. That class of people who favour it, have no regular system of action. Their force is exerted only by starts, and on sudden occasions. Their domestic concerns soon call them back to their ordinary employments.—They cannot become soldiers themselves, unless they leave their families to perish, and they have not money to hire others to fight for them. They cannot bring the rich down to their class, nor prevent the dependant sort from feeling the influence of money. They pay the learned professions ill, and particularly are apt to leave the clergy unsupported. So that the influence of learning and of religious instruction, is against them.—This class is very apt to lose its patrons. If they become eminent, they acquire riches, or power, and their ideas change.—If they are unfortunate, they sink into the dependant part of the community.—Were the people actually brought to an equality, you could not keep them so. An entire massacre of all the great men (were it possible) once in seven years, would not effect the purpose. So that in so large a territory as that of Massachusetts, whose inhabitants are so variously employed, and of such an active, ambitious and enterprising spirit, a pure democracy can never prevail.

There are also very great obstacles to the establishment of an aristocracy. We have no intailed estates, no hereditary offices.—Our aristocrats are all, such as nature, personal merit, present office, and not

standing laws have made. Offices and estates are continually changing from man to man. If the father of a family shall amass a large estate, it is soon divided thro' a numerous family, or dissipated by some pamper'd heir. There are only two supposeable cases, in which it is possible for an aristocracy to prevail. Either the people must sink into a state of stupidity and total inattention to public affairs, which I conceive party-spirit must forbid; or they must by insurrections give occasion to the rich and politic to raise an army, and maintain it. Otherwise an aristocracy cannot be established. If the laws under our present Constitution, were allowed to have their full effect, it would forever be impossible.

Considering then, the natural obstacles there are to the prevalence of either party: Is not the force of the executive and judicial departments, sufficient to hold the balance between them? Were our state not influenced by the policy of other states, I am certain it would be. Any number of spirited citizens, with law, money, discipline, and experience on their side, would be equal to three times their number without them. That Governour will scarcely be found, who will not dread, more than death, the infamy of having the state subverted when he is at the head. Nor will his dependence on the people for his office utterly enervate the power of that motive for defending the state. Thro' inexperience of a new government, some of the dependant part of the community lost their places in a late grand contest; but they will soon learn to range themselves under the banners of the executive power. You will find most of the learned professions disposed to give strength to the monarchical principle. And by a most natural connection, the kingdom and priesthood always go together.

Did we consider these principles of reasoning only, we should be ready to pronounce, that our constitution was a most happy one, and calculated for a long duration. But we are in a kind of ambiguous connection with twelve other republics; whose separate interests will often lead them to measures injurious to us. If we enact laws, seemingly wise and wholesome, to prevent unnecessary importations; to oblige our rivals in trade to deal with us on equal footing; to relieve the public wants and establish the state's credit, by duties and excises; the neighbouring states are sure to counteract us, and take advantage of our laws for their own emolument.—Then an artificial scarcity of money is created; lands depreciate, every kind of business is stagnated, and taxes which compared with estates are not heavy, yet are too severely felt in the collection. All public and private credit is lost. The people at large not seeing whence their evils arise, charge them on the government and laws. They clamor for tender-acts, paper-money, and all the engines

of fraud. Harpy speculators join the din of complaint. The democratic party are roused to arms, and proceed to open rebellion. But here they find themselves weak, being destitute of discipline, and resources for war. They are defeated. But on the field of election they have better success; turn out their former representatives, and executive officers, and choose new ones; and perhaps seem appeased for a while. They find out the weak side of government, and will keep it always in view at their annual elections, and prevent it from ever rising to strength and respectability.

Nor do I conceive that it is possible, without a government over the whole thirteen States, invested with powers to transact all their concerns, which are properly national, with Judicial Courts and all the apparatus of civil power, ever to remedy the contentions in particular States, between the great men and the adverse party. But we must be tossing from one wretched measure, and expedient to another; continually quarrelling, and making laws which discourage arts and industry, and discountenance honesty itself; till we, being sick of our boasted equal liberty, shall gladly embrace the offer of some hero, of plausible character, to give us a good government, and establish it by the sword.

The Americans are of quick understanding, lively and enterprising: They possess great means of information: They will not therefore be long in finding out that government which shall be a balance to their passions: Under that, and that only, will they rest: From this, I am almost confident that the government, proposed by the Federal Convention, will take place: They who think that it will bear to be much relaxed, or amended, may be honest; but they are short-sighted men. *Powers must be adequate to their end.* And let any man judge from facts that have already appeared, whether any linsey-woolsey, half formed expedients, will deliver us from the wretched perplexity of our affairs. If this does not take place, I am about as certain as I can be of any thing, short of fact and demonstration, that in less than ten years, perhaps in less than five, a bold push will be made to establish a monarchy. And it may succeed to the loss of thousands of lives, and of the liberties of the people. I rather think that a government; either the federal or one very like it, will take place: Or that the states will divide, and the northern establish a mixed government; and the southern a monarchy, *or else go to perdition.*

You seem to be anxious, my friend, lest we should lose all government: Never fear it, we shall have an efficient government, and that very soon: The great first-cause has constructed the universe, better than you imagine. He has inserted in it principles which will give *us* government; and the rage of parties, will only quicken their operation:

My fears are, lest we reject the milder government, and be obliged to receive the more severe. The principles, which of late have appeared, are productive of the most efficient governments. The hand of the Supreme is in all these things, and we can do nothing against his established laws.

Your love to your country, my friend, must needs be tender, since every trifle alarms you: A *Mason*, angry at being left almost alone in a favourite opinion; and pleading in one breath for a bill of rights, and in the next for expost-facto laws, (which are destructive of all right) alarms you.² A plausible and artful *Brutus* alarms you: But pay a little attention to his argument, and you will see it flatly contradicts itself. In one part of his argument, the Federal government is so *enormously powerful*, that it swallows up all before it, the State governments with all their appurtenances! In the other part it is *so weak*, that it cannot command the obedience of the people: But if it proves any thing, it proves, that we ought to establish a royal government: For I presume this will not be denied, that these States, as governments, utterly unconnected with each other, cannot subsist. We shall become the prey of every invader. From this proceeds Brutus, and says, We cannot subsist as a national republican government; because the people, in different States, differ in climate, manners, interest, &c.—But for a much stronger reason, we cannot subsist, as confederated sovereign States, differing as we do, in climate, manners, interest, &c.³—Therefore we cannot subsist as republican governments at all. And I have known several persons, who oppose the federal Constitution, do it in order to compel us at last to submit to a monarchy. I wish that they and all other politicians were more honest. Of this, however, I am secure, that we shall soon have an effective government. The rich, the wise, the brave, the industrious, and enterprizing, I am sure, will not be content to lie at the mercy of the idle, and licentious; and be the prey of harpy speculators. But as to the precise method of bringing it to pass, I cheerfully submit to the power that rules the Globe.—Adieu, remember your friend, ATTICUS.

1. William Shakespeare, *King Richard the Second*, Act V, scene 2, lines 37–38.

2. See "George Mason's Objections to the Constitution," *Massachusetts Centinel*, 21 November–19 December (RCS:Mass., 287–91).

3. See "Brutus" I, *New York Journal*, 18 October, CC:178; and "The Massachusetts Reprinting of the Brutus Essays," 22 November 1787–8 May 1788 (RCS:Mass., 301–3).

Helvidius Priscus I Independent Chronicle, 27 December

Four unnumbered Antifederalist essays by "Helvidius Priscus" were published. The first two appeared in the *Independent Chronicle* on 27 December and

10 January 1788; the third and fourth in the *Massachusetts Gazette* on 22 January and 5 February. "Helvidius Priscus" I was reprinted in the *New York Journal*, 5 January, and the *Hampshire Gazette*, 9 January; while number II was reprinted in the *New York Morning Post*, 18 January, and the *New York Journal*, 21 January.

The authorship of "Helvidius Priscus" is uncertain. Christopher Gore thought that Samuel Adams was the author (to Rufus King, 30 December). "Honorius" strongly implied that "Helvidius Priscus" was an old revolutionary, referring to him as "this *Nestor*," a wise old man. Adams fits both descriptions. "Honorius" concluded his article: "'Let the *old Patriots* come forward,' (the day of election is over)" (*Independent Chronicle*, 3 January). Adams was elected one of Boston's delegates to the state Convention on 7 December, having been silent publicly on the Constitution until about that time. His authorship was implied again by an unidentified writer who declared: "'Helvidius Priscus' makes his appearance next Thursday, but it is supposed his sentiments will go off 'by the grist' " (*Massachusetts Gazette*, 4 January). This probably refers to the earlier charge that Adams would make a profit through the distribution, "by the grist," of *Letters from the Federal Farmer*, an Antifederalist pamphlet first printed in New York (*Massachusetts Gazette*, 1 January, in "The Circulation of the Letters from the Federal Farmer in Massachusetts," 28 December 1787-7 January 1788).

Historian Charles Warren thought that James Warren was "Helvidius Priscus." His attribution is based partially on an article by "Federalissimo" who charged that "The Republican Federalist," "Helvidius Priscus," and two other pseudonymous articles were written by the same person (*Massachusetts Gazette*, 14 March, Mfm:Mass.). Since Charles Warren thought that James Warren was "The Republican Federalist," he concluded that Warren was also "Helvidius Priscus." Charles Warren presented no hard evidence that his ancestor was "The Republican Federalist"; he only quoted Amory, *Sullivan*, I, 227n, who declared that the essays by "The Republican Federalist" "are stated, with an air of authority, to have come from the pen of a gentleman of Plymouth [i.e., James Warren]" (Warren, "Ratification," 155, 155n). Charles Warren did not quote a qualifying statement that Amory made later in his volume, to wit, "But these [essays by "The Republican Federalist"] were attributed, seemingly on good authority, to a gentleman of Plymouth" (p. 398).

To the PUBLIC.

MR. WILSON observes, in his late celebrated speech, "that after a lapse of six thousand years America has now presented the first instance of a people assembled to weigh deliberately, and calmly, and to decide leisurely, and peaceably, on a form of government, by which they shall bind themselves and their posterity." Has he not here suggested the strongest reason that can be urged, for postponing the adoption of the new system? If the assertion is true, is it prudent for this extensive Continent implicitly to accept, and rapidly and irrevocably adopt, the propositions of thirty or forty men, some of whom were infants, when the principles of the late revolution animated the patriots of this country to a noble resistance, and led them to bear the bold arm to shake the sceptre of foreign dominion: And as Mr. WILSON himself observes,

“Government is a science as yet in infancy; and with all its various modifications, has been the result of force, fraud or accident.”¹ May not these gentlemen be considered as yet in their pupilage, with regard to the origin, the end, and the most perfect mode of civil government? It is also well known, that some of the late Convention were the professed advocates of the British system; that others stood suspended in equilibrio, uncertain on which side to declare, until the scale of fortune balanced in favour of America; that the political manœuvres of some of them have always sunk in the vortex of private interest, and that the immense wealth of others has set them above all principle. These several classes selected, a correspondent would inquire; how many of the disinterested worthies who ventured every thing for the support of the rights of their country, and the liberties of mankind, will be left to adorn that assembly, who have ambitiously and daringly presumed (without any commission for that purpose) to annihilate the sovereignties of the thirteen United States; to establish a DRACONIAN CODE; and to bind posterity by their *secret councils*? It may perhaps be replied that one third part of the body were of this generous description. Let us candidly grant it and examine their conduct; several of them left the assembly in disgust before the decision of the question. Others expressly reprobated the proceedings of a *conclave*, where it has been ridiculously asserted all the wisdom of America was concentrated; and a RANDOLPH, MASON, and GERRY, had the firmness to avow their dissent; to support their opinions in the Legislatures of their several States; and submit them to the observation of the world. It is true indeed that the *ancient Doctor*, who has been always republican in principle and conduct, doubted, trembled, hesitated, wept, and signed: While the illustrious President, not called upon to decide or necessitated to give his opinion, kept the chair, but undoubtedly painfully agitated for the fate of a country he had heroically lent his arm to defend.² All the powers of eloquence are exerted to catch the ear, and the utmost pathos of expression employed to warm the imagination, in Mr. WILSON’s insidious speech; but as it will doubtless be the subject of critical discussion by those who have leisure to examine both its principles, and its tendency, I will but cursorily observe that he discovers no less *dexterity* and *address*, in his oratorical explanation of the system, than he acknowledges was necessary to *reconcile the jarring interests that opposed it*—and finally to prevail with several whose objections were insurmountable, to lend their signature to an instrument for which he is obliged to ransack the annals of ancient and modern story to find a name. But he acknowledges that neither *Rome*, nor *Britain*, nor *Switzerland*, or *Holland*, bear much resemblance to the newly fabricated *federal republic*.—

And that he cannot find a precedent any where for the *Heterogeneous Monster*, unless it may be admitted in the *Lycian league* or the *Amphictionic Council*. It is here natural for every one acquainted with ancient history to turn their thoughts to the miserable fate of the *Lycians*. They were a sober, & virtuous people, who maintained their independence, and their freedom, for several centuries; and supported their own simple institutions, under twenty-three distinct sovereignties; until the reign of *Leomitian*, when they fell under the Roman yoke, with other cities of Greece, while the *tyrant* alledged the same excuse for his encroachment, that we hear hacknied in the streets of our capitals, for subjugating the Americans to the arms of power *because they were no longer capable of enjoying their liberties*. Nor is *Mr. Wilson* more fortunate in calling our attention to the ruin of the Amphictionic union. Every one will recollect that the *Locrians*, (a people bearing a strong resemblance to a party in America) had crept in among them, and that an ambitious *Phillip* had his emissaries in that body, who by political intrigue, and well timed *plausible speeches*, enabled him by the aid of a *standing army*, to set himself at the head of the Grecian States; to annihilate their constitutions, and to degrade them to the most abject submission to the will of a despotic tyrant. The application and the semblance is left for the consideration of every lover of his country.

America has fought for her liberties; she has purchased them by the most costly sacrifices; she embarked in the enterprize with a spirit that gained her the applauses of mankind; and procured her emancipation from tyranny by the blood of her heroes, and her friends. And shall her honour, her character, her freedom, be sported away by the duplicity, and the intrigues of those, who never participated in her sufferings? Or by the machinations of such as have no pole star for their guide but the mad ambition of a mind ready to sacrifice the finest feelings of humanity for its gratification? FORBID IT HEAVEN! and may the people awake from a kind of apathy which seems to pervade them, before they are aroused by the thunder of arms, or the insolence of dragooning parties, to arrest from the peasant, and the mechanic, the last farthing of their hard earnings, to support the splendid fabrick of *Mr. Wilson's FEDERAL REPUBLIC*.³ What an insidious term! But this people are too wise to be long deceived by the extortion, or misapplication of words. Let the youth of America who are yet ignorant of the characters, and the causes that occasioned the dismemberment of the United States from the crown of Britain, read for themselves the many excellent publications, on the origin of government, and the rights of human nature, that appeared between the years 1763 and 1775.—And instead of indulging a rapturous admiration for the modern superficial

speechifiers in favour of an American monarchy; let them examine the principles of the late glorious revolution, and see how far they comport with the opinions in vogue. And before they embrace the chains of servitude, let them scrutinize their own hearts, and inquire, if their pride and their independency of spirit, will suffer them to lick the hand of a despotic master. And may the delegates for the ensuing convention consider well the importance of their decision. They will be applauded by the admiring world for making a stand at this critical conjuncture; or they will be execrated by all posterity for co-operating with the ambitious and intriguing spirits, who wish for the sake of their own advancement, to manacle a free and independent people, who have made the most astonishing and successful exertions to support their own rights, and to establish their rank among the nations. And when they shall have time to look around and be convinced, even *Mr. Wilson* acknowledges, "*they will then spurn at every attempt to shackle them with despotic power.*"⁴

Let them call for the name of the audacious man, who dared to say to his associates, in the late convention, "*that unless they hurried the constitution through before the people had time for consideration, there was no probability that it would ever be adopted.*"⁵ And let him be stigmatized with the odium that is due to the base betrayer of the rights of his country, and not absurdly trusted, though he may artfully have obtained an election, to decide a second time on a question in which he is so manifestly interested.

It is obvious that there is not the smallest propriety that any of the members of that body, who have held out a system for the people to judge of, should themselves set in any of the State conventions, and have a voice to enforce their own alarming proceedings.

Let the old Patriots come forward, and instead of secretly wrapping up their opinions within their own breasts, let them lift up the voice like a trumpet, and shew this people their folly, and the trembling *Columbia*, her impending danger. Let none of them fear the arbitrary frown of either *Otho*, *Galba*, or *Vitellius*, nor the fate of *HELVIDIUS PRISCUS*.⁶

1. All of the quoted passages from James Wilson come from his 24 November speech to the Pennsylvania Convention, see RCS:Pa., 340–50. See also "The Massachusetts Reprinting of James Wilson's 24 November Speech to the Pennsylvania Convention," 12–27 December (RCS:Mass., 419–21).

2. See "George Washington and Benjamin Franklin in the Constitutional Convention," 19–21 November (RCS:Mass., 271–74).

3. Discussing the choices the Constitutional Convention faced concerning the kind of government to be established, Wilson said: "... a federal republic naturally presented

itself to our observation as a species of government which secured all the internal advantages of a republic, at the same time that it maintained the external dignity and force of a monarchy. The definition of this form of government may be found in Montesquieu, who says, I believe, that it consists in assembling distinct societies, which are consolidated into a new body capable of being increased by the addition of other members; an expanding quality peculiarly fitted to the circumstances of America" (RCS:Pa., 341-42). "A Columbian Patriot," written by James Warren's wife Mercy, also attacked Wilson for his use of the term "Federal Republic," sarcastically calling it a "happy epithet" created by "the fertility of his genius" (CC:581, p. 278, at note 7). For another criticism by "A Columbian Patriot," see CC:581, p. 285, at note 23. ("A Columbian Patriot" was published at the end of February 1788.)

4. See RCS:Pa., 341. The italics were inserted by "Helvidius Priscus."

5. On 31 August 1787 the Constitutional Convention considered Article XXII of the report of the Committee of Detail. This article provided that the Constitution be submitted to the states whose legislatures were to call conventions to consider it. Gouverneur Morris of Pennsylvania and Charles Pinckney of South Carolina moved to amend the article, directing the state legislatures to call state conventions "as speedily as circumstances will permit." According to James Madison's notes of debates, Morris "said his object was to impress in stronger terms the necessity of calling Conventions in order to prevent enemies to the plan, from giving it the go by. When it first appears, with the sanction of this Convention, the people will be favourable to it. By degrees the State officers, & those interested in the State Govts will intrigue & turn the popular current against it." Luther Martin of Maryland "believed Mr. Morris to be right, that after a while the people would be agst. it. but for a different reason from the alledged. He believed they would not ratify it unless hurried into it by surprize." Elbridge Gerry "enlarged on the idea of Mr. L. Martin in which he concurred" (Farrand, II, 478). Gerry was possibly "Helvidius Priscus'" source for the Morris statement. For Luther Martin's version of the incident which was printed in the *Maryland Journal* on 21 March 1788, see CC:636 (pp. 458-59).

6. Galba, Otho, and Vitellius were Roman emperors from 68 to 69 A.D. Helvidius Priscus, a Stoic philosopher and republican statesman, was banished and killed under Vespasian, Vitellius' successor.

New York Journal, 27 December¹

A correspondent requests Mr. Greenleaf will insert the following in his paper.—We hear from Boston, that Mr. Powers,² the printer, has acted an independent part, and like a genuine friend to his country, has published pieces for and against the proposed constitution, notwithstanding the attempts in that place to destroy the freedom of the press by making it partial to the friends of the constitution. He has not attempted, as many of the other printers have, to prejudice customers against demonstrative arguments, proving the necessity of amendments before the constitution, if adopted, by stigmatizing them with being Anti-Fœderal, and by his patriotic conduct has lost several of his customers. It is hoped therefore, that all friends to liberty in this city, Philadelphia, and other places, who take the Boston papers, will give

the preference to such printers as have spirit enough to be impartial, and a competent knowledge of the genuine meaning of this emphatical sentence, "FREEDOM OF THE PRESS."

1. Reprinted: *Pennsylvania Mercury*, 1 January 1788; *Philadelphia Independent Gazetteer*, 2 January; *Winchester Virginia Gazette*, 1 February. For a discussion of the subject considered by the *Journal*, see "The Boston Press and the Constitution," 4 October–22 December (RCS:Mass., 41–50).

2. Edward Eveleth Powars, the printer of the *American Herald*.

Agrippa IX

Massachusetts Gazette, 28 December¹

To the PEOPLE.

We come now to the second and last article of complaint against the present confederation, which is, that Congress has not the sole power to regulate the intercourse between us and foreigners. Such a power extends not only to war and peace, but to trade and naturalization. This last article ought never to be given them; for though most of the states may be willing for certain reasons to receive foreigners as citizens, yet reasons of equal weight may induce other states, differently circumstanced, to keep their blood pure. Pennsylvania has chosen to receive all that would come there. Let any indifferent person judge whether that state in point of morals, education, energy is equal to any of the eastern states; the small state of Rhode-Island only excepted. Pennsylvania in the course of a century has acquired her present extent and population, at the expense of religion and good morals. The eastern states have, by keeping separate from the foreign mixtures, acquired their present greatness in the course of a century and an half, and have preserved their religion and morals. They have also preserved that manly virtue which is equally fitted for rendering them respectable in war, and industrious in peace.

The remaining power for peace and trade might perhaps be safely enough lodged with Congress under some limitations. Three restrictions appear to me to be essentially necessary to preserve that equality of rights to the states, which it is the object of the state governments to secure to each citizen. 1st. It ought not to be in the power of Congress either by treaty or otherwise to alienate part of any state without the consent of the legislature. 2d. They ought not to be able by treaty or other law to give any legal preference to one part above another. 3d. They ought to be restrained from creating any monopolies. Perhaps others may propose different regulations and restrictions. One of these is to be found in the old confederation, and another in the newly proposed plan. The third seems to be equally necessary.

After all that has been said and written on this subject, and on the difficulty of amending our old constitution so as to render it adequate to national purposes, it does not appear that any thing more was necessary to be done, than framing two new articles. By one a limited revenue would be given to Congress with a right to collect it, and by the other a limited right to regulate our intercourse with foreign nations. By such an addition we should have preserved to each state its power to defend the rights of the citizens, and the whole empire would be capable of expanding, and receiving additions without altering its former constitution. Congress, at the same time, by the extent of their jurisdiction, and the number of their officers, would have acquired more respectability at home, and a sufficient influence abroad. If any state was in such a case to invade the rights of the Union, the other states would join in defence of those rights, and it would be in the power of Congress to direct the national force to that object. But it is certain that the powers of Congress over the citizens should be small in proportion as the empire is extended; that, in order to preserve the balance, each state may supply by energy what is wanting in numbers. Congress would be able by such a system as we have proposed to regulate trade with foreigners by such duties as should effectually give the preference to the produce and manufactures of our own country. We should then have a friendly intercourse established between the states, upon the principles of mutual interest. A moderate duty upon foreign vessels would give an advantage to our own people, while it would avoid all the [dis]advantages arising from a prohibition, and the consequent deficiency of vessels to transport the produce of the southern states.

Our country is at present upon an average a thousand miles long from north to south, and eight hundred broad from the Mississippi to the Ocean. We have at least six millions of white inhabitants,² and the annual increase is about two hundred and fifty thousand souls, exclusive of emigrants from Europe. The greater part of our increase is employed in settling the new lands, while the older settlements are entering largely into manufactures of various kinds. It is probable, that the extraordinary exertions of this state in the way of industry for the present year only, exceed in value five hundred thousand pounds. The new settlements, if all made in the same tract of country, would form a large state annually; and the time seems to be literally accomplished when a nation shall be born in a day. Such an immense country is not only capable of yielding all the produce of Europe, but actually does produce by far the greater part of the raw materials. The restrictions on our trade in Europe, necessarily oblige us to make use of those materials, and the high price of labour operates as an encouragement

to mechanical improvements. In this way we daily make rapid advancements towards independence in resources as well as in empire. If we adopt the new system of government we shall by one rash vote lose the fruit of the toil and expense of thirteen years, at the time when the benefits of that toil and expense are rapidly increasing. Though the imposts of Congress on foreign trade may tend to encourage manufactures, the excise and dry tax will destroy all the beneficial effects of the impost, at the same time that they diminish our capital. Be careful then to give only a limited revenue, and the limited power of managing foreign concerns. Once surrender the rights of internal legislation and taxation, and instead of being respected abroad, foreigners will laugh at us, and posterity will lament our folly.

1. For a response to "Agrippa," see "Kempis O'Flannegan," *Massachusetts Gazette*, 1 January 1788.

2. See RCS:Mass., 383, note 4.

Captain M'Daniel

Massachusetts Gazette, 28 December

To the Citizens of Massachusetts.

In order to give you some idea of what sort of characters compose the opposition to the plan of federal government, I will relate the following FACT. A *principal* opposer in Massachusetts of the glorious Federal Constitution, has, for some time past, had it in agitation to bring in a bill into the General Assembly of this State, to the following purport: that debts contracted four or five years ago, should now be paid off with one half of the original sum; adding, to *justify* so villainous a measure, that money was not more than one half so plenty at this day, as it was four years ago. Such are the men (fit only to herd with Rhode-Island Know Ye's)¹ who oppose the adoption of a government founded on true republican principles, and calculated to support and defend the natural rights of man. But who are they that are in favour of the new plan of government? They are the honest, the just, the upright and the wise part of the community. Heed your best interests, Americans, and adopt the new constitution; it will promote your peace and welfare at home, and establish your dignity abroad.

1. See RCS:Mass., 178, note 2.

Massachusetts Gazette, 28 December¹

*Extract of a letter from a gentleman in Salem, to his friend
in this town, December 26.*

"The new constitution meets with general approbation in this town; almost every person of property and honesty wishes for the adoption

of it. There are some few, however, whose characters as honest men and good citizens, is thoroughly established, who are rather in opposition to it. This I much wonder at; but candour obliges me to judge favourably of their motives, because they have ever been decided friends to the welfare and happiness of their country. I however hope that time will effect a change of their sentiments; and I think I have some foundation for my hopes;

For truth and reason's bright'ned rays combin'd,
Will force conviction on the candid mind.

"I think, my friend, that it can be demonstrated to the conception of every rational mind, that the new constitution is nobly calculated to support and defend those inestimable rights for which the citizens of America so long toiled and bled. I need not, however delineate its beauties to you, as you are already fully sensible of them.

"There is one thing which gives me not a little pain, and it is this. The hon. SAMUEL ADAMS, I hear, is in opposition to the plan of federal government. Although he may act from motives truly patriotick in this affair, you know the caprice of human nature is such, that mankind never put the most favourable construction upon the conduct of each other; and if a man does ninety-nine good actions and neglects the hundredth, he often comes under the goading lash of censure. I may perhaps be mistaken, but it is really my opinion, that mr. Adams's opposition to the federal constitution will, in the eyes of America, sully the brightness of those laurels which have so long encircled the brow of that venerable statesman.

"You ask me, whether I suppose that there will be much opposition made to the new constitution, in our state convention. I answer, I hope not. For before the federalism of a HANCOCK, a BOWDOIN, a DANA, a KING, and many other illustrious characters, who are members of the convention, anti-federalism must droop, and recoil in silent shame. I think we have every thing to hope, and very little to fear."

1. Reprinted in the *Cumberland Gazette* on 3 January 1788 and in thirteen other newspapers by 22 January: N.H. (1), Conn. (1), N.Y. (3), N.J. (1), Pa. (5), S.C. (2). The *Cumberland Gazette* alone omitted the two lines of verse. See the *Massachusetts Gazette*, 4 December, for a similar account about opposition to the Constitution (RCS:Mass., 383–84).

The Circulation of the Letters from the Federal Farmer in Massachusetts, 28 December 1787–7 January 1788

In early November a forty-page pamphlet—*Letters from the Federal Farmer*—was printed in New York City and by mid-December hundreds (perhaps thousands) of copies were distributed or sold in New York, Pennsylvania, and Connecticut (CC:242). This pamphlet, the best Antifederalist statement on the

Constitution, aroused much Federalist hostility. The principal response was made in the *Connecticut Courant* on 24 December by "New England," who alleged that Richard Henry Lee of Virginia was the author of the *Letters* (CC:372. For the authorship of the *Letters*, see CC:242. It is unlikely that Lee was the author.).

A correspondent reported in the *Massachusetts Gazette* on 28 December that the pamphlet would soon appear in Boston and that Samuel Adams, already under attack for his opposition to the Constitution, would help distribute it throughout Massachusetts. (See IV below, Boston section, for Federalist attempts to prevent the election of Adams as a Boston delegate to the state Convention. See also the *Massachusetts Gazette*, 25 December.) Three days later Edward Eveleth Powars of the *American Herald* announced that the *Letters* would be sold in his office. Adams and Powars were attacked in five brief items printed in the *Massachusetts Gazette* on 1 January 1788; while Lee was criticized in two of those items. On 2 January the *Massachusetts Centinel* promised to print "a *dampner*" on the pamphlet in its next issue. As promised, the *Centinel* reprinted "New England" on the 5th. Lee, in turn, was defended on 7 January in the *American Herald*.

Powars advertised the sale of the pamphlet on 7, 21, and 28 January, maintaining that the pamphlet breathed "the pure, uncontaminated *air of Republicanism*." He also advertised the pamphlet on the back cover of his pamphlet edition of "The Dissent of the Minority of the Pennsylvania Convention" (CC:353), which appeared in mid-to-late January or early February. On 1 February, five days before the Massachusetts Convention voted to ratify the Constitution, two excerpts from the *Letters* were printed in the *Massachusetts Gazette* (below).

*Massachusetts Gazette, 28 December*¹

A flaming anti-federal pamphlet, says a correspondent, is soon to make its appearance in this metropolis, and is also to be circulated throughout the state, in order to prejudice the minds of the people against the proposed plan of federal government. This pamphlet will no doubt contain the quintessence of all the falshoods, absurdities and improbabilities with which the productions of the scribbling sons of anarchy and anti-federalism abound. *Adam*, it is said, is to mount the nag on which he some years since rode about the country to distribute votes for chief magistrate, and proceed southward, with a groce or two of the aforementioned pamphlets; and a considerable quantity it is also said is to be forwarded to the *quondam librarian* and his *brother in iniquity*,² whose emissaries are to proceed westward, for the purpose of distributing the poison of antifederalism, and the hydrophobia of sedition. It is hoped that the good people of Massachusetts will deliberately consider and judge for themselves, and not pin their faith upon the *opinions* of men who are labouring with unwearied zeal to effect the prostration of all law and government in the dust.

American Herald, 31 December

☞ At this office will be for sale, On Wednesday next, a Pamphlet, entitled,—“*Observations, leading to a fair Examination of the System of Government proposed by the late Convention; and to several essential and necessary Alterations in it. In a number of Letters from the Federal Farmer to the Republican.*”

∴ As a FEEBLE attempt has been made (by a LARGE, *over-grown Boy, or Calf*) in brother Allen’s last paper,³ to prejudice the publick against the said performance—the Printer of the Herald, presuming that a free and impartial discussion of this important subject cannot be disagreeable to the HONEST part of the community, hopes that this ingenious production will be generally purchased by his fellow-citizens, in order, if it be *false*, that its errors may be the more easily detected; and if *true*, and in point to the question before the people, that it may have the weight that TRUTH and SOUND REASONING ought to have.—

(☞ *Price One Shilling and Six Pence single—much under by the Grist.*)⁴

Massachusetts Gazette, 1 January 1788

A vain and paltry attempt was made in yesterday’s HERALD, by its no less vain and paltry Editor, to wipe off the stigma already indelibly stamped upon his anti-federal BRAT (though yet in embryo) and fix the attention of the publick upon an object who has nothing to do either with him or his anti-federalism, and who thinks him (the said editor) too far below the common level of contempt to merit his serious notice. In the opinion of the author of this paragraph, the specimen exhibited by the anti-federal editor, of his Billingsgate talents, will be of little avail in inducing the wise and honest part of the community to encourage the spreading of sedition so far as to become purchasers of his anti-federal farrago.

Massachusetts Gazette, 1 January

From a correspondent.

*Eveleth*⁵ and *Adam* have both miss’d their cue; the former in his “over-grown” Billingsgate, and the latter in his misapplied scurrility. A fault, however, which proceeds from ignorance, the generous mind can easily forgive. Ha, ha, ha.

Adam, by the last accounts, says a correspondent, was completely booted and spurred, and ready to set off on his pamphleteering expedition at a moment’s warning. It is supposed that Wednesday morning is the time fixed on for his departure, as the editor of the pamphlets

has, in an "overgrown" manner, and, with an *unparalleled* display of "overgrown" WIT, informed the *expecting* publick, that the *wonderful phenomenon* is, on Wednesday, to be re-usher'd into existence. As Adam will, without doubt, have something for every dozen he disposes of (the editor having informed the publick that allowances will be made to them who *purchase by the grist*) most probably he will lay out his profits in the purchase of SALT; and as he is well acquainted with the road to H—g—m,⁶ (having been that way before, to distribute votes) he will most probably proceed in that course first; and *pails* being very convenient for containing salt, he will without doubt make an exchange of some pamphlets for *pails*, as pail-makers, as well as other people, have a *variety of uses* for waste-paper.

*Massachusetts Gazette, 1 January*⁷

Extract of a letter from Cambridge.

"You inform me that the hon. mr. A— had been very much upon the reserve, as to his sentiments upon the new plan, till the choice of delegates for convention was made; and since that time has dipped his pen in venom and gall against the constitution. He may have good reasons for his conduct; but for my part I cannot reconcile it with that consistency of character which ought ever to distinguish every good man: it savours more of the *politician* than the patriot. But what surprises me most is, that he should attempt to divide and distract our councils, by encouraging the *republication* of RICHARD H. LEE's hacknied trumpery, in a pamphlet, circulated in *Connecticut*, and lately brought *here*, as if there was not a man among *us* capable of dissecting the constitution."

Massachusetts Gazette, 1 January

The wonder of wonders, or anti-federalism concentered in a body.

To-morrow morning will be exhibited, the CREAM OF ANTI-FEDERALISM, for the first time, in this state. This wonderful performance is decorated in an "overgrown" manner, and is said to be nearly *equal* to the celebrated *Aggripanian harrangues* in the Mass. Gazette. This phenomenon of all phenomenons; will to be seen in court-street; the price will be 1s. & 6d. if viewed singly, but if viewed "*by the grist*" the price will be less. What in fact will be exhibited is, the *flimsey* and well-known objections of mr. R. H. L. to the federal constitution. Amazing sight this, indeed!!

Massachusetts Gazette, 1 January

It is curious to observe, says a correspondent, the manner in which *Adam* turns off upon another what is levelled at himself, and the arrogance with which he stiles himself a distinguished and highly elevated character—Ha, ha, ha.

Massachusetts Centinel, 2 January

☞ As the publick have been advertised, that this day an antifederal pamphlet will be published, called “*Letters from the Federal Farmer to the Republican*,” said to be written by Richard Henry Lee, Esq. of Virginia—the Printer of the Centinel would inform that publick that he has received a *dampers*⁸ for said pamphlet, which will be inserted in his next paper.

American Herald, 7 January

The Aristocratic Junto, and their Tools, being unable to answer the sound reasoning and weighty objections to the New System of Government, which is contained in the pamphlet, entitled, “*Observations, &c.*” have been reduced to their usual resort, *personal detraction*.—A Correspondent wishes to know of what consequence it can possibly be to the public, whether RICHARD HENRY LEE doubted of the military abilities of General Washington in 1775, or not?⁹—If the above mentioned pamphlet contains unanswerable objections, as it undoubtedly does, it is not any thing that the *hireling*, who so mal’apropos signs himself *New-England*, can possibly say against its respectable author, that will tend, in any manner, to prejudice the minds of the people, or prevent a free circulation of his performance.—We shall pass over, in silence, other parts of this “DAMPER,” as a brother Printer is pleased to stile it—His inflammatory threat against a sister State, which undoubtedly originated from the very Demon of Discord, and which appears to be better calculated for the meridian of Connecticut than for our enlightened Commonwealth.¹⁰

American Herald, 7 January

∴ THAT! reprobated, execrated, ANTI — PAMPHLET!—Yes, my “dear Countrymen,” *that!* ‘wicked,’ ‘*un-Christian.*’ “anti — Volume!! [?]”

(☞ *Price One Shilling & 6 Pence.*)
 ' 'Tis finished,' 'tis done!
 And may be ☞ PURCHASED ☞
 Of EDW. E. POWARS,
Opposite the New Court House, Boston,
 A Pamphlet, entitled,

“OBSERVATIONS, LEADING TO A FAIR EXAMINATION OF THE SYSTEM OF GOVERNMENT PROPOSED BY THE LATE CONVENTION; AND TO SEVERAL ESSENTIAL AND NECESSARY ALTERATIONS IN IT.—IN A NUMBER OF *letters* FROM THE *federal farmer* TO THE *republican.*”

☞ *Although the above Pamphlet is not bulky, nor yet over “wordy,” it breathes the pure, uncontaminated air of Republicanism, as well as the celebrated spirit of the year 1775. It is written coolly and dispassionately, taking Reason for its guide, and solid argument for its basis.—It gives “a sea” of sentiment in “40 pages of octavo.”—But it is needless to speak its praises in an advertisement—Purchase, and read for yourselves, ye Patriots of Columbia!*

1. Reprinted: *Hartford American Mercury*, 7 January 1788; *New York Journal*, 7 January; *Pennsylvania Packet*, 10 January; *State Gazette of South Carolina*, 11 February.

2. James Winthrop was “the *quondam librarian*”; while “his *brother in iniquity*” was either Elbridge Gerry or James Warren.

3. See the *Massachusetts Gazette*, 28 December, printed immediately above. John Wincoll Allen was the publisher of the *Massachusetts Gazette*.

4. “*By the Grist*” was employed sarcastically by a Federalist in the *Massachusetts Gazette* on 4 January 1788.

5. Edward Eveleth Powars, the printer of the *American Herald*.

6. Hingham is fourteen miles southeast of Boston.

7. Reprinted: *New York Packet*, 11 January 1788; *New York Morning Post*, 11 January; *Pennsylvania Packet*, 15 January; *Pennsylvania Gazette*, 16 January.

8. The “*dampier*” was “*New England*” originally printed in the *Connecticut Courant* on 24 December (CC:372). It was reprinted in the *Massachusetts Centinel* on 5 January.

9. “*New England*” charged that Lee, “the owner of several hundred negroes,” “several years ago endeavored to persuade us to degrade General Washington and promote his relation General Charles Lee—a man altogether unfit to command an army, of violent passions, unprincipled character, and one whom we had good reason to suspect was connected with our enemies” (CC:372, p. 81). Basing its information on “*New England*,” the *Salem Mercury*, 8 January 1788, informed its readers that “The Hon. Richard Henry Lee, Esq. of Virginia, who has written so much about the danger of losing our LIBERTY by the adoption of the New Constitution, is the master of several hundred SLAVES.—He is a relation of the late General Lee; and his enmity to General Washington is *said* to be the sole motive of his opposition to the Constitution.”

Lee owned forty-three slaves in 1782 and thirty-three in 1789. There is no evidence that Lee was involved in an attempt to replace Washington with Charles Lee.

10. Probably a reference to “*New England’s*” attack on New York’s commercial dominance over Connecticut.

Nathaniel Gorham to Rufus King
Charlestown, 29 December¹

Let me intreat you, as you regard the Interest of your Country—& your own reputation to be here by the time the Convention opens—you can have no idea of the necessity of it

The Business will labour very much and People who do not wish you or the cause well—say that you are an alien a stranger who will not trouble yourself about the matter²—the opposition from the Western Counties will be numerous & violent the utmost candor & prudence will be wanted to guide & abate it—you know some of our Friends are not good steersmen—most of the Eastern Members are wrong³ nobody can deal with them so well as you—

Mr. Adams will not be right & Doctr. Jarvis I am concerned about—pray persuade Mrs. King to consent—you never can have a greater call—

1. RC, King Papers, NHI. For other letters imploring King to return to Massachusetts and attend the state Convention, see Christopher Gore to King, 9 December (IV below, Boston section); Gorham to King, 12 December (IV below, "General Commentaries on the Election of Convention Delegates," 29 November 1787–8 March 1788, which immediately follows the town elections documents); and Gore to King, 30 December.

2. Between December 1784 and October 1787, King had been in almost constant attendance in Congress and the Constitutional Convention, spending very little time in Massachusetts. Moreover, in March 1786 he had married Mary Alsop of New York City, and they made their home in that city. He returned to Boston on 20 October 1787, and explained and promoted the Constitution. From Boston, King went to his Newburyport home, and on 20 November he was elected one of the town's four delegates to the state Convention. After the election, he returned to New York, where his wife was expecting their first child. Their child was born on 3 January 1788, and King took his seat in the Massachusetts Convention on 12 January.

3. For King's efforts to convince the Maine representatives in the General Court to support the Constitution, see King to Henry Knox, 28 October (RCS:Mass., 155–56).

The Republican Federalist I
Massachusetts Centinel, 29 December

Six numbers of the Antifederalist "The Republican Federalist," addressed to the members of the Massachusetts Convention, appeared in the *Massachusetts Centinel* between 29 December 1787 and 6 February 1788. (The sixth essay appeared in two installments.) The first essay was reprinted in the *New York Morning Post* on 9 January 1788. No other number was reprinted.

Historian Charles Warren believed that James Warren was the author of "The Republican Federalist" essays, basing his belief on a statement made by Thomas C. Amory. Amory, the biographer of James Sullivan, rejected the contention that Federalist James Sullivan was "The Republican Federalist," declaring that these essays "are stated, with an air of authority, to have come

from the pen of a gentleman from Plymouth" (*Sullivan*, I, 227n). (See Warren, "Ratification," 155, 155n.) Amory also stated qualifiedly, in a passage neither quoted nor cited by Warren: "But these [i.e., the essays of "The Republican Federalist"] were attributed, seemingly on good authority, to a gentleman of Plymouth" (*Sullivan*, I, 398).

On 20 January Henry Van Schaack, writing from Pittsfield, sent one of the essays by "The Republican Federalist" to his brother Peter Van Schaack in Kinderhook, New York, stating that "The author I suppose to be S A." This identification appears to be yet another attempt to link Samuel Adams to major Antifederalist writings. He had already been suggested as being the author of the "Helvidius Priscus" essays and having influenced the writing of the "Candidus" essays (see "Candidus" I, *Independent Chronicle*, 6 December [RCS:Mass., 392n]; and "Helvidius Priscus" I, *Independent Chronicle*, 27 December).

For commentaries on "The Republican Federalist" I, see "Patrick O'Neil" and "Captain M'Daniel," *Massachusetts Gazette*, 1 January 1788; "Remarker ad corrigendum," *Independent Chronicle*, 3 January; and *Massachusetts Gazette*, 4 January.

To the MEMBERS of the CONVENTION of MASSACHUSETTS.

Honourable Friends, and Fellow Citizens, You are called on, and will soon convene to conduct a matter of the last importance to your country—the confidence of your constituents in your abilities and integrity can never be more fully expressed, than by their suffrages on the present occasion—and on your wisdom and firmness is in a great measure suspended, the fate of the United States.

In a free State like this, and under such circumstances, every individual must be anxious at the approach of an event, which will entail happiness or misery, not only on himself, his family, and the community, but also on his and their posterity:—He has therefore a *right* to address you, and your patriotism will prompt you to consider seriously, whatever shall be offered on the subject with reason and candour, and be worthy of your attention.

Seneca I think has established this maxim, that in all concerns of life, we should enquire, *first*, what we want, and *secondly*, how we are to attain it?—Apply these to the present case, and the answers are plain: We want a *free, efficient federal* government—and can only attain it, by a *candid, dispassionate*, discussion of the subject. A system of government has been proposed by the federal Convention: Some are for adopting, some for amending, and others for rejecting it: And when it is considered, that a *federal* government must necessarily be more complicated in its nature, than a *simple one*, and that to form the latter, the ingenuity of man has never yet been able to establish fixed principles which will apply in all cases, is it a matter of surprize, that in forming a Federal Constitution, even *sensible, disinterested* men should differ in opinion, and require an investigation of their principles, in order to convince

each other, and to correct their mutual errors? Surely not, and the more calm and temperate their discussions are, the greater will be their prospect of success. Some able writers on both sides, have favoured us with their sentiments on the three great questions respecting the adoption, amendment, and rejection of the proposed plan of government, and we are much obliged to them for their diligent researches and ingenious remarks:—Others with little ability and less decency, have continually wounded the feelings of the publick, by railing against every one who has not subscribed their *political* creed; which if good in itself, would be rendered *odious* by the persecuting spirit of such ignorant zealots: But let them be informed, that their *humour* and *petulance* are not criterions for regulating the judgment of the publick; and that every individual has an equal right with themselves, to attend to the greatest of all earthly concerns, *the establishment of good government*.—Even the newspapers of Boston, have been thus disgraced.² Boston has been famed for the liberality of its citizens, and for their attachment to liberty: And the reputation of so respectable a community should not be tarnished by illiberal productions.

In investigating the subject of the proposed constitution, let us first inquire, upon what *ground* it stands: Because if it has no *foundation*, the superstructure must *fall*.

The Federal Convention was first proposed by the legislature of Virginia, to whom America is much indebted for having taken the lead on the most important occasions.³—She first sounded the alarm respecting the intended usurpation and tyranny of Great-Britain, and has now proclaimed the necessity of more *power* and *energy* in our federal government: But anxious as that wise State is for the attainment of these great objects, we find her *not precipitate in adopting the new constitution*. She has allowed herself time to consider the subject, and has deferred the meeting of her convention until May next—Several other States are of the same opinion, amongst which are the respectable States of *New-York* and *Maryland*.—Is it not then a matter worthy of your consideration, whether any disadvantage can result, nay, whether the greatest advantages may not accrue from an adjournment of the Convention of Massachusetts, until the sense of Virginia can be known? *Too much light cannot be thrown on the subject, neither can a short delay possibly injure us; but an hasty decision may irretrievably ruin us.*

In consequence of the measures of Virginia respecting the calling a federal Convention, the legislature of this State on the 21st of February last, *Resolved*, “That five Commissioners be appointed by the General Court, who, or any three of whom, are hereby empowered to meet such commissioners as are or may be appointed by the legislatures of the

other States in the union, at Philadelphia, on the 2d day of *May* next; and with them to consider the trade and commerce of the United States, and how far an uniform system in their commercial intercourse and regulations may be necessary for their common interest and permanent harmony; and also to consider, how far it may be necessary to alter any of the articles of the present Confederation, so as to render the Constitution of the Federal Government more adequate to the exigencies of the union: And what further powers may be necessary to be vested in Congress for the common welfare and security, and with them to form a report for the purpose—such alterations and additions as may be made, to be however consistent, with *the true republican spirit, and genius of the present articles of Confederation*. Provided that the said Commissioners on the part of this Commonwealth, are hereby particularly instructed, by no means to interfere with the fifth of the articles of the Confederation, which provides *for the annual election of delegates in Congress, with a power reserved to each State, to recall its delegates, or any of them, within the year, and to send others in their stead for the remainder of the year—and which also provides that no person shall be capable of being a delegate for more than three years in any term of six years, or being a delegate, shall be capable of holding any office under the United States, for which he or any other, for his benefit, receives any salary, fees, or emolument of any kind.*

“The report of the said Commissioners from the several legislatures to be laid before the United States in Congress assembled, to the intent, that if they shall judge it proper, they may recommend the said report or any part of it to the legislatures of the several States for their consideration: And if agreed to by them, that the same may become a part of the Confederation of the United States.”⁴

This was the resolution of Massachusetts, in consequence of the proposition of Virginia, but Congress having on the 21st of February,⁵ the same day on which this resolution passed, recommended a Federal Convention, our Legislature on the 7th of March last, repealed that, and passed the following resolve—“Whereas Congress did on the 21st day of February 1787, resolve, ‘That in the opinion of Congress, it is expedient that on the second Monday in *May* next, a Convention of Delegates, who shall have been appointed by the several States, be held at Philadelphia, for the *sole* and *express* purpose of revising the articles of Confederation, and reporting to Congress and the several legislatures such *alterations* and *provisions therein*, as shall when agreed to in Congress and confirmed by the States; render the Federal Constitution adequate to the exigencies of government and the preservation of the union[’]—And whereas, the legislature of this Commonwealth did on the 3d day of the present month, elect the Hon. Francis Dana, Elbridge

Gerry, Nathaniel Gorham, Rufus King, and Caleb Strong, Esquires, delegates, or any three of them, to attend and represent this Commonwealth at the aforesaid Convention for the *sole* and *express* purpose mentioned in the afore recited resolve of Congress, RESOLVED, That his Excellency the Governour be and he hereby is requested to grant to the said Francis Dana," &c. "a commission agreeably to the said resolution of Congress."⁶

The first of these resolves will shew that when the Legislature in February last, agreed to a Convention, the delegates of the State were to report measures *not* for *abolishing* but for *preserving* the articles of Confederation; for amending them; and for increasing their powers consistently with the true republican spirit and genius thereof—that the report was to have been made to Congress and that so much of it only as should be approved by them, and agreed to by the legislatures of the several States, was to become a part of the Confederation—the last of the resolves will shew, that in March last the legislature altered the powers of their delegates and conformed them to the resolve of Congress—that the utmost extent of this resolve, which united the views of Congress and our legislature, was to call a Convention for the *sole* and *express* purpose of revising the articles of Confederation, and reporting to Congress and the legislatures, such *alterations* and *provisions* therein as shall render the Federal Constitution adequate to the exigencies of government, and the preservation of the union—that neither Congress nor the Legislature had the most distant idea of conducting the matter in a mode different from that presented by the Confederation, which provides "that the articles of Confederation shall be inviolably observed by every State, and the union shall be perpetual, nor shall any *alteration* at any time hereafter be made *in any of them*, unless *such alterations be agreed to in a Congress of the United States, and be afterwards confirmed by the legislature of every state.*"⁷ That on the other hand, Congress in their resolve, and the legislature in both their resolves before recited, expressly provided, and they would have acted *unconstitutionally* to have done otherwise, that the *alterations* and *provisions* in the articles of Confederation, to have been reported by the Federal Convention, should be agreed to in Congress, and be confirmed by the legislative of the several States before they become part of the Federal Constitution.

1. Lucius Annaeus Seneca, *Of a Happy Life*, chapter 1. Lucius Annaeus Seneca (c. 5 B.C.–65 A.D.), also called "the Younger," was a Roman Stoic philosopher.

2. See "The Boston Press and the Constitution," 4 October–22 December (RCS:Mass., 41–50).

3. For example, on 23 November 1786 the Virginia legislature, acting on the report of the Annapolis Convention, passed an act authorizing the election of delegates to a

convention to revise the Articles of Confederation. Virginia's act was sent to Congress and to all the other states. See CDR, 196–98. See also RCS:Va., xxxiii–xxxvi for other examples of Virginia “leads.”

4. This resolution was proposed in the Senate on 21 February and adopted by the House of Representatives on the 22nd. For the entire resolution, see RCS:Mass., xli, 453–54. The italics were inserted by “The Republican Federalist.”

5. For the adoption of this resolution by Congress, see CDR, 185–88.

6. This resolution was adopted by the House of Representatives on 7 March and by the Senate on the 10th (RCS:Mass., 458–60). The italics were inserted by “The Republican Federalist.” For the 3 March election of the delegates to the Constitutional Convention, see RCS:Mass., xlii, 457–58.

7. For Article XIII of the Articles of Confederation, see CDR, 93.

Thomas a Kempis

Massachusetts Centinel, 29 December

Mr. RUSSELL, I have seized a moment to inform you, that in my last,¹ haste precluded me from asking the Hon. Mr. ADAMS, or the Hon. Mr. AUSTIN, jun. or some other *Candid*² gentleman, acquainted with Legislative proceedings, whether agreeably to the language of legislation, to *erase* or *dele* one *Act, Resolve, &c.* and to *insert* in the room thereof, some other *Act, Resolve, &c.* is not called an AMENDMENT? And if it is, whether the *erasing* or *deleting* the Old Confederation, and *inserting* the New Constitution, is not in the language of legislation, a *proper* AMENDMENT? It was called an *amendment* when in an Act of the last session, which originated in the Senate, the House, in the appointment of Commissioners on the Western Lands, *deled* the names of the Governour and two others, and *inserted* that of the Hon. *James Warren*.³ I have scarcely time now to apply to the gentlemen antifederalists a parody of a couplet of Goldsmith's,

*In arguing too the town admires their skill:
For e'en though vanquish'd they can argue still.*⁴

Yours, &c.

THOMAS A KEMPIS.

1. See “Thomas a Kempis,” *Massachusetts Centinel*, 26 December.

2. Benjamin Austin, Jr., had published articles under the pseudonym “Candidus” in the *Independent Chronicle* on 6 December (RCS:Mass., 392–99) and 20 December.

3. This act was not approved before the legislative session ended on 24 November. See RCS:Mass., 282, note 2.

4. See Oliver Goldsmith, *The Deserted Village* (1770), lines 211–12. “In arguing too, the parson owned his skill,/For even tho' vanquished, he could argue still.”

Massachusetts Centinel, 29 December¹

A letter from New-York has the following article, “All our hopes are on Massachusetts—should she adopt the new Constitution—I have no

doubt it would be in force by May next, at furthest—God grant our dependance may not be on a broken reed.”²

1. Reprinted: *Salem Mercury*, 1 January 1788; *Essex Journal*, 2 January; *Cumberland Gazette*, 3 January.

2. A reference to Isaiah 36:6.

Our Liberty Tree: A Federal Song
Massachusetts Centinel, 29 December¹

In a chariot of light, from the regions of day,
The Goddess of Liberty came,
Ten thousand celestials directed her way,
And hither conducted the dame:

A fair budding branch from the gardens above,
Where millions with millions agree,
She brought in her hand as a pledge of her love,
And the plant she nam'd LIBERTY TREE.

This blooming exotick stuck deep in the ground,
Like a native it flourish'd and bore,
The fame of its fruits drew the nations around,
To seek out this peaceable shore.

But, Americans, hear—'tis a tale most prophane,
How a wicked assemblage of powers—
Riot, Discord and Britain are uniting amain,
To cut down this garden of ours.

Then from east to the west let our Patriots convene,
Determin'd their country to free,
Our CONSTITUTION confirm—it firmly shall fix,
Its idol—our LIBERTY TREE.

1. Reprinted in the *Hampshire Chronicle*, 8 January 1788, and in eight other newspapers by 13 March: N.H. (2), R.I. (1), Conn. (2), N.Y. (1), Pa. (1), S.C. (1).

Christopher Gore to Rufus King
Boston, 30 December¹

The elections which have come to my knowledge since the list enclosed [to] Thacher are favorable² Oliver Phelps, who has been much written to on the new constitution by Mr Osgood of the treasury board,³ wrote a friend of mine the last week,—that the people in his quarter, viz Berkshire, seeing the elections in this part of the state, had been

convinc'd that opposition to the proposed system woud be futile—that he had resign'd his seat in Convention, not intending to assume an active part in the opposition—that he really thought a majority of the delegates of Berkshire woud be in favor of the Constitution—his refusing to become a member of the Convention is compleat evidence of his being satisfied, that opposition woud be unsuccessful & unpopular⁴—S. Adams is out full against it—there is ev'ry reason to conclude him the author of Helvidius Priscus in Adams & Nourse of last thursday⁵—it is said, Jarvis is in favor, but starts objections⁶—Mr Bowdoin has invited the de[sc]s of this town to dine with him on Thursday next— & proposes in his billet that the new constitution shoud be the subject of conversation in the afternoon & evening⁷—in this I waited upon him, & suggested tho' no evil coud arise from conversing on the principles of the proposed plan, & hearing, and obviating objections—yet it woud certainly be imprudent in those who are for its adoption to state any particular mode of conduct whereby our wishes might be gratified in its adoption, this woud be to expose ourselves to A[dams] & possibly others & inform them how they might best counteract our intentions—this he agreed with me—I have been fearful that the measure of our being together originated with A[dams]—and that it was done with a view of seeing what strength he can muster—but this is only suspicion—Bowdoin is firm in favor of the thing—Hancock is sick & immoveable in all his limbs—however he will clearly be elected President—

Being forewarn'd I think we shall not be entrapt by the craft of A[dams]—Stilman is a warm supporter of the plan, & will do us service⁸—if possible, be with us—You can do great good—this I hope will find you on the road, at least for Boston⁹—Ger[r]y's letter has done harm¹⁰—but he is now silent—I thank you for your letter of last night—God bless you; in an especial manner Mrs Kg—Whom I sincerely wish to [see?] safe a bed for her own sake—

Your friend

1. RC, King Papers, NHi. This letter was enclosed in another letter that Gore wrote on the same day to George Thatcher, a Massachusetts delegate to Congress in New York City (immediately below). King, also in New York City, was with his wife who was expecting their first child. See Nathaniel Gorham to King, 29 December, note 2.

2. On 23 December Gore sent George Thatcher a list of state Convention delegates, stating that "many" on the list "are known to be opposed" to the Constitution. He asked Thatcher to send the list to King, a former delegate to the Constitutional Convention, who he hoped would attend the first meeting of the state Convention. (King was one of Newburyport's four Convention delegates.)

3. Samuel Osgood served on the three-member Confederation Board of Treasury in New York City. For Osgood's criticisms of the Constitution, see his 5 January 1788 letter to Samuel Adams.

4. Phelps, a member of the governor's Council, lived in the Hampshire County town of Granville, which bordered on Berkshire County. Granville elected John Hamilton and Clark Cooley as Convention delegates, both of whom voted against ratification of the Constitution in February 1788.

5. See "Helvidius Priscus" I, *Independent Chronicle*, 27 December. Adams and the other men mentioned in the remainder of this letter (with the exception of Elbridge Gerry) were Boston delegates to the state Convention.

6. Nathaniel Gorham also had doubts about Dr. Charles Jarvis (Gorham to Rufus King, 29 December).

7. For the 3 January meeting of Boston's Convention delegates called by former governor James Bowdoin, see Gore to Rufus King, 6 January, and Nathaniel Gorham to Henry Knox, 6 January.

8. Samuel Stillman was minister of the First Baptist Church of Boston. Henry Jackson described him as "a high Federal Man" and the leader of the Baptists in Massachusetts, who was placed on the ticket for state Convention delegates because he had "great influence" among the Baptists (to Henry Knox, 11 November, RCS:Mass., 215).

9. King attended the state Convention for the first time on 12 January, three days after it convened (Nathaniel Gorham to King, 29 December, note 2). For more on Gore's concern that King attend, see Gore to King and to George Thatcher, 6 and 9 January, respectively.

10. See Elbridge Gerry to the General Court, 18 October, in which Gerry explained why he did not sign the Constitution (RCS:Mass., 94-100).

Christopher Gore to George Thatcher Boston, 30 December¹

my dear friend—

I congratulate you on the adoption of the plan of Govt by New Jersey—The Connecticut Convention will be the next—and I believe there can be no doubt but that body will ratify it—from what I can know of the elections in this state, there is a fair probability that Massachusetts will adopt it—this done we may look forward to a firm & lasting peace—to an honourable & efficient Govt, equal to the support of our national dignity,—& capable of protecting the property of our citizens—the inclosed to King,² if he should be with you,—please send him, if not the subject is Politics, & may as well be read by you as him—& you will consider it as directed to you—

1. RC, Chamberlain Collection, Thatcher Papers, MB. This letter was addressed to Thatcher in New York City, where he was a Massachusetts delegate to Congress.

2. See Gore to Rufus King, 30 December (immediately above).

Nathaniel Gorham to Caleb Strong Boston, 31 December¹

Mrs. King is in such a state that I presume Mr King will not be with us at the first meeting

Let me beg you to consider my situation and to be here the day before the Convention meets—dont fail as you regard in some measure your own character & the peace & happiness of your sincere Friend

I. RC, Strong Mss., MNF. Gorham, Strong, and Rufus King, delegates to the Constitutional Convention, were all elected to the Massachusetts Convention. King was delayed in New York City because of his wife's pregnancy. In this letter Gorham pleads with Strong to arrive in time for the Convention so that Gorham would not be solely responsible for explaining the actions of the Constitutional Convention.

Isaac Stearns to Samuel Adams

Billerica, 31 December¹

I am not a little pleased to see such a List of sensible & Judicious Men, as the Town of Boston have selected out for Convention members. I know not your sentiments respecting the Constitution: but I will venter to say, I think this the most important Aera that I have ever lived in, and that we may date the Rise or fall of these States, from the Day that we adopt or Reject it I am truly sorry to find so many among us, & even those that my reason dictates to be sensible Men against it And that in some Towns this is the criterion, & no other quallification thought necessary for a Member than to be able to Harangue against it. I have given the Constitution six Readings & with as much attention as I am Master of and I find that the leaving out those things that I [am] most scared at wou'd annihilate it when apply'd to the whole as a Nation. I can't but wonder that any that are acquainted with the Constitution of this Commonwealth & like it do not like that also since they are as similar as the nature of things will admit Every wise man will allow that something must be done, and why not now as well as heretofore that united we stand but divided we fall? it seems then this is the Question whether this is as good a sement as can be devised & as far as I have attend none among all the scriblers against it have pretended to point out a bettor True indeed it has been proposed that a division into two or more parts shou'd take place. But can any wise man in his sences think this would do? Are we not two much divided already? Wou'd not rivalship soon be an epidemical Disease among us? Did not our forefathers try that experiment on the British Isle? I grant it is prudent and even necessary that when Individuals or a Community have power to intrust or delegate to any others that they see to it & be prety certain that they shall receive an equivalent and is not here at least the same rationally to give up a part to secure the rest that is in a wise Merchant, who in a time of emanant danger gives large Insurance to secure the remaining part I am sorry to find so large a number wishing [to see another?] George the third again which I think is not

the best we might do tho I did not run with the foremost in shaking off the yoke and is it not probable that some of those that write against the proposed Constitution conclude (as well they may) that if we reject this we shall have none other alternative left us than either to come under said King or some other Despote But God forbid that when we have purchased our freedom at so dear a rate we should not know how to use it or shou'd mistake licentiousness for liberty sure I am that if I understand the Constitution aright twill never hurt us unless we Hurt that or in other words unless we are Corrupt in our Election. I shall only ask pardon for troubling you with so lengthy and Jejune a peice much more so than was Intended when I first put pen to paper and wish you and all that may meet on that important ocaion that wisdom that is profitable to direct—pure—peacable &c: &c.

1. FC, Stearns Papers, MHi. This letter is docketed in Stearns's handwriting: "No. 1 Letter to Honble. Saml. Adams." On 22 January 1788 Stearns expressed many of the same sentiments in a letter to Nathaniel Gorham, a delegate to the state Convention. Stearns (1722–1808) was a Billerica farmer, who also owned farm land in Ashburnham, Mass., and New Hampshire. Since the 1760s he was a country solicitor specializing primarily in arbitration and probate cases. He represented Middlesex County in the state Senate. Adams was president of the Senate.

“Z”

American Herald, 31 December

Mr. PRINTER, “Seek and ye shall find,”¹ may be fairly and truly applied in a very different sense to what it was originally intended to convey, to a certain *Seeker* of Charlestown.—Mr. G—y,² no doubt, had his motives for opposing the new Constitution, which our Aristocratic Gentlemen are so very violent in support of.—Mr. G—m³ incontestibly has his.—This last Gentleman’s character, in his political career, is a satire on every principle of consistency—A timid whig, before the war, and a cold friend to the revolution after—*till the danger was over*.—He has learnt his politics in London, and is now (in America) going to give us the first fruits of his travels.—His politics are his bread, and the adoption of the new G—t will, no doubt, secure him a place.⁴—Can we then wonder at his industry—£.500 a year to a man not worth a “plumb,” is something very pretty for “Brother Oliver.”⁵

1. Matthew 7:7–8. “Ask, and it shall be given you; seek, and ye shall find; knock, and it shall be opened unto you: For every one that asketh receiveth; and he that seeketh findeth; and to him that knocketh it shall be opened.” See also Luke 11:9–10.

2. Elbridge Gerry.

3. Nathaniel Gorham, the “*Seeker* of Charlestown” mentioned in the first sentence.

4. In 1791 President George Washington appointed Gorham the supervisor of revenue for the district of Massachusetts, a position he held until his death in 1796.

5. Possibly a reference to Oliver Phelps, who like Gorham, was interested in the state's western lands. They formed a partnership in 1788 to purchase the state's western lands.

Israel

American Herald, 31 December

A respectful regard to the teachers of Religion, is some check to the growth of Immorality among the common classes of mankind; and does not the late Delegation of a number of Clergymen to a Seat in the ensuing Convention,¹ indicate, that this respect still subsists in the minds of the people?²—But is there not danger that it will be lost in execration against an Order, in whom they have thus confided, if the arbitrary System, fabricated in Philadelphia, should happen to be adopted, even though they should not co-operate with those who are urging its acceptance by every artifice.—Heaven forbid that Religion should receive a wound in the house of its friends!—Or, that by any part of the conduct of this venerable Order, the moral character in this country should suffer a further diminution, and lie prostrate with all political principle beneath the shrine of despotism!—But if this Body should throw their weight into the scale of FREEDOM, as they did in an honourable and distinguished manner, in the late Revolution, they may yet have an Influence on the mind and manners, in their Clerical capacity; and at the same time be instrumental in saving their country from the complicated mischiefs that hang suspended over it.—Mankind are generally supine under every oppression, until they begin to FEEL the rod that scourges them; and though there is too great an appearance of a general servility of manners; yet this people are not sufficiently ignorant and depraved, nor scarcely, in any respect, quite ripe for Slavery.—It is true, *the Ashnetes may feast for a while on the royal dainties, and the tribe of Issachar bend the shoulder to the burthen, and become the servants of tribute; yet Judah will soon rouse as a lyon, and his hand take hold on the neck of his enemies,*—while in every quarter of America the sons of Dan will be as *an adder in the path, that biteth the horse's heels, so that his rider shall fall backwards,* and perhaps perish beneath the pile of his own rearing.²

1. Throughout most of December, newspapers printed many incomplete election returns of Convention delegates, often identifying the delegates by titles. For instance, between 5 and 22 December the *Massachusetts Centinel* published the names of 136 elected delegates, of whom eleven (8%) were clergymen. In one instance, the *Centinel* even indicated that a delegate had once been a minister. The high percentage of clergymen reported by the *Centinel*, however, was inflated. The seventeen ministers represented only about 4.5% of the Convention's delegates. Among the seventeen was the person the *Centinel* had described as a former minister.

2. Taken from Genesis 49:8–9, 14–15, 17, 20.

Boston Gazette, 31 December¹

Messieurs EDES, The young H—g—m—e,² who has the impudence to publish his abusive and personal scurrilities, against some of our most distinguished and highly elevated Characters, had best use a little more caution in his literary Compositions, or he will soon be sent to the place of his nativity, to the more useful occupation of *Pail-making*.—It is indeed astonishing, that any one should have the effrontery to attempt to asperse the reputation of the *old Patriot* of Winter-Street,³ whose character was the object of veneration, when *some* of his artful and insidious enemies were then in their Cradles.

1. For a critical comment on this item, see *Massachusetts Gazette*, 1 January, in "The Circulation of the Letters from the Federal Farmer in Massachusetts," 28 December 1787–7 January 1788.

2. Probably a reference to a Hinghamite, a resident of the town of Hingham.

3. Samuel Adams.

"C. O."**Boston Gazette, 31 December¹**

Messrs. PRINTERS, I request you to publish the following in your impartial paper.

After the proposed Federal Constitution takes place—suppose you, or some other patriotic Printer, should publish a Piece, in which some Proceedings of the Continental Legislature were freely commented upon—and the Attorney-General should be ordered to prosecute the Printer for a Libel; in that case, I take it, as the United States are a Party, the Continental Court will have *appellate* jurisdiction, both as to law and *fact*;—of course in that Court the Printer would be tried, and condemned *without a jury*, and by judges appointed by one of the parties, viz. the United States—I desire some candid friend to the Constitution would inform me whether this would not be the case?

Again,—Suppose the Continental Legislature should pass an act appointing in every State a person, whose duty it should be to examine all pieces, previous to their being published in the news papers, and directing that no Printer, on penalty of £ 500, should publish any pieces, unless they had been previously approved by said *Licenses*—I say, in case such an act should be passed, would it not "*be the supreme law of the land;—any thing in the Constitution, or laws of any State to the contrary notwithstanding?*"—Some friend to the new Constitution would oblige me, and several others, by giving a candid answer to these queries.

1. Reprinted: *New York Journal*, 7 January 1788.

**Mercy Warren to Samuel A. Otis
Milton, December¹**

I intended an immediate answer to your last favour, but prevented by indisposition I now resume the pen and begin with what is most interesting to your domestic feelings. I had the pleasure three days since of seeing Mrs Otis well in bed; a fine little plump girl looked round upon us—perhaps with anticipation and surprize at the odd mixture of good and evil that the entrance of the world presents,—perhaps she was looking for papa, however she appears a fine healthy little squab, and bids fair to be as beautiful as her sisters. Poor girl—it is said the sex are doomed to slavery, but I hope it will not be her hard fortune to be doubly so by marrying a slave. It appears to me the present generation are fast verging to that disgraceful state, for the want of principle to support the independent and honourable character of their ancestors;—this shews itself in their readiness to adopt the novelties of system *makers*—whither they are forging fetters in the furnace of a single despot, or whither they will be the still more absurd fabrication of an aristocratic *junto*. These are cant terms, but this does not make them less the objects of horror—though the frequency of expression may in some degree lessen the terrors of apprehension.

As I always express my thoughts freely, when I can do it in confidence, let me tell you I think America has a set of as deep politicians *manoeuvring* in her bosom, as any country can produce; I shall just touch on a political subject, somewhat different from those we have lately discussed.

Every honest man must revolt at the idea of *spunging* the public debt, and every villain that may wish it would choose to shift the odium from himself. I hope the last days of the American Congress under the old confederation will not be marked with the infamy of such a procedure. The sticklers for the new government may wish to precipitate the old to this measure or something equally odious before its dissolution. They may perhaps have a double motive for this. It is probable such an unpopular step might forever blast the memory of those gentlemen who had a hand therein, and totally destroy all confidence in them, while the officers of the new system will escape the stigma, and quietly enjoy the advantages of the folly of their predecessors. In the weak state Congress is now in it would be so absurd as well as unjust to attempt a measure so replete with consequences, that I cannot think it possible they ever had it in serious contemplation. The whole continent may be duped out of their liberties by the plausibility of pretended patriots,

and the intrigues of statesmen of more address than integrity—probably the well designing may be cajoled by the plea of necessity to relinquish their honour. But if this or any similar measure should be pushed in the *expiring* pangs of the *Amphyctionic* body, who by their wisdom and firmness have made the proudest European nation tremble—I hope my brother will have the courage to *secede* from their counsels, even if he stands alone. Indeed I believe it would appear very extraordinary in the eyes of the whole world, if in the present debilitated and *nerveless* state, anything very important should be attempted by the Congress now in session, much less will they presume on a measure unparalleled dangerous and iniquitous.—No—if this once respected body must die by the sentence of the people that called it in to existence, let it sink without the accumulation of guilt, and a load of infamy that would draw on each individual member, the curses of one part of mankind, and the ridicule of the other.

This year is certainly the golden age of *federalism*, and when the new government is organized, which will probably be within a few months, let *them* (if it must be done, and perhaps it must) wipe off the *old debts*, the resources may be too small to do justice to old arrearages & to supply funds for the new ones that will be contracted to support the civil list, the military establishments, and the splendour of power that *must* illumine this *happy quarter of the globe*; perhaps while the enthusiasm in their favour is kept up, and the spirit of adulation reigns, they may stretch their ample powers to *enormities* that no other period would justify. But it will not be many years before the inhabitants of the United States will see the error of their precipitant and mistaken zeal, and their misplaced confidence which has brought them down to a level with other nations by the intrigues of individuals—thus predicts your affectionate sister

1. FC, Mercy Warren Letterbook, Mercy Warren Papers, MHi. This letter was dated Milton, 1787. It was probably written in December 1787. In that month Otis's wife gave birth to a daughter, while he was serving in the Confederation Congress. Warren and Otis were sister and brother.

Nathaniel Peaslee Sargeant to Joseph Badger

1788¹

I make no doubt but you have carefully compared ye old confederation with ye new constitution and I wish you to review them again. Can there be such a thing as Government without Power? What is advice, recommendation, or requisition? It is not Government.—Congress has a right to raise an army, to make war and Peace, of entering into

Treaties and alliances to borrow money and appropriate ye same—to ascertain ye sums necessary to be raised for ye Service of ye United States—to emit bills of credit—to build and equip a navy, and to make requisitions on ye states for their quota of men, to Cloath, arm and equip them. But who will lend Congress Money when they have not Power to raise a Single Shilling to repay them? Who will take their bills of Credit when every Body knows they can never redeem them? Who will enlist into their army when Congress has no money to pay them a Bounty or their wages or find them in Provisions? Who will build and equip a navy for them without money? Who will trouble themselves about Congress' making war or Peace when they can't command a Shilling to support a war? To what Purpose is it to appropriate money when they can't get it?—What end does it answer for other nations to make treaties and alliances with Congress when any one State by its obstinacy, fraud or some Paltry private interest may defeat ye treaty or by main force break through it?

What good end will be answered by ascertaining ye Sums necessary to be raised when thirteen independent Legislatures are to judge whether those sums are necessary or not and whether they will raise them or not and if one State won't raise their quota, ye other states are more than foolish, they are distracted if they raise theirs.—What effect will a requisition on ye states for raising, cloathing, arming, and equipping their quotas of men have, when ye 13 Legislatures are left to judge of ye expediency, or necessity of this equipment, whether they are not charged above their proportion—whether it won't do as well sometime hence? What security is it possible to have under such a Government? A Government without energy, without power. Zeal and enthusiasm carried us thro' ye last war without any Government till March 1781, when ye Confederation was completed and then we hobbled along 21 months longer under it until peace took place, and since ye Peace, Requisitions from Congress have had no more effect than ye Pope's bulls wou'd have had. The old Confederation is just ye same to ye United States as a people, as a milk and water diet wou'd be to a labouring man, both wou'd grow weaker and weaker till they were not able to crawl. Nothing ever gave us any respectability abroad but ye readiness and chearfulness with which we complied with all ye recommendations of Congress when we had no Government at all. That enabled us to form treaties with other nations, to hire money, and their hatred to Great Britain engaged them to join in ye war against her. The nations in Europe discovered this weakness long before we did. Great Britain for 5 years has refused to make any Treaty of commerce

with us, has shut all her Ports against our shipping, while our Ports are filled with their shipping and seamen and are picking up our seamen for their employ—they bring their Produce and manufactures to us to buy but won't let us carry our own to them. They have embarrass'd our commerce with other nations by setting ye Algerines upon our shipping and thereby obliged us to give 5 per Cent. to them for insurance against the Algerines—all this while we have not had ye power to retaliate upon them in one Single Article. The other Powers viz: France, Holland, Spain and Portugal have now taken ye hint and are imposing duties upon our Produce and Manufactures to ye great encouragement of their own and discouragement of ours, and we can't make any Regulations to counterwork them. Massachusetts some years ago took ye lead and made some very advantageous Regulations. New Hampshire followed, and Rhode Island adopted a small part. Soon ye People in New Hampshire grew restive and obliged ye Government to repeal ye same. Rhode Island followed and Massachusetts was obliged to follow them, so that you see what a rope of sand we are. This conduct of ye European nations will in time, if it produces good Government, prove of eminent advantage to us. They drained us of almost all our Cash. This put People upon being industrious and frugal. Industry has occasioned great improvements in agriculture and in manufactures. The first has rendered Provisions plenty and so cheap that we sell them to almost all nations. The latter has supplied us with many necessaries which we used to send cash for, and we remitted to other nations [to] pay for what necessaries we wanted. Frugality has prevented us from sending our Cash abroad for many Superfluities which we can do as well or perhaps better without; so that now it is an undoubted fact that ye exports from America greatly exceed ye imports; consequently Cash may now become as it wou'd be best it shou'd be.

The old Confederation without Power or Energy destroyed ye Credit of ye United States. The scarcity of Cash, and ye embarrassments of ye Government, for want of some fixed System of finance has destroyed ye credit of ye individual States—different Tender acts in different States, different sorts of paper money in different States, (for almost all ye States have either paper money or tender acts,) have destroyed private Credit; so that we are now as a people and as individuals totally without either public or private Credit. Under these circumstances money never can circulate in plenty, let ye advantages for importing it be what they may—

Is it now possible for a Government, under these disadvantages, whether it be continental or particular, to support itself any length of

time? Will not private industry be discouraged? Can such a Government protect ye industrious from ye hands of invaders or ye more savage hands of violence among ourselves? Anarchy will soon rear its head and ye Tyranny of some ambitious Demagogue will soon tread on its heels. Suppose for a moment ye General Court of New Hampshire or Massachusetts were to agree that such a sum of money was necessary to be raised for ye building and maintaining of a colledge for supporting schools in different Parts, for supporting ministers, for encouraging ye Iron manufactory, ye manufactory of cloath, for repairing ye highways, for training and disciplining ye militia, and procuring a stock of guns and ammunition and building forts for ye defence of ye State and then send a recommendation to ye several towns desiring them to raise their quota of that sum, being so much.

Wou'd not this be a laughable way of raising money for ye public exigences? One town wou'd say there was no need of building a Colledge; others wou'd say there is no need of Schools or ministers; let them that work Iron and cloath get their own pay; our highways will do well enough without repairs; ye militia are good gunners already, there is no need of forts, and there is no war at hand, and we can do without Guns and ammunition a little longer; besides all they have rated our town too high. Wou'd not this be ye common language? A precious little money wou'd be raised, I trow. Let me ask, if ye People in our town meetings are competent Judges of ye necessity and advantage of raising money for these purposes? You will instantly answer me, no not one in six. Can they have large and extensive views of ye interest, of ye essential and important interests of ye whole state? No, perhaps, not one, thô many of them when they had met with other persons from all parts of ye state, and had freely conversed with them might be good Judges afterwards. How absurd and impolitic then is it to trust ye great affairs and interests of a continent, 1500 miles long and 1000 miles wide to ye determination of 2600 men deputed from some little spots of 6 miles square ye greatest part of whom never went further than ye next market town perhaps, or at ye outside to ye shire town of ye state and never expects to go again after his year is up, or if he does, it is only to get his 3s. 6d. a day without labour or at ye most to have ye honour of saving a small Tax upon his own town—and these men are not to meet altogether where they might, if disposed, get ye necessary information to form a Judgment by,—but in thirteen different places where they have different interests, different leaders and different information. How much more ridiculous is it then, that all these men are to determine of ye necessity of Peace or War—of ye sums of Money necessary to be raised, of ye best and easiest mode of raising it thro'

all ye states, regulating ye value of money thro' all ye states, of defining and punishing Piracies and felonies on ye high seas and of Offences against ye law of nations—when it is necessary and proper to grant Letters of Marque and reprisal—what are ye rights and duties of Ambassadors, Consuls and public ministers, what are proper rules respecting captures where other nations are concerned with us in ye capture or are interested in ye vessel captured, what regulations of Trade may be carried into effect in other nations so as not to injure our own commerce. These and a thousand other matters respecting our intercourse with other nations and other great national concerns, must be determined by some Body of men with decision and be carried into effect too. How preposterous is it then for us to think of going on under ye old Confederation where ye several states or some of them wou'd hiss any Law that might be proposed on those matters out of Doors.

Now let us consider ye new Constitution. Are there any objects, of Legislation in this, which were not left to ye decision of Congress under ye old Articles? Very few, save that of Regulating commerce with foreign nations for want of which we have suffered enough already—also to form a rule for naturalization Laws about Bankruptcies—fix ye standard of weights and measures—to promote ye progress of arts and Sciences—to prevent counterfeiting ye Securities and current coin of ye states, to provide for organizing, arming, disciplining and calling forth ye militia on necessary occasions; to exercise exclusive Jurisdiction over 10 miles square of land where Congress may sit, if so much is ceded to them by any state to their satisfaction and such other places where continental arsenals are kept. Our People are taught ye necessity of this provision for if a man of less penetration and decision had been in ye chair ye year before last—they would have lost their most useful and costly magazine. Is it not reasonable that these matters shou'd be done with uniformity thro' ye states? Can these great objects ever be accomplished without making laws to bind all persons in ye Jurisdiction? Who are to make those Laws but ye Representatives chosen by ye People at large every two years, and where an equal representation is provided for, and a Senate chosen by ye state Legislatures, one third of which are to be chosen every two years. When Laws are made they are nonsensical unless they can be carried into execution; therefore it is necessary somebody shou'd have a Power of determining when they are broken, and to decree ye forfeiture in consequence of such breach. This shows ye necessity of ye Judicial Power—and an executive with ye necessary officers are requisite for carrying those decrees into execution—and without all this ye whole parade of making laws wou'd be idle.

That these parts, ye Judicial and executive, shou'd be appointed by congress is necessary in order that ye proceedings may be uniform and to prevent one state from conniving at or disregarding ye laws made for ye benefit of ye whole. If they are to raise money they must have officers to collect it. These must be appointed by Congress or such men will be appointed by particular states as will shew ye most favour—and look thro' ye whole, I believe you will not find a Single Power given but what would maim ye constitution if it was left out. Perhaps it may be said this will be an expensive Government. The Legislative will not be more expensive, if so much, as ye present congress for after they have got matters a going properly, they may be at home half their time. The other officers must be paid it is true, but when we consider ye advantages of a steady uniform Government with proper energy, I believe we shall find ye Benefits purchased at a cheap rate. Perhaps some may say that this annihilates our own state Governments, and our own Legislatures will have nothing to do; but ye Laws respecting criminal offenders in all cases, except Treason, are subjects for Legislation. We may increase, lessen, or change punishments for crimes as we think best, and make any act criminal or pœnal as far as Law can make it so at our pleasure. The regulating Towns, parishes, Providing ministers, schools, looking after Poor persons, punishing Idlers, vagabonds &c. &c. regulating Highways, bridges, fisheries, common fields &c. are also matters pertaining to ye General court—but above all ye great rules for regulating inheritances, descent of estates, Partition of them, last wills and Testaments, executors, Administrators, and Guardians are subjects for our own Legislation—ye appointment of all courts, and ye rules of Proceeding in them and of determining all controversies between our own citizens, Rules of Legitimacy, marriage and divorce and in fine all matters not expressly given to congress are still to be the subjects of our own Legislation to be carried into Effect by our own courts and officers. Over what things does ye constitution give congress a Power only those of great national concern, which require a large comprehensive view and which, Heaven knows, our Houses of R-p-s-t-ives were never capable of comprehending or of judging whether they were acting right or wrong.—I write very freely to you, without any reserve. Ye regard I have for my Children, my Kinsmen, my friends, my Neighbours, Posterity and my country, makes me bless God that those objects are likely for ever to be taken out of such hands, two thirds of whom were never from their fire side before, and never comprehended in their view more than their own farms and their own little private interest. I cou'd write a volume on this subject, but thus much must

suffice for ye present. I believe you are tired now as well as your affectionate Kinsman and sincere friend and Servt

1. Printed: "Letter of Chief-Justice Sargeant of Massachusetts," *The New England Historical & Genealogical Register*, I (1847), 237-39. An editorial note states that the text printed here represents extracts from a letter that Sargent wrote to Badger. Neither the date nor the place of writing is indicated. The manuscript letter has not been located. Sargeant (1731-1791), a Harvard graduate (1750) and a lawyer, represented Haverhill in the Second Massachusetts Provincial Congress, 1775, the House of Representatives, 1776, and the state constitutional convention, 1779-80. In September 1776 he became a justice of the state Superior Court (later the Supreme Judicial Court) and served until his death in 1791, having become chief justice in 1790. Badger (1722-1803), Sargeant's cousin and a former resident of Haverhill and Bradford, Mass., lived in Gilmanton, N.H. He was a brigadier general in the militia, judge of probate for Strafford County, and justice of the peace and quorum. He represented Gilmanton in both sessions of the New Hampshire Convention in February and June 1788 and voted against ratification of the Constitution. The letter was probably written in 1788.

The Federal Chariot Bickerstaff's Boston Almanack for 1788

On 10 December an advertisement printed in the weekly *American Herald* announced that "This day is published" *Bickerstaff's Boston Almanack* for 1788. The advertisement was reprinted on 17 and 24 December. The *Almanack* was ready for sale at Ezekiel Russell's printing office and Benjamin Guild's bookstore. Published by Russell, the almanac was entitled *Bickerstaff's Boston Almanack, or, The Federal Calendar, for the Year of Our Redemption, 1788*. It went through four editions (Evans 20877-79, 45040). "Bickerstaff" was the name adopted by almanac-maker Benjamin West (1730-1813) of Providence, R.I., who began using the name in the 1760s, borrowing it from the pseudonym, "Isaac Bickerstaff," first employed in 1707 by English satirist and almanac-maker Jonathan Swift.

Ezekiel Russell illustrated the almanac with a woodcut of "The Federal Chariot," which covered more than two-thirds of the title page. On the verso of the title page Russell explained the meaning of the woodcut. On the page facing this explanation, he reprinted a widely circulated pro-Constitution song entitled "The Grand Constitution: or, the Palladium of Columbia: a New Federal Song," which first appeared in the *Massachusetts Centinel* on 6 October 1787 (RCS:Mass., 56-57). In the calendar pages of the fourth edition of the almanac, Russell noted on the page for September, next to the 17th day of the month, that the Constitution was signed on that day in 1787.

Ezekiel Russell (1743-1796) began his career in 1758, carrying on his trade at different times in Portsmouth, N.H.; Providence, R.I.; and Boston, Danvers, and Salem, Mass.. Russell variously published newspapers, magazines, pamphlets, almanacs, small books, and ballads; before the Revolution, he printed first a Whig newspaper and then a Tory magazine. He began issuing *Bickerstaff's Boston Almanack* in 1777 when a resident of Salem. Marketing to a popular

audience, the enterprising Russell was well known for publishing criminal narratives and other sensational material.

☞ The FRONTISPIECE represents the truly patriotick WASHINGTON and FRANKLIN, triumphantly seated in the FEDERAL CHARIOT drawn by 13 FREEMEN, figurative of the happy UNION now forming by these STATES.—The heroick WASHINGTON holds in his hand the grand FABRICK of AMERICAN INDEPENDENCE, the FEDERAL CONSTITUTION, offering it with paternal affection to his *freeborn Brethren* the SONS of COLUMBIA.—That staunch FRIEND and GUARDIAN of the *Civil and Religious RIGHTS* of MANKIND, the sagacious and philosophick FRANKLIN, sits attentive with Spectacles on, having just scan'd over the GLO-RI-ous WORK, which will prove the *political SALVATION* of his COUNTRY; holding a Staff, on which is affixed a Cap, illusive of AMERICAN FREE-DOM, if the CONSTITUTION is adopted.—The Goddess of FAME flying with a Trumpet in her hand, spreading the glad Tidings of UNION through the STATES, and sounds a Peal to the *immortal Honour* of that *worthy and disinterested* Band of PATRIOTS and HEROES, the 39 MEMBERS of the late FEDERAL CONVENTION, who, with such *true Wisdom, sound Judgment* and *unbiassed Patriotism*, framed the present CONSTITUTION; whose Names, we trust, will be handed down to ages yet unborn, with the highest Veneration and Respect, by every *real Friend* to his *Country*, for their *unshaken Zeal* in the CAUSE of AMERICAN FREEDOM.—The SUN, entirely clear off the Horizon, shines resplendently on the



AMERICAN FEDERAL UNION, denoting that every ray of light has now burst forth, and beautifully illumes the whole UNITED CONTINENT of AMERICA.

Edward Bangs to George Thatcher
Worcester, 1 January¹

Tho I have little to write for your information, in answer to your inquiries—Yet I esteem myself bound to write, tho it were only a letter of Thanks for your favor to me—You would know the general political sentiments of the delegates to our convention—Were I to speak only of those within the circle of my personal knowledge; I could give you but a very disagreeable account: They most of them entertain such a dread of arbitrary power, that they are afraid even of limited authority—Why is it that modern politicians commonly commence with such sentiments—I think it a fact, perhaps, because I used to feel them, till late years have convinced me that the only way to avoid arbitrary power is to delegate proper authority to prevent it—Out of upwards of 50 members for this county not more than 7 or 8 delegates are of my present sentiments,² & yet some of them are good men—Not all insurgents I assure you—When I speak of other counties—I speak, as you do, from information; & your information, must certainly be as good as mine. We generally expect that the lower counties will have a large majority in favor of the Constitution—And they say that the upper counties are better than this. I hope we are the worst; & have expectations that there will be a decided majority in favor; If so I doubt not; but that in a little time it will set very well upon the people even in this county—For I assure you we have a considerable powerfull minority here—And it is with pleasure I think I may assure you that the people are more thoughtful, & less passionate every day.—All is at present tending to a calm—The cursed spirit of reproach in our newspapers seems to give way—If it should continue, & any man of good abilities should be found to take up on the side of the antifederalists, which I hope there will, to open a fair debate, that all may not be risqued on a silent vote—I have sober expectations that we may prove ourselves at least as good as Pensilvania—Your Friend

1. RC, Chamberlain Collection, Thatcher Papers, MB. This letter was addressed to Thatcher in New York City, where he represented Massachusetts in Congress. Bangs (1756–1818), a graduate of Harvard College (1777), was a Worcester lawyer, who, during Shays's Rebellion, was a volunteer in General Benjamin Lincoln's command. Bangs and Thatcher, a graduate of Harvard College (1776), probably became friends while college students.

2. In the state Convention, the Worcester County delegates voted 43 to 7 against ratification of the Constitution.

Edward Bowen Diary
Marblehead, 1 January¹

Political Conversation now seems to be most about the new form of Government our State Convention meet at Boston the 8 of this month for the acceptance or Refusal of the Constitution God Grant they may be directed from above, may they have the Good of the Publick at heart as we have now begun a new year may we begin it to the Lord, I have reason to fear there will something uncommon Come upon us this year may it not be our Destruction

1. Printed: "Extracts from Interleaved Almanacs of Nathan Bowen, Marblehead, 1742–1799," Essex Institute *Historical Collections*, XCI (1955), 357. According to the editorial notes to the diary of Nathan Bowen (1697–1776), the entry for 1 January 1788 was made by his son Edward (1720–1796). A former Loyalist, the younger Bowen until 1774 described himself as a mariner and after that date as a scrivener or gentleman.

Jeremiah Hill to George Thatcher
Biddeford, 1–2 January (excerpts)¹

... Shaysism appears to me to opperate the same in the Body politic, as epidemic's do in the human body; it is said by Physicians that there is more skill in finding out a disorder than in affecting the Cure, and that after having investigating the Disorder, if common Medicines won't work out a Cure, others more forceable must be apply'd—they say, Mr. King² was asked, what we should do if 4 States should not accept of the new Constitution? answered, we have a *standing Army*, this, perhaps, may be a necessary Medicine to cure shaysism, when reason & common Law won't effect it, but it must be said to be the dernier Resort, but there is one comfort yet left, if Shaysism is an epidemic disorder we shall not catch it a second time, and I think it has almost got thro' the Commonwealth but it rages high at this Time here and in general in this County, three Towns only excepted, that I hear of, Wells has chosen Dr. Hemenway & Judge Wells, Pepperellboro. Colo. Cutts & Buxton J Bradbury Esqr. but as we are very calvinistic, I have hopes the preaching of the *Righteous* will *convert* many from the Errors of their way—Mr. Wait³ has been here lately, he is against it, and brother Lee⁴ has *broke out*, but is like to do well, he has what we call the *good Sort*—the County of Cumberland has got a number of Respectable Charactors chosen for the Convention, Mr Widgery⁵ is also chosen & has waged war with it, the same as a *new light* fighting the *Devil*—Mr. Lee goes into the County of Lincoln this week when I expect to hear particular from that Quarter—but I think the fate of this Constitution and the political Salvation of the united States depend chiefly on the part that Virginia & this

State take in the Matter but I am happy to hear that Delaware & Pennsylvania has accepted it as well as the Jersey. a mouse once saved the life of the Lion,⁶ and skill often effects what Strength cannot perform. . . .

Wednesday 12. O.C. I have Just received yours of the 23d. Ulto. am yet alive at Biddeford where a favor by every post will be greatly received—am still pursuing your direction respecting my studies, am exceeding pleased with Burlamaqui.⁷ . . .
postscript.

Convention matters continued

I cannot recollect the particulars of my last therefore if I should tautologize some things your candor will excuse it

Kittery has chosen Mark Adams and a Mr. Neal a quaker, Berwick, Doctr Low, Mr Cutts and a Mr. Hays. Sandford our friend Nason. Fryeburgh Mr. Ames York & poor Biddeford⁸ &c. &c you know—in the County 4 pro's and 10 Con's.⁹ However I think we are better represented in this Convention than we have been at the G[eneral] C[ourt]¹⁰ these two years past. if I recollect right we never had more than three & sometimes no more than one who were for opposing Shays *vi et armis*.¹¹ . . .

1. RC, Chamberlain Collection, Thatcher Papers, MB. This letter was dated "Tuesday Jany. 1. 1788." The place of writing does not appear, but Hill lived in Biddeford, Maine. For other excerpts from this letter, see IV below, Biddeford section. Hill (1747-1820), a merchant and a former captain in the Continental Army during the Revolution, was town clerk, a justice of the peace, and a delegate to the state House of Representatives. In 1789 he was appointed U.S. collector of customs for Biddeford and Pepperellborough, District of Maine.

2. Rufus King, a former delegate to the Constitutional Convention, was in Boston in October 1787 and spoke about the Constitution with Maine's legislative delegates, including Hill. (See King to Henry Knox, 28 October, RCS:Mass., 155-56.)

3. For Thomas B. Wait, the publisher of the *Cumberland Gazette*, see RCS:Mass., lvii, 295-96, and Wait to Thatcher, 8 January.

4. For Silas Lee, who resided with the Thatcher family in Biddeford, see Lee to Thatcher, 23 January.

5. William Widgery, an Antifederalist leader in the state Convention, voted against ratification in February.

6. A reference to one of Aesop's fables, "The Lion and the Mouse," the moral of which is, "Little friends may prove great friends." The mouse helped the lion get out of a trap set by hunters.

7. A reference to Jean Jacques Burlamaqui (1694-1748), the author of *The Principles of Natural Law*, first published in French in 1747 and then in English the next year. The second and third editions of this work, entitled *The Principles of Natural and Politic Law*, appeared in 1762 and 1784.

8. Biddeford elected Allison Smith to the state Convention, but he refused to attend and Biddeford was unrepresented. For more on Smith, see Hill to Thatcher, 9 January; and Matthew Cobb to Thatcher, 24 January.

9. In the state Convention, York County's delegates voted eleven to six against ratifying the Constitution.

10. Massachusetts General Court.

11. Latin. "By strength and by arms" or "by main force."

**The Printer's Lad: New Year's Verse
Boston, 1 January (excerpt)**

Within towns, newspapers were usually delivered to subscribers by carriers who, as apprentices to printers, also did the menial work of the printing office during the year. On New Year's day, many printers permitted these carriers to request small gratuities from subscribers, who were presented with broadside addresses of doggerel verse. Having several purposes, these addresses reminded subscribers of the fidelity of the carriers and that payment was due to the newspapers, reviewed the events of the previous year, pronounced the hopes for the new year, wished subscribers a happy new year, or asked them for small gifts for the carriers. For the complete text of the broadside (Evans 45237), dated "*Printing-Office, January 1, 1788*," see Mfm:Mass. In the two verses not printed here, the *Centinel's* carrier wished the paper's patrons a happy new year and reminded them of news they received in 1787.

*The CARRIER of the
Massachusetts CENTINEL,
To its PATRONS,
Sendeth wishing.*

The WISH POLITICAL.

May our new plan of Constitution,
Prove to our woes—their dissolution;
And go down without alteration,
(Except indeed by *amen*-dation)
That so our Empire may arise
Until its *top stone* touch the skies—
Wealth pour its golden tide—then glad
With joy shall sing

The PRINTER'S LAD.

**The Editor of the Massachusetts Gazette
Massachusetts Gazette, 1 January¹**

PRINTING-OFFICE, *State-Street*,
January 1, 1788.

It has ever been the practice of Editors of periodical publications, at the commencement of a NEW YEAR, to present the compliments of

the season to their friends & patrons. The present being the first anniversary of a *solar revolution* which the Editor of the MASSACHUSETTS GAZETTE has experienced since his entrance into business in this town, he embraces the opportunity eagerly, and sincerely congratulates his numerous customers on the birth of another year—an era, no less important to the liberties of Americans of the present generation, than to the peace and tranquillity of unborn millions in future ages. How great, how astonishing, the events which the year *Seventeen Hundred and Eighty-Eight* is like to produce! To recapitulate the occurrences of times which have gone before us, few, we believe, have exceeded those, which ALL anticipate are on the eve of existence. The establishment of our “dear country” on the firm basis of federal, energetick and liberal government, is the great event anticipated, wished, and expected. To this great end, how far the youthful exertions of the Editor have been effective, the publick will please candidly to judge—remembering, however, that the Gazette, ever uninfluenced by party—a darling privilege which freemen WILL enjoy—is a channel through which the unbiassed sentiments of many—and good men too—have been ushered to publick investigation.

To be honest and frank, the Editor is obliged to acknowledge the *intentions* of this address—though he cannot but grieve at the *cause*—If a house, rent-free, had been fitted for carrying on his business—if a paper-mill, at the stroke of a magick wand, had been r[e]ared before the door of the printing-house, where, at his pleasure, he might have been supplied with paper—if he had settled contiguous to a *coal pit* or a *wood-lot*, where fuel could be obtained, and heat conveyed to his fingers in frosty weather, without the trouble of squeezing a hand into his pocket—indeed, if all the materials necessary, or even the *famous wishing-cap of Fortunatus*,² were at his command, the necessity of punctuality in his patrons would be abrogated.

Gratitude, however, compels him to thank, in terms of genuine sincerity, those of his customers who *have been* punctual; and earnestly intreats ALL, if convenient, to settle to this day; *then*, being capacitated in possessing the “ONE thing needful,”³ he hopes still to serve the publick with faithfulness and precision.

THE EDITOR.

1. The editor of the *Gazette* enclosed this item in an ornamental box.

2. When placed on his head, Fortunatus' cap of virtue would take him anywhere he wished. (See Thomas Dekker, *The Pleasant Comedie of Old Fortunatus* [1600].)

3. Luke 10:42. “But one thing is needful: and Mary hath chosen that good part, which shall not be taken away from her.”

Agrippa X**Massachusetts Gazette, 1 January**

To the PEOPLE.

Friends and Brethren, It is a duty incumbent on every man, who has had opportunities for inquiry to lay the result of his researches on any matter of publick importance before the publick eye. No further apology will be necessary with the generality of my readers, for having so often appeared before them on the subject of the lately proposed form of government. It has been treated with that freedom which is necessary for the investigation of truth, and with no greater freedom. On such a subject, extensive in its nature, and important in its consequences, the examination has necessarily been long, and the topics treated of have been various. We have been obliged to take a cursory, but not inaccurate view of the circumstances of mankind under the different forms of government to support the different parts of our argument. Permit me now to bring into one view the principal propositions on which the reasoning depends.

It is shewn¹ from the example of the most commercial republick of antiquity, which was never disturbed by a sedition for above seven hundred years, and at last yielded after a violent struggle to a foreign enemy,² as well as from the experience of our own country for a century and an half; that the republican, more than any other form of government is made of durable materials. It is shewn from a variety of proof, that one consolidated government is inapplicable to a great extent of country; is unfriendly to the rights both of persons and property, which rights always adhere together; and that being contrary to the interest of the extreme of an empire, such a government can be supported only by power, and that commerce is the true bond of union for a free state. It is shewn from a comparison of the different parts of the proposed plan, that it is such a consolidated government. By article 3, section 2, Congress are empowered to appoint courts with authority to try civil causes of every kind, and even offences against particular states; by the last clause of article 1, section 8, which defines their legislative powers, they are authorised to make laws for carrying into execution all the "powers vested by this constitution in the government of the United States, or in *any department* or officer thereof;" and by article 6, the judges in every state are to be bound by the laws of Congress. It is therefore a complete consolidation of all the states into one, however diverse the parts of it may be. It is also shewn that it will operate unequally in the different states, taking from some of them a greater share of wealth; that in this last respect it will operate more to the injury of

this commonwealth than of any state in the union; and that by reason of its inequality it is subversive of the principles of a free government, which requires every part to contribute an equal proportion. For all these reasons this system ought to be rejected, even if no better plan was proposed in the room of it. In case of a rejection we must remain as we are, with trade extending, resources opening, settlements enlarging, manufactures increasing, and publick debts diminishing by fair payment. These are mighty blessings, and not to be lost by the hasty adoption of a new system. But great as these benefits are, which we derive from our present system, it has been shewn, that they may be increased by giving Congress a limited power to regulate trade, and assigning to them those branches of the impost on our foreign trade only, which shall be equal to our proportion of their present annual demands. While the interest is thus provided for, the sale of our lands in a very few years will pay the principal, and the other resources of the state will pay our own debt. The present mode of assessing the continental tax is regulated by the extent of landed property in each state.³ By this rule the Massachusetts has to pay one eighth. If we adopt the new system, we shall surrender the whole of our impost and excise, which probably amount to a third of those duties of the whole continent, and must come in for about a sixth part of the remaining debt. By this means we shall be deprived of the benefit arising from the largeness of our loans to the continent, shall lose our ability to satisfy the just demands on the state. Under the limitations of revenue and commercial regulation contained in these papers, the balance will be largely in our favour: the importance of the great states will be preserved, and the publick creditors both of the continent and state will be satisfied without burdening the people. For a more concise view of my proposal, I have thrown it into the form of a resolve supposed to be passed by the convention which is shortly to set in this town.

“Commonwealth of Massachusetts.

“Resolved, That the form of government lately proposed by a federal convention, held in the city of Philadelphia, is so far injurious to the interests of this commonwealth, that we are constrained by fidelity to our constituents to reject it; and we do hereby reject the said proposed form and every part thereof. But in order that the union of these states may, as far as possible, be promoted, and the federal business as little obstructed as may be, we do agree on the part of this commonwealth, that the following addition be made to the present articles of confederation.

[“]XIV. The United States shall have power to regulate the intercourse between these states and foreign dominions, under the following restrictions, viz. 1st. No treaty, ordinance, or law shall alienate the

whole or part of any state, without the consent of the legislature of such state. 2d. The United States shall not by treaty or otherwise give a preference to the ports of one state over those of another; nor, 3d. create any monopolies or exclusive companies; Nor, 4th, extend the privileges of citizenship to any foreigner. And for the more convenient exercise of the powers hereby, and by the former articles given, the United States shall have authority to constitute judicatories, whether supreme or subordinate, with power to try all piracies and felonies done on the high seas, and also all civil causes in which a foreign state, or subject thereof actually resident in a foreign country and not being British absentees, shall be one of the parties. They shall also have authority to try all causes in which ambassadours shall be concerned. All these trials shall be by jury and in some sea-port town. All imposts levied by Congress on trade shall be confined to foreign produce or foreign manufactures imported, and to foreign ships trading in our harbours, and all their absolute prohibitions shall be confined to the same articles. All imposts and confiscations shall be to the use of the state in which they shall accrue, excepting in such branches as shall be assigned by any state as a fund for defraying their proportion of the continental. And no powers shall be exercised by Congress but such as are expressly given by this and the former articles. And we hereby authorize our delegates in Congress, to sign and ratify an article in the foregoing form and words, without any further act of this state for that purpose, provided the other states shall accede to this proposition on their part on or before the first day of January, which will be in the year of our Lord 1790. All matters of revenue being under the controul of the legislature, we recommend to the general court of this commonwealth, to devise, as early as may be, such funds arising from such branches of foreign commerce, as shall be equal to our part of the current charges of the continent, and to put Congress in possession of the revenue arising therefrom, with a right to collect it, during such term as shall appear to be necessary for the payment of the principal of their debt, by the sale of the western lands."

By such an explicit declaration of the powers given to Congress, we shall provide for all federal purposes, and shall at the same time secure our rights. It is easier to amend the old confederation, defective as it has been represented, than it is to correct the new form. For with what ever view it was framed, truth constrains me to say, that it is insiduous in its form, and ruinous in its tendency. Under the pretence of different branches of the legislature, the members will in fact be chosen from the same general description of citizens. The advantages of a check will

be lost, while we shall be continually exposed to the cabals and corruption of a British election. There cannot be a more eligible mode than the present, for appointing members of Congress,⁴ nor more effectual checks provided than our separate state governments, nor any system so little expensive, in case of our adopting the resolve just stated, or even continuing as we are. We shall in that case avoid all the inconvenience of concurrent jurisdictions, we shall avoid the expensive and useless establishments of the Philadelphia proposition, we shall preserve our constitution and liberty, and we shall provide for all such institutions as will be useful. Surely then you cannot hesitate, whether you will chuse freedom or servitude. The object is now well defined. By adopting the form proposed by the convention, you will have the derision of foreigners, internal misery, and the anathemas of posterity. By amending the present confederation, and granting limited powers to Congress, you secure the admiration of strangers, internal happiness, and the blessings and prosperity of all succeeding generations. Be wise then, and by preserving your freedom, prove, that Heaven bestowed it not in vain. Many will be the efforts to delude the convention. The mode of judging is itself suspicious, as being contrary to the antient and established usage of the commonwealth. But since this mode is adopted, we trust, that the numbers of that venerable assembly will not so much regard the greatness of their power, as the sense and interest of their constituents. And they will do well to remember that even a mistake in adopting it, will be destructive, while no evils can arise from a total, and much less, probably, from such a partial rejection as we have proposed.

I have now gone through my reasonings on this momentous subject, and have stated the facts and deductions from them, which you will verify for yourselves. Personal interest was not my object, or I should have pursued a different line of conduct. Though I conceived that a man who owes allegiance to the state, is bound, on all important occasions, to propose such inquiries as tend to promote the publick good; yet I did not imagine it to be any part of my duty to present myself to the fury of those, who appear to have other ends in view. For this cause, and for this only, I have chosen a feigned signature. At present all the reports concerning the writer of these papers are merely conjectural. I should have been ashamed of my system, if it had needed such feeble support as the character of individuals. It stands on the firm ground of the experience of mankind. I cannot conclude this long disquisition better, than with a caution derived from the words of inspiration. *Discern the things of your peace now in the days thereof, before they be hidden from your eyes.*⁵

1. The phrase "it is shewn" or a variation of it is used several more times in this paragraph by "Agrippa" in order to refer to topics that he discussed in his earlier essays. See "Agrippa" IV-IX, *Massachusetts Gazette*, 4, 11, 14, 18, 25, and 28 December (RCS:Mass., 381-83, 406-9, 426-28; and above).

2. "Agrippa" I states that "Carthage, the great commercial republick of antiquity . . . retained her freedom longer than Rome, and was never disturbed by sedition during the long period of her duration" (*Massachusetts Gazette*, 23 November, RCS:Mass., 305). For more on Carthage, see "Agrippa" XII, *Massachusetts Gazette*, 15 January.

3. Article VIII of the Articles of Confederation provides that federal expenses be apportioned among the states "in proportion to the value of all land within each state, granted to or surveyed for any Person . . ." (CDR, 89).

4. Article V of the Articles of Confederation provides that delegates to Congress "shall be annually appointed in such manner as the legislature of each state shall direct" (CDR, 87).

5. Luke 19:42. "Saying, If thou hadst known, even thou, at least in this thy day, the things which belong unto thy peace! but now they are hid from thine eyes."

Patrick O'Neil, Esquire

Massachusetts Gazette, 1 January

Lord have mercy upon us! What an age of wonders do we live in! Was any thing ever equal to the wonderful production which was exhibited to the publick in last Saturday's Centinel, by a writer who signs himself a *Republican Federalist*;¹ but, by the way, his production gives his signature the lie. It is a *masterpiece* of eloquence, and, upon the first perusal of it, I concluded that Cicero himself must have revisited the earth, and taken his lodgings in the abode of the *Republican Federalist*, as he styles himself. Upon a little reflection, however, that appeared rather improbable, as I did not recollect of ever hearing that Cicero was *over head and ears in DEBT*;² and the old proverb says (if I remember right) that

BIRDS OF A FEATHER,
FLOCK TOGETHER.³

I was therefore much at a loss to account for the appearance of such a learned essay; but at length concluded, that the author must have been lately reading the Pilgrim's Progress,⁴ and the famous battles of Christian and Apollyon had made a deep impression upon his mind; or that he had been attentively studying Milton's Paradise lost. If neither of these is the case, I would venture to hazard a bet of elevenpence half-penny, that the *Republican Federalist* means to prove, beyond a doubt, that there exists not the least congeniality between water and fire; and that the Earl of Rochester did not strictly live up to the principles of the orthodox catechism.⁵ As there is great probability that he means to establish the point last mentioned, I can put him in a way of doing it in a more concise manner; and that is, to inform the publick

that if water is put upon fire the fire will be extinguished; and that the Earl of Rochester was a libertine, and the orthodox catechism damn'd all libertines.

1. See "The Republican Federalist" I, *Massachusetts Centinel*, 29 December 1787. James Warren was possibly "The Republican Federalist."

2. James Warren, who purchased former Governor Thomas Hutchinson's house in Milton in 1781, had difficulty keeping up with the payments and was forced to sell it 1791. Warren was sometimes attacked for supporting tender laws which benefitted debtors. See, for example, "Ship News," 17 October–24 November; and "A Dialogue Between Mr. Schism and Mr. Cutbrush," *Boston Gazette*, 29 October (RCS:Mass., 86, at note 5; 92, at note 16; and 162–66).

3. George Wither, *Abuses Stript and Whipt* (1613), 72.

4. John Bunyan, an English non-conformist preacher, published the widely read and much reprinted *Pilgrim's Progress from This World to That Which Is to Come* in two parts in 1678 and 1684. Between 1681 and 1744 the work was reprinted at least six times in Boston.

5. John Wilmot (1647–1680), the second Earl of Rochester, was a poet, courtier, and notorious rake who wrote amorous lyrics and obscene rhymes.

Kempis O'Flannegan

Massachusetts Gazette, 1 January

To the Citizens of Massachusetts.

To enter upon a serious refutation of all the *arguments of Agrippa*, would be time misused, and *talents* thrown away, without effect, upon a trivial and insignificant object, as the unprejudiced part of the publick must be convinced of the fallacy of his reasonings upon a subject which his writings plainly evince he is entirely ignorant of. His writings are a jumble of lengthy harrangues, which tend as much to prove that the government of Turkey is absolute, as they do to prove that the federal constitution is not adequate to guard and support the rights and privileges of a free people.

Agrippa's last production¹ insinuates, that the power of regulating trade and commerce ought never to be vested in a federal head. If this is not directly subversive of all regularity, and tending to involve the trade and navigation of these states in anarchy and confusion, then white is not different from black, and *Agrippa* is not so great a fool as he appears to be. But if such a power is withheld from congress, every reasonable mind must be sensible that the trade of the United States will be in a very confused state.

Agrippa is the oracle of sedition, and sedition is the idol of anti-federalism.—Beware, O sons of Massachusetts, how ye swallow the anti-federal pill; it may appear to be gilded with a medicine savory to the taste, but you will find, if you take it, that it will be bitter to the stomach.

1. See "Agrippa" IX, *Massachusetts Gazette*, 28 December.

Captain M'Daniel**Massachusetts Gazette, 1 January***To the Citizens of Massachusetts.*

I always mean to be concise. Two or three short remarks shall begin and close the subject. In Saturday's Centinel a lengthy and *learned* production made its appearance, undersigned "*Republican Federalist, No, 1.*"¹ The writer did *wisely* in adding No. 1. to his signature, as he has thereby prepared the minds of the people for the reception of his future numbers. And in this he no doubt was actuated by motives of *humanity*, as he must be sensible that such *bright flashes of wisdom*, as are, and are like to be (if we may judge from what we have already seen) contained in his productions, would operate like an *electrical shock*, upon people *in general*, unless they were prepared to receive them. I acknowledge, that such an *ingenious* and almost *unparalleled* display of *sense* and *eloquence*, filled me with astonishment, and I was for some time doubtful whether it was not the language of *inspiration*—It naturally brought to my recollection what Addison says of Cowley:—

His turns too closely on the reader press;
 He more had pleas'd us, had he pleas'd us less:
 One glittering tho't no sooner strikes our eyes,
 With silent wonder, but new wonders rise.²

But to be *serious*—the antifederalists are now grumbling that the members of the late federal convention exceeded the powers vested in them. This brings to my mind the story of a captain of an English man of war, who, in the reign of queen Elizabeth, when the English nation was at war with France (I will not be positive, but I think it was with France) was stationed at a particular place, and commanded not to leave it on his peril. The captain, however, found, that by leaving his station it would be in his power to render a very great benefit to his country. He therefore quitted his station, and by so doing effected what he had in view. The English admiral informed him, that notwithstanding he had done his country such service, he was liable to suffer for disobeying his orders. I know it (replied the captain) but the glory of my country I ought ever to consider before my personal safety. I do not know whether I have related the matter, verbatim, as it happened, but am confident that it is not essentially different in the main point.

Allowing that the convention have in some degree exceeded their powers, it by no means is in favour of antifederalism. They no doubt had the welfare and honour of their country in view; and considered

that their proceedings were to be investigated by a community of enlightened and candid freemen, and in whose power it would be to decide whether they should be null or valid.

The convention have conducted worthy the representatives of a free people; this must be obvious to every true republican.—Citizens of Massachusetts, adopt the new constitution, as by so doing you will reap the benefits of struggling for independence.

1. See "The Republican Federalist" I, *Massachusetts Centinel*, 29 December.

2. See Joseph Addison's description of Abraham Cowley (1618–67) in "An Account of the Greatest English Poets" (1694), in George Washington Greene, ed., *The Works of Joseph Addison* . . . (6 vols., Philadelphia, 1868), I, 142–43.

Salem Mercury, 1 January

FEDERAL CONSTITUTION.

It is the singular happiness of America, to establish her federal empire at this enlightened era, when the principles of political union are in general pretty well understood; and when superstition, a passion for war, or other dangerous prejudices, have no baneful influence. A sad experience of the evils that arise from an immoderate pursuit of wealth, and an overdriven love of liberty, is also very beneficial to a young nation; as it will impress the great maxims of moderation & integrity; without which, neither individuals or civil societies can be happy. By the grace of Providence, peace and tranquillity favours a mature deliberation on the grand affairs of a national system.

The constitution proposed for the United States becomes an object of contention, without any material faults, merely from a too refined political taste, irritated by pride, personal pique, and the other usual sauce of party. No human production was ever perfect; individuals should not presume to pick out little blemishes in a system composed by some of the best & wisest citizens. In a grand building, a small omission in minute parts is nothing—yet little minds can often espy this, but are not capable of admiring the great design, the beauty and strength of proportion, the skill in attaining advantages almost incompatible. The memorable expression of Solon, that his laws were the best his country would admit,¹ should be well considered by all political criticks. It is better to put up with some real imperfections, than to be always reforming—Hudibras justly ridicules those who seemed to think, that religion was only made to be mended²—A political satirist relates how a nurse, in order to reduce the overgrown foot of a child, first squeezed, and then trimmed it, till it became necessary to cut it off. It

is wisdom to be satisfied with that degree of perfection allotted our present state. The 5th article reserves a very proper mode for amending the federal constitution; it is certainly reasonable to give it a fair trial by some years experience; and it must be madness to pull down a house at the approach of winter, because there may hereafter be a leak in the roof.

It would be presumption, to attempt to define how far the federal union may in all cases be agreeable to the interest of the respective states; because they have as a nation just entered into the political world; and the very circumstance of being a young country not half improved is a source of many unknown complicated events. Should, upon a fair trial, any permanent inequality appear in favour of some states, it will no doubt be remedied—In the mean time all well-disposed Americans will pay a grateful regard to the faithful endeavours of the honourable convention—Observe the modesty & sensibility expressed in their address to Congress—“In all our deliberations on this subject we kept steadily in our view, &c. the greatest interest of every true American, the consolidation of our union, in which is involved our prosperity, &c. perhaps our national existence. This important consideration, seriously and deeply impressed on our minds, led each state in the convention to be less rigid on points of inferior magnitude—And thus the constitution which we now present, is the result of a spirit of amity, and of that mutual deference and concession, which the peculiarity of our situation rendered indispensable.”³ In a discussion of respective rights, the main question is, to what states is the union most necessary? Local situation, natural strength, & the temptation of advantage to foreign or internal enemies, must determine this. The small states want protection, those on the frontiers especially. The most powerful could not resist a formidable power. The southern states are more wealthy than strong; their situation & wealth would naturally invite a foreign attack. The union of Great-Britain was much opposed by those who extolled the superior wealth of England; but men of sense set a proper value on the military spirit of Scotland, and observed that gold must be defended by steel. If some states derive any superior advantage from the inland carrying trade, it is a mark of their inferiority in a landed interest, and should not be a cause of envy: besides, their maritime strength would upon occasion defend the other parts of the union. Thus the interest of property, which is a secondary object, may on the whole be not very unequally shared among the states.

1. See the chapter on Solon in Plutarch, *Lives*, 105. “And, therefore, when he was afterwards asked if he had left the Athenians the best laws that could be given, he replied,

‘The best they could receive.’ ” See also Montesquieu, *Spirit of Laws*, I, Book XIX, chapter XXI, 452, where Solon’s reply reads: “I have given them the best they were able to bear.”

2. See Samuel Butler, *Hudibras*, First Part, Canto I, lines 203–4 (London, 1663). “As if Religion were intended/For nothing else but to be mended.”

3. The President of the Constitutional Convention to the President of Congress, 17 September 1787 (CC:76; and CDR, 305–6).

The Reprinting of Excerpts from The Federalist 24 Salem Mercury, 1 January

On 1 January the *Salem Mercury* reprinted lengthy excerpts from *The Federalist* 24, *New York Independent Journal*, 19 December (CC:355), without identifying the source. In reprinting these excerpts that extolled the merits of standing armies, the *Salem Mercury* rearranged sentences and paragraphs. For more on such practices by the *Mercury*, see RCS:Mass., lv.

OF A STANDING ARMY.

“One objection to the Constitution is, that proper provision is not made against the existence of standing armies in time of peace. One would naturally be led to conclude, from the complexion of our newspapers, that the plan contained either a positive injunction that standing armies should be kept up in time of peace, or that it vested in the Executive the whole power of levying troops, without subjecting his discretion in any shape to the controul of the legislature. But neither the one nor the other is the case—the fact is, that the whole power of raising armies is in the LEGISLATURE—a popular body, consisting of the REPRESENTATIVES of the PEOPLE, periodically elected—and there is an important qualification even of the legislative discretion, in that clause which forbids the appropriation of money for the support of an army, for any longer period than two years: A precaution, which is a great and real security against the keeping up of troops without evident necessity.

Only two of the state constitutions contain an interdiction of standing armies—those of Pennsylvania and N. Carolina: The others, either by their silence on the subject, or in express terms, admit the unqualified right of the legislatures to authorize their existence.

The existing articles of confederation do not impose a single restraint upon the discretion of Congress, in that particular.

From a close examination, it will appear, that restraints on the discretion of the legislature, in respect to military establishments in time of peace, would be improper to be imposed—and, if imposed, from the necessities of society would be unlikely to be observed.

Tho’ a wide ocean separates these States from Europe, yet there are various considerations which warn us against an excess of confidence

or security. On one side of us, and stretching far into our rear, are growing settlements, subject to Britain. On the other side, and extending to meet the British settlements, are colonies and establishments, subject to Spain. This situation, and the vicinity of the W. India islands belonging to these two powers, create between them, in respect to their American possessions, and in relation to us, a common interest.—The savage tribes on our western frontier ought to be regarded as *our* natural enemies—their natural allies; because they have most to fear from us, and most to hope from them. The improvements in navigation have, as to the facility of communication, rendered distant nations, neighbours. Britain & Spain are among the principal maritime powers. A future concert of views between these nations is not improbable. The increasing remoteness of consanguinity is every day diminishing the force of the family-compact between France and Spain:¹ And politicians have ever considered the ties of blood as feeble and precarious links of political connection.—These circumstances, combined, admonish us not to be too sanguine in considering ourselves as out of the reach of danger.

Previous to the revolution, and ever since the peace, there has been a constant necessity for keeping small garrisons on our western frontier. These will continue to be indispensable, if it be only against the ravages of the Indians. These garrisons must be furnished by permanent corps in the pay of government; which amounts to a standing army in time of peace.

In proportion to our increase in strength, Britain and Spain will augment their military establishments in our neighbourhood—and we shall find it expedient to increase our frontier garrisons in some ratio to the force by which our western settlements may be annoyed. There are and will be particular posts, the possession of which will command large districts of territory, and facilitate invasions of the remainder: And some of these posts will be keys to the trade with the Indians.—Would it be wise, to leave such posts in a situation to be at any instant seized by one or other of two neighbouring formidable powers?

If we mean to be a commercial people, or even to be secure on our Atlantick side, we must endeavour, as soon as possible, to have a navy. To this purpose, there must be dockyards & arsenals; and, for the defence of these, fortifications & garrisons. When a nation has become so powerful by sea, that it can protect its dockyards by its fleets, this supersedes the necessity of garrisons for that purpose; but, where naval establishments are in their infancy, moderate garrisons will, probably, be found an indispensable security against descents for the destruction of the arsenals and dockyards, and sometimes of the fleet itself.

This simple view of the subject shows the impropriety of a constitutional interdiction of military establishments, & the necessity of leaving the matter to the discretion and prudence of the legislature.”

1. The Family Compact was an alliance between France and Spain, both of which were ruled by branches of the House of Bourbon.

Salem Mercury, 1 January¹

LIBERTY OF THE PRESS.

“The Conventional System has, in my opinion, but One Great and Essential Defect—and it appears to me, that this Very Essential Defect was overlooked from Design. This defect is, That the Sacred Liberty of the Press remains without any constitutional *federal* protection; so that, should a citizen write, as he now has a right to do, against any unconstitutional or despotick exertion of the legislative, executive, or judicial powers of the new Congress, or of their General President, the Writer, as well as the Printer, (should he be base enough to betray the secrets of his business) becomes instantly amenable, not to the *local* laws of his own state, which have no cognizance of *federal* delinquencies, but to those of a partial and interested Federal Court, which, in this one point, has no law to restrict the Tyranny of their sentence.”

“No power given to Congress by this Constitution can be even *tortured* to extend to the infringement of the liberty of the press. As ALL the powers Congress are to possess will be the GRANT of the PEOPLE, we can have nothing to fear from that body—if this privilege is ever destroyed, it must be BY THE PEOPLE.”

1. This item on the freedom of the press is a combination and revision of an item first printed in the Philadelphia *Independent Gazetteer* on 14 December (CC:Vol. 2, p. 459) and an item that appeared in the *Massachusetts Centinel* on 22 December (RCS:Mass., 49). For more on such practices by the *Salem Mercury*, see RCS:Mass., lv.

Jeremy Belknap to Ebenezer Hazard

Boston, 2 January (excerpts)¹

I wish you a happy new Year—it has come in very moderately—I rode yesterday about 10 miles out & home—The ground bare, dry & hard as a mill-stone.—Last Eveng came a flight of snow but it will not lie. . . .

Next Week our Convention is to meet & then!—what? why we shall have 3 or 400 more Men in this Town—& what will they do—ay, there is the rub! but you shall know as fast as it rises—What will *your* great Men do? . . .

1. RC, Belknap Papers, MHi. Printed: *Belknap Correspondence*, Part I, 500.

Samuel A. Otis to Elbridge Gerry
New York, 2 January¹

It was my intention to have done myself the honor to have called upon you, previous to my leaving Massachusetts,² but partly from chagrin at undertaking an employment in which I could render but little service to myself, or my Country, And in part from a hurry of business inseperable from my *then* Situation I was deprived of the honor—I do not now address you upon the great *Subject* of contemplation, because everything worth your attention (& many things beneath it) has been said, & better said, than is in my power—Much less do I mean to dragg you into Convention; to hiss you for speaking contrary to what I might dictate, Or compell you to vote with me—For besides other objections to the measure, the being run thro the body,³ for which at the present moment I have no great propensity, seems a natural one; And I am not sure but if I could effect this, as the redoubted Capt Barry did at Philadelphia in regard to a member of their Assembly⁴ that you would not turn the hiss upon myself; But my principal design in writing is to evince that esteem, which a series of kind offices on your part have inspired—

And altho without reserve I confess myself a foederalist, I have so much charity for unbelievers, as most sincerely to tender *you* my services, in any way that you may think proper to command them, feeling perfectly secure in your well known delicacy, & nice sense of honor.—

I am not by any means of opinion, if your dissent⁵ & influence, should stop the progress of the new system, that all would be lost, and no Government adopted; altho I am in doubt whether we shall do better; And think there is great danger whilst we are contending for perfection in Government, which no human Legislators are competent, to we shall be left without, any; And there will be a kind of necessity for some of your great Spirits, to come forward and call us to order, in your own right.

There seems at present to be a pause in the Govt of the United States—I suppose in their eager attention to the New confoederation, the old is forgotten, And therefor only five States (but one from N England) are represented; It is hoped however there will be a meeting of at least seven States in all this month.

Mr A Lee is gone down to Verginia (where tis said the *opposition* gains ground) full of zeal, a Candidate for Convention;⁶ Gr: Clinton setts off[f] for Poughkepsie this morning to put his machinery in motion⁷—

I understand all the States South of *this*, Virginia excepted, either have, or will accede—If the E[astern] States had a propensity to be jealous, the eagerness, avidity, & illiberality of some of the States, in their mode of adoption, would have inspired it; However I hope nothing will prevent them, & especially Massachusetts, from discussing & determining the question, with that decorum, & dignity of debate which have marked her public Councils; And that a fair majority will be submitted to, let the question be determined as it may.

I should feel myself honored by a line from you as leisure permits,

1. RC, Lilly Library, Indiana University, Bloomington. The letter was docketed: "2d Jany ansd/27 1788."

2. Otis, a member of the Massachusetts House of Representatives, left Boston to take his seat in Congress on 12 November, by which time Gerry had returned to Massachusetts from the Constitutional Convention and New York City. Otis first attended Congress on 19 November.

3. A reference to the debates in Congress between 26 and 28 September 1787 on transmitting the Constitution to the states (CC:95). Some commentators criticized Congress for its precipitate action.

4. On 29 September 1787 Captain John Barry, a naval hero of the Revolution, led a mob that forcibly returned two Antifederalist assemblymen to the Pennsylvania Assembly in order to attain the necessary two-thirds quorum. With a quorum, the Assembly completed its call of a state convention and adjourned (RCS:Pa., 99–120; and CC:125).

5. See Elbridge Gerry to the General Court, 18 October (RCS:Mass., 94–100).

6. Arthur Lee, a member of the Continental Board of Treasury and the author of the Antifederalist "Cincinnatus" essays (CC:222), was not elected to the Virginia Convention. See RCS:Va., 122, 122n, 128, 620.

7. Governor George Clinton left New York City for Poughkeepsie to address the state legislature which was scheduled to convene on 1 January. For his 11 January speech to that body, see CC:439. An opponent of the Constitution, Clinton had not yet declared his position publicly.

The Republican Federalist II Massachusetts Centinel, 2 January

To the MEMBERS of the CONVENTION of MASSACHUSETTS.

Honourable Friends, and Fellow Citizens, It clearly appeared by the resolutions quoted in my last address,¹ that the utmost extent of the views of Congress, and of the Legislature of this State in calling a Federal Convention, was, that it should revise the articles of Confederation, and report such *alterations and provisions therein*, as shall render the Federal Constitution adequate to the exigencies of government and preservation of the union—that neither Congress or the Legislature had the most distant idea of conducting the matter in a mode different from that prescribed by the Confederation—but that on the other hand, they expressly provided, and would have acted unconstitutionally to have

done otherwise, that the proceedings of the Convention, before they become a part of the Federal Constitution, should be agreed to by Congress and confirmed by the Legislatures of the several states.

No one I presume will deny that the powers of the delegates of this state, were as *full* and *extensive* as either Congress or any of the Legislatures had *authority* to give—that the powers of the other delegate[s] were in general, more *limited*—and that had any of them been more *ample* than those of Massachusetts, they must have been founded in *usurpation* and therefore have been *null* and *void*. And have the Federal Convention, in pursuance of their powers, reported the *alterations* and *provisions* mentioned in the recited resolve of Congress? If they have, let us call on Congress, to inform us, whether they have agreed to the report, and to transmit it when approved, to the Legislature for their consideration: This would be conducting upon constitutional principles, but the *call* would be vain, there is no such report, and the *original design of forming the Convention has not been carried into effect*.

The Convention nevertheless have reported a new system, and the object of it is, *a consolidation of the union*. Mr. Wilson denies this fact, and says “if this was *a just objection*, it would be *strongly against the system*.”² But unfortunately for that gentleman, his *memory* appears to be very *defective*, for he forgot that he has said, in the letter to Congress, signed “George Washington, president, *by unanimous order of the Convention*”—“In all our deliberations on this subject, we kept steadily in our view, that which appears to us the greatest interest of every true American, *the consolidation of the union*.”³ There the Convention have candidly avowed their intentions, and how Mr. Wilson can reconcile his *jarring* and *contradictory* assertions, I am at a loss to determine. The Convention then having kept “*steadily in view*” “a consolidation of the union,” it is incumbent on every one who is zealous for the *infallibility* of the Convention, and liberal in abusing those who *dare* to think for themselves, to admit that the proposed plan *completely embraces* the object of *consolidation*, for otherwise he will call in question the *ability* of the Convention to execute their design—indeed it must be evident to every one who will attentively read the new system, that it secures to all intents and purposes the *consolidation intended*. And here permit me to remark on an argument, in favour of the new plan, often urged and drawn from the respectable characters of General Washington and Doctor Franklin: Let those gentlemen have *every honour* that can be paid them, they are justly entitled to *it*—but of what consequence is it to the publick, whether the members who assented or dissented to the new plan, were influenced by *virtuous* and *disinterested*, or by *vicious* and *selfish* motives? If the plan is *properly* before the States, is *good*, and will

secure to them "peace, liberty and safety" should it not be adopted, were they even sure that every member who subscribed it was in principle a *Caligula* or a *Nero*? And if the plan is bad and will entail *slavery on the land*, ought it not to be rejected should every subscriber excel in wisdom and integrity *Lycurgus* or *Solon*. Surely the *good* or *bad* effects of the system, depend not on the *characters* of the original *framers*, but on the *system* itself, and on those who may administer it; and no man of candour and discernment will urge *characters*, as an argument for or against this system, however respectable the characters of any particular members, or of the members in general of the federal convention, may be: They had no other authority to act in this matter, than what was derived from their *commissions*—when they ceased to act *in conformity thereto*, they ceased to be a federal convention, and had no more *right* to propose to the United States the new form of government, than an equal number of other gentlemen, who might voluntarily have assembled for this purpose—The members of the convention therefore, admitting they have the merit of a work of supererogation, have thereby inferred no kind of obligation on the States to *consider*, much less to adopt *this plan of consolidation*. The consolidation of the union! What a question is this, to be *taken up* and *decided* by *thirty nine gentlemen*,⁴ who had no publick authority whatever for *discussing it!*—To be submitted to the people at large, before it has been *considered* or even *agitated* by Congress, or any of the Legislatures, and to be transmitted with such precipitation to the States *merely* "for their assent and ratification?" True it is, that neither Congress or the Legislatures could decide this great question; the first are restrained by the confederation, and the last by the federal and state constitutions—but Congress and the Legislatures, if they thought it necessary, might at any time have considered the subject, expressed their sentiments on it, and recommended to the people an election of State conventions to have taken up the matter. Had this been done the important question would have been previously canvassed; and understood by Congress and the Legislatures; and explained to the people; and the publick opinion would have been thus *united* in some salutary measure—but as the matter has been conducted, a *system of consolidation* has been formed with the most *profound secrecy*, and without the *least authority*: And has been *suddenly* and *without any previous notice* transmitted by the federal convention for ratification—Congress *not disposed to give any opinion on the plan*, have transmitted it to the legislatures—The legislatures have followed the example, and sent it to the people. The people of this State, *unassisted* by Congress or their legislature, have not had time to investigate the subject, have referred to the news-papers for information, have been divided by contending writers,

and *under such circumstances* have elected members for the *State Convention*—and these members are to consider whether they will accept the plan of the federal convention, *with ALL its imperfections*, and *bind* the people by a *system of government*, of the nature and principles of which they have not at present a clearer idea, than they have of the *Copernican system*.

What are we to expect, from such a mode of proceeding? Are not the people already thrown into great confusion? Are not heats, animosities, and a party spirit very prevalent and daily increasing? Are the citizens of this State in a proper temper to receive information, either of the ratification, or rejection, of the new constitution? Is there a probability of *its being supported*, if so *precipitately adopted*? Surely it must appear that the plan, although *improperly before the State*, cannot with safety be rejected—that it cannot as it stands, be safely *accepted*—that the people will not be satisfied with a *ratification*, and the *delusive prospect of future alterations*—and that the only hope that remains of preserving the peace and happiness of this Commonwealth, is *from amending the plan in order to its adoption*.

1. See "The Republican Federalist" I, *Massachusetts Centinel*, 29 December.

2. On 1 December the *Pennsylvania Herald*, reporting on the Pennsylvania Convention debates of 28 November, stated that Antifederalist Robert Whitehill, traced "in an elegant, ingenious, and argumentative speech . . . some of the leading defects in the constitution, and endeavoured to shew that, if not in express terms, yet by inevitable consequence, it would terminate in a consolidation and not a confederation of the states. To this objection, (which Mr. Wilson agreed, if taken upon true grounds, was a very serious and important one) the argument respecting the necessary relation between the state legislatures, and the federal branches of government, was repeated, the latter of which could not exist, it was said, if the former were annihilated" (RCS:Pa., 422. The *Herald* mistakenly attributed Whitehill's speech to John Smilie.). This report was reprinted in the *Boston Gazette* on 17 December. When the *Pennsylvania Herald* printed a fuller account of the debate on 19 December, it reported that Wilson said: "I freely confess that if its adoption will necessarily be followed by the annihilation of the state governments, the objection is of very great force, and ought to be seriously weighed" (RCS:Pa., 404). This later version was not reprinted in Boston.

3. See the letter of the President of the Constitutional Convention to the President of Congress, 17 September 1787 (CC:76; and CDR, 305–6).

4. Thirty-nine delegates signed the Constitution.

Philo-Musæ

Massachusetts Centinel, 2 January¹

MR. RUSSELL, It is said were human nature at once to be annihilated—another race of beings might, from the works of *Shakespeare* alone, form a compleat idea of the nature and manners of mankind. I think, Mr. Printer, a similar remark might in some measure be applied

to our inimitable M'FINGAL, where we find most excellent strokes of satire suited to every class of men. For instance now, when I cast my eyes over the railings of the antifederalists, who expect that *places* will be lessened if the Federal Constitution is adopted—the lines of *Trumbull*² forthwith pop themselves in my mind—where the hero makes his patriots,

“Cry *liberty* with powerful yearning
As he does fire, whose house is burning.”³

How prettily, and justly, some of our antifederalists are described in these words—

“While ev'ry dunce, that turns the plains,
Though *bankrupt* in estate and brains,
Starts an harrang'ing chief of whigs,
To drag us by the ears like pigs.
Each leather-apron'd clown grown wise,
Presents his forward face t' advise.
And tatter'd legislators meet,
From ev'ry work-shop in the street.
His goose the taylor finds new use in,
To *patch* and turn the Constitution:
The blacksmith comes with sledge and grate,
To iron bind the wheels of state,
And *quacks* forbear their patient's souse
To purge the Senate and the House.”

I am no party man, Sir, and am only contending for the American Poet. Yours,

1. Reprinted: *New Haven Gazette*, 17 January; *Vermont Gazette*, 11 February.

2. John Trumbull: *M'Fingal: A Modern Epic Poem, in Four Cantos*, Canto Third, lines 105–6, 109–10, 113–14, 117–26. The first canto was printed in 1776 in Philadelphia (although the title page reads 1775) and the completed poem appeared in Hartford in 1782. (See Evans 14528, 17750–52.)

3. At this point, when reprinting this item, the *New Haven Gazette* and *Vermont Gazette* added lines 107–8: “Tho' he already has much more,/Than he can find occasion for.”

Massachusetts Centinel, 2 January¹

Of CONVENTIONS—and, Of the FEDERAL CONSTITUTION—in brief.

DELAWARE and NEW-JERSEY Conventions have, *in toto*, unanimously ratified the Constitution.

PENNSYLVANIA hath also ratified it—and by a greater majority than ever took place in that State, on any important question since the Revolution.

The Conventions of NEW-HAMPSHIRE, CONNECTICUT, (which is now in session) NORTH-CAROLINA, and SOUTH-CAROLINA, *will* adopt it—as will GEORGIA, if it hath not already.

In MASSACHUSETTS, NEW-YORK, MARYLAND, and VIRGINIA, there are great numbers in its favour—And REALLY, at present, we have a happy prospect of having it in our power, before midsummer, to announce the pleasing tidings that not only *NINE* but *TWELVE* of the great *PILARS* of the Federal Superstructure, are raised, and the whole completed. *LAUS DEO!*²

1. This item was possibly an answer to a longer item on the progress of ratification throughout America that the *Massachusetts Gazette*, 1 January, had reprinted from the Antifederalist *New York Journal*, 20 December (CC:362). The *Journal* had ended on this note: "After thus perambulating the United States, how to form a just idea of the *general* sentiment, or rage, remains to be investigated."

2. Praise be to God (Latin).

Mariot

Massachusetts Centinel, 2 January¹

"Held in the magick chain of words and forms,
And definitions void." THOMS.²

Mr. RUSSELL, The opposers of the new Constitution do not appear to possess the genuine ideas of FREEMEN, but rather those of *vassals*—I will give an instance to prove it.—Because the BARONS OF ENGLAND, who, as well as the people thereof, were complete *slaves* from the Conquest to King John's reign, and after, and who could think only like slaves, *demand*ed of that king certain *rights*, as expressed in the great Charter of England, (so called)—the antifederalists would have the PEOPLE of AMERICA, who are FREEMEN, who know how to prize freedom—and who possess primarily all POWER, *demand* of their *servants*, the *grant* of certain RIGHTS, PRIVILEGES and POWERS.—*What absurdity?*—Now if thus thinking is not to be "*held in the magick chains of words and forms, and definitions void,*" I do not know what is. Besides the chief design of this *so-much-talked-of Magna Charta*, was indeed, to make the king *dependent, not on the people, but on the Lords*. The title of Magna Charta is in these words: "*We (the King) GRANT of our own free will, the following privileges*" to whom? To the people? No—"to the archbishops, bishops, priors, and barons of our kingdom, &c."^(a)³ Were we, Mr. Russell, a nation of *slaves*, and should happen to think that our situation might be easier under *many* than under *one* tyrant; then a resort to the Magna Charta of England, as an example for us to follow in requesting our *intended masters* to *demand* from our *then master*, would be in point:—

But how it can be thought so as we now are, is to me strange, and can only be accounted for, as I before hinted, by supposing that the ideas of those who suggested it, were from some cause or other fitted for slavery, or who wish that their fellow citizens might think themselves so.

It was not the Great Charter that either gave birth to, or which secures the liberties of the People of England—It was their knowledge, and the liberality of modern times which gave it to them—which still continues—and will continue it.—This political knowledge is no where so generally disseminated as in America—and as liberality is extending itself still wider and wider—we have all the essentials requisite to the PRESERVATION of our FREEDOM.

(a) Let us suppose a Congressional act to run thus “We the Congress of the United States, of our own free will grant to our subjects the rights of trial by jury—freedom of the press, &c.” and we shall then see the glaring absurdity of such a demand as the antifederalist[s] propose to be made. *Risum teneatis!*⁴

1. For a reply to “Mariot,” see “One of the People,” *Independent Chronicle*, 3 January, and for “Mariot’s” rejoinder, see *Massachusetts Centinel*, 5 January.

2. James Thomson, “Summer,” *The Seasons* (London, 1744), lines 1531–32. “Summer” was published in 1727, but the lines quoted here first appeared in the 1744 edition. The lines are from a passage praising Francis Bacon (1561–1626), philosopher and Lord Chancellor of England:

“The great Deliverer he! who from the Gloom
Of cloyster’d Monks, and Jargon-teaching Schools,
Led forth the true Philosophy, there long
Held in the magic Chain of Words and Forms,
And Definitions void: he led Her forth,
Daughter of HEAVEN! that, slow-ascending still,
Investigating sure the Chain of Things,
With radiant Finger points to HEAVEN again.”

3. Chapter 1 of the Magna Carta (1215) reads: “In the first place have granted to God and by this our present Charter have confirmed, for us and our heirs in perpetuity, that the English church shall be free, and shall have its rights undiminished and its liberties unimpaired: and we wish it thus observed, which is evident from the fact that of our own free will before the quarrel between us and our barons began, we conceded and confirmed by our charter freedom of elections, which is thought to be of the greatest necessity and importance to the English church, and obtained confirmation of this from the lord pope Innocent III, which we shall observe and wish our heirs to observe in good faith in perpetuity. We have also granted to all the free men of our realm for ourselves and our heirs for ever, all the liberties written below, to have and hold, them and their heirs from us and our heirs.” Although freemen included more than just the barons and prelates, they still made up only a small portion of the English population.

4. “Could you help laughing” (Horace).

“A. B.”

Hampshire Gazette, 2 January¹

MR. PRINTER, In your 68th number I observed a publication under the signature of Brutus, from the New York Journal, written with so great elegance of composition, political science and veiled artifice, as to merit public animadversion. Of the remarks introductory to this elegant performance, I shall take no further notice than this one observation, viz. they appear to have been designedly calculated to conciliate and prepare the unwary reader for a ready reception of all that follows.²

This writer with great judgment observes, “that men invested with power are ever disposed to increase it”—“Tis a disposition implanted in human nature”—“That few if any instances can be produced in which rulers have willingly abridged their own authority.” If these remarks are just, is it not obvious that men in high office in the state governments, are in danger from interested views, of being inclined to exert themselves to dissuade the people from adopting the federal constitution; and to that end alarm their fears and possess their minds with unreasonable prejudices against it: for if it be adopted some of the powers of state government are transferred to the federal government, and the authority of state officers, in some instances abridged. May not the federal constitution expect a more able and determined opposition from this, than any other class of men? no wonder we find them in every state employing all their art and distinguished abilities to discover its faults and hold them up to public view with every possible and even imagined danger that may seem to attend it. The best constitution in the world, thus used might be made, in theory, to appear too dangerous to be adopted.

Is it not a dictate of wisdom, and of the first law of humanity, self-preservation, that we use our most vigilant care, least these great men, by means of specious and high coloured pretences of friendly regard to the liberty and safety of their country, should be so successful as to sacrifice both to the sordid views of their own ambition. That this writer holds an office of distinguished honour and emolument in a particular state, I am not informed.

His first object is to shew that the federal constitution, “if executed, must certainly and infallibly reduce the thirteen United States to one great republic, and annihilate the governments of the several states.” To this purpose [he] urges the danger arising to them from the extensive powers given to the federal government. His words are “this government is to possess absolute and uncouth powers, legislative,

executive, and judicial, with respect to every object to which it extends; for by the last clause of section 8th, article 1st, it is declared that Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this constitution in the government of the United States, or in any department or office[r] thereof. And by the 6th article it is declared, that this constitution and the laws of the United States which shall be made in pursuance thereof, and the treaties made or which shall be made under the authority of the United States, shall be the supreme law of the land: and the judges in every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding." True, but how does it thence appear that this constitution, if executed, must certainly and infallibly reduce the thirteen United States to one great republic? for altho' this government is to possess absolute and uncontrollable powers; yet our author himself concedes "they are limited, they extend only to certain objects," and these objects particularly stated and clearly defined by the constitution: these are all national objects: such as concern the whole in union, and therefore ought to be under the government and controul of the whole: and which no particular state ought to controul. That the objects to which the federal government is to extend, are not national objects, this writer does not and cannot pretend; nor that it is extended to any one object more than is proper and necessary in order to secure the general welfare. Of the necessity of controuling power in our federal government, we have had means of full conviction, from sad experience of the evils occasioned by the want of it. This want of controuling power has produced the present feeble state of our federal union, and brought it to the very point of dissolution: occasioned the violation of public justice, the extermination of public credit, the insecurity of domestic tranquility, the loss of national dignity, rendered us the sport and derision of neighbouring nations, and our general defence, safety and welfare unprovided for, and the blessings of liberty exceedingly precarious. Of the truth of this Brutus himself is convinced; for he says, "we have felt the feebleness of the ties by which the United States are held together, and the want of sufficient energy in our present confederation to manage, in some instances, our general concerns." In these instances only the federal constitution makes provision for "sufficient energy:" how a government can have "sufficient energy" and not possess "uncontrollable powers," is, to me, not easy to conceive; for without powers that are uncontrollable, it must needs be equally without energy: by "uncontrollable powers" of government, I suppose, are included such powers as none of the subjects of the

government, whether states or individual citizens have a lawful right to controul. If the federal government is to possess uncontrollable powers in no instances, but in such only as the national welfare requires, which Brutus no where denies, of consequence, in what case soever the constitution or laws of a particular state should interfere with national laws made by the authority of the United States, the national welfare clearly requires that the former should yield to the latter and be controuled thereby: the reason is obvious, viz. the welfare of the whole is of more value than the imaginary welfare of a part, the real welfare of the parts being involved in that of the whole, nor may the general interests of the whole be controuled by a part.

To me it is difficult to perceive any essential difference, in point of power, between the plan contained in the federal constitution, and one proposed by Brutus himself, viz. that the states "should continue thirteen confederated republics under the direction and *controul* of a supreme federal head, for certain defined national purposes only."

Here Brutus himself in a plan of his own, easily perceives the necessity of controuling power: his supreme head, without it could by no means answer the proposed purposes of his headship; and must relinquish his pretences to supremacy in every instance in which he is not possessed of "uncontrollable power,"—either legislative, executive or judicial; for all these are necessary in order to direct and controul our national concerns. Whether he would lodge all these supreme uncontrollable powers in one man, and with one stroke establish absolute unlimited monarchy; or in one body of men only, such as our present Congress, without either check or controul to exercise in combination all these mighty powers; or whether, to either of the former he would prefer, as more wise and safe, the plan proposed by the federal convention, he has not informed us.

I am ready to concede, that "the government proposed, so far as it extends, is a compleat one and not a formal confederation," and yet involves the most firm, durable and energetic confederation: "it has as absolute and perfect powers to make and execute all laws,["] &c. with respect to every object to which it extends as any other in the world; how otherwise could it be able to "direct and controul, as a supreme head, our defined national concerns?" This writer observes, "it is true this government is limited to certain objects," seasonably and truly said; but adds, "or to speak more properly, some degree of power is still left to the states." But why this insidious insinuation? Would it have been needed in support of a righteous cause? Whence this so great apprehensiveness of the loss of power in the states? does he find

himself interested? He proceeds, "but a little attention to the powers vested in the general government will convince every candid man, that if it be capable of being executed, all that is reserved for the individual states must very soon be annihilated," &c.—[¶] Am sure all the attention I have been able to give to the subject, has by no means convinced me that the powers reserved to individual states are in any danger of such speedy annihilation. Nor have I either candour or sagacity to be convinced that they have not ample powers left them to direct and controul their own affairs, as sovereign states and distinct republics. Some powers indeed they must give up to the general government, for national benefit; but is it true, as Brutus confidently affirms, "that the powers of the general government extend to every case that is of the least importance"—"there is nothing valuable in human nature, nothing dear to freemen, but what is within its power." Can Brutus himself, with all his good sense, believe these groundless assertions? does he think any man, not utterly void of reason, can believe them? Had it been his real opinion that "the powers of the general government extend to every case of the least importance," why has he once and again used so much caution as to say, "every object to which it extends"—"the government then so far as it extends"—"It is true this government is limited to certain objects:" such caution might have been spared if no case or object to which it does not extend "is of the least importance;" for doubtless a case not of the least importance, is not worthy of the least notice. Let the reader look over and take an impartial view of the powers given to the federal government, and see for himself, whether these powers extend to the following cases, viz. murder, adultery, theft, robbery, burglary, lying, perjury, defamation: does it make any provision at all whereby men shall be quieted in their title to their lands and other property, in the possession of their houses, wives, children and many other objects which might be named! are none of these of the least importance? and none of these interesting to human nature, none of them dear to freemen? Brutus! is this to act consistant with your plausible introductory profession? is this the way in which you yield your efforts to lead the minds of the people to a *wise and prudent* determination on the most important question ever proposed to the decision of any people under heaven? To "a wise and prudent determination"³ in any case, naked simple truth, well understood, will better answer the purpose.

(To be continued.)

1. "A. B." replies to "Brutus" I, *New York Journal*, 18 October (CC:178) which was reprinted "by desire" in two parts in the *Hampshire Gazette* on 19 and 26 December. The

"68th number" of the *Gazette*, referred to by "A. B.," appeared on the 19th and all of the passages from "Brutus" quoted by "A. B." came from that issue. The continuation of "A. B." was printed in the *Hampshire Gazette* on 9 January.

2. The first two paragraphs of "Brutus" I state: "When the public is called to investigate and decide upon a question in which not only the present members of the community are deeply interested, but upon which the happiness and misery of generations yet unborn is in great measure suspended, the benevolent mind cannot help feeling itself peculiarly interested in the result.

"In this situation, I trust the feeble efforts of an individual, to lead the minds of the people to a wise and prudent determination, cannot fail of being acceptable to the candid and dispassionate part of the community. Encouraged by this consideration, I have been induced to offer my thoughts upon the present important crisis of our public affairs."

3. Quoted from the second paragraph in note 2 (immediately above).

An Association of Christian Ministers to the Public Essex Journal, 2 January¹

To the PUBLIC.

An Association of Christian Ministers took the liberty, October 10, 1787, humbly to propound *A Concert for Prayer*, to the citizens of the *United States of America*—wherein, the said citizens, were earnestly invited *to unite in setting apart one hour, from seven o'clock to eight, in the evening of every Lord's-day, meaning the evening following the day, for extraordinary prayer*—that God would be pleased to spare and save this *infant-nation* from impending ruin.²

This Concert has been inserted in divers of the public News-papers, in many of the *Federal states*: Also, printed by itself in a pamphlet, and, communicated, by many of the ministers of religion, to their respective people—And it is hoped, that some thousands of the good people of these States who wish to see church and state, in this nation, in a happy and prosperous situation, have seriously closed with the invitation, in said Concert, and that they will continue instant in prayer, without fainting, 'till the Lord shall come and rain righteousness upon us,³ and make us, in all respects, civil and religious, a most happy people.

It is now the earnest wish of said Association, that, *in this hour of prayer*, every one would, while addressing the Supreme Being, offer to him humble and unfeigned thanksgivings, For preserving us, as yet, in our national state—For putting an end to the unhappy commotions and tumults, which subsisted at the time of the date of said Concert, and for restoring peace and tranquility to the Commonwealth of *Massachusetts*, in so great a degree, with so little bloodshed.⁴

And whereas all the Federal States, excepting one, in compliance with the requisition of Congress, chose Delegates for a Federal Convention, for the purpose of forming a plan to invest Congress, as head of the nation, with necessary powers to preserve the faith and credit,

and to support the dignity and well-being of the nation—And, said Convention, after taking time for mature deliberation, have agreed upon a frame of energetic government for national matters—which has been reported to Congress by said Convention, and transmitted by the Congress to the several legislatures in order to be submitted to a convention of delegates, chosen in each state by the people thereof, for THEIR ASSENT and RATIFICATION—The good people are requested, *in this hour of prayer*, earnestly and seriously to intercede with God, in the name of the great Mediator;⁵ That he would be pleased to incline such of the legislatures, as have not as yet done it, to recommend to their constituents to choose a convention of delegates for said purpose—and the several towns, which have not chosen their delegates, to choose such men as have the best understanding of the times, to know what ought to be done in this weighty matter and at this important crisis of our public affairs—Also, that He would be pleased, to give to the members of the several conventions all needed wisdom, coolly to deliberate upon said constitution of Federal Government and the proceedings of the late continental convention relative to it, and graciously to direct and over-rule the deliberations of the several conventions and their doings, to coincide and terminate in the happy establishment of such a Federal government, as may be adapted to the common safety and happiness of the whole union.

A well-framed constitution of government—A right administration of the powers of government—A peaceable and orderly behaviour of the citizens, together with industry and good œconomy—The flourishing of trade, commerce, manufactures, husbandry and the like, and the preservation of public faith and credit, are necessary to the common safety and happiness of a people. And piety, religion and morality, generally prevailing among all ranks and orders in a nation, will be of vast advantage to a people, to promote their safety and happiness, as the general prevalence of these will produce a right administration of the powers of government in rulers—a peaceable and orderly behaviour, industry and good œconomy in citizens, &c. But as to the future well-being of individuals, true piety, religion and virtue, are of infinite importance.—Let us then, not only pray for the prosperity of church and state, but live in the exercise of godliness and virtue. And let us not forget to give thanks to God, for the late *institution*, in the commonwealth of *Massachusetts*, for propagating the christian religion among the *aboriginal natives of America*⁶—Nor, to pray, that it may be succeeded for the speedy conversion of those savage and heathen tribes to the practice of christian piety, religion and virtue.

By an Association of Christian MINISTERS

December 19, 1787.

. The several Printers in the Federal Union are requested to insert the foregoing Address to the Public, in their News-Papers—And the Ministers of Religion, to communicate the same to their respective people.⁷

1. Reprinted: *Pennsylvania Packet*, 21 January; *Pennsylvania Mercury*, 22 January; *Pennsylvania Herald*, 23 January.

2. The reference is to a fifteen-page pamphlet published in Exeter, N.H., in 1787 by "An Association of Christian Ministers" entitled *A Concert for Prayer Propounded to the Citizens of the United States of America* (Evans 20284). The pamphlet gives no indication that such an association met in October 1787. It outlines the problems faced by the government of the Confederation, but makes no reference to the meeting of the Constitutional Convention or its framing of the Constitution. In the introduction to the pamphlet, the ministers called on their fellow American citizens "to humble ourselves before God for our own sins, and the prevailing sins of the people at this day, and earnestly and solemnly to seek unto God, in the name of the great Mediator, to pardon the nation and save her from impending destruction, and to make us to be a truly wise, pious, virtuous and happy people." (See note 5 for "the great Mediator.")

3. Hosea 10:12. "Sow to yourselves in righteousness, reap in mercy; break up your fallow ground: for it is time to seek the LORD, till he come and rain righteousness upon you."

4. On the matter of Shays's Rebellion, *A Concert for Prayer* stated: "The present commotions and combinations, in one county and another, in the commonwealth of Massachusetts, so far as their object is to hinder the nation and themselves from *doing justly*, or to prevent the payment of *national and personal debts*, must be very alarming, and fill the hearts of all the judicious friends of the revolution, and of our excellent civil constitutions, with the most painful feelings; as such commotions and combinations are perfectly agreeable to the wishes of such of our nominal citizens who are secret enemies to the national confederation and our republican constitutions;—and as they have no tendency to enrich our citizens, but rather to make them less able to pay their public and private debts;—and especially, as they tend to bring us into a state of confusion, anarchy and slavery;—to make us miserable and render us contemptible in the eyes of all mankind!"

5. A reference to Jesus Christ. "For there is one God, and one mediator between God and men, the man Christ Jesus" (1 Timothy 2:5). *A Concert for Prayer* invokes Christ many times.

6. On 19 November 1787 the Massachusetts legislature adopted "An Act to incorporate certain Persons, by the Name of the Society, for propagating the Gospel among the Indians and others, in North-America."

7. At the end of *A Concert for Prayer* appeared this similar statement: "All the public Teachers of piety and religion are humbly requested to communicate the foregoing Concert for Prayer to their respective people."

James Madison to Tench Coxe New York, 3 January (excerpt)¹

... I have no intelligence from the States Eastward of this worth adding. The elections in Massts. must by this time authorise a pretty good estimate of the two parties with regard to the plan of the Convention, but I am not yet possessed of the conjectures on the subject.² It seems that both Mr. Gerry who opposed the plan in Convention, and

Mr. Dane who followed the example in Congs. are left out of the returns from their respective districts.³ Perhaps the enmity of the former may not only be embittered, but rendered more active and successful by this disappointment. On the floor of the Convention he could only have urged bad arguments, which might be answered & exposed by good ones. Without doors he will be able not only to urge them without opposition, but to insinuate that he could say much more, had he not been deprived of a hearing by the machinations of those who were afraid of being confronted. . . .

1. RC, Madison Papers, DLC. Printed: CC:392-C. Coxe (1755-1824), a Philadelphia merchant, had represented Pennsylvania in the Annapolis Convention. After the Constitutional Convention, he emerged as one of the most prolific writers on behalf of the Constitution. His essays signed "An American Citizen" had circulated widely in Massachusetts (see RCS:Mass., 4, 151). Coxe was assistant secretary of the U. S. Treasury, 1789-92, and commissioner of revenue, 1792-97.

2. Much concerned about Massachusetts, Madison had been following the election returns for at least a couple of weeks. On 20 December he wrote George Washington that "There are not enough of the returns in Massts. known for a final judgment of the probable event in that State. As far as the returns are known they are extremely favorable; but as they are chiefly from the maritime parts of the State, they are a precarious index of the public sentiment." He encouraged Washington to write any of his Massachusetts correspondents to express his support of the Constitution. (See "George Washington and the Constitution," 23 January-2 February.) In early December Madison had heard that the friends to the Constitution in Massachusetts were "sanguine" about its prospects for ratification. (See Madison to Washington, and to Thomas Jefferson, 7 and 9 December, respectively, CC:327, 334.)

3. On 26 December Madison wrote Washington that "We have no further information of much importance from Massachusetts. It appears that Cambridge the residence of Mr. Gerry has left him out of the choice for the Convention, and put in Mr. Dana formerly Minister of the U. States in Europe, and another Gentleman, both of them firmly opposed to Mr. Gerry's Politics" (CC:380). For the election in Beverly, Nathan Dane's residence, see IV below, Beverly section.

Honorius

Independent Chronicle, 3 January¹

To the PUBLIC.

Let me request your unprejudiced attention, to the following remarks, on the production sign'd HELVIDIUS PRISCUS, in the last Independent Chronicle. I shall not advert to every insidious reflection contained in that performance; many of them are *so gross*, that they carry an antidote in their very construction, to the poison they were *designed* to disseminate.

PRISCUS begins his essay with a passage from the celebrated speech of Mr. Wilson, viz. [¹] *That after a lapse of six thousand years, America has*

now presented the first instance of a people assembled to weigh deliberately and calmly, and to decide leisurely and peaceably on a form of government, by which they shall bind themselves and posterity."² PRISCUS then adds, the following very extraordinary question, "Has he not here suggested the strongest reason that can be urged, for postponing the adoption of the new system?" It may be asked, could *perverseness* itself draw a more preposterous, and absurd conclusion, than this query contains? For admitting Mr. Wilson's assertion to be true, and true it is, to the honour of America, does it not clearly follow, that a Constitution, thus calmly and deliberately framed by men deputed from among ourselves, whose unanimity can be ascribed to Heaven alone, ought in all reason to be as speedily adopted as possible, lest the *Demon of Discord*, by the insinuations of PRISCUS and others, should deprive us of the inestimable opportunity,—this LUCID PAUSE, the first since creation! and leave the disgraceful and melancholly fact still recorded, to blacken the annals of humanity, "That government is the effect of accident, fraud or violence?["] It appears a darling object of PRISCUS, to calumniate some certain characters in the late Convention, but reflections of this sort are highly insidious; for, so far as they have truth for their basis, the obloquy falls on those States who have deputed such odious characters. According to this Nestor, some were "infants, when the principles of the late revolution led the patriots to a noble resistance, &c." The truth is, few if any of the members were under thirty years of age; the majority forty and upwards. With what propriety PRISCUS places such in their "pupilage," may be gathered from this circumstance,—he recommends to the rising generation, the politicks and publications, "the excellent publications upon government," from 63 to 75; and the men of that day are to be the oracles of the youth of the present; but the members of Convention they are to consider as in their "pupilage"! although venerable from years, abilities and experience.—The assertion of PRISCUS, that the late Convention have "ambitiously and daringly" presumed to establish a "Draconian Code," and to bind posterity by their "secret Councils," is weak, wicked and false: But thank Heaven, the days are over, when such kind of declamation was necessary. "To the law and to the testimony."³

Fellow citizens! These secret councils are published upon the House-Top. This "Draconian Code," these bloody laws, this terrible system, is in your own hands; see, think and judge for yourselves,—be not gulled out of the blessings of a good government by such base and abusive misrepresentations.

The idea of "Conclave," originated with the antifederalists at the southward,—it is a term fraught with chicanery, roguery and villainy, and is an

insult upon those *twelve States* who were represented in Convention! *This insult upon the majesty of the people*, we have no reason to suppose, would ever have offended the public eye, in *this* quarter, had PRISCUS been a member of that illustrious assembly!

PRISCUS is an enemy to the *union of the States*, for none but such characters could *reprobate* that work of wisdom and benevolence, "the address that was used to reconcile so many jarring interests" as were in the late Convention.⁴ This union, *thus* happily effected, is the most pleasing circumstance respecting our country, that has transpired since independency.

Mr. Wilson's allusion to the "Lycian League," and "Amphyctionick Council," was doubtless in point; and the miserable fate of those nations as pourtrayed by the glowing pencil of PRISCUS, fully evinces the necessity of *our Union*, and of speedily adopting a firm and efficient *national government*, for these American States.⁵ Not "*because we are no longer capable of enjoying our liberties*," (insidious expression!) but, *because the present auspicious moment seems to be pointed out by the finger of Heaven, as the most favourable to the attainment of this important object. "Learn to be wise by others harms, and you shall do full well."*⁶

Fellow citizens! we have fought for our liberties; we have cemented our union by the richest blood of our brothers and friends! we have destroyed the system of foreign power and laid the British government in the dust; and *now*, through the favour of Heaven, we are about to erect a *glorious fabric* on the ruins of tyranny, that we may realize the blessings of "*Peace, Liberty and Safety*."⁷—But the *Demons of jealousy and discord* would defeat the design! and still deprive us of all the happiness which we fondly anticipated from the costly purchase of *Independence!* And shall our "honour, our character, our freedom," be swallowed up in the vortex of anarchy and confusion? Shall it be said of us, Why is there a price put into the hands of a fool to get wisdom, seeing he hath no heart to improve it? *Forbid it Heaven!*

"The star of intelligence," sheds its benign influence upon us; the *necessity of a firm, efficient Federal Government*, is *seen and felt* by every man; the *United Voice* of America proclaims the truth. This *conviction*, must lead to the *adoption* of that system, which the wisest men, that America *could* select from her sons, have framed. May Heaven preserve us from the fell designs of *local, disappointed, bigotted and party* politicians. That the *fabric of the Federal Republic!* ennobling idea! may be speedily established, on the basis of that UNION, which gave us *Independence*, and which, if *continued*, will give us, "devoutly to be wished," the blessings of *National Government*.

PRISCUS calls upon the youth of America, to attend to the publications and politicks of 1763 to 1775. What PRISCUS! are those weapons that were employed against the *foreign* enemies of our country, to be turned against our brethren? No, let them rather turn their thoughts to the contemplation of the *proposed System*; let them cultivate a spirit of *Union* and *Harmony*, and by *mutual concessions* lead the way to an adoption of such a government, as will ensure them peace and security, and perpetuate those liberties for which their fathers fought, to all succeeding generations: They appear to be fully sensible that the proposed Constitution alone is competent to these great purposes.

Suppose any member of the late Convention had foolishly expressed himself in the words of PRISCUS, which by the way is doubted; pray what has that to do with the MERITS of the Constitution?—Friends, let us not break the *chain of Union*! PRISCUS is one of those who will risk every evil that an infatuated divided people can suffer, rather than not effect his purpose; the overthrow of *America's last Hope*, the proposed Constitution.

It is a matter of joy, fellow-citizens, that you have been led to choose several Members of the late *Continental* Convention, to sit in that of this State.⁸ Much information will thereby be derived, which could not be expected from any other quarter: And if they are such “ambitious and daring” men as PRISCUS has represented;—their “*secret councils*” may be explored, and all the “*roguery, knavery and villainy of the Conclave,*” developed.

“Let the *old Patriots* come forward,” (the day of election is over)—and let the *young ones* not keep back: We are *all equally* interested and concerned:—And instead of *secret reserves*, untimely and unpardonable timidity, let them take a decided part. Let the proposed Constitution, be the constant subject of discussion; its worth appreciates the more it is scanned; its competency is more and more apparent.—*Citizens of America!* pleasing term! 'tis music to the friends of our National *Honour, Union, Liberty and Happiness!*

1. Reprinted: *Hampshire Gazette*, 16 January. “Honorius” replies to “Helvidius Priscus” I, *Independent Chronicle*, 27 December, which criticized James Wilson’s 24 November speech to the Pennsylvania Convention. For Wilson’s speech, see RCS:Pa., 340–50; and “The Massachusetts Reprinting of James Wilson’s 24 November Speech to the Pennsylvania Convention,” 12–27 December (RCS:Mass., 419–21).

2. See “Helvidius Priscus” I, *Independent Chronicle*, 27 December, at note 1; and RCS:Pa., 342.

3. Isaiah 8:20. “To the law and to the testimony: if they speak not according to this word, it is because *there is no light in them.*”

4. The quoted text paraphrases a statement made by “Helvidius Priscus,” who had quoted James Wilson’s 24 November speech. For the passage in Wilson’s speech, see RCS:Pa., 340.

5. See "Helvidius Priscus" I, *Independent Chronicle*, 27 December; and for Wilson's speech, see RCS:Pa., 342.

6. A variation of the following from the *Birds* by Aristophanes (c. 450–385 B.C.): "The wise learn many things from their enemies."

7. Quoted from the *Massachusetts Centinel* of 17 October (RCS:Mass., 82).

8. Nathaniel Gorham, Rufus King, and Caleb Strong, three of the four Massachusetts delegates who attended the Constitutional Convention, were elected delegates to the state Convention. The fourth delegate was Elbridge Gerry.

Remarker ad corrigendum

Independent Chronicle, 3 January¹

Mess'rs. ADAMS & NOURSE, *By giving the following a place in your paper will much oblige a constant reader.*

To the REPUBLICAN FEDERALIST:

When any one whose depraved heart instigates him to an attempt of secret *villainy*, is about to palm upon the public a deceiving testimony of his patriotic spirit, he ought in good policy to ting[e] his observations as deeply with the colour of truth as it is possible. Do you not know that all counterfeits answer their purpose best, the more nearly they resemble the true? One would have supposed, that practice would have made you a complete adept in the art of dissimulation. But in the abundance of your wicked intentions you have committed too gross a violation of the suggestions of common sense to be ever believed. You have indeed set out with those soft strains, which are intended to convey poison under the delusive resemblance of honest concern. You can indeed spout wickedness with uncommon fluency. Your inclination to do it you derive from your malice, and your ability from the paucity of your ideas. The *volubility* of your tongue (for so we may speak) reminds me of Swift's observation, that people cannot issue so fast from a crowded church as from one moderately full. I am well convinced that nothing can stop you but the red hot iron of public vengeance. To a black heart, a dark understanding, but a running tongue, nothing less can be opposed. Did you suppose that your ideas would have weight under the sanction of a fallacious signature? If so, number no more the problems of your cunning, unless you are willing to sear your character with the blackest marks of the fallen angel which inspires you. Do for once in pity to thyself, permit the pointed strokes of public contempt, so far to operate upon you as to restrain you from lengthening your catalogue of unprincipled enormities. In decrying the wisest measures, and in *sully*ing the fairest characters, we can allow you no station but the *van*. Do then for the sake of our freedom, our prosperity, our liberty and our peace, retreat and hide yourself from the world, that if it cannot trust your honesty, it may not have occasion to lament

your depravity. Is it the intrinsic ill nature of your constitution, or the hope of incurring the favour of some party, that spurs you on to a work which hath no object but the death of your fame, and the pity of your country? The first noxious effort of your skill, amounts to no more than this, that the convention went beyond the power derived from the act which appointed them. You have indeed begun unhappily for yourself, but fortunately for the public, and seem ignorant of that common observation, that the first impressions which the public receive of any character or party, are those on which it principally grounds its judgement. It is truly a gentle story, but a false and malicious one. It is grounded upon this, that the original intention of Congress, and the spirit of the resolve of the State, consequent thereupon, was to appoint delegates for a Convention, whose sole and express business it should be to revise the present articles of confederation, and report to Congress and the several Legislatures those alterations & provisions therein, that should when agreed to by Congress, and confirmed by the States, render the federal constitution adequate to the exigencies of government, and the preservation of the union.

Let me in the first place, guard you, my fellow-citizens, from an idea, which the Republican Federalist, chuses to take for granted, viz.—That this Constitution is totally different from the former, that is,—That the one does not preserve the Republican spirit and genius of the latter. But the fact is, that no such total difference exists. Every article of power, or provision in the former Constitution, that was found to be beneficial to our country, is transferred to the new one, under some shape or other. This Constitution, contains every privilege and advantage of the other,—it differs in some parts, and conforms in others. It hath only made such provisions, and such additions to Supreme power, as the united voice of the Nation testified were wanted. But if there were not a trace of the former existing in it, the Convention could not be charged with having gone beyond their sphere. What do the terms *revise* and *alter* import? The object of a revision, was to see what parts were unnecessary or defective, and which therefore should be amended. To alter, in consequence of this, was to correct or erase such parts, as upon revision, it would be found necessary to do. Can we then, have the least ground for such an imputation to Convention? No, my fellow-citizens,—I flatter myself, that your wisdom will give sanction to their resolutions. The truth is, that the very spirit and genius of the former Constitution, is preserved as entire, as it could be with safety. The difference in many cases, is in expression only. I shall conclude therefore, with adding a word to the *Republican Federalist*.—Think not that the public will hearken to the disengenuous assertions of one,

whose sole motive is the gratification of malice; and whose sole object, is his private interest. Learn to know, that your reputation, in such cases, if you have any, lives indeed, a very *fast* life. Him, whom morality cannot bind, human policy ought not to trust. Whoever thou art therefore, repent and be forgiven, before you quit the theatre of human action, and art hurried upon one, where eternal justice shall pronounce to the harpies of ravenous ambition, their never-ending reward.

1. "Remarker ad corrigendum" replies to "The Republican Federalist" I, *Massachusetts Centinel*, 29 December.

Candidus III

Independent Chronicle, 3 January

Mess'rs Printers, It has long been the boast of the Americans, that they are privileged above all other nations, by having it in their power, to adopt a Constitution on the free deliberations of the people.—The attempts therefore, which have been made to destroy this freedom, must be peculiarly disgusting to every man, who sincerely wishes the happiness and welfare of his country.

As a citizen of this Commonwealth, I ventured to offer my sentiments on a subject, which is now before the people, for their consideration. The infamous publications, which have appeared in consequence of my remarks, serve only to expose the insolence of party writers, who are anxious to curb every candid enquiry, lest they should be disappointed in their fancied expectations.¹

No person within these States, more sincerely wishes the adoption of a federal system; being sensible of the necessity of an efficient Government, to establish our national respectability, and promote our agriculture, manufactures and commerce; but through the violence of party zeal, every man who dares exercise his own judgment, is branded as an antifederalist, tho' his sentiments should wholly correspond with the repeated requisitions of Congress.

This ungenerous method of condemning characters, is contrary to that candour, which actuates the citizens of these states. Freedom of debate in all national questions, has ever been held sacred among a free people; the great subject now submitted to the public, most certainly claims this indulgence, as on its impartial discussion, every thing that is valuable depends.

The adoption of the proposed Constitution, being a concern of such magnitude, we are in duty bound to hear with patience, the observations of our fellow citizens, provided their remarks are delivered with calmness and propriety; this candid disposition towards each other, cannot at this time injure us, but would be the means to unite every man,

in embracing a system of Government, which might forever secure the liberties of this Country.

1. For criticisms of "Candidus," see the headnote to "Candidus" I, *Independent Chronicle*, 6 December (RCS:Mass., 392n).

One of the People

Independent Chronicle, 3 January¹

A CARD.

ONE OF THE PEOPLE, gives his compliments to MARIOT, in the Centinel of yesterday, and would be glad to know, on his principles, What need there can be of *checks* in a Constitution at all? Why *Magna-Charta* was made? Or why there need to be any other limitation to the Rulers power than "the political knowledge disseminated among the people?" MARIOT's production looks like a *Lawyer's* quibble.

1. "One of the People" replies to "Mariot," *Massachusetts Centinel*, 2 January. For "Mariot's" rejoinder, see *Massachusetts Centinel*, 5 January.

Worcester Magazine, 3 January¹

A gentleman from the southward informs us, that provided the federal Constitution should be adopted, Mr. Hancock is talked of as Vice-president.

1. Reprinted in the *Boston Gazette*, 7 January; *Massachusetts Gazette*, 8 January; *Massachusetts Centinel*, 9 January; and in six out-of-state newspapers by 29 January: N.H. (1), N.Y. (1), Pa. (2), Md. (2). On 4 February the *Connecticut Courant* and *American Mercury*, both printed in Hartford, published a brief item suggesting that, under the new Constitution, George Washington would be President and Hancock Vice President (CC:Vol. 3, p. 563). When the *Massachusetts Gazette*, 12 February, reprinted this item it inserted the following statement in brackets: "'May the immortal powers who guard the just, watch o'er the Godlike patriots;—long may Columbia boast such heroes, statesmen, and true friends to freemen's sacred rights, as Washington and Hancock.'"

Worcester Magazine, 3 January

Next week the Convention of this State are to meet at Boston, to deliberate on the new federal Constitution; it is supposed that this body will consist of nearly 400 members. It is hoped that no party spirit, or narrow contracted views will be found amongst them; and that every thing for and against the all-important business of their meeting may have a fair and candid hearing; and finally, if the Plan of Government shall be found to be for the good of the people, that it may be heartily adopted; but if otherwise, that it may be rejected.

John Adams to Thomas Brand-Hollis
Grosvenor Square, London, 4 January¹

I am in your debt for several very friendly letters, all of which shall be answered hereafter. I have had a great cold, which brought with it some fever, and has disabled me from every thing for three weeks.

Your kind invitation for Wednesday the 9th, is accepted with pleasure, by Mr. Smith² as well as myself.

And now, sir, for other matters. Our new constitution does not expressly say that juries shall not extend to civil causes.—Nor, I presume, is it intended, to take away the trial by jury in any case, in which you, sir, yourself would wish to preserve it.—Maritime causes, must be decided by the law of nations, and in conformity to the practice of the world. In these cases juries would not be willing to sit as judges, nor would the parties be contented with their judgment. Juries understand not the nature, nor the law of foreign transactions. We began, about twelve years ago, with juries in our courts of admiralty:³ but I assure you, the parties, witnesses, juries, judges, and all the world became so weary of the innovation upon trial, that it was laid aside by a new law with universal satisfaction.⁴ The examinations on interrogatories of witnesses and parties, in short the whole course of proceedings, as well as all the rules of evidence, must be changed, before juries could be introduced with propriety.

Taxes on advertisements,⁵ and on every thing that contributes to facilitate the communication of knowledge, I should wish to avoid as much as possible.

Whether the human mind has limits or not, we ought not to fix a limit to its improvement, until we find it and are sure of it:—incumbered with gross bodies and weak senses, there must be some bounds to its refinements in this world: you and I entertain the joyous hope, of other states of improvement without end: and for my part, I wish that you and I may know each other, and pursue the same objects together in all of them. Fair science, equity, liberty, and society will be adorable for ever.

1. Printed: John Disney, *Memoirs of Thomas Brand-Hollis, Esq.* (London, 1808), 31–32. Thomas Brand (1719–1804) of Ingatestone, Essex County, England, studied at the University of Glasgow and the Inns of Court (Inner Temple) in London, but never practiced law. He took the name of Hollis in 1774, when he inherited the substantial estate of his friend Thomas Hollis. In the mid-1780s Adams and Brand-Hollis—dissenter, whig, and strong supporter of America—became friends.

2. William Stephens Smith, Adams's son-in-law, was secretary of the American legation in London.

3. In November 1775 the Massachusetts General Court, acting upon a recommendation of the Continental Congress, adopted "An Act for Encouraging the Fixing out of

Armed Vessels to defend the Sea Coast of *America*, and for erecting a Court to try and condemn all Vessels that shall be found infesting the same." This act, the first such act to be adopted by a colony, replaced the juryless British admiralty courts with three district admiralty courts, in which a jury of twelve men would determine the facts in each cause.

4. In January 1780 Congress created the Court of Appeals in Cases of Captures to hear appeals from the state admiralty courts. Trials in this court were to "be according to the usage of nations and not by jury." Congress had concluded that "trials by jury in cases of capture" were found "on trial to be inconvenient, and are not practised in any other nation." (The two Massachusetts delegates to Congress, Elbridge Gerry included, voted against the omission of jury trials. Gerry had drafted the preamble to the 1775 act of Massachusetts mentioned in note 3 above.) Congress recommended that states authorize their admiralty courts "to decide without a Jury in all cases, where the civil law, the law of nations, and the resolutions of Congress, are the rules of their proceeding and adjudication." Massachusetts, however, along with several other states, continued to use jury trials (JCC, XVI, 61-64; and Henry J. Bourguignon, *The First Federal Court: The Federal Appellate Prize Court of the American Revolution, 1775-1787* [Philadelphia, 1977], 113-16).

5. Adams probably refers to the act passed by the Massachusetts General Court in 1785 taxing newspaper advertisements. For this act and a newspaper publisher's reaction to it, see "Intelligence Extraordinary," *American Herald*, 7 January, note 4.

Junius

Massachusetts Gazette, 4 January¹

My friends! Oh! my friends! (exclaimed the unfortunate CANDIDUS^(a)) why have ye deserted me? Now, in this day of my unpopularity, why have ye forsaken the friend of your bosoms? How soon have ye forgot the *services* I rendered you, during the last winter, by the treasonable letters I sent to our good friend and brother, *Daniel Shays*, which he publicly read to you on the heights of Pelham. Many a sleepless night, O, my brethren in sedition! have I spent in harrowing over and over, and over again, my poor, mutilated and distracted brains, in order to lug forth to your view the mighty nothings of *Honestus*;² hoping, by them and other insidious publications, to foment sedition among you, to rouse you to arms against the government which protected you and to cause you to plunge the dagger of rebellion into the breast of your country. My hopes were effected in part, but not fully. You indeed rose in arms against the government which protected you—You did indeed, my brother parricides, stab in the breast, with the dagger of civil discord, our common parent! But, alas! to my great mortification, and no doubt to yours, the wound we gave our country is almost healed, and a medicine is now preparing, which, if taken, will absolutely effect a radical cure. I tremble for fear—I am in dread lest the cure should be effected, and effected it absolutely will be, if the proposed plan of federal government is adopted. It becomes you now, my friends, to pierce the wound deep, with the poignard of sedition,

to spread jealousies and distrust from town to town, and incessantly bellow about, that despotism, tyranny, and millions of now unthought of evils, will attend the adoption of the new constitution: say any thing against it which comes uppermost; lye about it, lye, yes, lye like the d—l, and tell bigger ones than you told last winter. I then told you to say, that the governour's salary was fifteen thousand pounds a year; now tell every one, that if the new constitution is adopted, the governour's salary will be fifty thousand pounds, and the salary of the president of the United States, five hundred thousand pounds. Tell them, besides, that every man who does not pay his taxes three months before they become due, will be hanged; nay, two months before they are assessed, or he will be gibbeted: tell all our brethren, who are of the true insurgent stamp, that their eternal all depends upon rejecting the new constitution, that is, all the hopes they have of effecting the total destruction of publick faith & honour, and the downfall of honesty. But to let you more particularly into the matter, you must know, that the collective wisdom of the United States has been centered in a body, that is, some of the first characters in America, for honesty, patriotism and abilities, have assembled together, and, after the most mature and deliberate investigation of the different forms of government, have devised a system of jurisdiction for the United States, and which, if accepted of, will firmly establish order and good government, will secure to every man his property and rights, will establish the publick faith and national honour on a basis too well founded to be shaken by any insidious attempt or lying artifice; in short, it will be the means of establishing an equal administration of law and justice throughout the Union. And if this takes place (good heavens! I tremble at the bare idea of such a thing) where are we? My darling friends, where are we? What shall we do? Whither shall we fly? What will become of us? Oh! what will become of us? Every one who seeth us, will ridicule and deride our condition! they will point at us as we pass, and say, behold the despisers of law and justice verily they merit what they suffer, and highly deserve the reproach bestowed on them. On me, O my brethren in iniquity! on my devoted head will reproach fall in a tenfold degree, as I am considered as a ringleader of our faction, and a principal abettor of the late insurrection in the western counties: on me will fall "the universal hiss, the sound of publick scorn,"³ and I must consent either to screen myself behind the dark veil of obscurity, or be damn'd to eternal infamy! Tormenting thought! O, but for a shock that would make justice, government, and the constitution tremble! With the most sensible satisfaction have I heard that many towns have instructed their delegates to oppose the adoption of the federal government. Exert

yourselves, my friends, if you succeed I shall swim, if you fail I shall sink.—And sink thou wilt, *Candidus*, thou vile son of anarchy, thou darling offspring of the demon of discord, and sink to the lowest pit of contempt. Long has a penetrating publick viewed you with a suspicious eye, and time has at length evinced that their suspicions were justly grounded. A variety of concurring circumstances squeezed you into office, where your conduct is bounded by the opinion of a man whose sentiments you implicitly imbibe, and whose tool, anti-federal tool, you now are.⁴ Without a hope of ever getting into office again, if the new constitution is adopted, you now, in conjunction with your patron, are employed in disseminating the seeds of discontent throughout the state, and exerting yourself to poison the minds of the community with the most nonsensical and absurd ideas, and endeavouring, vainly endeavouring, to cloud the bright rays of reason with the noxious vapours of your anti-federalism. Go, and retire from publick view, thou viper, thou professed enemy to the happiness of thy country; retire to the deserts of Nova-Scotia, and seek protection under the wing of that government whose emissary you have long since been suspected to be: no longer breathe the air of freemen: you have shewn yourself unworthy to be styled the citizen of a republick, and fit only to herd with the hirelings of Britain in their refuge abodes.

(a) *An anti-federal scribbler in the Indpt. Chronicle.*

1. This item, possibly written by James Sullivan, answers "Candidus," who published three essays in the *Independent Chronicle* on 6 and 20 December, and 3 January. (For the authorship of "Candidus," see note 2, immediately below.) For Sullivan's possible use of the pseudonym "Junius," see several nineteenth-century copies of essays signed "Junius" found in the Sullivan Papers in the Massachusetts Historical Society. These essays were printed in newspapers.

2. John Quincy Adams, Christopher Gore, and others believed that "Candidus" and "Honestus" were one and the same person. Benjamin Austin, Jr., was widely known to be "Honestus." See the headnote to "Candidus" I, *Independent Chronicle*, 6 December (RCS:Mass., 392).

3. John Milton, *Paradise Lost*, Book X, lines 508–9. "A dismal universal hiss, the sound/ of public scorn."

4. Probably Samuel Adams. For more on the alleged political relationship between Austin and Adams, see an "Extract of a letter from a gentleman in Salem," *Massachusetts Gazette*, 25 December.

Massachusetts Gazette, 4 January¹

Anti-federalism, says a correspondent, rapidly depreciates; the "Republican Federalist," alias the anti-federal votary of anarchy, has got a decent drubbing in yesterday's *Chronicle*²—"Helvidius Priscus" makes his appearance next Thursday,³ but it is supposed his sentiments will

go off "by the grist."⁴—Agrippa has expired, being suffocated by his own smoke.—"Brutus," alias the anti-federal G——r of a sister state,⁵ still fumbles on with his discordant farrago.—"Candidus" gasp'd out a few broken and piteous expressions, yesterday, in the *Chronicle*,⁶ in which he greatly bemoaned the hard fate of the anti-federal junto, the harsh treatment they met with, and the ill success which seemed to crown their incendious attempts. In short, continues our correspondent, matters seem to wear a very pleasing aspect, and almost every honest and just man ardently wishes for the ratification and adoption of the federal constitution.

1. Reprinted: *New Hampshire Gazette*, 9 January.

2. See "Remarker ad corrigendum," *Independent Chronicle*, 3 January.

3. See "Helvidius Priscus" II, *Independent Chronicle*, 10 January.

4. A reference to Samuel Adams who was accused of being "Helvidius Priscus." For the phrase "by the grist," see *Massachusetts Gazette*, 1 January, in "The Circulation of the Letters from the Federal Farmer in Massachusetts," 28 December 1787–7 January 1788.

5. A reference to Governor George Clinton of New York. For the "Brutus" essays, see "The Massachusetts Reprinting of the Brutus Essays," 22 November 1787–8 May 1788 (RCS:Mass., 301–3).

6. See "Candidus" III, *Independent Chronicle*, 3 January.

Massachusetts Gazette, 4 January

The last production of *Agrippa*, says a correspondent, would have made its appearance much sooner, had not a *dire misfortune* befel that *unhappy scribbler*, on his journey to the metropolis. Having been up almost the whole night before, being very intent upon preparing what he concluded to be his master-piece, for the press, when he arrived opposite a noted ale-house, in C——n.¹ Feeling rather fatigued and dry, he rode up to the door, alighted from his horse, and going into the house, he requested the landlady to bring him a cup of ale. While she went to prepare his drink, the author drew up his chair to a small table which stood before the fire, and took out his literary production to re-examine it. A person soon after hastily entering the room, passed by the table, and, unseen by *Agrippa*, cast his eye upon the manuscript, when, perceiving the signature, he returned and told the landlady that her customer was an anti-federalist, and she had better be careful how she trusted him. The landlady upon this went into the room and informed the anti-federal gentleman that, on account of his principles, she did not choose to let him have the ale till he had first paid for it, for though some of his persuasion were really honest men, yet not a few of them were very suspicious characters. *Agrippa*, after hesitating for a few moments, and reflecting that it was then quite dark, and he

knew not where else to apply, complied with her demand, and the ale was accordingly sent in. After swallowing a draught, sleep so far overcame him that he laid his head down on the table and fell into a dose. By some turn or other he overthrew the candle which was burning on the table before him, which instantly set the manuscript on fire! Agrippa, starting from his sleep, and hearing the roaring of birchwood, which was burning on the fire, and seeing the manuscript and table in flames before him, he conceived himself in that dismal place which orthodox divines tell us is prepared for the impenitent, and thinking this overtook him on account of his anti-federalism, he instantly fell down upon his knees, and in this suppliant posture recanted all his anti-federal principles, vowing, if he could obtain deliverance from his dreadful situation, that he would conscientiously propagate the principles of federalism far and near. In the midst of all this, a decrepid and deformed old negro entered the room, who seeing things in such a strange situation, exclaimed, the Lord have mercy upon us! This object, adding to his former fear, put him into a cold sweat, and he, in the same pious manner, ejaculated, have mercy upon us, O Lord! The whole house was soon collected, and the landlady perceiving the imminent danger her house was in from the spreading of the fire, ordered them to apply water immediately, which was done in so plentiful a manner, that the unfortunate Agrippa very narrowly escaped drowning. He, however, at length got clear of the house, mounted his horse, and made the best of his way home bemoaning, all the way, the loss of his manuscript, his fright and severe ducking.

1. Probably Charlestown, which was on the way to Boston from Cambridge, the home of James Winthrop, the author of the "Agrippa" essays.

Kempis O'Flannegan

Massachusetts Gazette, 4 January

Mr. ALLEN, The *Quondam Librarian*,¹ then, has really got through with his unparalleled farrago; and the only reason, he informs us, why he did not affix his *real signature* to his *inimitable* production is, that he did not wish to *sacrifice* his (*valuable*) person to the *FURY* of those who had views different from his own. Does this SHAYS in disguise, then really suppose himself an object worthy of any thing more than news-paporial notice? Indeed it must be confessed, that if justice had its due, he would perhaps be better acquainted with the County Stage.—

Agrippa says, by adopting the federal government we shall be subject to the derision of foreigners, internal misery, and the anathemas of

posterity. This is an assertion either founded on the most pitiful ignorance, or is the mere filth and scum of the most finished rascality and impudence. It must be obvious to every candid and unprejudiced mind, that if the United States of America adopt the glorious plan of federal government, they will secure to themselves every civil and religious blessing, they will excite the admiration and applause of foreigners, and millions, yet unborn, will celebrate with joy and gratitude the wisdom and virtue of their predecessors. But, on the other hand, if they reject it, anarchy will pervade their land, and the sons of sedition and discord will clap their hands in triumph when they hear the piercing sound of their misery echo and re-echo from shore to shore, and will riot in their property and substance, unchecked in their career, and their conduct will be sanctioned by the demon of licentiousness. The Americans, in that case, will become the scorn and contempt of foreigners, and will incur the maran-athas of succeeding ages. Citizens of Massachusetts, the all-important moment approaches, when, by your own consent, you must greatly contribute to the establishment of the honour and happiness of your country, by adopting the federal constitution; or, by rejecting it, to the entailment of endless misery on the same.

1. James Winthrop, the author of the "Agrippa" essays.

**Nathaniel Freeman, Jr., to John Quincy Adams
Medford, 5 January (excerpt)¹**

. . . As the great subject of the federal Constitution is advancing to a decision the anxiety of suspense in both parties is wrought to the highest pitch. That it ever will be adopted in this Commonwealth without amendments I have not an idea. We have every appearance of a violent opposition. Men are inflamed. In the heat and animosity of party, arguments will not be able on either side to stem the torrent of prejudice. Passion will usurp controul over dethroned reason, and, perhaps, the deliberations of our Convention end in such a tumultuous rage as to disgrace the boasted intelligence of man. There will be near four hundred delegates. An unwieldy assembly. Too much so for dispassionate, cool investigation. I intend to be a part of the session present. . . .

1. RC, Adams Family Papers, MHi. Freeman (1766–1800), a native of Sandwich, Barnstable County, was graduated from Harvard College with Adams in July 1787. Living in Medford, teaching school, and studying law, Freeman eventually became a lawyer. From 1795 to 1799, he was a member of the U.S. House of Representatives. For a flattering biographical sketch of Freeman, written by Adams on 2 April 1787, see Allen, *JQA Diary*, II, 190.

Samuel Osgood to Samuel Adams**New York, 5 January¹**

I recd. your favor duely with its Enclosure which I forwarded by that worthy Gentlemans Brother.²

you honor me, Sir, by requesting my Sentiments at this critical Moment—I will readily acknowledge, that I long labored to convince myself that the proposed System, would answer, for a Plan of general Government—That the extreme Necessity of a more efficient federal Government than the present—The Uncertainty of obtaining Amendments as well as the Delay, if they should be obtained, had some Weight on my Mind—The all important Reason with many for adopting the Plan without Amendments—is, that if we don't accept of the one proposed, we shall have none. This seems to allow that the Objections made against it, are good; the Plain Meaning of it, is then, that Despotism is better for us, than to remain as we are.

It would take me much Time, as well as Paper to arrange all my Ideas on this important Plan—It has scarcely been out of my Mind since it first made its Appearance—In combining, & comparing its various Parts, new Ideas are constantly occuring—And I am more & more persuaded, that it is a Plan, that the common People can never understand—That if adopted—the Scribes & Pharisees only will be able to interpret, & give it a Meaning.—

Mr. Wilsons Observation, so often repeated is true, “That what ever is not given is reserved.”³—But the great Question upon this is what is there of Consequence to the People that is not given.

The general Government will have the unlimited Power [of?] collecting Money immediately from the People—The most important Objects of this Government are to prevent foreign Wars, & to regulate the Commerce of the United States with foreign Nations—for these Objects, alone, the People cannot & ought not to appropriate all their Revenue—It is said the State Legislatures are to [operate in?] that [particular?] [---] [---] the internal Police of the State will be a Duty incumbent on them—It is undoubtedly true, that the Happiness of the People, in this View, will depend as much (if not more) on the State Legislatures, as on the general Government; & [yet?] as they have no exclusive Revenue left them; it may [further?] be said they have no Revenue at all—No good Reason in my Opinion has, or can be assigned for placing the Legislatures in this absurd Situation; provided the Intent is, that they shall continue for the Objects of internal Police—The Absurdity in this Instance, made such an Impression on me, that I examined the Plan, to see if the general Government was not furnished

expressly with Powers to legislate in all possible Cases, & there[fore?] to relieve the State Legislatures from the Necessity of meeting at all for any Purposes of Legislation; & I am satisfied that this is a Fact.—The Plan of complete consolidation by the proposed Instrument could not be eff[ected?] if the States retained exclusively a Part of their Revenue. But as they Do not—it may be brot about; & in a Way [that?] has not been handed to the public yet.—

The unlimited Power of exclusive Legislation is expressly given to Congress, over a Place not exceeding ten Miles Square—Here every Species of Legislation must be gone into.—The Laws thus made, will be made in Pursuance of the Constitution; & if so, they will be the supreme Law of the Land, & the Judges in every State will be sworn to obey them. It will not be in the Power of the Judge to discriminate, & say, that one Law is confined to the Limits of ten Miles Square, & that another Law pervades all the States: every Law must be considered as a Law of the United States made in Pursuance of the Constitution.—

The Judicial Power extends to all Cases of Law & Equity arising under the Constitution &ca—The Extent of the Judicial Power is therefore, as indefinite & unlimited as Words can make it—Where the united States are a Party against a State the supreme Judicial Court have expressly original Jurisdiction—suppose then, any State should object to the exercise of Power by Congress as infringing the Constitution of the State, the legal Remedy is to try the Question before the supreme Judicial Court—& they have Power, not confining themselves to the Letter of the general or State Constitutions, to consider & determine upon it, in Equity—This is in Fact leaving the Matter to the Judges of the supreme Judicial Court—They may by a Number of legal Decisions, make what Constitution they Please for the united States.—I am doubtful whether any Instance can be found, where a free People have voluntarily established, so great & so important, a supreme Judicial Court.—

A Legislature without corresponding Judicial Courts is of no Consequence to the People—That this must result from the System; that the State Legislatures will have no Judicial Courts, is not difficult to make apparent—The continental Judicial is to decide on Controversies between Citizens of different States—A Citizen of Masstts. commences Process against a fellow Citizen—Altho the Plaintiff is not in fact a Citizen of New hampshire, yet in Law he is so, & entitled to all the Priviledges & Immunities of a Citizen of New hampshire, one of which is to try a Massachusetts Man before a continental Court.—Therefore the ingenious Lawyer, will always make one appear before the Court as a Citizen in Law, & the other as a Citizen in fact—which will give the continental Court Cognizance of Controversies between two Citizens of

the same State—What Use then for a State Judicial? of what Consequence will be the State Bill of Rights—The continental Judicial are not bound by it. I think, Sir, that the Judicial Net is spread; & it will not hereafter be said, we have toiled all Day and caught nothing.—We have traced the State Legislatures to a Situation, where they have neither Money at command, & their Judicial Courts strip[p]ed of all Business—Suppose then it should be made a Question before the supreme Judicial Court of the united States, whether, in Equity, a State Legislature should be kept in Existence, for any other Purpose than mere Elections, which has neither Money, nor Judicial Courts—I believe no one can doubt what the Decision would be. The Framers of the Plan seem to have had this in View; for the Congress have expressly the Power of making or altering the Times & Manner of choosing the Senators. How far the Word “Manner” extends I know not—But I suppose, if Congress should determine, that the People at large, or a certain Description of them, should vote on the Senators, it would only be altering the Manner of choosing them—If this be true, Congress will have the exclusive Right of pointing out the Qualification of the Voters for Senators, which will undoubtedly limit the States, to a small Number of Voters.—The Electors for a President stand upon the same precarious Ground—Whether they are to continue Electors for Life, or for one Choice, only, does not appear. It is apparent by attending to the 2d. Clause of the 2d. Article, that the Existence of the State Legislature is not necessary for the Purpose of choosing Electors.

The Supporters of the Plan have asserted that the Existence of the State Legislatures is secured, because they must meet for the Purpose of Organizing, from Time to Time, the general Government; that their Existence must necessarily be co extensive. But this I doubt of very much—Surely, in Equity, without the Existence of the State Legislatures, the continental Government must exist.—And not merely in Consequence of the Purse & the Sword, but in Consequence of the Equitable Powers of the Compact. But, Sir, if the above Reasoning is not fair, & well founded, tho’ I do not see but it is—yet let us give the Supporters the Sum total of their Argument, the State Legislatures must exist, for the Purpose of Elections.—& is this all?—Then let us give them another Name—It is not fit that a Board of Electors Should be called a Legislature. I am, Sir, for a fair, explicit & efficient general Government—But I cannot consent, in this Way, to be conclaveed out of a Bill of Rights.—This Government is expressly, by its admiring Advocates, to reach the Life Liberty & Property of the Individual Person of every one in the united States, capable of feeling the Government—Man is a weak, foolish Creature of Habit; governed by Instinct as other

Animals; tame & docile; without Sagacity: therefore, tho' he dislikes it at first, Time will meliorate & soften his Savage Manners & Disposition; he will then bear the Chains quietly.—But, Sir, this is not true.—This mighty fabric will not give us an efficient Government for many years; the Supporters of it allow it; what will it do? It will be shut up in the ten Miles Square with very little Knowledge of its Operations, until by Bribery and Corruption, & an undue Use of the public Monies, Nabobs are created in each State; & then the Scenery will be changed; the Mask will be laid aside.—It has cost me many a Sleepless Night to find out the most obnoxious Part of the proposed Plan.—And I have finally fixed upon the exclusive Legislation in the Ten Miles Square.—This space is capable of holding two Millions of People—Here will the Wealth and Riches of every State center—And shall there be in the Bowels of the united States such a Number of People, brot up under the Hand of Despotism, without one Priviledge of Humanity, that they can claim; all must be Grace & favor to them.—Shall the supreme Legislature of the most enlightened People on the Face of the Earth; a People who have recently offered up,—upon the Altar of Freedom, near sixty thousand of their bravest Men, & near two hundred Millions of specie Dollars—be secluded from the World of Freemen; & seated down among Slaves & Tenants at Will?—And have not this supreme Legislature a Right to naturalize me there; whether I will or not? What means the establishing of an uniform Rule of Naturalization?—What does it mean in Equity? May not the sovereign of the Country, Grant exclusive Priviledges to all that are willing to be naturalized in that hallowed Spot?—What an inexhaustable Fountain of Corruption are we opening? The Revenue there collected will not belong to the united States.

Upon proper Principles, I wish the Legislature of the united States to have Ten Miles Square—But let the People settled there, have a Bill of Rights. Let them know that they are Freemen—Let them have the Liberty of Speech, of the Press, of Religion, &ca Let them when numerous enough be represented in the lower House.—Let the Revenue there collected be accounted for to the united States as other Revenue—Let the Laws made for the internal Police, have a partial & not a general Stile.—Mankind are too much disposed to barter away their Freedom for the Sake of Interest.—The deluded Philadelphians have however egregiously miscalculated. If the Ten Miles Square should be taken agreeably to their offer, one Mile above the no[r]thern Liberties of their City—a very few years will empty the City of Philadelphia⁴—They will be naturally dazzled with the Splendor of the New Government & Insect like, be drawn to it.—

I have said, & I believe if the new Government should take Place, it would prove true, that the first Rebellion against it, would break out in the Town of Boston.—Masstts. has about 400.000 Inhabitants—There is therefore now, one Representative [for?] 50.000—Boston has about 15. or 16.000 Inhabitants she has little Chance of sending one Representative to a Body, who are to regulate all their commercial Concerns.—

1. RC, Adams Papers, NN. Osgood (1748–1813), a native of Andover, a graduate of Harvard College (1770), and a former colonel in the Continental Army, represented Massachusetts in Congress, 1781–84, and served on the three-member Confederation Board of Treasury, 1785–89.

2. Adams's letter to Osgood has not been located. The enclosure was Adams's letter of 3 December 1787 to Richard Henry Lee (RCS:Mass., 349–51). Lee's brother, Arthur, served with Osgood on the Board of Treasury.

3. See "The Massachusetts Reprinting of James Wilson's Speech of 6 October Before a Philadelphia Public Meeting," 24 October–15 November (RCS:Mass., 120–22).

4. On 15 December 1787 the Pennsylvania Convention voted to cede a tract of land not exceeding ten miles square to the new Congress under the Constitution. The land was to be located anywhere within Pennsylvania except, "the city of *Philadelphia*, the district of *Southwark*, and . . . part of the *Northern Liberties* . . ." (RCS:Pa., 611–13).

Elbridge Gerry Defends His Conduct in the Constitutional Convention, Massachusetts Centinel, 5 January

"A Landholder" VIII, written by Oliver Ellsworth, a former Connecticut delegate to the Constitutional Convention, charged that Elbridge Gerry opposed the Constitution because the Constitutional Convention refused to approve Gerry's proposal to redeem old continental paper money. "A Landholder" said that "Gerry was supposed to be possessed of large quantities of this species of paper" (*Connecticut Courant*, 24 December, CC:371. Note 3 traces Gerry's role in the Convention's debate on the issue of the public debt.). The reprint of "A Landholder" VIII in the *Massachusetts Centinel* of 2 January was prefaced with this request by "A": ". . . While some papers are wholly dedicated to the service of the writers against the Federal Constitution, you must allot at least a part of your paper to the service of its friends." Three days later, the *Centinel* printed Gerry's unsigned defense of his conduct, which was reprinted in the Providence *United States Chronicle* and New York *Daily Advertiser*, 17 January; *Salem Mercury*, 22 January; *New York Journal*, 28 January; and *Pennsylvania Packet*, 6 February.

Antifederalist Luther Martin, a former Maryland delegate to the Constitutional Convention, defended Gerry in the *Maryland Journal* on 18 January (CC:460). The Maryland "Landholder" X, *Maryland Journal*, 29 February (CC:580), reiterated the Connecticut "Landholder's" charges, and Martin repeated his support of Gerry in the *Maryland Journal*, 7 March (CC:604). Gerry defended himself again in the *American Herald* on 18 April (VI below; and CC:691).

Mr. RUSSELL. You are desired to inform the publick from good authority, That Mr. GERRY, by giving his dissent to the proposed constitution, could have no motive for preserving an office, for he holds none under the United States, or any of them;—that he has not, as has been asserted, exchanged continental for State securities: and if he had, it would have been for his interest to have supported the new system, because thereby the States are restrained from impairing the obligation of contracts, and by a transfer of such securities, they may be recovered in the new federal court:—That he never heard in the Convention a motion made, much less did he make any for “the redemption of the old continental money;” but that he proposed, the publick debt should be made neither better or worse by the new system, but stand precisely on the same ground as it now does by the articles of confederation—that had there been such a motion, he was not interested in it, as he did not then, neither does he now own the value of ten pounds in old continental money;—that he never was called on for his reasons for not signing, but stated them fully in the progress of the business:¹ His objections are principally contained in his letter to the legislature:²—that he believes his colleagues men of too much honour to assert what is not truth, that his reasons in the convention “were totally different from those which he has published:”—that his only motive for dissenting from the new constitution, was a firm persuasion that it would endanger the liberties of America:—that if the people are of a different opinion, they have a right to adopt it; but he was not authorised to an act which appeared to him a surrender of their liberties:—that as a representative of a *free State*, he thought he was bound in honour, to vote according to his idea of her true interest, and that he should do the same in similar circumstances.

Cambridge, Jan. 3, 1788.

1. See “Elbridge Gerry in the Constitutional Convention,” 12–17 September (RCS: Mass., 13–16).

2. See Elbridge Gerry to the General Court, 18 October (RCS:Mass., 94–100).

Mariot

Massachusetts Centinel, 5 January¹

A CARD.

MARIOT returns compliments to *One of the People* in the Chronicle of Thursday, and would [be] glad to know, whether, if the PEOPLE were destitute of *political knowledge*, any *checks* whatever in a Constitution, would be of any avail to prevent the encroachments of power. In disseminating political knowledge, the seeds of liberty are sown—and

from them shoot our security—a security far preferable to *words on parchment*—which the experience of ages testifies have always been violated.—The idea of enslaving an *enlightened people*, is only the “*cant*” of *popularity-seekers*.

1. “Mariot” replies to “One of the People,” *Independent Chronicle*, 3 January, which had criticized “Mariot’s” original essay in the *Massachusetts Centinel* on 2 January.

Philadelphia Independent Gazetteer, 5 January¹

By a gentleman of information and veracity, lately from Boston, we are informed that the new constitution is not generally approved of by the people of several of the largest of the back counties in Massachusetts-Bay. In the minds of the country people there, the old jealousy seems to prevail, viz. that the *Boston-folks* aim to rule and govern as they please, and are always setting themselves up as *patterns* for, and *dictators* to, the whole state.

We are assured by the same hand, that there is the greatest probability that neither New-Hampshire nor Connecticut will finally decide on the very important and interesting subject of the adoption or rejection of the *new constitution*, until Massachusetts shall have closed *their* deliberations,² the interests and views in trade, the religion and politics of these states being exactly similar, and the latter having hitherto been accustomed to take the lead in all questions of great political moment.

1. Both paragraphs were reprinted on 11 January in the Baltimore *Maryland Gazette* and the *Maryland Journal*.

2. For more on this rumor, see Christopher Gore to Jeremiah Wadsworth, 9 January.

Editors’ Note

Massachusetts and the Ratification of the Constitution by Connecticut, 6–15 January

By early January 1788, reports circulated widely that Delaware, Pennsylvania, and New Jersey had ratified the Constitution. These ratifications heartened Massachusetts Federalists who were faced with a difficult fight in their upcoming state Convention. Federalists also looked for additional support to the Connecticut Convention, scheduled to meet on 3 January in Hartford. On 6 January Rufus King and Henry Knox, both in New York City, wrote to Jeremiah Wadsworth, a Hartford delegate to the Connecticut Convention, requesting that he send them information about Connecticut. Christopher Gore, a Boston delegate to the Massachusetts Convention, reported to Wadsworth on 9 January that many Convention delegates from western Massachusetts opposed

ratification and would “be greatly influenc’d by the doings of Connecticut.” Gore also mentioned a rumor that the Connecticut Convention might postpone its deliberations while awaiting the outcome of the Massachusetts Convention. This delay, Gore believed, might injure the chances of ratification in both states. (For the rumor, see Philadelphia *Independent Gazetteer*, 5 January.)

On 9 January the Connecticut Convention voted 128 to 40 to ratify the Constitution. That same day several Connecticut Convention delegates relayed the news to their Massachusetts correspondents. In Boston, the news was received in the evening mail on Saturday, 12 January. One Connecticut Convention delegate, Samuel Holden Parsons of Middletown, also wrote a lengthy letter supporting the Constitution to William Cushing, a Scituate delegate to the Massachusetts Convention (RCS:Conn., 564–65, 566, 569–73, 603–4, 605). The overwhelming vote for ratification encouraged Massachusetts Federalists. In Boston, the morning of 14 January “was ushered in with the ringing of bells . . . on account of the pleasing intelligence” (*Massachusetts Gazette*, 15 January, RCS:Conn., 606–7). On the same day, the *Boston Gazette* reprinted the complete vote taken in the Connecticut Convention, and for the next week various reports of Connecticut ratification appeared in Massachusetts newspapers.

Rufus King to James Madison New York, 6 January¹

I send you a copy of the confederation between the New England colonies, together with a few Extracts from the Journals of the Commissioners²—As I hope to leave Town on Tuesday [8 January] for Boston, I pray you to return me these papers sometime Tomorrow—You are sensible that information from the southern States relative to the proposed Constitution will be of importance to us at Boston while engaged on that subject—This remark will apologize for the request which I take the liberty of making, that you wd. have the Goodness to inform me by Post of any thing interesting on that subject, which you may obtain during my Absence, on (the other hand I will inform you of our hopes and fears with great esteem)³

1. RC, Madison Papers, DLC. King and Madison were delegates to Congress in New York City.

2. Madison used this information from King in the Virginia Convention debates of 7 June 1788 (RCS:Va., 1031–32). For a description of the articles of confederation creating the “United Colonies of New England” (or New England Confederation) in 1643 and for the proceedings of the commissioners representing the colonies in that body, see RCS:Va., 1048n.

3. A portion of the recipient's copy of this letter was torn off or clipped and is no longer extant. The missing text, in angle brackets, has been transcribed from a copy found in the King Papers, in the New-York Historical Society.

Rufus King to Jeremiah Wadsworth
New York, 6 January¹

I thank you for your letter by last post²—my accounts from Boston are equivocal—S. Adams is out full mouthed against the Constitution, & Hancock is laid up *with the Gout*—

I hope to leave this place on Tuesday [8 January] for Boston by the way of R. Island—If not then on Thursday in the Stage—Pray write to me by this Post, at Boston—let me know on Saturday next when I hope to be at Boston how you stand

Farewel

1. RC, Wadsworth Papers, CtHi. Wadsworth (1743–1804), a Hartford merchant and member of the Connecticut House of Representatives, voted to ratify the Constitution in the Connecticut Convention on 9 January.

2. Possibly a reference to Wadsworth's letter of 16 December 1787 (RCS:Conn., 496–97).

Henry Knox to Jeremiah Wadsworth
New York, 6 January¹

My dear friend

I have been confined to my chamber for some days past with the Rheumatism—But sick or well my anxiety for the success of the new Constitution is the same—all depends on Massachusetts and Connecticut—I hope for the best—Write me I beseech you one line

Your affectionate

1. RC, Wadsworth Papers, CtHi.

Thomas L. Winthrop to John Todd
Boston, 6 January¹

The Convention of this State for considering the new Constitution convenes on Wednesday next. There will, I think, be a majority in favor of adopting it. The old patriot Sam. Adams will use all his influence against it.

1. Copy, Winthrop Papers, Volume 30–A, MHi. This extract was taken from the letter-books of Thomas Lindall Winthrop. John Todd, to whom this letter was addressed in London, was possibly a member of the mercantile firm of Winthrop, Todd, and Winthrop.

Christopher Gore to Rufus King
Boston, 6 January¹

Your favor by last nights post has quite damp'd my spirits—your presence is extremely necessary to the well being of that object we all have in view—however it is unfriendly for me to say further on this subject—I know your wishes correspond with that of your friends, and at the same time that your affections & duty forbid your leaving N Yrk till Mrs K. is better²—

Agreeable to invitation as mention'd in my last³ all the delegates from this town, din'd on thursday with Mr B.⁴ (The Govr⁵ & Jno Winthrop⁶ excepted—) the former is confin'd to his bed with the gout—In the afternoon & Evening the Constitution was the subject of conversation till 10 OClock—Mr Adams was open & decided agt it—That such a Govt. could not pervade the United States—that internal taxes ought not to be given to the Union—that the representation was inadequate—that a govt might be form'd from this—but this would never answer and ought not to be adopted, but on condition of such amendments as would totally destroy it—these objections were supported by such arguments & such only as appear in the pieces of Brutus & federal farmer⁷—to close all he told me on our parting that people said they could not find out the sentiments of Mr Adams—it was strange, for he had always been as explicit as he then was, and to Mr King he stated every objection then made—the next day when these observations came to be publickly mention'd—many appeared who declare that Mr A. told them no one did or should know his sentiments on the subject—it is reported that, Mr W.⁸ & others have said that the tradesmen of this town were opposed to the constitution—on which they have call'd a meeting, to be held tomorrow night⁹—when there is no doubt they will express their sentiments as highly favourable to the plan, and their great anxiety that it should be adopted—this may possibly have effect on Mr A—if not—it will effect his E——¹⁰ who wavers as I am inform'd, & one other who is greatly influenc'd by A—& has no fix'd sentiments¹¹—if I were not confident in hopes that this would not meet you at N. Yrk—I would enclose you ye resolves the tradesmen talk of adopting on this subject—however if they are not in Wednesday's paper you shall have them from me by that night's post¹²—Mr A. unless affected by some such steps as these will be indefatigable & constant in all ways & means to defeat the adoption of the proposed frame of *Government*—All agree to elect Mr Hancock as prest—and so this step will be taken to conciliate—The opponents to ye Constitution in the town of Newbury attempted to obtain a town meeting for the purpose of instructing

their delegates to vote agt its adoption—but they could not even gain a vote to choose a moderator¹³—Ipswich in the same attempt was equally unsuccessful¹⁴—but it is said the Eastern delegates will generally be opposed, because they think, that it will postpone their separation—would it not be well for you & Thacher to write them on this subject?¹⁵ Widgery is coming & Judge Rice from Pownalborough¹⁶—both are its adversaries on this ground—farewell—present Mrs G & myself most affectionately to Mrs King

Your friend

1. RC, King Papers, NHi.
2. King did not attend the Massachusetts Convention until 12 January, being delayed in New York City by his wife's pregnancy. She gave birth to their first child on 3 January.
3. Gore to King, 30 December.
4. Former Governor James Bowdoin.
5. John Hancock.
6. John Winthrop, a graduate of Harvard College (1765), was a merchant and a member of the state House of Representatives. He voted to ratify the Constitution in February. Winthrop's brother James probably wrote the Antifederalist "Agrippa" essays.
7. For more on the writings of these two Antifederalists, see "The Massachusetts Reprinting of the Brutus Essays," 22 November 1787–8 May 1788; and "The Circulation of the Letters from the Federal Farmer in Massachusetts," 28 December 1787–7 January 1788.
8. John Winthrop. See note 6.
9. See "The Meeting of the Tradesmen of Boston on the Constitution," 7 January.
10. His Excellency, Governor John Hancock.
11. Possibly Charles Jarvis. See Nathaniel Gorham to King, 29 December, and Gore to King, 30 December.
12. The resolutions of the meeting of the Boston tradesmen were published on Tuesday, 8 January, in the *Massachusetts Gazette* and on Wednesday, 9 January, in the *Massachusetts Centinel*. See "The Meeting of the Tradesmen of Boston on the Constitution," 7 January.
13. See IV below, Newbury section.
14. See IV below, Ipswich section.
15. King was a native of Scarborough, Maine, who had used his influence among the Maine delegates to the state House of Representatives in October 1787. (See King to Henry Knox, 28 October, RCS:Mass., 155–56.) Thatcher, a delegate to Congress, lived in Biddeford, Maine.
16. Thomas Rice, a graduate of Harvard College (1756), a physician, and a former member of both houses of the state legislature, was a justice of the Court of Common Pleas and register of deeds for Lincoln County. Pownalborough voted not to accept the Constitution. Rice voted against ratification of the Constitution in February. (See IV below, Pownalborough section.)

Nathaniel Gorham to Henry Knox
Boston, 6 January¹

The Boston Delegates (expting the Govr. & Mr [John] Winthrop who were both unwell) dined with Mr Bowdoin—on Thursday last—at

which meeting as one of the company informed me all were right excepting Mr Adams—who opened fully & possitively in oppositon—& declared that he would continue so to do in Convention—

Mr. Chambers Russell² cald on me last Evening in his way to Lincoln—he says that Clark Rhodes & Truman three of the greatest Leaders at the North End³ informed that they intended that Evening to have the most numerous Caucis ever held in Boston to consider what was to be done in consiquence of Mr Adams declaration—I have not yet heard further

Nantucket from their foolish religious whims will not send to the establishment of a Government which has a right to raise armies, either in Peace or War⁴—so five votes are lost—when they will be needed enough—for from several untoward circumstances the elections have gone wrong in several places that were consider[ed] as sure

The opposition of James Winthrop & Oliver Prescott of Groton has had a very bad effect in this County⁵—Mr Pitts of Dunstable being the only Man above Concord that can be depended on⁶—it will be tight work—but I will not despair

Say nothing discouraging—

1. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York.

2. Russell, a merchant, was a brother of Thomas Russell, a wealthy Boston merchant and one of that town's delegates to the state Convention.

3. Joseph Clark was a shipwright, Jacob Rhodes was a shipbuilder, and Thomas and William Truman were caulkers.

4. The island of Nantucket was inhabited mainly by Quakers. For the refusal of Sherburne, the island's only town, to send any delegates to the state Convention, see IV below, Sherburne section.

5. Middlesex County. Although Gorham is writing from Boston, he lived in the Middlesex town of Charlestown. Neither James Winthrop of Cambridge nor Oliver Prescott, Sr., was elected to the state Convention.

6. John Pitts, a graduate of Harvard College (1757) and a former resident of Boston, owned a large estate and was a special justice for the Middlesex County Court of Common Pleas. He represented Boston in the state House of Representatives, 1775–78, and Dunstable, 1785–86. From 1778 to 1784, Pitts sat in the state Council or in the Senate. He voted to ratify the Constitution in February.

The Meeting of the Tradesmen of Boston on the Constitution 7 January

The tradesmen and mechanics of Boston were a significant force in Boston politics, and both Federalists and Antifederalists courted them during the debate over the ratification of the Constitution. In mid-November Antifederalists distributed a broadside signed "Truth" which speculated that Boston's tradesmen would be injured if the Constitution were ratified. Federalists countered

by demonstrating how the tradesmen would benefit from ratification. (See "Truth: Disadvantages of Federalism, Upon the New Plan," 14–24 November, RCS:Mass., 232–35.) As the election of Boston's delegates to the state Convention approached, both Antifederalists and Federalists filled the town's newspapers urging tradesmen to vote for their respective candidates. Both sides proposed slates of candidates, sometimes including a mechanic. (See IV below, Boston section.)

Some Federalists did not want Samuel Adams, the president of the state Senate, to be elected to the state Convention because they believed he opposed the Constitution, even though he had not declared himself publicly. Other Federalists wanted Adams elected despite his opposition to the Constitution. They felt that Adams's opposition would intensify if he were not elected and would be tempered if he served in the Convention. Since Adams was still a significant political force and a "venerable" Revolutionary patriot, no organized opposition emerged to prevent his election, and on 7 December he was chosen one of Boston's twelve delegates. After Adams's election, his opposition became more widely known, and on 25 and 28 December the *Massachusetts Gazette* printed several items openly attacking him. Adams was also accused of distributing the Antifederalist New York pamphlet, *Letters from the Federal Farmer*, and of writing such prominent Antifederalist pieces as "Helvidius Priscus" and "The Republican Federalist." (See "Helvidius Priscus" I, *Independent Chronicle*, 27 December; "The Circulation of the Letters from the Federal Farmer in Massachusetts," 28 December 1787–7 January 1788; and "The Republican Federalist" I, *Massachusetts Centinel*, 29 December.)

On 3 January 1788 all of Boston's Convention delegates, except Governor John Hancock and John Winthrop, met at the home of former governor James Bowdoin to discuss the Constitution. Federalist delegate Christopher Gore suspected that the idea for convening the meeting originated with Adams to determine "what strength he can muster" (to Rufus King, 30 December). At the meeting, Adams pointedly declared his opposition to the Constitution, vowed to oppose it in the Convention, and suggested that the Boston tradesmen also opposed it (Gore to King, and Nathaniel Gorham to Henry Knox, both 6 January [below]; and Jeremy Belknap Diary, 7 January, Mfm:Mass.). Belknap said that Adams's sentiments "were combated by" the other delegates and that "at parting" Adams declared that "he was open to conviction."

Adams's views spread rapidly through Boston. John Winthrop and others started a rumor that Boston's tradesmen opposed the Constitution. On 5 January Federalist Nathaniel Gorham learned that the alarmed leaders of the tradesmen "intended that Evening to have the most numerous Caucus ever held in Boston to consider what was to be done in consequence of Mr Adams declaration" (Gorham to Henry Knox, 6 January). Two days later the *Boston Gazette* ran this announcement from the leadership of the tradesmen: "The real TRADESMEN of the Town of BOSTON, are requested to meet at the Green Dragon Tavern THIS EVENING, at Six o'Clock, on Business of the first importance." As requested, more than 380 tradesmen gathered, and they unanimously adopted five resolutions announcing their wholehearted support of the Constitution and warning that, if any delegate or delegates opposed ratification of the Constitution, such action would be considered "contrary to their best

interest, the strongest feelings, and warmest wishes" of Boston's tradesmen. The warning seemed to be directed primarily to Samuel Adams, but Reverend Belknap asserted that these resolutions "helped to settle some wavering minds among ye Delegates," John Hancock, John Winthrop, Charles Jarvis, and Samuel Adams "(as is supposed)" (Jeremy Belknap Diary, 7 January, Mfm:Mass.). (For more on the possible influence of the resolutions on Adams, see Christopher Gore to George Thatcher, 9 January, and Tench Coxe to James Madison, 23 January [both below]; and Henry Jackson to Henry Knox, 20 January [V below].)

Three slightly different versions of the tradesmen's resolutions were printed in the *Massachusetts Gazette*, 8 January (below); *Massachusetts Centinel*, 9 January (below); and *Boston Gazette*, 14 January (Mfm:Mass.). The *Massachusetts Gazette's* version of the resolutions and its concluding paragraph were not reprinted. The *Boston Gazette's* version of the resolutions appeared in the *Newport Herald* on 17 January. (The *Herald* was printed by Peter Edes, whose father Benjamin printed the *Boston Gazette*.) The *Massachusetts Centinel's* version of the resolutions was reprinted in the *Independent Chronicle*, 10 January; *Cumberland Gazette*, 17 January; and *Worcester Magazine*, 17 January, and in ten other newspapers by 13 February: R.I. (1), N.Y. (2), N.J. (1), Pa. (5), Md. (1). Excerpts from the *Centinel's* version were also reprinted in the January issue of the nationally circulated Philadelphia *American Museum* and in two New York newspapers. The *Centinel* prefaced the resolutions with two original paragraphs and followed them with a third. Eight newspapers reprinted the first paragraph; thirteen, including the *Independent Chronicle*, *Cumberland Gazette*, and *Worcester Magazine*, the second; and twelve, including the *Chronicle* and *Magazine*, the third (see notes 5 to 7).

For favorable comments on the tradesmen's meeting, see "A Farmer," *Massachusetts Centinel*, 9 January; *Massachusetts Centinel*, 12 January; and Nathaniel Gorham to Henry Knox, 20 January. For a critical comment, see "A Farmer," *American Herald*, 14 January.

Massachusetts Gazette, 8 January

RESOLUTIONS OF THE TRADESMEN OF THE TOWN OF BOSTON.

Boston, January 7, 1787 [1788].

AGREEABLE to an advertisement inserted in the papers of this day, the TRADESMEN of this town convened at Mason's-hall, Green Dragon,¹ when John Lucas, Esquire, Paul Revere, Esquire, and Mr. Benjamin Russell,² were chosen to draft certain resolutions, expressive of the sense of this body. The committee, after having retired for that purpose, returned, and reported the following—which, being read, was UNANIMOUSLY accepted, and ordered to be printed in the several publick papers—viz.

WHEREAS some persons, intending to injure the reputation of the tradesmen of this town, have asserted, that they were unfriendly and adverse to the adoption of the constitution of the United States of America, as proposed on the 17th

September last, by the Convention of the United States assembled in Philadelphia: Therefore, to manifest the falsehood of such assertions, and to discover to the world our sentiments of the proposed frame of government,

Be it RESOLVED,

1. THAT such assertions are false and groundless; and it is the sense of this body, that all those, who propagate such reports, have no other view than the injury of our reputation, in the attainment of their own wicked purposes, on base and false grounds.

2. THAT, in the judgment of this body, the proposed frame of government, is well calculated to secure the liberties, protect the property, and guard the rights of the citizens of America; and it is our warmest wish and prayer that the same should be adopted by this commonwealth.

3. THAT, it is our opinion, if said constitution should be adopted by the United States of America, trade and navigation will revive and increase, employ and subsistence will be afforded to many of our townsmen, who are now suffering from want of the necessaries of life; that it will promote industry and morality; render us respectable as a nation; and procure us all the blessings to which we are entitled from the natural wealth of our country; our capacity for improvement, from our industry, our freedom and independence.

4. THAT it is the sense of this body, that if the proposed frame of government should be rejected, the small remains of commerce yet left us, will be annihilated, the various trades and handicrafts dependent thereon, must decay; our poor will be increased, and many of our worthy and skilful mechanicks compelled to seek employ and subsistence in strange lands.

5. THAT, in the late election of delegates to represent this town in Convention, it was our design, and the opinion of this body, the design of every good man in town, to elect such men, and such only, as would exert their utmost ability to promote the adoption of the proposed frame of government in all its parts, without any conditions, pretended amendments, or alterations whatever: and that such, and such only, will truly represent the feelings, wishes, and desires of their constituents: and if any of the delegates of this town should oppose the adoption of said frame of government in gross, or under pretence of making amendments, or alterations of any kind, or of annexing conditions to their acceptance, such delegate or delegates will act contrary to their best interest,³ the strongest feelings, and warmest wishes of the Tradesmen of the town of Boston.

Per order

JOHN LUCAS.

After the above resolutions were passed, John Lucas, Esq. Mr. Joseph Clark, Paul Revere, Esq. Mr. Rhodes, Mr. William Boardman, Joshua Witherlee, Esq. and Captain David Spear,⁴ were appointed a standing-committee, to notify a meeting of the Tradesmen of this town in future. After which the meeting was dissolved.

It was with pleasure, says a correspondent, he observed the perfect order, unanimity, and intelligence, that pervaded the body of respectable Tradesmen which met last evening at the Green-Dragon. Notwithstanding the number exceeded three hundred and eighty, as appeared by an enumeration made at the time of their retiring from the Hall, as much regularity and propriety were discovered throughout all their proceedings, and deliberations, as ever were observed in any legislative body.

Massachusetts Centinel, 9 January

The TRADESMEN and MECHANICKS of the town of Boston, have always manifested their attachment to the principles of the Revolution—with steadiness and perseverance they pursued the prize of Independence—that object obtained, they have patiently, though anxiously, waited for the blessings of good government; that those happy scenes which they were led to anticipate from the success which crowned the arms of America, might be realized:—From the first appointment of the late Continental Convention, they looked up to that honourable Body, as to the *enlightened* and *distinguished patriots* of their country, from whose deliberations and decisions they had EVERY THING to hope—nor have they been disappointed.—The CONSTITUTION which they have proposed to the UNITED STATES, they consider as the result of much wisdom, candour, and those mutual concessions, without which America cannot expect ever to harmonize in any system of COMMERCE or GOVERNMENT.⁵

Proceedings of the TRADESMEN of the town of BOSTON.

The enemies to good government, finding that their flimsy arguments against the new constitution would avail nothing, when opposed by the fair arguments of reason and common sense, adopted a new falacy to injure the system proposed, by asserting that the democrattick part of the community, viz. the Tradesmen of the seaports, and OUR BRETHREN the Yeomen of the country were opposed to its adoption—Certain of the falsity of such reports as far as they respected the Tradesmen of this town, and feeling their reputations hurt thereby, a number

of Tradesmen met, and agreed to request a general meeting of their brethren on Monday evening, at the Green-Dragon, in order that their opinions might be had on the subject.—Accordingly advertisements for that purpose were inserted in the papers of Monday last.—At about six o'clock, near four hundred of the most respectable *real* Tradesmen of this town—men who obtain their support from the sweat of their brow, and the labour of their hands—men who are constantly employed in the hive of the Commonwealth for their own subsistence and the dignity of the state, met at the Green-Dragon—when the subsequent spirited and patriotick proceedings took place. Although convened together at a short notice, and forming a large body when met, the whole business was conducted with as much propriety and regularity, we venture to say, as ever marked the proceedings of the best organized and well regulated assembly whatever. The proceedings follow.⁶

Boston, January 7, 1788.

AGREEABLY to an advertisement inserted in the papers of this day, the TRADESMEN of this town met at Mason's-Hall, Green-Dragon, at 6 o'clock, P. M. when JOHN LUCAS, Esquire, was chosen Moderator, and after some discussion, The MODERATOR, PAUL REVERE, Esq. and Mr. BENJAMIN RUSSELL, were chosen to draft certain resolutions expressive of the sense of this body. The Committee, after having retired, returned, and reported the following—which, being read, was UNANIMOUSLY accepted, and voted to be printed in the several publick papers, viz.

[The preamble and resolutions of the tradesmen appear here. For the only significant variation from the version in the *Massachusetts Gazette*, 8 January, see note 3.]

The resolves of so respectable a body as were convened on the evening of Monday last, can leave no doubt of their sentiments—and although they do not wish to preclude a fair discussion of the great subject—yet they are convinced that the *unbiassed, unprejudiced* and *truly patriotick* members of the honourable Convention will join with them in determining that the blessings of Independence are suspended on the adoption of the new Federal Constitution.⁷

1. The Green Dragon Tavern was purchased before the Revolution by the St. Andrew's Lodge of Freemasons, a group comprised largely of inhabitants of the North End. It was the meeting place of the North End Caucus and a center of revolutionary activities.

2. John Lucas was commissary of pensioners for Massachusetts, Paul Revere, a silversmith, and Benjamin Russell, the printer of the *Massachusetts Centinel*. Revere was also a member of the St. Andrew's Lodge of Freemasons.

3. In the *Massachusetts Centinel* and *Boston Gazette* versions of the resolutions, "their best interest" reads "the best interests."

4. William Boardman was a hatter, Joshua Witherle was a coppersmith, and David Spear was a cooper.

5. This paragraph was reprinted eight times by 5 February: R.I. (1), N.J. (1), Pa. (4), Md. (2).

6. This paragraph was reprinted thirteen times by 13 February: Mass. (3), R.I. (1), N.Y. (2), N.J. (1), Pa. (5), Md. (1).

7. This paragraph was reprinted twelve times by 13 February: Mass. (2), R.I. (1), N.Y. (2), N.J. (1), Pa. (5), Md. (1).

Samuel Norton to Benjamin Lincoln

Hingham, 7 January¹

When this reaches you I sincerely hope your sons health may be much better than when we recd. the last accompts from Boston, I deeply sympathise with you and his mother in the tender feelings excited for a beloved son in distress may Heaven prepare him, you his mother and all his connections for the determination of its wisdom and its love²— If your sons indisposition has not been so great as wholly to engage your attention you will permit me to enquire how stands Convention matters? Can you gues from the characters of the members chosen whether the weight of Massachusetts will be thrown into the Government scale? or whether blind to our own and the interests of the continent we to our eternal disgrace are like to go to increase the weight of popular tyranny, that almost certain forerunner of a Dispot? Whether the plan now offered is the *best* that might have been devised I am not capable of determining but if from the little knowledge I have of the character of this people I may be allowed to venture my opinion, if this Constitution is not accepted, no other hereafter offered to the free choice of the people ever will be, but doubtless such scenes (from which may the good Lord preserve us) must follow as only a remote prospect of is sufficient to freeze even the most unfeeling soul to a statue of ice. But on the other hand should the proposed system be adopted might we not from a just administration of it derive all the advantages resulting from a Government duely balanced and properly empowered? Sr. last year you kindly promised me your influence with the then next administration in procuring the commission I wished³—perhaps during your attendance on the Convention you may have an opportunity of serveing me in this matter, if it may consistantly be done I wish it; but I submit to your superior information and judgement—

1. RC, Lincoln Papers, MHi, Norton (1744–1832), a Hingham trader, was a justice of the peace, 1789–97, and a member of the state House of Representatives, 1795–98.

2. General Lincoln's son, Benjamin, Jr., a graduate of Harvard College (1777) and a Boston lawyer, died on 18 January.

3. Possibly a commission as a justice of the peace for Hingham, the town that Lincoln represented in the state Convention. Norton began serving as a justice of the peace in 1789.

American Herald, 7 January

The technique found in this Antifederalist article and the Antifederalist article printed immediately below it—that of predicting what might appear in a future newspaper—was occasionally employed by propagandists. For an example of a Federalist item, predicting events in June 1789, see the *Pennsylvania Gazette*, 12 September 1787 (CC:74).

FROM THE DEPENDENT CHRONICLE,

Of the year 1796, January the first.

The sessions of the State Convention, which was called to make alterations in the Constitution of the Commonwealth,¹ ended last week.—When it was, by a great majority, agreed—That the Commonwealth shall cease to exist, and that the Senators and Representatives of the same, now in Congress, shall surrender the Sovereignty, and Government, to his Excellency the President of the United States, who is most humbly solicited from this time forward, to assume, and take upon himself, the stile, title and dignity of KING OF ALL AMERICA—And that as Despotism was long since proved by a learned Sage of the law in Philadelphia, to be the best of all Governments,² that his now Royal Majesty be vested with the most unlimited and ample powers. We his most dutiful and loyal subjects, most humbly hoping, that for his own sake he will spare the lives of as many of us as he thinks proper.—And we earnestly recommend it to the pious Clergymen of the late Commonwealth, that they will as earnestly pray for his life and happiness, as they did in the year 1787, pray and strive for that new Constitution, which has been the sole cause of this happy Revolution.

His most gracious Majesty has been pleased to publish his benign, and benevolent Proclamation, offering a bounty of One Thousand Eagles, to any person, who will apprehend and bring to conviction the author of the following rebellious, insurge[n]tical and inflammatory Libel.

*“In a cave on the Banks of the
Huron——”*

“THUS concealed, I will dare to engrave on the bark of the tree, the measures which lead my country blindfolded into slavery.”

“When Britain extended the wand of oppression over the New World, Patriotism, enlightned by Science, and urged by Valor, contended until the price of Liberty was won, and secured.—The multitude of the people too ready, at times, to embrace licentiousness for liberty, become ungovernable, the sacred Courts of Justice were prostrated, the sacred Rights of Men were violated, and Property, that grand object of human exertion, become insecure. There were at that time waiting for this epocha, a set of men who had opposed the then late Revolution; with high address they called to their aid, the affrighted Misers, the ambitious military Men who thought themselves not rewarded for their past toil and danger, the Lawyers, whose fees had become doubtful, and the Men of desperate commerce, who sought a momentary ease in the change of politics; with these they formed ideas in the minds of the people, repugnant to every sentiment of Republicanism.”

When the United States had appointed a Convention for the express purpose of strengthening and giving efficacy to the Confederation and Union of the Thirteen Confederated Republics, this Convention reported, and the infatuated people adopted, what was called the CONSTITUTION OF THE UNITED STATES.—Is it not strange, that this solicism of expression was not attended to!—A Constitution must always mean a Form of Government for a sovereign, independent State; but *a Constitution for States*, either implies nothing at all, or that their separate Sovereignty ceases, and they are consolidated.—A Constitution of Government for men, may do, because men, as such, may exist in a General Government; but one Constitution of Government for several States can never exist, because they are no longer separate States, after one Form of Government, and one coercive Power, applies indiscriminately to all.—But these distinctions were unhappily lost in the noise of Lawyers, and the clamour of Partizans.

This unlucky Constitution contained a clause of Judiciary Power, which provided, that there should be one Supreme Judicial Court over the United States, and Inferiour Courts in each State. This Supreme Court was to have original jurisdiction of many public causes, appellate jurisdiction of all causes of law and *equity, arising under that Constitution and the laws of the United States, and to all causes between citizens of different States, and between subjects of foreign States, and citizens of the United States.*

The chicane of Lawyers, by making nominal pla[i]ntiffs and defendants, who lived in other States, and the removal of citizens from one State to another, threw all the business into Courts of Congress, the Lawyers emoluments were rendered more certain, and enlarged, the power of the Courts of Congress encreased from day to day, while those

of the separate States diminished proportionably.—The Congress having an unlimited controul over imposts, excises and taxes, left each State without revenue to support a civil list. Their Governours and Judges were at length made of men, who either accepted authority to yield it for a price to the general Government, or of men too weak and unlearned to oppose the overflowing encroachments of Congress. A few Patriots yet dared to advocate the freedom of the people, but they were thrown into prison by state warrants; the grand jurors had courage enough in some States to indict the High Officers of Government, and the petit jurors had firmness enough to convict them; but, the President pardoned his servant, his ministers of justice. Actions of tre[s]pass were brought by the sufferers; but as the Constitution had provided that the Judges of the United States should, in civil actions, have cognizance both as to *law* and *fact*, the trial by jury was excluded; and these sufferers had to pay costs to the Tyrants who had oppressed them.—I the writer, though now white with age, was, at that time, in the vigour of manhood; and contended for a trial by jury, as the sacred Palladium of Liberty.—I produced the former complaints of Congress in their addresses to the King, of his taking away the trial by jury, and of his establishing on these principles a Government in Canada.—I shewed the addresses of Congresses and Courts to the people on this point; and urged, in vain, to the distracted and depraved people, the blood which had been expended for that Freedom, which, without this privilege, is all but vanity and a lie. It was not then foreseen, by many who loved their country, that giving this judicial power, implicitly extended the legislative powers of Congress to all the objects within the judicial circle.—Hence arose a power of legislation for the mode of inheritances, for limitation of actions, and for the government of all property, for the High Court of the Union could not be controuled by laws of separate States, which were stript of all their sovereignty, and reduced to mere Corporations; even Probate Courts were rendered useless, because the division of dead mens estates, were commonly to be made between heirs and creditors who lived in different States.

These strong observations might have wrested the progress of this Monster of Slavery, but its advocates answered them all, by saying, *Congress must be trusted, and Congress would do right*.—In vain it was urged, that such arguments proved too much—they proved all Constitutions and checks in Government to be unnecessary.—For if the Congress could be trusted with unlimited power in these important points, why not in all things?

Oh, my countrymen! it might well be said to you, “*whom GOD intends to destroy, he first bereaves of Reason.*”³

Thus overloaded with business, and gorged with jurisdiction, this Court became too bloated to go to the extensive circuit of all America; they were therefore only seen at the city of Congress, the Lawyers of Eminence all resided there, and were crouched to by pettyfoggers of distant Districts.—The effects of justice were felt by the remote Peasants of Massachusetts, in a very unjust manner; but the forms of justice were no more seen by them.—In fine, ignorance pervaded all ranks of men, the light of science blessed but a few, and these were demagogues of course; all now became impatient for one change more to gain ease, and they are easily perswaded that Despotism, according to Judge M’Kean, is the best of all possible Governments.

It is said, the writer of the above Libel is fled to the kingdom of Spain for protection, as there is no trace of Liberty in lost AMERICA.

1. For the provision of the state constitution of 1780 providing for a state constitutional convention to amend the constitution, see “The Republican Federalist” III, *Massachusetts Centinel*, 9 January, at note 6.

2. On 28 November Thomas McKean, chief justice of the Pennsylvania Supreme Court, declared in that state’s Convention that “Though a good system of government is certainly a blessing, yet it is on the *administration* of the best system, that the freedom, wealth, and happiness of the people depend. DESPOTISM, if wisely administered, is the *best form of government invented by the ingenuity of man . . .*” (RCS:Pa., 422). This passage, first printed in the *Pennsylvania Herald*, 1 December, was reprinted thirteen times throughout America, including the *Independent Chronicle*, 13 December; *Boston Gazette*, 17 December; *Salem Mercury*, 18 December; and *Hampshire Chronicle*, 18 December. (For the origin of McKean’s statement, see the headnote to “Poplicola,” *Boston Gazette*, 24 December.)

3. A variation of the following from Euripides: “Those whom God wishes to destroy, he first makes mad.”

American Herald, 7 January¹

Intelligence Extraordinary,
FOR THE HERALD.
From the AMERICAN GAZETTE,
July the 5th, 1798.

Yesterday his most Superb Majesty the King of all America, celebrated the Feast of ALL FOOLS, being the festival of the Independence of the United States.

The first exhibition was a representation of an old Philosophic Statesman, and an aged Warrior,² with the following inscription over their hoary heads:

“*They achieved a noble estate, but did not give it to their children.*”

Then was exhibited the tombs of WARREN, MERCER, MONTGOMERY, and (*)WORCESTER,³ with this inscription:

“*BLOOD SHED IN VAIN.*”(a)

Then appeared a (*)Magician^(b)—He raised a standard, whereon was a firm, black Cloth without a spot of white, or any other colour upon it—He then turned a wheel with velocity, which struck certain pipes, that articulated the word ‘ANTIFEDERALIST,’ and drew millions of echoes from the hills, the fens, and the bogs, even the frogs, in puddles tried to express the word, such was his magic.—When he had reduced the multitude to a phrenzy, they all confessed that there were thirteen stripes in the (*)cloath. For which they were however, sentenced to be deprived of their liberty, and to hold their property at the will of others.

His most Superb Majesty then passed on in open view, followed by an infinite number of carriages, filled with (*)General, Judges, Lawyers, &c. that the gilded vehicles might not be soiled, the poor, miserable multitude were placed so as to have the wheels roll on their shoulders; a ridge being raised between the (*)rows of peasants for the Royal steeds to prance (*)one.^(c)

JULY the 9th, 1798. A Cabinet Council was holden yesterday, when it was resolved *nem. con.* that as the freedom of the press was relinquished, by the cession of 1787 and 1788, there shall be but one Gazette published in America.

The Worcester Magazine was condemned because its very form contends for Liberty.⁴—The Printer of the Herald was imprisoned for life.—The Centinel, having done much in 1787 for the establishment of the Empire of DESPOTISM, was allowed to EXIST two years longer,^(d) under the inspection of an opposite Insurance-Office.

[*American Herald's* and *Massachusetts Centinel's* footnotes.]

(*) We have copied *verbatim et literatim* from the Herald—therefore, our readers will expect no errata from “us.”
[*Mass. Cent.*]

(a) No doubt this will be a wonderful *exhibition* indeed.—The *tombs* of these worthies lying so in the vicinity of each other, it will be very easy to *exhibit* them *in reality*. [*Mass. Cent.*]

(b) This “Magician” without doubt is some antifederalist—we may well suppose this from his curious “pipe” that is made so prettily to articulate his title—besides none but an antifederalist (except indeed pirates) wear *black colours*—and we see the standard of this *creature* is to be *black*, without a spot of *white*, or any *other colour* upon it.—*Apropos* of colours—Mr. Addison says, white is no colour—Mr. Powars here makes it one—now “*who shall decide when Doctors disagree?*”⁵—As said Magician is an antifederalist, it well follows that where his *phrenzy* prevails, the people will be deprived of

their liberty—and hold their property at the will of others.—
For Anarchy is the father of bondage. [*Mass. Cent.*]

(c) Wonderful Scarecrow!—It is proposed to add this paragraph to the renowned history of “*Little Red Ridinghood’s being eat up by a great wolf:*”—And the Printer at Worcester, will no doubt make the addition; as it will greatly enhance the value of that *true* history, “which breaths the *pure* uncontaminated air” of genuine scarecrowism. [*Mass. Cent.*]

(d) A “DAMPER,”⁶ *this, to us, Brother Russell, with a witness !! !? (e) [*Amer. Her.*]*

(e) Indeed, brother *Powers*, thy brother *Russell* feels [i.e., feels] “right tranquil”—notwithstanding thy prediction:—He will condole with thee on thy fate, shouldst thou be cast into prison—but he cannot persuade himself—nor doth he believe his brother *Powers* “*right serious*” in this affair—that it will be the effect of the adoption of the federal Constitution—he being well assured that a “*good tree cannot bring forth bad fruit.*”⁸ [*Mass. Cent.*]

1. Reprinted in the *Massachusetts Centinel* on 9 January under the heading “*ANTICIPATED INTELLIGENCE, with notes critical and explanatory.*” The *American Herald’s* original printing contained one footnote at the end of the text. The *Massachusetts Centinel’s* reprinting contained several internal footnotes. For photographic facsimiles of both the *American Herald* and the *Massachusetts Centinel* versions, see Mfm:Mass.

2. Benjamin Franklin and George Washington.

3. Joseph Warren, Hugh Mercer, Richard Montgomery, and David Wooster were all American generals who died in battle during the War for Independence.

4. In March 1785 the Massachusetts legislature laid a duty on newspapers and many other things, but the act, reminiscent of the hated imperial Stamp Act of 1765, was repealed before it took effect. As a substitute, the legislature in July levied a tax on newspaper advertisements “respecting private concerns.” On 29 September Isaiah Thomas, the printer of the *Massachusetts Spy*, declared that this act was “a shackle which no legislature but ours, either in British or United America, have laid on the Press, which, when free, is the acknowledged great bulwark of Liberty, and the boast of a Free and Independent People.”

In April 1786, to circumvent the act, Thomas converted the *Spy* to an octavo-sized magazine called the *Worcester Magazine*. On 26 March 1788 the duty on newspaper advertisements was repealed, and on 3 April Thomas returned to publishing the *Spy*, having discontinued his magazine. The *Spy’s* motto—“The Liberty of the Press is Essential to the Security of Freedom”—was taken from Article XVI of the Massachusetts Declaration of Rights (1780). In his first issue, Thomas said: “Heaven grant that the FREEDOM of the PRESS, on which depends the FREEDOM of the PEOPLE, may, in the United States, be ever guarded with a watchful eye, and defended from *Shackles*, of every *form* and *shape*, until the trump of the celestial Messenger shall announce the final dissolution of all things.”

5. See RCS:Mass., 297, at note 3. The quoted text is actually from a work of Alexander Pope.

6. For the use of this term by the *Massachusetts Centinel* and an earlier comment upon it in the *American Herald*, see *Massachusetts Centinel*, 2 January, at note 8, and *American Herald*, 7 January, both in "The Circulation of the Letters from the Federal Farmer in Massachusetts," 28 December 1787–7 January 1788.

7. At this point in the *Massachusetts Centinel* reprint the following was inserted: "Thus far the Herald."

8. Matthew 7:18. "A good tree cannot bring forth evil fruit, neither can a corrupt tree bring forth good fruit."

New York Journal, 7 January¹

By private accounts from Boston, we learn, that almost all the stanch republicans of Massachusetts, those begetters and supporters of the late revolution, who are lovers of the community at large, and defenders of their freedom and independence, consequently detesters of every tyrannical junto, and their abettors, are decidedly opposed to the proposed constitution in its present form; among these are, that father of patriots SAMUEL ADAMS, and a number of the other members of the ever memorable COMMITTEE of CORRESPONDENTS, of 1774, '5, and 6.

1. Reprinted: Philadelphia *Independent Gazetteer*, 12 January; Baltimore *Maryland Gazette*, 18 January; *State Gazette of South Carolina*, 11 February.

Zabdiel Adams to John Wheelock Lunenburg, 8 January¹

The polite and obliging letter you sent me in answer to mine, deserves my particular thanks.

I was greatly disappointed, when, on my arrival at Dartmouth, I found you and your Lady absent. Your absence, however, was in some degree compensated by the civility of those agreeable Gentlemen & Professors, Woodward & Smith;² by whom I was treated with a respect and attention exceeding my expectations, and greatly surpassing my merit—

Tho my stay at the College was very short, I saw enough fully to convince me that your advantages for literature are, even at present, very considerable, as you possess a decent Library, and such instructors as would do honor to any seminary of learning in the world. Thus, Sir, I place my son under your tuition and care with the utmost confidence. But we have always something to distress us & give anxiety—The times are extremely difficult, and money, to a proverb, scarce. How to make remittances with punctuality, is my great concern. Tho my estate is small, yet I have money already accumulated, and in safe hands, sufficient, to say the least of it, to defray the expence of my son's education.³

But to recover it is an Herculean task. *Hic labor, hoc opus est.*⁴—Tender acts, a fear of the emission of paper money, and want of Confidence in Government, have, in their united operation, taken Specie, in a great Measure, out of circulation, & left us to fraud, distress and oppression. Many persons think that the adoption of the new continental government would work an immediate and radical cure of all our difficulties. Be it unto us according to their faith, I think an efficient Government would relieve us from many distresses, make money plentier, and raise the Value of our lands. But without science, virtue and industry, more generally diffused than at present, we must finally, as a people, expire in indigence and contempt. As you, Sir, cannot fail of entertaining just sentiments on these matters, I trust you will use your influential Eloquence to introduce such a Government as shall enable and excite persons to be punctual in the payment of their debts, and true to all their promises. From the state of the times, I am led to accede to a desire, first mentioned by my son, that he and his Companion may have leave of absence from the College, from about the 7th of February to the end of the spring vacation. Should the Government of the College indulge me in this, I should consider it as a particular favor; & will engage they shall be studious during the whole term of their recess. Upon My sons return, if not be fore, I shall transmit money to discharge all his dues at Dartmouth, and in the mean time entreat your patience

1. RC, Gratz Collection, PHi. Adams (1739–1801), a graduate of Harvard College (1759) and a cousin of John Adams, was pastor of the First Congregational Society in Lunenburg, Worcester County, from 1764 until his death. A prominent preacher, he gave the election sermon before the Governor and the General Court in 1782. More than ten of his sermons were published. Wheelock (1754–1817), a native of Lebanon, Conn., and a graduate of Dartmouth College (1771), was president of Dartmouth College, 1779–1815, and professor of history, 1782–1815.

2. Bezaleel Woodward was professor of mathematics and natural philosophy, a trustee, and the treasurer of Dartmouth College. John Smith was professor of Greek, Latin, Hebrew, and Oriental languages, librarian, and minister of the College Church.

3. Zabdiel Boylston Adams attended Dartmouth from 1787 to 1789 and then transferred to Harvard College, graduating in 1791.

4. Latin. Actually, "*Hoc opus, hic labor est,*" "This is the task, this the toil" (Virgil, *The Aeneid*, Book VI, line 129).

Henry Van Schaack to Theodore Sedgwick Pittsfield, 8 January (excerpts)¹

Colo. Hyde² will deliver you this and let me tel you that he is to return soon to the County of Berkshire. I know you are ready to ask me, what of that? I will tel you, in answer that I will and must hear from you upon his return—

I am happy to tel you that young Hyde, Son to the Colo.,³ is just arrived from South Carolina; he says that it is dangerous for a man to lisp any thing agt. the new Constitution—Kicking and Cuffing is the portion of the delinquents—From his Account I am led to believe that the spirit of 75 has its resurrection in the Southern States—It was in my opinion *then* a hellish one and now, my good friend, it appears to me to be a good one. What changeable creatures we are! I have to console myself that circumstances alter cases—we, here, seem mighty quiet about the new System—I saw a friend of Betts's⁴ yesterday, to whose influence, I presume he got in the Delegation, who assured me that he did not know of Mr Betts having made up his mind upon the great question—a circumstance, if true, is rather favorable if you will condescend to improve upon this information. Would it not be well for you to have meetings with all our County Members, I mean all Such as you are upon Speaking terms with, and endeavor to perswade them to Act properly when the question is put—You can, I am persuaded, do much good in that way. God Speed you in this great business. We (I mean your friends) are so fully convinced of a majority for the Government that I told Eggleston⁵ last Evening that his house was to be the place we meant to meet, upon your return, to celebrate the new birth—Bring it in existance and your friend will be almost a new man—Exert yourself labor hard for without this child of Heaven our days in future will not be worth Counting. If I had as much matter here for a letter as you will have by the time this gets to you I should Scribble Sheets ful to gratify your curiosity—Heaven bless and prosper you—on thursday I will call on Mrs. S. Adieu

[P.S.] I wish you would by Colo. Hyde send me a guess how long it will be before the question is to be put. If the time suits and there is a prospect of good Slaying it is possible I may Slip down upon that occasion instead of attending the General Court.

It is possible that the weather may be such that I shall not be able to attend the General Court in the next Session I must therefore request of you to buy for me the following Garden Seeds. . . .

January 19th 88⁶

To morrow I presume will be an important day with you—I wish I could be in the Gallery—

1. RC, Sedgwick Papers, MHi. Addressed to Sedgwick "at Mrs. Loring's" in Boston, this letter was "Honored by Colo Hyde" (note 2). Mrs. Loring's was either Mary Loring's boarding house on Hanover Street or Mrs. Sarah Loring's inn, the "sign of the Golden-ball" on Merchant's Row. Sedgwick was Stockbridge's delegate to the state Convention.

2. Probably Caleb Hyde of Lenox, a lieutenant colonel in the Massachusetts militia during the Revolution and sheriff of Berkshire County since 1781.

3. Possibly Caleb Hyde, Jr., who became register of deeds in the Middle District of Berkshire County in 1790.

4. Comstock Betts of Richmond voted against ratification of the Constitution in the state Convention.

5. Probably Azariah Eggleston, a former Continental Army officer and regimental paymaster.

6. Probably 9 January, the first day of the state Convention.

**Thomas B. Wait to George Thatcher
Portland, 8 January (excerpts)¹**

My dear friend—

Your kind letter of the 23d ultimo receiv'd.—

My opposition to the proposed plan of Continental Govt. does not, as you suppose, arise from "*violence of passion*."—

On reception of the Report of the Convention, I perused, and admired it:—Or rather, like many who still *think* they admire it, I loved Geo. Washington—I venerated Benj. Franklin—and therefore concluded that I must love and venerate all the works of their hands:—This, if you please my friend, was "*violence of passion*"—and to this very *violence of passion* will the proposed Constitution owe its adoption—i.e.—should the people ever adopt it. The honest and uninformed *freemen* of America entertain the same opinion of those two gentlemen as do European *slaves* of their Princes,—"*that they can do no wrong*"—

On the unprecedented Conduct of the Pennsylvania Legislature, I found myself disposed to lend an ear to the arguments of the opposition—not with an expectation of being convinced that the new Constitution was defective; but because I thought the minority had been ill used; and I felt a little curious to hear the particulars.

The address of the Seceders² was like the Thunder of Sinai—it's lightnings were irresistible; and I was obliged to acknowledge, not only that the conduct of the majority was highly reprehensible, but that the Constitution itself might possibly be defective.—My mind has since been open to conviction—I have read & heard every argument, on either side, with a degree of candour, of which I never, on any other occasion, felt myself possessed—And, after this cool and impartial examination I am constrained—I repeat it, my dear friend—I am constrained to say, that I am dissatisfied with the proposed Constitution.—

Your arguments against the necessity of a Bill of Rights are ingenious; but, pardon me my friend, they are not convincing.—You have traced the origin of a Bill of Rights accurately.—The People of England, as you say, undoubtedly made use of a Bill of Rights to obtain their *rights* and liberties of their sovereigns; but is this an argument to prove that

they ought not now to make use of Bills in defence of those liberties?—shall a man throw away his sword, and refuse to defend a piece of property, for no other reason than that his property was obtained by that very sword?—Bills of Rights have been the happy instruments of wresting the privileges and rights of the people from the hand of Despotism; and I trust God that Bills of Rights will still be made use of by the people of America to defend them against future encroachments of despotism—Bills of Rights, in my opinion, are the grand bulwarks of freedom.

But, say you, some however necessary in state Constitutions, there can be no necessity for a Bill of Rights in the Continental plan of Govt.—because every Right is reserved that is not *expressly* given up—Or, in other words, Congress have no powers but those *expressly* given by that Constitution.—This is the *doctrine* of the *celebrated* Mr. Wilson;³ and as you, my friend, have declared it *orthodox*, be so good as to explain the meaning of the following Extracts from the Constitution—Art. I Sect. 9.—“The privilege of the writ of Habeas Corpus shall *not* be suspended &c.”—“*No* bill of attainder or ex post facto law shall be passed.”—“*No* money shall be drawn from the treasury” &c.—“*No* title of nobility shall be granted by the United states.”—Now, how absurd—how grossly absurd is all this, if Congress, in reality, have no powers but those particularly specified in the Constitution!—

It will not do, my friend—for God’s sake let us not deny self-evident propositions—let us not sacrifice the truth, that we may establish a favourite hypothesis;—in the present case, the liberties and happiness of a world may also be sacrificed.—

There is a certain darkness, duplicity and studied ambiguity of expression running thro’ the whole Constitution which renders a Bill of Rights peculiarly necessary.—As it now stands but very few individuals do, or ever will understand it.—Consequently, Congress will be its own *interpreter*—The article respecting taxation and representation is neither more or less than a *puzzling Cap*; and you, my friend, had the pleasure of *wearing* it, at my office, an hour or two—and then pulled it off, *just as wise* as when you put it on.—But you will now perhaps tell me that you can explain it entirely to my satisfaction—possibly you can; but that may not happen completely to satisfy Congress—if it should not, why they will put a different one,—one that may not satisfy *either you or me*—But Some persons have *guessed* the meaning to be this—that *taxation and representation should be in proportion to all the freemen and slaves in each state—counting five of the latter to three of the former*—If these were the ideas of the Convention, what a strange collection of words do we find in the Constitution to express them!—Who, in the name of God, but

the *majority* of that honl. body, would ever have tho't of expressing like ideas in like words!—But bad as may be the *mode* of *expression*, the *ideas*, in my opinion, are worse—

By this *interpretation* the article in question is an egregious imposition on the northern states—Tell me, if you can, why a southern *negro*, in his present debased condition, is any more intitled to representation, than a northern *Bullock*?—Both are mere pieces of property—and nothing more!—The latter is equally a *free agent* with the former.—

O, for that social Evening you so kindly wish for!—I want prodigiously to see you:—But it grieves me that we do not think alike—You will, my dear Thatcher, I know you will alter your opinion—And I charitably conclude The only reason why you had not done it when you wrote me, was, that owing to the small pox, you had not attended to the arguments of the opposition.⁴—

And now let me beseech you, not obstinately to defend your present notions of the new Constitution tho' they may be all the *ton* in the *great* world, till you have examined every argument that has been used against it—pay particular attention to the Debates of the Pennsylvania Convention;⁵ and I am certain that you must acknowledge if the Constitution is good, that it by no means appears so from any arguments made use of by the majority of that body—they are lighter than straws.—

How can you, after *perusing* the arguments of Crazy Jonathan,⁶ approve of the abolition of juries in civil causes—If the Genl. Court of this state are insurgents for depriving the subject of that right in 110 actions out of 120—what shall we say to the Constitution that evidently deprives the subject of that right altogether?—O, my good friend, that cursed Small pox has made a crazy Jonathan of you in good earnest.—But your life is spared—and I am happy—

Last Saturday week I did myself the pleasure of visiting your dear wife and family—and tarried till Monday noon—it was a godly season—had you been present, it had been a Paradise.—

Mrs. Thatcher shew'd me your P.S. wherein you charge all who do not think as you do with *sorcery*, *witch craft*, &c.—It pain'd me to the soul—I wanted to shed a tear; and had no one been present, I should certainly have given vent to a dozen—I wish, said I, to Mrs. T. that your good husband and myself could think alike—I wish, replied she, that I had not shewn you the P.—S.—or rather that you had agreed to think alike before you parted—or, added Tempy,⁷ that Uncle was now present to settle the difference—We all joined most heartily in the last wish—we almost made a prayer of it; but it was not heard—perhaps we did not ask in faith—Be this as it might—Politicks, from that moment, was

consigned over to the wind, and not a soul of us would even lend an ear to its whistling. . . .

We continued as perfectly happy as was possible in the absence of our *friend*, our *Uncle* and our *father*, until Sunday noon;—at which time Jeremiah Hill, Esq. made his appearance—from that time till after tea, (which we drank at his house) we eat and drank and talked politics. The Squire, you must know, is a professed Constitutionalist—Silas⁸ and myself were *Anti's*—so we had nothing to do but fall at it *hammer & tongs*,—Had you been within hearing, you would have wished the new Constitution, or its advocate, or both, at the Devil—We *roasted* him—we *basted* him, till he became quite a *crisp*; and, had we tarried the evening, we should certainly have *devoured* him—We took pity upon, and left him directly after tea—returned to your house, and were again happy. . . .

You say nothing of a Post to Pownalboro'—The people at the Eastward are amazingly impatient—It is an important period; and they are almost totally ignorant of every public transaction—Five Delegates in six, from these three Counties are opposed to the new plan of Cont. Government—Genl. Thompson and your *Brother* Widgery are warm in the opposition, and both are Conventioners⁹—

Mr. Barnard's Contract for the year 1787,—hath expired—The Postmaster Genl. has not renewed it for 1788—'tho' applied to by Mr. B.—We therefore have no Post from Portsmouth to this place—Mr. Barnard rides or *letteth it alone*, as he pleaseth.—Mr. Freeman is very uneasy on this account; and joins with me in requesting you to see the P. Mastr Genl. and to enquire into the matter—We are barbarously neglected, my friend.—

Your friend foever—

P.S.—your papers are sent weekly, sealed, directed, &c.—I am surprised that you have not recivd them. . . .

1. RC, Chamberlain Collection, Thatcher Papers, MB. Printed: Goodwin, "Thatcher Papers," 261–63.

2. See "The Massachusetts Reprinting of the Address of the Seceding Assemblymen of the Pennsylvania Assembly," 23 October–8 November (RCS:Mass., 115–16).

3. See "The Massachusetts Reprinting of James Wilson's Speech of 6 October Before a Philadelphia Public Meeting," 24 October–15 November (RCS:Mass., 120–22).

4. On 23 December 1787 Thatcher wrote his wife Sarah that he had completely recovered from a severe case of small pox brought on by his inoculation (Thatcher Papers, MHi).

5. Wait, publisher of the *Cumberland Gazette*, printed some of the Pennsylvania Convention debates in his newspaper on 20 and 27 December 1787 and 10 January 1788.

6. "Crazy Jonathan" wrote a series of nine essays that were printed in the *Cumberland Gazette* from 13 September to 15 November 1787. "Crazy Jonathan" IV (4 October) objected to a Massachusetts law allowing justices "to assess damages . . . in 110 causes out of 120."

7. Temperance Hedge, Thatcher's niece.

8. Silas Lee.

9. Samuel Thompson of Topsham and William Widgery of New Gloucester.

Agrippa XI

Massachusetts Gazette, 8 January

To the PEOPLE.

My last Address¹ contained the outlines of a system fully adequate to all the useful purposes of the union. Its object is to raise a sufficient revenue from the foreign trade, and the sale of our publick lands, to satisfy all the publick exigencies, and to encourage, at the same time, our internal industry and manufactures. It also secures each state in its own separate rights, while the continental concerns are thrown into the general department. The only deficiencies that I have been able to discover in the plan, and in the view of federalists they are very great ones, are, that it does not allow the interference of Congress in the domestick concerns of the state and that it does not render our national councils so liable to foreign influence. The first of these articles tends to guard us from that infinite multiplication of officers which the report of the Convention of Philadelphia proposes. With regard to the second, it is evidently not of much importance to any foreign nation to purchase, at a very high price, a majority of votes in an assembly, whose members are continually exposed to a recall. But give those members a right to sit six, or even two, years, with such extensive powers as the new system proposes, and their friendship will be well worth a purchase. This is the only sense in which the Philadelphia system will render us more respectable in the eyes of foreigners. In every other view they lose their respect for us, as it will render us more like their own degraded models. It is a maxim with them, that every man has his price. If therefore we were to judge of what passes in the hearts of the federalists when they urge us, as they continually do, *to be like other nations*, and when they assign mercenary motives to the opposers of their plan, we should conclude very fairly, that themselves wish to be provided for at the publick expense. However that may be if we look upon the men, we shall find some of their leaders to have formed pretty strong attachments to foreign nations. Whether those attachments arose from their being educated under a royal government, from a former unfortunate mistake in politicks, or from the agencies for foreigners, or any other cause, is not in my province to determine. But certain it is, that some of the principal fomenters of this plan have never shewn themselves capable of that generous system of policy which is founded in the affections of freemen. Power and high life are their idols, and national funds are necessary to support them.

Some of the principal powers of Europe have already entered into treaties with us, and that some of the rest have not done it, is not owing, as is falsely pretended, to the want of power in Congress. Holland never found any difficulty of this kind from the multitude of sovereignties in that country, which must all be consulted on such an occasion. The resentment of Great Britain for our victories in the late war has induced that power to restrain our intercourse with their subjects. Probably an hope, the only solace of the wretched, that their affairs would take a more favourable turn on this continent, has had some influence on their proceedings. All their restrictions have answered the end of securing our independence by driving us into many valuable manufactures. Their own colonies in the mean time have languished for want of an intercourse with these states. The new settlement in Nova-Scotia has miserably decayed, and the West-India islands have suffered for want of our supplies, and by the loss of our market. This has affected the revenue; and however contemptuously some men may affect to speak of our trade, the supply of six millions of people is an object worth the attention of any nation upon earth. Interest in such a nation as Britain will surmount their resentment. However their pride may be stung, they will pursue after wealth. Increase of revenue to a nation overwhelmed with a debt of near *two hundred and ninety millions* sterling is an object to which little piques must give way; and there is no doubt that their interest consists in securing as much of our trade as they can.

These are topicks from which are drawn some of the most plausible reasons that have been given by the federalists in favour of their plan, as derived from the sentiments of foreigners. We have weighed them and found them wanting. That they had not themselves full confidence in their own reasons at Philadelphia is evident from the method they took to bias the state Convention. Mess'rs Wilson and M'Kean, two Scottish names, were repeatedly worsted in the argument. To make amends for their own incapacity, the gallery was filled with a rabble, who shouted their applause, and these heroes of aristocracy were not ashamed, though modesty is their national virtue, to vindicate such a violation of decency.² Means not less criminal, but not so flagrantly indecent, have been frequently mentioned among us to secure a majority. But those who vote for a price, can never sanctify wrong, and treason will still retain its deformity.

1. See "Agrippa" X, *Massachusetts Gazette*, 1 January.

2. On 12 December the *Pennsylvania Gazette* and *Pennsylvania Herald*, describing the Pennsylvania Convention debates for 10 December, reported remarks made by Antifederalist John Smilie, in which he complained about the "party in the gallery prepared to clap and huzza in affirmance of their [Federalists'] speeches" (RCS:Pa., 547-49). Newspapers throughout America reprinted or summarized these reports, including some in

Massachusetts: the *American Herald*, 24 December; *Massachusetts Gazette*, 25 December; *Salem Mercury*, 25 December; *Massachusetts Centinel*, 26 December; *Independent Chronicle*, 27 December; *Worcester Magazine*, 27 December; and *Essex Journal*, 2 January 1788. The "Dissent of the Minority of the Pennsylvania Convention," first printed in the *Pennsylvania Packet* on 18 December and as a broadside, also referred to the insulting behavior of Federalist speakers and the gallery (CC:353).

Massachusetts Gazette, 8 January

To-Morrow the Convention of this commonwealth are to meet at the state-house in this town. The business of the Convention, says a correspondent, is fully known, and generally approved of throughout the state. A careful examination, and complete investigation, of the several parts of the proposed federal constitution will be had. The quibbling, scribbling opposition—mercy! how diminutive!—it is expected, will search, and cull, and glean, from every musty volume within their ken, expressions, declamations, and every kind of THING, all tending to protract the final adoption of the new government. But—I cannot restrain my risible faculties, though the affair ought to be handled with a serious phiz, my friends—will not their endeavours be frustrated? Will not this structure, of which THREE STATELY PILLARS¹ have already been fixed, find advocates in its support? Will not the spirit of calumny be employed in attempting to raze this fabrick? Yes, doubtless, all these things will be. What, then, is to be done? I'll tell you—Let the opposition bark till they're blind, rail till their mouths froth—who then will doubt their madness?—pick and pull to pieces till the bone is dry, still their striving will be vain, and their endeavours harmless as the bubbling brook—Its FRIENDS will rise, with more than human force, and, energetick and eloquent, will bear down opposition with a flood of wonders, and convincing arguments. How long, then, scribblers, will ye continue to sport with the publick candour? how long will ye smile at publick patience, and face a frowning world? The collected wisdom of the state is sufficient, they have no need of you.

1. A reference to the ratification of the Constitution by Delaware, Pennsylvania, and New Jersey. See "The Raising of the First Three Pillars to the Federal Superstructure," *Massachusetts Centinel*, 26 December.

Massachusetts Gazette, 8 January¹

It is asserted that the federal constitution will annihilate the state constitutions. Several arguments have been adduced to evince the error of such an assertion, but the following detail will shew it is impossible that government could be carried on, without the continuance of the state constitutions. The federal government neither makes, nor can

without alteration make, any provision for the choice of probates of wills, land officers and surveyors, justices of the peace, county lieutenants, county commissioners, receivers of quit-rents, sheriffs, coroners, overseers of the poor, and constables; nor does it provide in any way for the important and innumerable trials that must take place among the citizens of the same state, nor for criminal offences, breaches of the peace, nuisances, or other objects of the state courts; nor for licensing marriages, and public houses; nor for county roads, nor for any other roads than the great post roads; nor the erection of ferries and bridges, unless on post roads; nor for poor-houses; nor incorporating religious and political societies, towns and boroughs; nor for charity schools, administrations on estates, and many other matters essential to the advancement of human happiness, and to the existence of civil society.—

1. This item, printed in italic type, was reprinted in the *Massachusetts Centinel*, 9 January, under the heading "*READ THIS! READ THIS!*" and in the *Cumberland Gazette*, 24 January.

Salem Mercury, 8 January¹

The objection to the New Constitution, that there is no instrument accompanying it, to secure the people in their rights, is truly weak and puerile—It is as if a trading company were forming, and a merchant should refuse to subscribe the articles of association, because, though they require a deposit of only a small proportion of his property, with the appropriation of which he is well satisfied, yet they do not declare that the money which he has in his scrutoire at home is his own, and that the company have no right to meddle with it without his consent. How ridiculous would such an objection be! What concern could the company have with the property which was not assigned to their use?—So, as the people now possess all the rights and all the power of freemen, what can the Congress have to do with those rights which they keep at home—which they do not throw into the common stock—over which they do not expressly give Congress any power? "We the People," &c. is a complete declaration, that the People are the Source of Power—that they make the constitution—and that, whenever they find it incompatible with their interests, they have a right to abolish it.—Where, then, can be the mighty danger in adopting it?

1. Reprinted: *New Hampshire Spy*, 18 January; *Essex Journal*, 23 January.

Salem Mercury, 8 January

To-morrow the convention of this state are to meet at Boston, to deliberate on the new Federal Constitution; it is supposed that this

body will consist of nearly 400 members—on whose decision, probably, is the fate of this great work suspended.

Richard Henry Lee's Objections to the Constitution Salem Mercury, 8 January

During the debate in Congress in late September 1787 over transmitting the Constitution to the states, Virginia delegate Richard Henry Lee proposed many amendments to the Constitution. Congress refused to consider the amendments, and, in the final compromise over the Constitution's transmittal, Lee's amendments were deleted from the journals (CDR, 322–53). Lee sent copies of the amendments to several individuals, including Elbridge Gerry and Samuel Adams. Gerry, in fact, had requested a copy of the amendments. (For Lee's letters to Gerry and Adams, dated 29 September and 5 October, respectively, see CDR, 342; and CC:132.) Adams acknowledged the receipt of Lee's amendments, but he did not comment upon them. (See Adams to Lee, 3 December, RCS:Mass., 349–51.) On 16 October Lee wrote a lengthy letter to Virginia Governor Edmund Randolph, giving his objections to the Constitution and enclosing a copy of his amendments. The amendments alone were printed in the Winchester *Virginia Gazette* on 16 November; while both the letter and the amendments (in the form of a postscript to the letter) appeared in the Petersburg *Virginia Gazette* on 6 December (CC:325). The letter and the amendments were widely reprinted throughout America.

In Massachusetts, the *Salem Mercury* summarized (with some editorial comment) and quoted portions of Lee's letter on 8 January 1788 (immediately below). The *Mercury's* account was reprinted in the *Cumberland Gazette* on 24 January. The *Mercury* did not mention the amendments that Lee had proposed in Congress. On 10 January Lee's letter and the amendments were reprinted in the *Worcester Magazine*, in its first four pages, under the heading "(Mr. LEE's Objections against the New Constitution.)."

A letter from the Hon. Richard Henry Lee, Esq. to his Excellency the Governour of Virginia, on the subject of the proposed plan of national government, is published in the southern papers.—In the prefatorial part of his letter, he says, "If it be found good, after mature deliberation, adopt it; if wrong, amend it at all events: For, to say (as many do) that a bad government must be established, for fear of anarchy, is really saying, that we must kill ourselves, for fear of dying. Experience, and the actual state of things, shew, that there is no difficulty in procuring a General Convention—the late one having been collected without any obstruction: Nor does external war, or internal discord, prevent the most cool, collected, full and fair discussion of this all-important subject. If with infinite ease a Convention was obtained to prepare a system—why may not another, with equal ease, be procured to make proper and necessary amendments?"—He proceeds to make the often-repeated objections to the plan—That there is not a

proper balance in the several departments of government—That the legislative and executive powers are blended together—That the President and Senate have all the executive, and two thirds of the legislative, power—and, in some weighty instances, (as making treaties, which are to be the laws of the land) the whole legislative and executive powers—That they appoint all civil and military officers—and the Senate try all impeachments, even of their own members, or officers by them appointed—That this formidable combination of power is without responsibility—That the only check in favour of the democratick principle is the House of Representatives, which is a mere shred or rag of representation—That, though the power of Congress is to be co-extensive with every possible object of human legislation, there is no restraint by a bill of rights—That trial by jury in civil cases may be altogether omitted, & in criminal cases greatly impaired—&c. &c. &c.—“The answer to these objections is, (says he) that the new legislature may provide remedies—But, as they may, so they may not—and if they did, a succeeding assembly may repeal the provisions.”—But the most capital objection, or at least that which will probably have the most weight in Virginia, and which is reserved as a finishing stroke to the rest, is—That “a bare majority of votes can enact commercial laws; so that the seven northern states, as they will have a majority, can, by law, create the most oppressive monopoly upon the five southern states.”—He confesses, however, that “this constitution *abounds with useful regulations*, at the same time that it is liable to strong and fundamental objections”—& therefore, with the necessary amendments, would wish for its adoption—and sees no well-founded objection to the calling of a new Convention to adjust them.

Hampshire Chronicle, 8 January

To-morrow is the day appointed by the Legislature of this Commonwealth, for the meeting of this State in Convention, at the State-House in Boston.—It is the earnest wish of every true republican, that each member may coolly and deliberately weigh every argument for and against a subject of such magnitude and importance to the United States.

New Hampshire Spy, 8 January¹

ANTIFEDERALISTS *take notice!* and when you wish to obtain credit, be very careful how you divulge your sentiments.

Of the MERCHANT & ANTIFEDERALIST.

A person from Berwick (Massachusetts) called upon a merchant in this town, and requested the favour of being credited for a small quantity of goods. The merchant had partly agreed to let him have the goods, they were particulariz'd, and the person having other business, retired for a little while.—In the interim, the merchant received information from a gentleman of undoubted veracity, that the person wishing to be credited, was an *antifederalist in grain*—that he had been made choice of by the town of Berwick to represent them in the convention (to be holden at Boston) in order to *oppose its adoption &c. &c.*²—This information entirely altered our merchant's determination, (being a genuine federalist) and he now resolved not to credit a person professing principles so repugnant to the general good of the people.—In a short time, the antifederalist came, and requested to have his goods—but instead of delivering him his goods, the merchant proposed the following questions:—

Mercht. Are you going to the convention, at Boston?

Antifed. Yes Sir.

Mercht. Well Sir, I hope you are going to give your influence in support of the new constitution?

Antifed. No, Sir, I am going to oppose its adoption.

Mercht. Well, Sir, if these are your principles, I have no goods for you—no *honest* man will oppose the adoption of the new constitution—and to be plain with you I will neither credit you, nor no other person professing the same principles.

The antifederalist upon this, made some short reply, that he was not going to sell his country, &c. & marched off.—Whether he was lucky enough to obtain credit elsewhere, we are not able to say; but from the rustiness of his *hat* and *cardinal*,³ we apprehend the contrary.

1. Reprinted: *Salem Mercury*, 15 January; *Massachusetts Gazette*, 18 January; *New York Journal*, 25 January. None of these three newspapers printed the opening admonition, and only the *Massachusetts Gazette* reprinted the title. For a response, see "A True Federalist," *Massachusetts Gazette*, 22 January.

2. The town of Berwick, York County, Maine, is about fifteen miles north of the town of Portsmouth, where the *New Hampshire Spy* was printed. Berwick elected Richard Foxwell Cutts, Nathaniel Low, and Elijah Hayes delegates to the Massachusetts Convention. All three men voted against ratification of the Constitution.

3. A "cardinal" was a woman's short cloak.

New Hampshire Spy, 8 January¹

Several antifederal characters, from the eastern parts of the Massachusetts, passed through this town yesterday, on their way to join the

Convention, to be holden at Boston this week, for the purpose of ratifying or rejecting the New-Constitution; they appeared to be "heavy laden" with their *instructions* of *opposition*—but we hope our federal brethren will be prepared for them. Some of these characters are *little* indeed; but they have *paws*—and it is conjectured, that some of them have ingenuity enough to let these *paws rise* or *fall*, according as they feel the *intellectual sparks of genuine antifederalism operating within*. Their *oratorical powers* are not great—and the essence of their opposition will all centre in that lofty word, 'Nay.'

1. Reprinted: *Salem Mercury*, 15 January; *Providence Gazette*, 19 January; *Hampshire Gazette*, 23 January; *Norwich Packet*, 24 January; *New Haven Gazette*, 7 February.

John Quincy Adams Diary Newburyport, 9 January¹

This day our State convention is to meet in Boston for the purpose of assenting to and ratifying, the federal Constitution. The members from this Town, went for Boston yesterday, except Mr Parsons, who will go to-morrow. The conjectures concerning the issue of their debates, are different, according to the dispositions of the speculators. Some think there will be a great majority for adopting the Constitution, while others hope, the opposite party will greatly preponderate.² In the evening I play'd with Mr Parsons at back-gammon and was beat by him. After leaving the office, I pass'd the remainder of the evening with Townsend, at Mrs. Hooper's.

1. MS, Adams Family Papers, MHi.

2. On the 10th Adams noted in his diary: "nor does it appear which party is most likely to prevail: from which we may perhaps infer that in either case, the majority will be small."

Christopher Gore to George Thatcher Boston, 9 January¹

The convention met this day & have already chosen a President His Ex. J Hancock and The Chf Justice² Vice Prest—this was done that we might have the advantage of the former's name.—whether capable of attending or not—G R Minot is chosen Secretary—280 members are present and to morrow we meet in Mr Thacher's meeting house³—I really cannot yet form any judgment of the weight of members, or which side the pros or cons will preponderate—the weight of abilities & integrity is unquestionably in favor of the Constitution—Mr Adams is against it the tradesmen's resolves which you see in the *Centinel*⁴ may have some weight in his mind—they undoubtedly will keep others

steady—it is probable our number will be near 400—Your Eastern people are generally oppos'd pray write to them, & obviate this objection, viz that the adoption of this constitution will prevent their separation the leaders of the opposition will be—Bishop, Widgery, Holten, Hutchison,⁵ Nason, White⁶ Doctr Tayler,—possibly S. A.; butt for reasons mentioned in former part of this letter he may possibly be cautious—farewell—if King has not yet left you, communicate this, & inform we are in great want of him

Your friend

1. Printed: Goodwin, "Thatcher Papers," 263.

2. William Cushing of Scituate.

3. The Massachusetts Convention convened at the State House on 9 January and received an invitation from the Reverend Peter Thacher's Brattle Street Congregational Church to hold its meetings in that building. On the afternoon of 10 January, the Convention met in the Brattle Street church, but quickly appointed a committee to find a more suitable building. It returned to the State House on the 12th and finally settled into the church on Long Lane on the 17th. The Long Lane church became the Federal Street church and then the Arlington Street church. Its pastor was Jeremy Belknap.

4. For the tradesmen's resolutions, see "The Meeting of the Tradesmen of Boston on the Constitution," 7 January.

5. Israel Hutchinson of Danvers, a colonel in the Continental Army during the Revolution, was a member of the state constitutional convention, 1779–80, and sat almost continuously in the state House of Representatives from 1777 through 1798. He was a member of the Council in 1787–88. He voted against ratification of the Constitution in February.

6. Abraham White of Norton was a member of the state House of Representatives, 1778–80, 1781–82, 1783–84, the state constitutional convention, 1779–80, and the state Senate, 1787–89. He voted against ratification of the Constitution in February.

Christopher Gore to Jeremiah Wadsworth Boston, 9 January¹

Not having the honor of a personal acquaintance with you, my commencing a correspondence at this time, might be deem'd impertinentt, were it not for the importance of the object, which I presume we both wish attain'd—I mean, the adoption of the proposed frame of Government, by the N. England States—Our Convention met this day to the number of 280—His Excy Jno Hancock was elected president, & the Honb. W Cushing, Chief Justice, Vice president—The latter officer was appointed, that he might officiate, in the absence of the President, whose health is very precarious—hitherto, parties seem'd well to coalesce—but this harmony cannot long continue—our numbers will be 400—and the opposition will be great & persevering—many of the Western delegates will be oppos'd to its adoption—these members will be greatly influenc'd by the doings of Connecticut—their local circumstances, their habits, & connections are so nearly related to your State,

that the ratification of the Constitution by your convention will weigh greatly in their minds—and should this State adopted the proposed plan there is a very great probability, that New Hampshire will add one State to the affirmative—The members, from the province of Maine, so called, are generally in the opposition, because, they are of opinion, that its ratification would preclude them from a separation from Massachusetts—but, Sir, to come to the point of my letter, we have been inform'd here, that your convention will postpone their determination, in hopes of knowing the Sentiments of this Government, before they assent to adopt the constitution²—if this idea should have weight with you—the probability is, that we might be injur'd, and you not benefit't'd—Thus, Sir, I have endeavour'd to communicate to you our Situation, & trust to your candor for an apology—and, if not too troublesome, I shall feel much obliged by knowing how far you have proceeded, & what will be the result of your convention³—all the Boston delegation will be in favor of the adoption—Mr Adams, excepted—who probably will be an opponent—and we, who are in favor, are extremely anxious, to be inform'd of ev'ry circumstance that can have influence in attaining its adoption by Massachusetts—

[P.S.] if you should favor me with a line—pray direct for Christopher Gore—Boston

1. RC, Emmet Collection, NN.

2. This rumor had also reached Philadelphia. See the *Philadelphia Independent Gazetteer*, 5 January.

3. Whether or not Wadsworth replied to Gore is unknown, but he wrote to Boston merchant Samuel Breck on 9 January, informing him that the Connecticut Convention had ratified the Constitution. See RCS:Conn., 565, 565n, 603–4.

Jeremiah Hill to George Thatcher Biddeford, 9 January (excerpt)¹

My dear George

... Miss Hill does not altogether like your simile, she says that the affection of Mothers towards their tender Offspring ought not to be brought into Comparison with the policy of Rulers who cannot have that natural Attachment towards the people, that women have towards their babes, because politics are very different from natural Affection; Politicks being a composition of passions, views, plans, Dispositions &c. whereas womens Attachment to their innocent offspring is a compound of Love, Charity benevolence and other godlike qualities, and where the principals are not the same very different consequences may naturally follow, for Antifederalists have their views, plans &c. as well as

their Opponents, but the Consequences are very different; but this I will now leave and return to Biddeford, where politics rage high yet, the party who voted for Mr. Smith were the same who voted the preceding meeting not to send any body, and they say they voted in Consequence of hearing that he would not go, if he was chosen, therefore they answered their purpose the same as if the Town had adhered to their former vote, this was their *politicks*²—

The Delegates from the County of Cumberland are (I think) in favor of the new Constitution by a large Majority, but Lincoln (I believe) are against it, some Towns have instructed their delegates to vote for it with amendments, how they will conduct when they find Amendments inadmissible I can't say—Sandwich I see by the papers³ has instructed their delegates to vote against it, let what reasons might be offered in favor of it, this is antifederalism with a witness, this is neither policy nor natural Affection—

There is such a thing as overdoing in the best Causes, if Solomon was right, when he tells us not to be overmuch righteous,⁴ perhaps the whigs in Sandwich in former days over did whigism, or rather the politicians in that Town over reached their politicks, which has perhaps given the people there a distaste to what we call politicks in general—Brother Widgery call'd on me as he pass'd on to Convention, he has got a new Objection against the Constitution, he says, that if the Constitution is adopted the Congress cannot lay any Tax but on the poll, and consequently the Tax will be the same on the poor as on the rich, but such objections will really operate in favor of it, and are so weak and insipid that I will say no more about them—some objectors the other day were hanging on to the Bill of rights yet I told them, in answer, that seven States out of thirteen had no Bill of rights to their State Constitutions, from thence we must conclude that a Majority of the States did not view a Bill of rights of such mighty Consequence, that a Bill of Rights was no more than a Collection of Sentences from the Common Law, which sprang from the Law of nature, collected & compiled together from the experience of former Ages, and were now laid down as established Maxims and rules in all civilized nations, and that those states which had not formed a particular Bill of rights, had the whole Code of Common Law for their Bill of rights, and that there was no danger, in my Opinion, of the rulers of a free people ever trampling on the Common Law or antient usages of all civilized nations—However I feel confident that the Massachusetts will adopt it, to sum up the chief Objections at once is *Interest*, it being such a powerful Motive that *frail* reason cannot oppose it. . . .

1. RC, Chamberlain Collection, Thatcher Papers, MB.
2. Biddeford was not represented in the state Convention. See IV below, Biddeford section. "Mr. Smith" was Allison Smith.
3. See *Massachusetts Centinel*, 2 January, IV below, Sandwich section.
4. Ecclesiastes 7:16. "Be not righteous over much; neither make thyself over wise: why shouldst thou destroy thyself?"

**Benjamin Lincoln to George Washington
Boston, 9 January (excerpt)¹**

I have, my dear General, been some time in this town with my son Benjn. who has been exceedingly sick for about four weeks. On thursday last we thought his days were fully numbered, and that his last moments were rolling rapidly on and that they would have been terminated before the evening; but in the afternoon he revived, he yet lives, his situation, we trust, is not so critical as it has been, and we cannot help flattering our selves that there are hopes of his recovery. A bystander might wonder that I should commence a letter to your Excellency on so gooling a subject, but the part you have always taken in what ever has nearly interested me intitles you to the information and would therefore make an apology as improper as unnecessary.—

Our convention meets this morning to take into consideration the proposed plan of government for the United States. Whether it will be adopted or not, in this State, the most prophetic spirit among us cannot certainly determine, I cannot but hope, however, that it will be received here. Whether this hope is well grounded or whether it exists from an ardent wish that it may be, I cannot say, for when we become anxious for the success of any particular proposition we too often weigh with partiality arguments in favor as well as too inattentively those against the measure. I must experience a very great change or I shall give it my most hearty assent.—

The constitution has very potent adversaries in this State, it is said that Mr. S Adams, General Warren & Mr. Gerry are among them the former only is in convention—All the Gentlemen you know.

I hope and trust that the business will be conducted with moderation candor & fairness otherwise we may bear down the op[p]osition but we shall never sooth[e] and quiet their minds to do which I consider as a matter of very great importance for it will require all the wisdom aid and attention of all the lovers of order and a good government to bring the system, if adopted into exercise and to avoid that confusion and misery which has too often masked the progress of the various governments now established in the world. . . .

1. RC, Washington Papers, DLC. See V below for another excerpt from this letter which Lincoln wrote on 13 January.

The Republican Federalist III Massachusetts Centinel, 9 January

To the MEMBERS of the CONVENTION of MASSACHUSETTS.

Honourable Friends, and Fellow Citizens, In the preceding numbers it has been shewn, that the original design of calling the federal convention has not been carried into effect—That they nevertheless reported a system of government with a professed intention of consolidating the union—That they had not the least publick authority to discuss, much less to decide this great question—That neither Congress or the Legislatures have been disposed to express any opinion on the new system—That although they were constitutionally restrained from deciding, yet they had a right at any time, to have agitated and considered the question, to have explained it to the people, and to have recommended their electing State Conventions to have taken up the matter—That had this been done, the people would have had every necessary information, and probably have united in some salutary measure—That they are now without that information, and by the mode of conducting this matter, are thrown into great confusion—That a party spirit prevails, and is daily increasing—That in the present temper of the people, it will not restore peace or tranquility to reject the system, or to ratify it with or without the *delusive prospect* of future alterations—That if accepted in its present form, there is not a probability of supporting it—and that amendments are indispensibly necessary, in order to its adoption.—These are facts which if any one doubts, will I think, clearly appear when we consider the system itself.

The revolution which separated the United States from Great-Britain, was not more important to the liberties of America, than that which will result from the adoption of the new system. The *former* freed us from a *foreign subjugation*, and there is too much reason to apprehend, that the *latter* will reduce us to a *federal domination*. Had the Convention thought proper, *merely* to have formed the plan, and to have sent it to Congress, and the legislatures, the consequences would not have been so serious, as from their accompanying it with the following resolutions.—“*Resolved*,¹ That the preceeding Constitution be laid before the United States in Congress assembled, and that it is the opinion of this Convention, that it should afterwards be submitted to a Convention of Delegates chosen in each state by the PEOPLE thereof, under the recommendation of its legislature, *for their assent and ratification*, and that

each Convention, assenting to and ratifying the same, should give notice thereof to the United States in Congress assembled." "Resolved, That it is the opinion of the Convention, that as soon as the Conventions of *nine* States shall have ratified the Constitution, the United States in Congress assembled shall fix a day on which electors should be appointed by the States which shall have ratified the same, and a day on which the electors should assemble to vote for the President, and the time and place for commencing proceedings under this Constitution: That after such publication, the electors should be appointed, and the Senators and Representatives elected: That the electors should meet on the day fixed for the election of the President; and should transmit *their votes*, certified, signed, sealed and directed, as the Constitution requires, to the secretary of the United States in Congress assembled, that the Senators and Representatives should convene at the time and place assigned—That the Senators should appoint a President of the Senate, for the sole purpose of receiving, opening and counting the votes for President, and that after he shall be chosen, the Congress together with the President, should without delay, *proceed to execute this Constitution.*" In consequence of these resolutions of the federal convention, Congress "Resolved, That the Constitution so reported be transmitted to the several legislatures, in order to be submitted to a Convention of Delegates, chosen in each State by the people thereof, *in conformity to the resolves of the said Convention in that case made and provided*"—and in pursuance thereof, the legislature of this State resolved, "That it be, and it is hereby recommended to the people of this Commonwealth, that a Convention of Delegates be chosen *agreeably to and for the purposes mentioned in the resolution of Congress aforesaid.*"—It is evident, therefore, that the proposed Constitution is, agreeably to the recommendation of the federal Convention, submitted to the State Convention, *that is*, to a *majority* of its members, for their assent and ratification. Should the plan be adopted by this and eight other States, *every part of the Constitution of this Commonwealth which is contrary to the new Constitution, to the laws that may be made in pursuance thereof, or to treaties of the United States, will be null and void: for the plan expressly provides, that "this Constitution, and the laws of the United States, which shall be made in pursuance thereof, and all treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land, and the judges in every State shall be bound thereby, any thing in the Constitution or laws of any state to the contrary notwithstanding"*—And will not such a subjection of the Constitution of this Commonwealth, not only *to the Constitution*, but *to the laws of the union*, and to *treaties*, that are or may be made under the

authority of Congress, be in effect, a DISSOLUTION OF THE GOVERNMENT OF MASSACHUSETTS? Surely it will. Mr. *Locke*, in his treatise of civil government, *chap.* 19, in *sect.* 212,² says, "Governments are dissolved from within, when the legislative is altered," and in *sect.* 215, "for it is not a certain number of men, no, nor their meeting, unless they have also freedom of debating, and leisure of perfecting, what is for the good of the society, wherein the legislative consists: when these are taken away, or altered, so as to deprive the society of the due exercise of this power, the *legislative is truly altered*; for it is not names that constitute governments, but the use and exercise of those powers that were intended to accompany them."³ What were the powers originally intended by the people of this State, to be used and exercised by their legislature, they are contained in the Constitution of the Commonwealth, *part 2, chap.* 1, *sect.* 1, under the head of "the legislative power,"⁴ qualified nevertheless by certain reservations in the Bill of Rights.⁵ Some of the most important of those powers will, by the new plan, be transferred to the federal government, and others be exercised by their permission. This, I presume, is too evident to be denied, and will hereafter more fully appear. Our government will then have the name that it now has, but not "the use and exercise of those powers that were intended to accompany it." Indeed, it is inconceivable, that a plan of consolidation can be established, without destroying the sovereignty of the respective States, and thus dissolving their present governments.

But supposing the adoption of the new plan would only alter the Constitution of this State, by what mode should that alteration be made? Should it be effected pursuant to the recommendation of a federal Convention, and in direct violation of the Constitution of this State? or should the alteration be made consistently with the Constitution itself? This expressly provides, "That, in order the more effectually to adhere to the principles of the Constitution, and to correct those violations which by any means may be made therein, as well as to form such alterations as from experience shall be found necessary, the General Court, which shall be in the year of our Lord 1795, shall issue precepts to the selectmen of the several towns, and to the assessors of the unincorporated plantations, directing them to convene the qualified voters of their respective towns and plantations for the purpose of collecting their sentiments on the necessity or expediency of revising the Constitution, in order to amendments: And if it shall appear by the returns made, that two thirds of the qualified voters throughout the State, who shall assemble and vote in consequence of the said precepts, are in favour of such revision or amendment, the General Court shall issue precepts, or direct them to be issued, from the secretary's office to the

several towns to elect delegates to meet in Convention, for the purpose aforesaid: The said delegates to be chosen in the same manner and proportion as their representatives,"⁶ &c.—Here we see, that by the Constitution of this State in the year 1795, the sentiments of the qualified voters on the *necessity* or *expediency* of *revising* the Constitution, are to be collected, and if it shall then appear that *two thirds* of them are in favour of a *revision* and *amendment*, in that case only, is a Convention to be called *for these purposes*. Should it be a question, whether an alteration in the Constitution can be made before the year 1795, there is nothing in the clause recited, that I can conceive to prevent it: because although in the year 1795, precepts must issue for the purposes mentioned, there is no provision to prevent their issuing, if necessary, before that period. But surely, if any alteration should be made in the Constitution, it must be *in a mode provided by the Constitution itself*, for otherwise *the clause recited must become a nullity*, which is inadmissible, or, which is the same thing, *the Constitution itself must be violated*.

Of all compacts, a Constitution or frame of Government, is the most solemn and important, and should be strictly adhered to. The object of it is the preservation of that property, which every individual of the community has, in his *life, liberty* and *estate*.⁷ Every measure therefore, that only approaches to an infraction of such a covenant, ought to be avoided, because it will injure that sacred regard to the Constitution which should be deeply impressed on the minds of the whole community—How much more careful then should we be to avoid an open violation of such a compact! Such a violation must take place, if a majority, or every member of the Convention, should vote for an acceptance of the new Constitution, because a Convention cannot be called for *altering*, much less *dissolving* the government of Massachusetts, before the sentiments of the qualified voters are collected on the *necessity* or *expediency* of *revising* the Constitution in order to *amendment*, and *two thirds* of them shall be in favour of the measure. A ratification, therefore, of the new Constitution by the State Convention, cannot be binding on the citizens of this State, being directly repugnant to an existing covenant. But suppose such a ratification should be supported by a majority of the Convention and of the citizens of this State: What must be the consequence of thus destroying all publick faith and confidence? Are not these the principles that bind and cement the community, and that establish them as a body politick? Are they not the foundation of a free Government? If every individual by such a measure, should have his faith and confidence in the honour and integrity of the community effectually destroyed, (and this must inevitably be the consequence) will he not decline entering into such a nugatory compact in future,

or entering into it, will he not disregard it as a mere matter of form, and rather than be at any pains or expense to support it, suffer it to share the fate of the other? Certainly he will, and instead of a government founded in compact, we must hereafter be content with one founded in fraud or force.

1. "The Republican Federalist" inserted the italics and capital letters in the resolutions that he quotes in the second paragraph.

2. Locke, *Two Treatises*, Book II, chapter XIX, section 212, p. 425. The actual text reads: "Besides this over-turning from without, *Governments are dissolved from within, First, When the Legislative is altered.*"

3. *Ibid.*, Book II, chapter XIX, section 215, p. 427. In the original, only the words "legislative" and "altered" are in italics.

4. Thorpe, III, 1893-95.

5. For the Massachusetts Declaration of Rights, see RCS:Mass., 440-45.

6. Thorpe, III, 1911. The italics in Chapter VI, Article X of the Massachusetts constitution were inserted by "The Republican Federalist."

7. Locke, *Two Treatises*, Book II, chapter VII, section 87; chapter IX, section 123.

A Farmer

Massachusetts Centinel, 9 January¹

Mr. RUSSELL. I am an husbandman, and live ten miles from Boston, on my own farm, which in common years produces for myself and family a comfortable support—by this you will perceive I am not one of what is commonly called the rich or aristocratick party—in winter I have leisure to read the papers and talk politicks with my neighbours, and some of your Boston papers have given me great uneasiness.—They have informed me that the rich people were going to chain us down to tyranny—and that for this purpose a junto in your town were determining to croud the Constitution upon us, and fetter us with indissoluble chains—My neighbours, and I, read this Constitution, and talked it over, and every word of it, among ourselves—we could not, for the souls of us, see the chains that were meant to bind us—but then we always love to know the opinions of our Boston friends and neighbours, (I don't mean the rich merchants, and the lawyers, nor the negociators,² for right or wrong, we always suspect them) but the tradesmen and mechanicks of the town, who get their living, as we do, by the labour of their hands—and we were alarmed, upon hearing a few days ago, that they were opposed to it, though we could not see the reason of their fears. These reports, Sir, had almost determined our town to call a meeting, and instruct our delegate not to vote for the constitution—But this morning being in town, I read the paper, and the doings of the tradesmen of Boston, and was right pleased to see the manly and explicit resolves of this body of good and worthy citizens.³—These

resolves will totally dissipate the falsehoods, that have been industriously circulated among us, and our neighbouring towns, that the tradesmen of Boston were opposed to the new Constitution, and we shall now be at peace again, and leave our delegate to act according to his own discretion; for we never had any reason to oppose the adoption of the new Constitution, yet hearing that the mechanics of Boston were against it, we thought they saw some hidden danger, that did not strike us.

The tradesmen of Boston, and the farmers in the country, I have always considered as brethren; and what will injure one, we know will injure the other—and we well know, that if they thrive, our produce will sell well, and find a ready market.—If they are enslaved, we know we shall be—and if they are free—the same freedom will apply to us.—In short, we must rise or fall—languish or revive—live or die together.

Thus, Sir, I have expressed to you my sentiments, and those of my neighbours, several of whom, as well as myself, are now detained in town, by the rain, and are by me while I write this. I can assure you, that they are, and all my townsmen will be, happy to find that we accord so well with our brethren the tradesmen of Boston.⁴

Jan. 8, 1788.

1. Reprinted: *Pennsylvania Packet*, 23 January.

2. Probably a reference to brokers who dealt in negotiable government securities.

3. For the tradesmen's resolutions, see "The Meeting of the Tradesmen of Boston on the Constitution," 7 January.

4. For an Antifederalist item signed "A Farmer," critical of the tradesmen's resolutions, see "A Farmer," *American Herald*, 14 January.

Massachusetts Centinel, 9 January¹

FEDERAL CONSTITUTION.

This day the Convention of this State are to meet in this town, for the purpose of assenting to, and ratifying the Federal Constitution.—May the GREAT IDEA fill the mind of every member of this honourable body, that Heaven on this auspicious occasion favours America, with an opportunity never before enjoyed by the sons of men, of establishing a form of government *peaceably* and *deliberately*, which will secure to these States all those blessings which give worth to existence, or dignity to man, PEACE, LIBERTY and SAFETY!—And may the guardian God of our "dear country" inspire the Convention of this Commonwealth with *wisdom*, *disinterestedness* and *patriotism* equal to the display of those virtues in our sister States who have already erected Three Pillars of the glorious Fabrick of the Federal Republick.

1. Reprints by 5 February (7): N.J. (1), Pa. (4), Md. (2).

“A. B.”

Hampshire Gazette, 9 January¹

*Remarks on a publication under the signature of Brutus,
from the New-York Journal.
(Continued from our last.)*

Brutus next takes up the subject of taxation, and says “the legislative power is competent to lay taxes, duties, imposts and excises: there is no limitation of this power, unless it be said, that the clause which directs the use to which these taxes, &c. shall be applied may be a limitation: but this is no restraint of the power at all; for by this clause they are to be applied to pay the debts and provide for the common defence of the United States; but the legislative have authority to contract debts at their discretion: they are the sole judges of what is necessary for these purposes, &c. This power therefore is neither more nor less than a power to lay and collect taxes, imposts, &c. at their pleasure.”—But why this high colouring on the delicate point of taxation? Is it meant simply and honestly “to lead the minds of the people to a wise and prudent determination” on the important question? Does not Brutus know—does not every man know, that debts must be contracted, and if debts are contracted, they must be paid; and taxes, &c. laid and collected to pay them? For all the citizens of the United States to attend in person to this business is impracticable: if therefore it must be done and cannot be avoided, it must be done by delegation: representatives of the people must of necessity be empowered and confided in to transact this business, however important: the reason is, we have no alternative, no other way to do it: nay, they must of necessity be invested with power to judge what is necessary to answer the exigencies of government; and in this view, to lay and collect taxes, imposts, &c. at their pleasure, i.e. as they shall judge necessary and proper. The present deranged tottering state of our federal government affords complete demonstration both of the want and necessity of such power: and what good reason can be given why this power, tho’ of the highest importance, may not be given with as great safety to the federal legislature, as to any other body: they are to be chosen and authorized, for this very purpose among others, by the people themselves with as great attention as others could be.

Similar power is given to every state legislature, and constantly exercised, not to the detriment, but to the great advantage of the people: with this difference however, in the federal government, it is better guarded, and given with greater precaution, than, perhaps, can be found in any other instance; for the constitution expressly provides

“that no money shall be drawn from the treasury but in consequence of appropriations made by law; and a regular statement and account of the receipt and expenditures of all public money shall be published from time to time.” What greater security can be wished for, or the nature of the case admit. This writer observes “that the authority to lay and collect taxes is the most important of any power that can be granted; it is the great mean of protection, security and defence in a good government, and great engine of oppression and tyranny in a bad one.” If it be the great mean of protection, &c. and necessary to that end, surely the greatness of the power (which is the only thing that Brutus here pleads) ought not to be pleaded or considered as a reason why it ought not to be given at all.

If it be necessary, as he himself admits, as a mean of security, protection, &c. especially when properly guarded, it must be given, there is no avoiding it, unless at the risk of the general safety.

Another remark, on the head of laying and collecting taxes is, “that when the federal government begins to exercise the right of taxation in all its parts, the legislatures of the several states will find it impossible to raise monies to support their government.” Monies, plural! perhaps intentionally to exaggerate the idea, and suggest that great sums will be necessary barely for the support of state government: similar to the idea so artfully and deeply impressed on the minds of many of the good people in this Commonwealth the last year, viz. that the expences of government, officers fees, &c. made up the burthen, at least in great measure, under which they so bitterly groaned; but have since had means of conviction, that eighteen pence on the poll would be more than sufficient to pay the annual expence of government in this state: the people must be drained [i.e., drained?] near indeed should it become impossible for them to raise that sum. The expence of government, properly assessed, is but trifling and will probably be less as soon as national concerns come under national management.

With respect to the judicial powers, Brutus says, “the powers given to these courts are very extensive: their jurisdiction comprehends all civil causes except such as arise between citizens of the same state; and it extends to all cases in law and equity, arising under this constitution.” Very true! yet it ought to be attended to, that it extends to none but cases of national and general concerns: these cases are particularly stated and defined by the constitution; and are, all such as may arise “in law and equity under this constitution, the laws of the United States, and treaties made or which shall be made under their authority—All cases affecting ambassadors, &c.—All cases of admiralty and maritime jurisdiction—Controversies to which the United States shall be a party—

Controversies between two or more states—Between a state and citizens of another state—Between citizens of different states—Between citizens of the same state claiming lands under grants of different states, and between a state or the citizens thereof and foreign states, citizens or subjects." These are all the cases to which the judicial power is extended. Let the impartial reader see and judge, whether there is great reason to apprehend that the business usually done in the state courts will be much affected or diminished; or "their power greatly abridged or their dignity eclipsed."

It ought not to be overlooked, in the mean time that both the federal and state tribunals are erected and established by the people themselves, and for their own security and benefit; the one by the whole people in all the United States, to hear and decide cases that either concern the whole or come most properly to be decided by the whole; and the other by the citizens of a particular state only, to hear and decide in cases that concern that state or the citizens thereof only.

This being a just representation, certainly there is no such ground of fear, as Brutus asserts, of an abridgment, much less of an annihilation of the judicial power in particular states.—Had he not told us otherwise, how could we have withstood the suspicion, that he meant "unnecessarily to alarm the fears of the people?"

Permit me to add, that in whatever proportion, the federal government, either the legislative or judicial department, shall take off business from the hands of particular states, it will, in the same proportion, lessen their expences.

Controversies between citizens of different states, may no doubt, be decided with greater impartiality by a federal court, than by a court in either of the states of which the parties are citizens.

Brutus adds, "the powers given by the 8th section of the 1st article, are very general and comprehensive, and it may receive (not bear) a construction to justify the passing almost any law. It is a power to make all laws which shall be necessary and proper for carrying into execution all powers vested by the constitution in the government of the United States, or any department or office thereof. And may for ought I know be exercised in such manner as entirely to abolish the state legislatures." He next puts a case in which, he says, the federal legislature may make a law, to serve their own purposes in collecting taxes, to repeal a law of a particular state; by which "the government of that state might be overturned at one stroke." Then [he] says, "it is not meant by stating this case, to insinuate that the constitution would warrant a law of this kind, or unnecessarily to alarm the fears of the people, &c." This concession clearly evinceth that he himself did not believe

that any such law could be made by virtue of power given by the constitution; but must be in violation of it: but how is he consistent with himself, in saying "the constitution would justify the passing almost any law," then states a case as an instance which it would justify, then, in the next breath adds, he don't mean to insinuate that the constitution would warrant that instance. Would he bear us in hand that it may justify the very same thing which it would not warrant? or that it is to be imputed as a defect or fault to the constitution, that it is not rendered impossible to violate it. What renders the case still more extraordinary is, that immediately upon the very back of this concession he has the assurance to repeat the assertion, viz. "they may so exercise this power" (the power given them by the constitution) "as entirely to annihilate all the state governments, and reduce this country into one single government; and if they may do it, it is pretty certain they will," &c. all this taken together amounts to thus much, and contains a summary of the whole of his reasonings, viz. they may be justified by the constitution in exercising their authority in such manner as to demolish the state government at one stroke, but this is not meant as an insinuation that it warrants them to exercise their power in such manner; yet they may so exercise this power as to annihilate all the state governments, &c. and it is therefore pretty certain they will, &c.

He farther says, "it will be found that the power retained by individual states, small as it is" (mark the insinuation) "will be a clog on the wheels of the federal government; the latter therefore will be naturally inclined to remove it out of the way.—Besides it is a truth, confirmed by the experience of ages, that every man and body of men invested with power, are ever disposed to increase it, &c. this disposition, &c. will operate in the federal legislature, to lessen and ultimately to subvert the state authority; and having such advantages will *most certainly* succeed, if the federal government succeeds at all."—To which we may reply, "that the power retained by individual states, small as it is," comprehends their whole internal police, unabred[g]led: i.e. every individual state retains sovereign independent authority to direct and controul all the concerns of its own internal government: and how this state power should be a clog on the wheels of the federal government, is not obvious; for the federal government being confined and limited to certain national objects, cannot, otherwise than in violation of the constitution, be extended to any other object: it cannot interfere with the state governments, nor have a tendency to subvert them; nor can it be clog[g]led by them, nor have any thing to do with them, unless by an unconstitutional stretch of power. This gives us a reiterated instance in which the reasonings of this able writer are dependent for all their

seeming force, on an insinuation, that the powers of the federal government will certainly be extended beyond constitutional limits: should this prove true in fact, (though the probability be not greater in this than in every other case of the same kind) yet it would prove no fault or defect in the constitution itself, because the best form of government that can be devised, even by divine wisdom, may be abused and violated. What has been, may be.

“That every man and body of men invested with power are ever disposed to increase it,” may be admitted as true in general; but it is true not without many exceptions: but the ways in which this disposition to an increase of power operates, where it has place, are various under different forms of government: under monarchy it might be supposed to operate in the manner here described, but in the federal government, which is strictly elective and popular, it will be found to operate in a manner directly the reverse: instead of prompting to an increase of power by extending the prerogative and incroaching on or abridging the rights of the states or of the people, it will instigate to underact a part in those instances at least, in which popular rumour and public benefit become incompatible: in compliance with the former, be sure when it becomes clamourous, and to secure future elections, the temptation will be to slacken the reins, and abate of that vigour and severity of administration which their sacred engagements and the common welfare require: the temptation is evidently on this hand; and so prevalent, that none but the man of spirit, integrity and heroic virtue is able to withstand its force. Few men have on trial shewn themselves possessed of that noble probity and patriotism as to be able to oppose themselves to the popular cry, and sacrifice the dignity and emoluments of office, to the good of their people: such sifting cases are not unfrequent: we have near at hand instances on both sides, in which the truth of these observations hath been realized.

No doubt we have more to fear from this quarter, than from all the frightful things that Brutus points out; but even this evil is in some degree wisely guarded against, in the federal government, by the unfrequent elections.

On the whole, it is evident, that this publication is skilfully, if not intentionally, planned to alarm the fears, and prejudice the minds of the people against the new constitution: and that instead of cherishing fears that the federal government, by an extension of its powers “will ultimately subvert and annihilate all the authority of the states,” fact and experience teach that we have much more to dread from the other extreme.

Until we are furnished with more convictive evidence of the truth of his first position, viz. that “*the federal government, if executed, will certainly and infallibly reduce the thirteen United States into one single government, and annihilate all the state governments,*”² with Brutus’s good leave, we think an answer to him on his second question would be altogether impertinent and futile.

1. The first part of this essay was published on 2 January. “A.B.” responds to “Brutus” I, *New York Journal*, 18 October (CC:178).

2. The text in quotation marks is a variant of two passages from “Brutus” I: “This enquiry is important, because, although the government reported by the convention does not go to a perfect and entire consolidation, yet it approaches so near to it, that it must, if executed, certainly and infallibly terminate in it,” and “And are by this clause [Article I, section 8 of the Constitution] invested with the power of making all laws, *proper and necessary*, for carrying all these into execution; and they may so exercise this power as entirely to annihilate all the state governments, and reduce this country to one single government” (CC:178, pp. 413, 416).

James Madison to Edmund Randolph
New York, 10 January (excerpts)¹

. . . In Connecticut & Massachusetts, the opposition proceeds from that part of the state people who have a repugnancy in general to good government, to any substantial abridgment of State powers, and a part of whom in Massts. are known to aim at confusion, and are suspected of wishing a reversal of the Revolution. . . .

The Connecticut Convention has probably come to a decision before this; but the event is not known here. It is understood that a great majority will adopt the Constitution. The accounts from Massts. vary extremely according to the channels through which they come. It is said that S. Adams who has hitherto been reserved, begins to make open declaration of his hostile views. His influence is not great, but this step argues an opinion that he can calculate on a considerable party. . . .

1. RC, Madison Papers, DLC. Printed: CC:432.

Mark Antony
Independent Chronicle, 10 January¹

“*Here under leave of BRUTUS, and the rest,*
 (For Brutus is an honourable man;
 So are they all, all honourable men.)
Come I to speak.” — JULIUS CÆSAR.²

Mess'rs. ADAMS and NOURSE, Among the various artifices of those who are opposed to the federal constitution or to any efficient plan of government, none is more natural, and perhaps none more successful, than to excite a jealousy between the inhabitants of the several States. Upon this plan the suggestions of Brutus, whose speculations have appeared in your paper, appear frequently to be founded. I particularly allude, at present, to his third number,³ in which he objects to the mode of representation proposed in the new constitution, expatiating largely upon an idea, at which the feelings of Freemen must reluct, that the system of slavery in the southern States, is patronized and encouraged by the proposed mode of representation. Such misrepresentations ought surely to be exposed. With many it is needless; but those who have perceived the futility of his observations, will excuse me for the sake of those who have not.

The equal voice of unequal States in Congress, is a well grounded objection of long standing, to the present Confederation. A new system therefore, which should not remedy this defect, would most surely be rejected by the larger States; while the minor States would feel alarmed at the reform, unless they were secured, by a provision in some measure conformable to the spirit of the confederation. In this dilemma, originating from opposite interests, human wisdom, perhaps, could not devise a happier expedient than the new frame of government proposes. A House of Representatives chosen by the States, according to their respective numbers, gives weight to the larger States, in some measure, proportioned to their magnitude; while the small States, are secured from the danger or the apprehension of being overborn by their more powerful confederates, by an equal voice in the Senate.

In this new construction of a House of Representatives, the number, which each State shall send, becomes an interesting question. The general answer is easy, that it ought to be in proportion to the supplies furnished to the public chest. This equitable rule has become a political maxim, which *Brutus* himself enforces when it suits his convenience. The next enquiry is, by what rule taxes shall be proportioned, which when ascertained, is also the rule of representation. The mode prescribed in the confederation, has long been esteemed injudicious and impracticable.⁴ It has not hitherto governed the Continental requisition; and if executed and observed, would probably prove unsatisfactory and unjust. Those who are acquainted with State *Valuations*, will concur with the above conclusions, especially when they calculate its operation among thirteen different powers. Some other rule of apportionment became indispensable. The number of inhabitants in each State, has obtained the preference to any other system:⁵ And for the

combined advantages of simplicity, certainty, facility and equity, none probably can be found more eligible. Here a difficulty arises, with respect to the slaves in the southern States, nor would the difficulty be lessened probably if they were disfranchised. Five of them are computed to be equal to three freemen. Their comparative value cannot be demonstrated; but it is acknowledged that they are not equal to free persons, in an estimation of this nature; and the ratio established, being the result of compromise, the presumption is in favour of its propriety.

This connected system of representation and taxation is thus expressed in the proposed Constitution: "Representatives and direct taxes shall be proportioned among the several States, which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons." Few sentences I believe of equal import, can be produced, so perspicuous and comprehensive. But the critical *Brutus* is offended with its construction, and, after suggesting its ambiguity, proceeds to give us an abridged sense of it in his own superior style. "What a strange and unnecessary accumulation of words (says he) are here used, to conceal from the public eye, what might have been expressed in the following concise manner—*Representatives are to be proportioned among the States respectively, according to the number of freemen and slaves inhabiting them, counting five slaves for three freemen?*"⁶ The charge of studied concealment, which *Brutus* so illiberally suggests, is applicable only to himself. It frequently happens that precision is lost in conciseness; but *Brutus* has sacrificed the truth. The careful reader will observe, that the article under consideration proportions representatives and taxes according to numbers. But the pretended abridgment fabricated by *Brutus*, mentions Representatives only. The difference is material. In the constitution, it is a fair and equitable establishment: As represented by *Brutus*, one essential branch is omitted, upon which its consistency depended, and being thus mutilated it has been exposed to his objections. This artifice has in some measure succeeded to his wishes, for some have been misled by his suggestions. But, my countrymen, he deceives and abuses you. For what has *Brutus* attacked? Is it the alteration of the rule of apportioning taxes, from a valuation of property to numbers? No.—His reason dictated, and probably his own experience in public affairs, demonstrated the propriety of the measure. Does he disapprove of the ratio between free persons and other persons, in this great political estimate? Upon this matter he is silent. Does he condemn the proportion of Representatives to taxes? No.—In the same performance, when cavilling against the Senate he

observes, "on every principle of equity and propriety, representation in a government, should be in exact proportion to the numbers or aids, afforded by the persons represented"—The same principle applies to States, as to individuals in this respect; and if *Brutus* had been honest, his abilities would have saved him from inconsistency. The number of persons, whatever their condition or degree, being reckoned to any State, to render it chargeable in the public contributions, in the same proportion ought that State to be represented. As the slaves are not personally chargeable with taxes, so they are not concerned in representation. But says *Brutus*, "Why is the number of members in the assembly, to be increased on their account? Is it because in some of the States, a considerable part of the property of the inhabitants, consists in a number of their fellow men, who are held in bondage, in defiance of every idea of benevolence, justice, and religion, and contrary to all the principles of liberty, which have been publicly avowed, in the late glorious revolution? If this be a just ground of representation, the horses in some of the States, and the oxen in others, ought to be represented: for a great share of property in some of them consists in these animals;" &c. Is the man really misled, or does he only attempt to mislead others, and to avail himself of our strong disapprobation of slavery? The practice of slavery among our confederates ought to be regretted by us, but it is evidently beyond our controul. Do we in fact countenance or give encouragement to it, by consenting to this rule of apportionment, more than we should by concurring with another? Suppose for instance, Representatives and direct taxes were to be apportioned by a valuation, instead of numbers, and thirty thousand pounds property, should give one representative, instead of thirty thousand persons. If Virginia exceeded Massachusetts in the valuation, [by] thirty thousand pounds, as it would bear its additional proportion of the public burdens, it would be entitled to an additional representation. For greater convenience and certainty, the rule of apportionment is changed from a valuation to numbers. Shall not the slaves be reckoned? The objection of the northern States has hitherto been, that they were not to be estimated nearer at par with the free. Virginia, we will suppose, is found to contain thirty thousand persons more than Massachusetts, reckoning slaves in the ratio proposed by the constitution. We all agree it ought to be proportionably chargeable in the federal contributions; shall it not have its proportionate representation? Having granted it in the former instance, with what pretence of equity or propriety can we deny it in the latter? And is slavery any more promoted or affected in one case than in the other? The number of persons, and of slaves, necessarily, among the rest, is fixed upon only as a criterion

to determine each State's proportion in the public contributions, to which representation ought to be adequate. The sophistry of *Brutus* wholly arises from this circumstance; for if the proportion was determined by any other criterion, the States holding slaves would probably have as large a representation, as under the mode proposed. If they had not, it would be because their taxes were less, which could only evince, probably, that the criterion was not so certain or equitable as the one under consideration. *Brutus* has mentioned *horses* and *oxen*. If the number of those animals was the rule of apportionment of taxes, upon the principle above established, and which *Brutus* concedes, the representation of the States would in fact be according to the number of horses or oxen, found in them respectively; and it might then be said they were represented or that they increased the representation, in the same sense as *Brutus* suggests it respecting the slaves. In reality they have no concern in the representation, any further than they are used, with other persons, in a certain proportion, to determine the States proportion of taxes, from *which*, representation originating, as the effect from the cause, is therefore determined by the same rule. The representation is given to the State, and the Representatives are to be chosen, *by the electors of the most numerous branch of the State legislature*, according to the second article of the proposed federal constitution. In these elections the slaves have no part: and here we may feel a degree of regret, that in any quarter of the United States, such a proportion of our fellow creatures, should be deprived of a share of political and civil liberty. To this only do the objections of *Brutus*, and his warm declamations apply: for, whatever may be their intended operation, upon an entire view of the true sense of the article in question, part of which he has artfully suppressed, they evidently do not affect the proposed constitution.

The acts of power, which some of the States see fit to exercise with respect to their internal concerns, may be repugnant to our notions of justice; but shall we therefore refuse to confederate with them? *Brutus* himself surely, could not have this in contemplation. Does *Brutus* wish the slaves emancipated! It is a dictate of humanity, and we need no stimulus to join with him most cordially. But even in this laudible pursuit, we ought to temper the feelings of humanity with political wisdom. Great numbers of slaves becoming citizens, might be burdensome and dangerous to the Public. These inconveniencies ought to be regarded. *M. Montesquieu*, whom *Brutus* quotes, and whom we all revere, after mentioning the embarrassment of the Roman Senate, in this respect, sometimes limiting, at other times facilitating the infranchisement of slaves, with great modesty observes, "much less can I determine what ought to be the regulations of a good republic, in an affair

of this kind; this depends on too many circumstances." Of this he is certain, that "their condition should be more favoured in the civil, than in the political State"⁷—As federalists, and I think as patriots, we ought to agree with him. This subject doubtless engaged the attention of the late respectable Convention. But, in the immensity of their object, it was not their province to establish those minute provisions, which properly belong partly to federal, partly to State Legislation. They probably went as far as policy would warrant, or practicability allow. The friends to liberty and humanity, may look forward with satisfaction to the period, when slavery shall not exist in the United States; while the enlightened patriot will approve of the system, which renders its abolition gradual.

To return to *Brutus*, from whom I have in some measure wandered. I have endeavoured to expose the fallacy and futility of his objections, to a very important article of the proposed Constitution; whether his mistakes were willful or designed, let the impartial determine. Certain it is, that under a pretence of abbreviating the article, he has given a false and imperfect representation of it, and under that representation, has pointed a number of objections, calculated to engage the feelings of the people, but which do not apply to the article as it stands in the Constitution. The zeal of Brutus may have led him into error, and that zeal may be honest: But his apparent ability prevents me from supposing him unconscious of the fallacy of his own observations. He might consider that the number of those who read, is greater than of those who examine; and that the feelings of the people might be so engaged, as to mislead their judgment. If he was influenced by those considerations to urge conscious fallacies upon the public mind, the investigation of truth is not his object; his patriotism is pretension; his zeal suspicious, and as he writes with design, we ought to read with caution.

1. On 3 January the *Independent Chronicle* announced that this item, "and many other articles, we are obliged to omit this week, for want of time and room, but will be duly noticed,—perhaps next week."

2. William Shakespeare, *Julius Caesar*, Act III, scene 2, lines 82–85.

3. "Brutus" III, *New York Journal*, 15 November (CC:264), was reprinted in the *Independent Chronicle* on 13 December. See also "The Massachusetts Reprinting of the Brutus Essays," 22 November 1787–8 May 1788 (RCS:Mass., 301–3).

4. Federal expenses under the Articles of Confederation were apportioned among the states "in proportion to the value of all land within each state, granted to or surveyed for any Person . . ." (CDR, 89).

5. For the proposed amendment to the Articles of Confederation changing the basis of apportioning federal expenses among the states from land value to population (with three-fifths of the slaves counted), see CDR, 148–50. All of the states except New Hampshire and Rhode Island had ratified this amendment.

6. The italics were inserted by "Mark Antony."

7. Montesquieu, *Spirit of Laws*, I, Book XV, chapter 17.

Samuel

Independent Chronicle, 10 January¹

Mess'rs. ADAMS & NOURSE, *By inserting the following in your paper, you will gratify some of your Readers, and I hope not disserve the Public.*

I was at first in favour of the proposed national Constitution's taking place: But when I noticed the following thing in it, I cannot wish to have it adopted, unless I could be convinced that I am herein altogether mistaken. For by looking in said Constitution, Art. I, Sect. 2.—I find that the number of Representatives from each State, and direct taxes, are ostensibly both fixed on the same basis, viz.—The numbers.—But when it comes to apportion the Representatives, to the several States, it diverges extremely wide from that basis; as appears by the Continental tax, which issued from the Congress nearly the same time.² According to which, Georgia (as in said Constitution apportioned) is represented six fold Rhode-Island; more than five Massachusetts; nearly five Connecticut.—Connecticut pays more tax than York; yet York sends most Representatives. The mean number in said tax, for sending a Representative, in the New-England States, is in comparison with the mean number in all the rest, nearly as 5 to 4. For the mean number of said tax, in the New-England States, to send a Representative, is 29,447 dollars. In all the rest of the States, it is but 24,996 dollars. Or if we take the numbers, according to the last enumeration I find extant, it will stand about as 7 to 6. For the mean number of persons in the New-England States, to send a Representative, is 42,941.—In all the rest of the States, it is but 36,666. But some perhaps will say, Georgia is a growing State, and has increased, since said enumeration. 'Tis likely they are increased, since that enumeration: But the tax was about the same time of the Constitution; and the disproportion by the tax, as to Georgia, is nearly the same, as by that old enumeration. But suppose Georgia is increased, since said old enumeration; perhaps no one will pretend the other States have grown less; if they have in numbers, they have not in taxes, in proportion to Georgia. But the other States have not their proportion of Representatives, according to said old enumeration.

These Representatives are to set their own wages, to be paid out of the Continental Treasury; therefore the New-England States will have to pay nearly every fifth dollar, to support Representatives in the other States, according to the apportionment in said Constitution.

I at first flattered myself, that this inequality would be remedied, when the actual enumeration is made. But on further notice found my mistake that there is no prospect of its being better, but worse. For tho'

the Constitution says, that the Representatives shall be apportioned among the several States, according to their respective numbers; yet it says, they shall not exceed one for every 30,000: But does not say, we may have one for every 30,000; and it cannot rationally be supposed, that it is designed it ever should be so. For they have not set out so, by a very great proportion: For allowing every State its one Representative for every 30,000, according to said old enumeration, and throwing away the fractional parts of 30,000, in each State, would make thirteen more Representatives in the whole; and six of those thirteen, would be in the New-England States, almost half of what is left out; yet those four States, send but about a quarter, as now apportioned. Yet Georgia is allowed to send three times as many as the proportion which the Constitution says it shall not exceed. And if such strides are made now, while we are invited to accept of it, we may fully conclude that if once we should adopt it, these four States, which are now so far reduced below par, would be reduced to no more than one Representative to each State; and therein would not stride the letter of the Constitution, as they have now, in the case of Georgia: For it would not transgress the letter of the Constitution at all, to reduce any State or States they please, to one Representative each. And they may, as well as what is done now in the case of Georgia, exaggerate the number of Representatives, in any other State to what number they please; and we should have to maintain them, at any price they shall please to lay upon us. And this would serve, not only to secure an over-bearing ballance in the House of Representatives, when the Congress please, against any State or States; but also the choice of the President and Vice-President, to any favourite party of States, that the Congress shall think proper. For the number of electors, and the number of Senators and Representatives, are always to be equal in each State. For the satisfaction of all who would be curious to know, the following Table shows the number of dollars, each State pays in said tax, and the number of persons, according to said enumeration, to one Representative.

	<i>Dollars.</i>	<i>Persons to a Representative.</i>
New-Hampshire, pays	19,894 and has	33,333
Massachusetts,	31,779	43,750
Rhode-Island,	36,558	60,000
Connecticut,	29,995	44,000
New-York,	24,299	33,333
New-Jersey,	23,593	30,000
Pennsylvania,	29,077	43,750

	<i>Dollars.</i>	<i>Persons to a Representative.</i>
Delaware, pays	25,506 and has	45,000
Maryland,	26,724	36,666
Virginia,	29,077	40,000
North-Carolina,	24,690	40,000
South-Carolina,	21,799	40,000
Georgia,	6,064	8,333

And the whole of the purse, and of the sword, is put into the hands of the President, and a Congress so unequal, and which also may consist, of men of no principle or property. For no religion or property is required, as any qualification, to fill any and every seat in the Legislative, Judicial and Executive departments, in the whole nation. That a Pagan, a Mahometan, a Bankrupt, may fill the highest seat, and any and every seat; nothing but age and residence, are required, as qualifications, for the most important trusts. And there is nothing to hinder their keeping a standing army, at all times, peace or war. Nor is there any provision made for the people or States, to petition or remonstrate, let their grievances be what they will. Should Massachusetts, for instance, be reduced to one Representative, it cannot complain, but is liable to be construed into sedition and rebellion; and the standing army employed to suppress it; as the British standing army were to subdue America. And there is nothing to hinder, but ample provision made, for Congress to make themselves perpetual. For by Art. I, Sect. 4. the Congress may at any time, make and alter the time, place and manner of choosing Representatives; and the time and manner of choosing Senators. They may also make the President, and Vice-President perpetual; or he, the President, may make himself so, by the help of a little more than a sixth part of the Congress. For the Congress are to appoint the time, and place of choosing the electors, and the day of their giving their votes. Art. II. Sect. 1st. paragraph 4. And if the Congress don't see cause to appoint a time and day for those purposes, there can be none chosen, the old ones continue; or if the majority of the Quorum, appoint the time and day for choosing the electors, and of their giving their votes, the President may so far negative it, as that there must be two thirds of both Houses to make it valid; and the standing army they may keep in time of peace, they may canton where they please, to suppress any complaints that may arise by oppression, or loss of rights or privileges.

And thus also, they may exempt themselves, and all their dependants from all taxation; not only Continental, but State taxation, laying heavy burdens on others, and not move them with one of their fingers. How

then will they represent the people? For it is essential to a Representative that he feels all the burdens he lays on the community he is to represent. This is not a mere chimera, for the Constitution appears evidently calculated, to swallow up all State government and authority. For tho' there is frequent mention made of State Legislatures; yet they have no power or authority, as plainly hinted in several places, but very expressly declared, article VI, paragraph 2d, "This Constitution, and the laws of the United States, which shall be made in pursuance thereof; and all treaties made or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the Judges in every State shall be bound thereby; any thing in the Constitution or laws of any State to the contrary notwithstanding." This is a bold and decisive stroke, whereby all State authority is at once absorbed, or annihilated; and especially when considered in connection with article III, Sec. 2d. "The Judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made" &c. But there is no provision made for any trial by Jury, except in criminal cases, and how they are to be packed we don't know. And the President with two thirds of the Senators present, is to make those omnipotent treaties. Art. III. Sect. 2d, which are to supercede all State laws, and which may be, to cede any part of the territory, to a foreign Prince, to hire him to guarantee to him the President to be the sole absolute despot of the rest; or any other purposes he pleases. And this two thirds of the members present, may consist of no more than two persons; for there is no quorum affixed to them, only in their Legislative capacity.³ But make the best we can of it, and apply the Legislative quorum here, it will require no more than the Senators of five States, viz. ten Senators, to make any treaties the President pleases; which may affect the territory, laws or commerce, of some States to advantage; at the expence, or to the prejudice of other States; or even to the giving up some States, to a foreign Prince, as before suggested.

The most complaints, that I have heard made about the proposed Constitution, are that there is no declaration of rights. In the confederation, there is a declaration of rights, of the contracting parties, viz. The several States.⁴ But here is none, either of States or of people. And we by this time see the reason of that omission, viz. because there are no rights left, either to the States or people; and it would have been inconsistent to have attempted any thing of that kind; or declared any rights remaining, after all was given up claimed by this Constitution.

But some have supposed, they have a *salvo* for all difficulties, that may arise in said Constitution, by the 5th Art. entitled *amendments provided*. But all amendments are effectually guarded against in the next

Art. paragraph 3. For there we find, all the members of Congress, and all the members of the several State Legislatures, and all the Executive and Judicial officers, both of the United States, and of the several States, are to be bound by oath or affirmation to support this Constitution. How then can we have any amendments, as speciously pretended in said 5th Article? When all those from whom only it can originate, are to be bound by oath, to support this as it is. Besides, it is not likely, that the President, or Congress, would be so impolitic, as to oppress so large a proportion of the States at once, as two thirds; therefore, there is no probability, and scarcely possibility, that ever a motion of two thirds should arise. Moreover, could we obtain a Convention, and by them amendments proposed; they might lie dormant forever, if the Congress did not see cause to appoint how the amendments should be ratified; which is not to be expected, if the amendments should be to diminish their power; so that all the parade about amendments, comes to nothing. But to return to the oath; there is something very singular in the manner of the oath; that all Continental and State officers, should be bound by oath, to preserve, protect, defend and support this Constitution. And not rather be under oath, to preserve, protect, defend and support the United States, or the people thereof, in their rights and privileges; it may from this no doubt be expected that Proclamations will conclude GOD SAVE THE CONSTITUTION!

In the same paragraph, in which the above oath is instituted, all religion is expressly rejected, from the Constitution. Was there ever any State or kingdom, that could subsist, without adopting some system of religion? Not so much as to own the being, and government of a Deity; or any acknowledgment of him! or having any revelation from him! Should we adopt such a rejection of religion as this, the words of Samuel to Saul, will literally apply to us,—*Because thou hast rejected the word of the Lord, he hath also rejected thee from being king.*⁵ We may justly expect, that God will reject us, from that self government, we have obtained thro' his divine interposition: Or being able to keep up government and order among us; for he has commanded the rulers of the earth, to kiss the son, lest he be angry, and they perish from the way.⁶

If civil rulers won't acknowledge God, he won't acknowledge them; and they must perish from the way. And there can be no rational doubt, that the prevailing neglect of acknowledging God in the time of the revolution, and since, is the cause of our having such convulsions as have been among us; we are perishing from the way.

Again, I find, in the last acts of the Constitution, that it is an open professed resolution, to break a solemn covenant, made by the several States, in the confederation *of the United States of America*. Which having

named the States, in the 3d. article, says “the said States hereby severally enter into a firm league of friendship, with each other, for their common defence, &c.”—Then going on to describe this *firm league*, till it comes to the last Art. it concludes, “And the articles of this Confederation, shall be inviolably observed by every State; and the Union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to, in Congress of the United States, and be afterwards confirmed by the Legislatures of every State.” But this new Constitution, does not appear to be agreed to by Congress, neither is it a Confederation of the States; but professedly of the people, as in the very first words of it; and concludes, that [“]the ratification of the conventions of nine States, shall be sufficient for the establishment of this Constitution, between the States so ratifying the same.” This is expressly repugnant to the Confederation, the sacred national covenant we are under; and to set up a schism in the nation. This is not proposed to be done by the same contracting parties. For that was a covenant of union between the States. This is to be by the people of the States, to throw off all their allegiance to the federal Constitution of the nation, and the covenant Constitutions of the several States. And if the conventions in nine States will adopt it, then to separate, and set up this in violation of all covenant obligations, of the most solemn important kind and consequence.

But almost every one is possessed with a persuasion, that some farther powers are necessary to be vested in the National Head, the Congress; perhaps I am as strongly possessed of that apprehension as any one; therefore, at first, I felt passive, or rather inclined that this Constitution should be adopted, not considering the nature of it. But why should we break such a solemn covenant, as this Constitution resolves to do? And plunge ourselves into such a labyrinth of innovation, which it is impossible for any one to fore-see, or perhaps to guess where it will land us, or what we shall meet by the way? This Constitution does not wear the complexion of uniting the nation—but of dividing it. Had we not much better keep on our old ground? The national covenant we are under, solemnly ratified to be perpetual, and amend that: It is, no doubt, as easy to amend that, as it will be to amend the new one. And this I understand, was the *sole purpose* the federal Convention was appointed for, viz. To revise the articles of confederation, not to destroy the covenant. Why should we be fond of another revolution so soon? Why should we be fond of such an innovation? Let us hear what a sage old politician, once said on a similar occasion, after having described to the people, the nature and consequence of the innovation, they were

urging for, says, *Ye shall cry out in that day, because of your King, which ye have chosen you: and the LORD will not hear you.*⁷

1. On 3 January the *Independent Chronicle* announced that "Samuel," "Helvidius Priscus," "and many other articles, we are obliged to omit this week, for want of time and room, but will be duly noticed,—perhaps next week." "Samuel" was reprinted in the Providence *United States Chronicle*, 24 January; and Hartford *American Mercury*, 14 April. According to "A," the republication of "Samuel" in the *United States Chronicle* was requested by several of that newspaper's readers. The *Mercury's* reprinting of "Samuel" was prefaced by this statement from "ABC. &c.": "It is the desire of several of your constant customers, to re-publish the following in your impartial paper, by so doing you will shew the public the inequality of the Representation proposed by the adoption of the new Constitution, and of several other parts thereof, that are not cleared up to the satisfaction of many, it is likewise hoped, that if you will publish it, that it may be the means to have some able hand clear up the several objections therein alledged."

2. For the quotas adopted by Congress on 11 October, see JCC, XXXIII, 653.

3. Article I, section 5, provides that a majority of each house "shall constitute a Quorum to do Business."

4. The reference is to Article II which states that "Each state retains its sovereignty, freedom and independence, and every Power, Jurisdiction and right, which is not by this confederation expressly delegated to the United States, in Congress assembled" (CDR, 86).

5. 1 Samuel 15:23.

6. Psalms 2:10–12. "Be wise now therefore, O ye kings: be instructed, ye judges of the earth. Serve the LORD with fear, and rejoice with trembling. Kiss the Son, lest he be angry, and ye perish from the way, when his wrath is kindled but a little. Blessed are all they that put their trust in him."

7. 1 Samuel 8:18. See also "A.B.: Lessons from the Book of Samuel," *Massachusetts Gazette*, 20 November, in which the eighth chapter of the first book of Samuel is quoted (RCS:Mass., 278–79). Antifederalist "Poplicola," *Boston Gazette*, 24 December, also relied on the first book of Samuel.

Helvidius Priscus II

Independent Chronicle, 10 January¹

To the PUBLIC.

The three pillars² lately erected at the southward, are like the hanging towers of Pisa, to be propped up and cemented by the blood of posterity, if ever they stand at all; for the present generation have too strong a sense of the rights of nature, of the sufferings experienced for their re-establishment, to set down passively under a tottering pile, erected on pillars of porcelain—and if half a dozen others should yet be added to the guilded dome, it will still be astonishingly defective; as the artificers have hurried it through for their own present accommodation, without one solid heart of oak to support an edifice, whose wings extend to embrace the territory from the Mississippi, to the chain of lakes, and from the inland seas to the eastern shore.—An ancient

historian has left it on record, that the first monarch after the Achæan league, who gained an entire influence over their councils, was possessed of all the virtues that endear a king—"A lively genius, an uncommon understanding, an happy memory, an agreeable utterance, an unaffected grace in all his actions—He possessed a beautiful aspect, heightened by a majestic air, which bespoke the greatness of his mind, but his brightest virtues were the sweetness of his temper, his affability and great desire to please and content all who were under his government."—But alas! he was a man—he was a king—and let America be admonished, that in the plentitude of uncontrolled power, the same historian adds, that he forfeited this great character, and from a glorious king became an inhuman tyrant. Mankind have always been lulled by sounds into a fatal security, without giving themselves the trouble of investigation. Yet it is not probable the metaphysical disquisitions of a *southern doctor*,³ will persuade the world that the majority of the late CONVENTION were so much the peculiar favourites of heaven as to receive an immediate inspiration for the model of a government, that should subjugate a country which appears to those who are really religious, and who believe in a providential direction, to have been remarkably under divine protection in the various steps that led to its independence. But why was the small minority (who could not in conscience accede) denied their share in this heavenly illumination?²—and why was the aged *Dr. Franklin*, so darkened in his councils, as to make a motion that the President should have no salary?⁴ and to oppose almost every article in the system till the last, when he lent his signature in tears?⁵ or were those tears the result of a late revelation, that the system was fairly deduced from heaven; though it might involve America, first in anarchy, and then in despotism. But the men who have denied the authenticity of the decalogue, and perhaps the divine origin of the gospel, may sport with the credulity of mankind—and droll on the miraculous interpositions of heaven, under an appearance of an enthusiasm for truth, if it will operate to the completion of a favourite system, while yet the honour of the gentleman is secure from falshood, when he asserts that he believes "the finger of God was as much employed in fabricating the fœderal republic as in dictating the ten commandments; and that the divine origin of the new system is as much the object of his faith, as the division of the red sea, or the fulmination of the law from Mount Sina."⁶ But as the gentlemen of the medical faculty have not all of them been the most remarkable advocates for divine inspiration; or the most distinguished in vindicating the sacred oracles of religion, we are glad if the learned *Doctor Rush* is an exception.

If he has really a sober sense of divine dispensation, it is to be regretted that a man of understanding should suffer his language to wear the guise of enthusiastic rant; But if he is one of the fashionable sceptical race, it is not strange when a darling point was to be urged, that he should indulge such epithets of impious affectation to fall from his lip, as shocks the feelings of those who revere the code of the supreme lawgiver. While the Roman usurper was ravaging Gaul, whenever it was convenient for their purposes, his commissioners consulted the Pagan oracles, and when the people were prepared by their love of pleasure, and prostration of principle, to bow to the yoke of servitude, he was pronounced from the lip of the Cybels, the destined master of the world; yet we do not find that *Cæsar*, though *Pontifex Maximus* or *Curio*, who was purchased by his gold, had either of them much religion, and when it became necessary for the purposes of the tyrant, a *Claudius* was found to get a law enacted that no regard should be paid to the denunciations of the augurs.⁷ But the augurs who profess a more perfect religion, without pretending to immediate inspiration, will venture to predict, that the characters of the respected minority in the grand convention, and the names of FINDLEY, SMILIE,⁸ and others in *Pennsylvania*, and a much longer list in the Massachusetts, instead of sinking into contempt, will stand distinguished in the annals of fame, for opposing with the magnanimity of genuine patriotism, a combination of ambitious spirits, exorbitant wealth or squandered fortune, of men of licentious principles, and heated imaginations, and of a few of more conscientious opinion, who from the early rudiments of education and manners, have always had a predilection in favour of arbitrary government. But in the exultation of party, let them not again in the convivial hour, toast the memory of *the heroes who sacrificed their lives in defence of the liberties of America*—least the pale spectres should appear as the evil genius of Brutus, and summon them to the shades, though not to die like the Phillipian Hero, in the last glorious struggle for freedom, but in the ignoble effort to consign posterity to the manacles of slavery.

1. On 3 January the *Chronicle* noted that "Helvidius Priscus" "and many other articles, we are obliged to omit this week, for want of time and room, but will be duly noticed,—perhaps next week." "Helvidius Priscus" was reprinted in the *New York Morning Post*, 18 January; and *New York Journal*, 21 January.

2. A reference to the ratification of the Constitution by Delaware, Pennsylvania, and New Jersey. See "The Raising of the First Three Pillars to the Federal Superstructure," *Massachusetts Centinel*, 26 December.

3. A reference to a speech of Philadelphia physician Benjamin Rush. On 12 December Rush told the Pennsylvania Convention that "he as much believed the hand of God was employed in this work [the Constitution], as that God had divided the Red Sea to give a passage to the children of Israel, or had fulminated the ten commandments from Mount Sinai" (CC:357; and RCS:Pa., 592-96).

4. On 2 June 1787 Benjamin Franklin moved in the Constitutional Convention that the President should not receive a salary, stipend, fee, or reward, although his expenses should be paid. Franklin thought "there are two passions which have a powerful influence on the affairs of men. These are ambition and avarice; the love of power, and the love of money" (Farrand, I, 81-82).

5. On Franklin's shedding of tears, see "George Washington and Benjamin Franklin in the Constitutional Convention," 19-21 November (RCS:Mass., 271-74).

6. See note 3.

7. Officials in ancient Rome who interpreted omens to determine the favorable or unfavorable outcome of an undertaking.

8. William Findley and John Smilie were Antifederalist leaders in the Pennsylvania Convention.

A Friend to Honesty Independent Chronicle, 10 January¹

Mess'rs. ADAMS & NOURSE, Our anti-federalists, anti-patriots, and anti-creditors, though they cannot be insensible of the dangerous and contemptible situation we are in, for want of an efficient federal government;—Though they cannot be ignorant of the crying injustice, and high-handed oppression, which have been for several years past practiced throughout the United States, against their public creditors,—whereby many hundreds, if not thousands of our good friends, have been stript of their estates, rights and privileges,^(a) and many more now stand tottering on the brink of ruin; and all for want of a proper federal government,—to enable Congress to fulfil their engagements.—I say, notwithstanding all this injustice and cruelty, and this prostitution of national honor and character, which have caused the American name to send forth a *stinking savour*,² both at home and abroad;—Yet, whenever a proposal is made, to give Congress proper power to pay their debts; to compel refractory States to do their duty, and to put us all in a proper posture of defence, against foreign and domestic enemies;—Then, the anti-federalists and Co. immediately blow an alarm, and tell us, they see tyranny, oppression, and slavery lurking in the very plan proposed,—and therefore, if we adopt it, we shall all be ruined.

In the late war, if Congress did but *recommend* this, or that, to be done, or not done, the Legislative Assemblies were all submission, and complied immediately, and all the people (sly tories excepted) said *Amen!*—If they called for soldiers, and assessed every State its quota, the Assemblies granted them, without hesitation; and every town was called upon, and found its men. Yea, the farmers, the substantial yeomanry, (as they were called) stood ready, in their respective towns, to encourage young men to enlist. Large promises of payment,—yea, blessings also, were heaped upon such as enlisted; and upon those who

would furnish government with money, and supplies for the army, &c.—Senators, Representatives, Selectmen, Committee-men, and all, smiled upon, and carassed such as discovered a public spirit, and would forego the advantages, they might have taken in those troublesome times, of enriching themselves; and would devote themselves, or their estates, to the service of their country. The cause, (they said) was the cause of GOD; it was supporting the sacred rights of mankind, against tyranny; yea, that our own well-being, and that of our posterity, were in the utmost danger, from the ravages of the British tyrant, so called.

Well, they were right in so doing,—the American cause required our utmost exertions—yea, our very existence as freeholders, and freemen, depended (under GOD) upon the success of our arms. And our generous friends, and benefactors, were right also, in exerting themselves to save us,—in just expectation, that if we succeeded, they should be honorably paid their just dues,—but if we were conquered, they knew they must bear the loss. And they, like men of honour, determined to risque it, in so just a cause.

Had any one in those times, dared openly to hint, that those our creditors, would be duped, and cheated out of their money, by this brave, noble-spirited, virtuous, and religious people;—Alas for that man! It had been better for him, to have lost the use of his tongue, for a season, than thus to have called in question, the honour, or honesty of his country!

We at length prevailed, and peace, and freedom were restored to this distressed country. Congress then, like men of honor, proposed a general impost to be laid upon the imports of all the States—to enable them to fulfil their contracts; and the plan was laid before their several Assemblies, for their concurrence.³ But how was it received? The anti-federalists, the anti-creditors, &c. opposed it with all their might. They saw plainly (they said) if we gave Congress such uncontrouled powers of collecting money, under pretence of discharging the public debts therewith, they might misapply the money to ruin us.—They might maintain a standing-army among us, to dragoon us into slavery.—It was such duties as those, the British Parliament laid upon us, which occasioned the war (they said) and now we were going to do as bad, or worse, than they did.—Or it was a matter full of danger! It was the direct road to tyranny!—These frightful suggestions had a malancholly effect upon almost all the Assemblies; however, some at length granted it, with such and such restrictions, some with another and another;—but the little brave State of R—— I——, rejected it wholly. They choose rather (it seems) to face their creditors, and pay them off, in paper stuff, at the muzzle of their *Know Ye*⁴ cannon!

A new federal constitution is now formed, by a very learned and respectable Convention of the States, and is laid before their constituents for their ratification. The anti-creditors and Co. are again startled, and are sounding aloud the horn of discord and division. They see (in this as in the other plan) that if we adopt this, Congress will certainly have it in their power to enslave us, and our dear children, forever;—that if such power be given them, no doubt they, or their successors, will make use of it sometime or other, and rule our children with a rod of iron;⁵ therefore they cannot in conscience comply with it.—Thus these timorous, suspicious souls, always see a lion in the way,⁶ and an adder in the path,⁷ ready to destroy us; they prophesy the downfall of liberty, and of our ruin, nigh at hand, if we go forward.

But O ye Pharisees! who profess such a religious concern for the welfare of your country, and of posterity, but pay no regard to the injustice, and oppression, publicly practised before your eyes, against our public creditors, and the scandal brought upon us, as a nation, thereby,—Can you suppose that your concern for the welfare of posterity, and the jealousies and fears you entertain of *your own representatives* in Congress, will justify you in boldly violating the laws of God, by refusing to fulfil your promises,—to return the monies you have borrowed,—to pay your labourers and soldiers their hire,—by stripping the widows and fatherless, of their livings, and turning a deaf ear to all their complaints? No, gentlemen, you must know better. Your creditors, therefore, suspect your fears are feigned, and are made to cover sinister designs. They suspect you have no heart to pay them, neither the principal nor the interest of their dues, unless it be with wilderness lands. But do you really mean to treat them so? and to silence their complaints with an arm of power, as the thievish *Danites* did the man *Micah*, when he complained to them of their plundering his house? “*What aileth thee?*” said they to him, “*Let not thy voice be heard among us, lest angry fellows run upon thee, and thou lose thy life, with the lives of thy household.*”⁸ No, surely, you will not, you dare not, treat them thus.

Does it then offend you, to find that this new constitution will deprive State assemblies of the power of relieving fraudulent debtors, with that precious facility called *paper-money*? and also of the faculty, or power, of converting old horses, and almost every thing else, into gold and silver, by *tender-acts*, and compelling distressed creditors to receive them as specie, in payment of specie debts? No surely, for this power, and the exercise of it, in some States, has often mounted fraudulent debtors on horse-back, and forced their honest creditors to travel on foot. Formerly the borrower was servant to the lender, but by means of this, the lender is since become servant to the borrower! Or, does it give you

offence to find, that by the new constitution, collectors of taxes will no more be indulged in riding up and down the country, for three or four years together, trading away, and sporting with the public monies; to the confusion of public creditors? But I forbear.

My dear friends, let not your fears and suspicions deceive you, nor seduce you from your duty. Use no unlawful means to get rid of your taxes. Set no knavish trickish examples before your children, for whom you profess so great a regard, lest they imitate you, and bring a curse upon the land.⁹

A late anti-federal writer thinks there will be no great difficulty in paying off the Continental debt, nor the debts of this State, and therefore he is against the proposed constitution. With regard to the former debt, he says Congress has already sold lands to the amount of six millions of money.¹⁰ But I would ask, Did the purchasers of those lands make payment in specie? No, doubtless they paid for them in public securities, which had been purchased of distressed creditors, at the rates of 3/. or 3/6 the pound. He further hints, that if no other provision be made for the payments of those debts than the sale of lands, the remaining creditors will, by and by, be obliged to sell their securities at the same shameful rates. What man of honour can read such things without indignation? With regard to the debts of this State, he thinks it probable that they will be discharged by the sale of our own wilderness lands. Glorious contrivances these! to turn our creditors, men, women and children, into the wilderness to graze or keep them starving at home, till those lands are sold, in order that their lordly debtors may enjoy perfect liberty, without paying duties or taxes, may eat the fat of the land,¹¹ and drink wine in bowls!¹² Alas, what would some men do if they had power!

To conclude, when I recollect the behaviour of some men, in the time of war, (when they were afraid of losing both liberty and property) how very willing they were, that Congress, and our own Legislature should contract debts, full as large as they should judge needful for us,—I say, when I compare their behaviour *then*, with their behaviour *since*, in a time of peace and safety, it reminds me of the following ludicrous distich, which I have somewhere formerly read,

“When the devil was sick, the devil a monk would be,

When the devil was well, *the devil a monk* was he.”¹³

(a) When a man loses his estate, he loses with it, his right of voting for Governors, Senators and Representatives, and even of voting about the common affairs of a town.

1. On 3 January the *Chronicle* noted that “A Friend to Honesty” “and many other articles, we are obliged to omit this week, for want of time and room, but will be duly

noticed,—perhaps next week.” “A Friend to Honesty” was reprinted in the Middletown, Conn., *Middlesex Gazette*, 4 February.

2. Ecclesiastes 10:1. “Dead flies cause the ointment of the apothecary to send forth a stinking savour: *so doth* a little folly him that is in reputation for wisdom *and* honour.”

3. For the Impost of 1781, see CDR, 140–41.

4. For the meaning of the term “Know Ye,” see RCS:Mass., 178n.

5. Revelation 2:27. “And he shall rule them with a rod of iron; as the vessels of a potter shall they be broken to shivers: even as I received of my Father.”

6. Proverbs 26:13. “The slothful *man* saith, *There is* a lion in the way; a lion *is* in the streets.”

7. Genesis 49:17. “Dan shall be a serpent by the way, an adder in the path, that biteth the horse heels, so that his rider shall fall backward.”

8. Judges 18:25.

9. Malachi 4:6. “And he shall turn the heart of the fathers to the children, and the heart of the children to their fathers, lest I come and smite the earth with a curse.”

10. See “Candidus” II, *Independent Chronicle*, 20 December.

11. Genesis 45:18. “And take your father and your households, and come unto me: and I will give you the good of the land of Egypt, and ye shall eat the fat of the land.”

12. Amos 6:6. “That drink wine in bowls, and anoint themselves with the chief ointments: but they are not grieved for the affliction of Joseph.”

13. See Sir Roger L’Estrange, *Fables, of Æsop and Other Eminent Mythologists: With Morals and Reflexions* (4th ed., London, 1704), I, 104 (Fable CXI). The first edition appeared in 1692. The distich or couplet appears as the “moral” of the fable which was entitled “Large Promises.” The couplet is based upon a medieval proverb of unknown origin that circulated in several European languages, including Latin. The proverb is: “The Devil was sick, then he would be a Monk;/The Devil got well, and was a Devil as before.”

Ebenezer Hazard to Jeremy Belknap New York, 11 January (excerpt)¹

... What will your Convention do? will they say aye, or no?—if *aye*, will it be said by such a Majority as to secure the peaceable Adoption of the new Constitution? Much, I think, depends upon them, & I believe *our* Conduct will be much influenced by theirs. . . .

1. RC, Belknap Papers, MHi. Printed: *Belknap Correspondence*, Part II, 1–3.

Benjamin Hoppin to Nicholas Brown Boston, 11 January (excerpt)¹

Friday Evening 8 o'clock

... Convention news at the hous whare I put up at is 14 of the members of the Convention 8 antefederal 6 Federeal this Eve[n]ing I tuck Sum Means to find out there mindes in there Coul momentes the antefederal Say they Shuld be at Lest 50 mejoretey Colo Richmon from Dyton² a Strong Federal tells me that he finds they Shuld not be So Strong as Expectd But the Constitution will Sertenly pass

they muster 319 members this Day as they have not Entered in to the Spirit of the Business yet this is the most metereal I can colect when I Ritirn on wensday perhaps I Can give more your Frind

1. RC, Brown Papers, Misc., 1788, John Carter Brown Library, Providence, R.I. Hoppin (1747–1809), a former captain in the Continental Army, was a Providence merchant, who was in Boston on business. Brown (1729–1791) was a member of a prominent Providence mercantile and manufacturing family and a benefactor of Rhode Island College (later Brown University). He supported ratification of the Constitution.

2. Sylvester Richmond of Dighton, a former lieutenant colonel in the Massachusetts militia during the Revolution and a member of the state House of Representatives, 1787–89, voted to ratify the Constitution in the state Convention in February.

Samuel P. Savage to George Thatcher

Weston, 11 January, post 14 January (excerpts)¹

... Little else, among us, is thought or talked of but the new Constitution, of which you will doubtless know more than I can tell you, but if a Judgment can be formed from Physiognomy, it is feared the greater part of the Convention were chosen rather for their hands than their heads.—they move but slowly, which doubtless is owing to their Number, which the last I have heard was 316.—too many to do any thing with Order or propriety.

It is said your friend N. Barrell,² who is one of the two chosen for York, behaved so indecently before the Choice, as extorted a severe Reprimand from Judge Sewall,³ and when chosen modestly told his Constituents, he would sooner loose his Arm than put his Assent to the new proposed Constitution. it is to be feared many of his Brethern are of his Mind.

... Capt Jos⁴ is with us on a Visit, he is at present in Boston where most are, who have health & money

I most sincerely wish you the Divine Assistance and Blessing and am Affecy Yrs

[P.S.] In the (Boston) Centinal of 12th Inst. is an Anecdote of a Tho Doane Esqr of Sandwich, who doubtless you know, which does him great honor.⁵—

[P.P.S.] Members of Conventn. Monday the [I]4th:—369

1. RC, Washburn Papers, MHi.

2. For Nathaniel Barrell's views on the Constitution, see Joseph Barrell to Nathaniel Barrell, 20 December, and Nathaniel Barrell to George Thatcher, 15 January.

3. David Sewall (1735–1825), a 1755 graduate of Harvard College and a lawyer, was a justice of the Supreme Judicial Court of Massachusetts, 1777–1789. He served as a presidential elector in 1789 and the same year President Washington appointed him a federal judge for the District of Maine. For the election of state Convention delegates in York, Maine, see IV below, York section.

4. Probably Captain Joseph Savage, the son of Samuel P. Savage.
5. The anecdote refers to Thomas Bourn. See IV below, Sandwich section.

Common Sense

Massachusetts Gazette, 11 January¹

MR. ALLEN, Several honest countrymen have wondered that the advantages of the *new constitution* could not be pointed out to them in plain language. For the satisfaction of this class of men, permit me to inform them, through the medium of your paper, that one of the greatest excellencies of the proposed constitution is, *power*, adequate *power*, to manage the great affairs of the nation, conferred upon the *Congress*.

For the want of this, the United States have, within these six years past, almost become bankrupts. The union have been to a very great annual expense to support a Congress without power to manage the important business of the nation. My countrymen, the plain truth is, that Congress have, in fact, made much such a figure as the General Court in this state would do, provided they had power only to recommend, not to make, laws. Reflect a moment upon the confusion this would introduce into the state of Massachusetts. Delegates annually chosen from every town in the state, to set at Boston, for the bigger part of the year, consulting the best interest of the state, and recommending to each *town* to make such *laws* as the General Assembly judged for the benefit of the whole; but no one of these laws to take effect till enacted by every town in the state. In such a case, the town of Boston, for instance, might judge it convenient to enact a law to punish theft, while some of the neighbouring towns, for certain reasons, might judge it utterly inconvenient for them; and so, if all the towns in the state, except one, should see fit to comply with the recommendation of the General Assembly, to make laws to punish theft, it would avail nothing, except this single, and perhaps small, vicious town should see fit to comply with the general recommendation. Does not common sense tell us, that it would be extreme folly to expend thousands annually to maintain such a body of men?—What a goodly figure would our delegates make, returning home from the seat of CONSTITUTION, loaded with good and wholesome recommendations to their constituents! Would not every idle buffoon, in such a nation, find ample materials for sport and ridicule? and would not every man of sense prefer absolute monarchy to such a government as this? Would it not be ordinarily impossible, in the midst of such a variety of sentiments, local prejudices, and private interests, ever to have one law made in the state, unless it were to enact a law, that if any man did not do that which was right in his own eyes he should be hanged?

My countrymen! we have tried this mode, and found it every way insufficient to the great exigencies of the nation. Men of penetration have grown weary of such a weak and inefficient system, and wish to lay it aside; and have substituted in its room, a government that shall be as efficacious throughout the union, as this state government is throughout the Massachusetts. What one would think should greatly recommend the new constitution to an inhabitant of this state is, that it is as much like the constitution of this state, as a national government can be like that of a state. It is an elective government, consisting of three branches—legislative, judicial, and executive—having power to do nothing but of a national—kind leaving the several states full power to govern themselves as individual states. This power, which is so dreaded by some, is, therefore, one of the greatest excellencies of the new federal government, and what must center in some head, or the grand American fabrick of liberty, which has cost us so much blood and treasure, tumble to pieces, to the eternal disgrace of this new and free world.

1. Reprinted: *Cumberland Gazette*, 24 January; Middletown, Conn., *Middlesex Gazette*, 28 January.

Agrippa XII

Massachusetts Gazette, 11 January¹

TO THE MASSACHUSETTS CONVENTION.

GENTLEMEN, Suffer an individual to lay before you his contemplations on the great subject that now engages your attention. To you it belongs, and may Heaven direct your judgment, to decide on the happiness of all future generations as well as the present.

It is universally agreed, that the object of every just government is to render the people happy, by securing their persons and possessions from wrong. To this end it is necessary that there should be local laws and institutions; for a people inhabiting various climates will unavoidably have local habits and different modes of life, and these must be consulted in making the laws. It is much easier to adapt the laws to the manners of the people, than to make manners conform to laws. The idle and dissolute inhabitants of the south, require a different regimen from the sober and active people of the north. Hence, among other reasons, is derived the necessity of local governments, who may enact, repeal, or alter regulations as the circumstances of each part of the empire may require. This would be the case, even if a very great state was to be settled at once. But it becomes still more needful, when the local manners are formed, and usages sanctified by the practice of a

century and an half. In such a case, to attempt to reduce all to one standard, is absurd in itself, and cannot be done but upon the principle of power, which debases the people, and renders them unhappy, till all dignity of character is put away. Many circumstances render us an essentially different people from the inhabitants of the southern states. The unequal distribution of property, the toleration of slavery, the ignorance and poverty of the lower classes, the softness of the climate, and dissoluteness of manners, mark their character. Among us, the care that is taken of education, small and nearly equal estates, equality of rights, and the severity of the climate, renders the people active, industrious and sober. Attention to religion and good morals is a distinguishing trait in our character. It is plain, therefore, that we require for our regulation laws, which will not suit the circumstances of our southern brethren, and that laws made for them would not apply to us. Unhappiness would be the uniform product of such laws; for no state can be happy, when the laws contradict the general habits of the people, nor can any state retain its freedom, while there is a power to make and enforce such laws. We may go further, and say, that it is impossible for any single legislature so fully to comprehend the circumstances of the different parts of a very extensive dominion, as to make laws adapted to those circumstances. Hence arises in most nations of extensive territory, the necessity of armies, to cure the defect of the laws. It is actually under the pressure of such an absurd government, that the Spanish provinces have groaned for near three centuries; and such will be our misfortune and degradation, if we ever submit to have all the business of the empire done by one legislature. The contrary principle of local legislation by the representatives of the people, who alone are to be governed by the laws, has raised us to our present greatness; and an attempt on the part of Great-Britain, to invade this right, brought on the revolution, which gave us a separate rank among the nations. We even declared, that we would not be represented in the national legislature, because one assembly was not adequate to the purposes of internal legislation and taxation.

(Remainder next Tuesday.)

1. "Agrippa" XII appeared in three installments; the other two are under 15 and 18 January. Number XII was the first of five essays, the last appearing on 5 February, that "Agrippa" addressed directly to the then sitting Massachusetts Convention.

Massachusetts Gazette, 11 January

The votaries of reason, honesty, justice and wisdom, says a correspondent, look forward and pleasingly anticipate the result of the deliberations of that assemblage of respectable characters now convened

in this metropolis, a majority of whom are men who are possessed of candid minds, and honest hearts. Our hope and expectation for the establishment of a constitution which is designed to fix the temple of LIBERTY on a basis as secure and immoveable as the foundations of the universe, is placed on the members of the state convention; and may that Omnipotent Being, whose temple¹ is devoted to their use on the important occasion for which they have assembled, illumine their minds with that wisdom which is profitable to direct: may no party prejudice influence a single member of the convention to sport with the great concerns of his country: may they all consider how essentially the happiness of the community depends upon them, and may their conduct be such that they can answer it to their CONSCIENCES, to their COUNTRY, and to their GOD.

1. The reference is to the Reverend Peter Thacher's Brattle Street Congregational Church. See Christopher Gore to George Thatcher, 9 January, note 3.

Massachusetts Gazette, 11 January¹

(It is much regretted, says a correspondent, that his excellency JOHN HANCOCK, esquire, our worthy chief magistrate, is at present detained from attending the convention on account of sickness;) the arguments of a man who presided in the councils of America at the most important era of our affairs, and whose conduct as a patriot, a republican, and a friend to the rights of human nature, has shone so conspicuous through every stage of the late revolution, would no doubt have great weight at this time, as a matter the most interesting to our country is in debate. It is, however, pleasing to announce from good authority, that the sentiments of his excellency are truly federal; and it is sincerely hoped that he will soon be able to attend the convention, and in that august assembly demonstrate his approbation of that constitution lately formed by the grand federal convention—a constitution which is the boast of every TRUE Republican.

1. Reprinted in full ten times by 8 February: N.H. (1), N.Y. (2), Pa. (2), Md. (3), Va. (2). The text in angle brackets was reprinted in the *Cumberland Gazette* and *Worcester Magazine* on 17 January.

Philadelphia Independent Gazetteer, 11 January¹

The new constitution not being signed by the State of Massachusetts, (as only two out of five, thought proper to put their names to it)² must be of decisive weight against it in that state. The western counties, which are the most populous, by good information, are warmly opposed to it, and the opposition to it in the other counties, is very respectable; and upon the whole it appears very doubtful, whether it will

even be adopted *on paper* in that state, although the Members of its Convention were chiefly chosen by express.³

1. Reprinted: Baltimore *Maryland Gazette*, 18 January.

2. Nathaniel Gorham and Rufus King signed the Constitution in the Constitutional Convention on 17 September 1787; while Elbridge Gerry refused to sign. Caleb Strong left the Convention in August, and Francis Dana never attended.

3. The writer is apparently referring to the fact that the legislature's resolutions of 25 October 1787 (included in a pamphlet printed by order of the legislature) were rushed "by expresses" to the sheriffs in each county. The legislature gave the sheriffs "positive directions" to deliver "without delay" the resolutions to the town selectmen. See "Resolutions Calling the State Convention," 25 October, note 1 (RCS:Mass., 145, 146).

Samuel Breck to Jeremiah Wadsworth
Boston, 12 January (excerpt)¹

I am exceedingly obliged by your Communication of the 9th. instant, perhaps nothing could be more fortunate than the Ratification of the Constitution by your State, as at this Moment, ours is in Convention, We shall not be so unanimous as you were, owing to the three eastern Counties being alarmed lest their seperation from the *others* should be impeded, however when once the question is decided, they will yield with good humour; no men of great abilities and address are in the opposition, while the Federalists are richly supplied with those important Characters—The numbers composing our Convention amount to near 350, a Body so unwieldy, procrastinates business exceedingly, This Week however we shall know our Fate, for which every one waits with the greatest impatience. . . .

1. RC, Wadsworth Papers, CtHi. Breck (1747–1809), a Boston merchant, banker, and manufacturer, sat in the state House of Representatives from 1784 to 1792. In 1786 he was one of the state's three commissioners to the Annapolis Convention who failed to arrive in time to attend its sessions. Breck replies to a 9 January letter that he received from Wadsworth, a Hartford delegate to the Connecticut Convention who had informed him that the convention had ratified the Constitution. Wadsworth's original letter has not been located, but an extract of what was probably the letter appeared in the *Boston Gazette* on 14 January. (For this extract, see RCS:Conn., 565.)

William Lambert to Enos Hitchcock
Boston, 12 January (excerpt)¹

Respected Sir

. . . our Convention as you have heard mett Last wednesday at Doctr. Coopers,² of 3 or 400 besides a Numerous Collection of Spectators made a formidable appearance, the subject of Debate has not Commenced owing to Choosing Committees to Investigate the members Chosen, as many towns have far Exceeded their Numbers, to make an

opposition—at present there appears too much of a party Spirit prevailing in the House, but we are in hopes it will be Softened by the Judicious arguments, which will soon be on the [— —], & likewise the prayers of the Clergy in their turns will have some Effect, they have Since adjourned at the Court house, It is said Mr A^s is Decidedly opposed to it and we fear a Considerable Majority in the House at present a motion was made to admitt the Lieut Governor & many Characters on the floor, wch was opposed by Mr Dalton,⁴ as being so much Crouded, would render it Exceedg. Ill Convenient, but you'll soon hear further—but we fear it will be a month or 6 weeks Debate. . . .

1. RC, Hitchcock Papers, Rhode Island Historical Society. Lambert (1743–1823) was a Boston merchant. He moved to Roxbury in 1788. Hitchcock (1744–1803), a native of Springfield, Mass., and a 1767 graduate of Harvard College, was pastor of the First or Benevolent Congregational Church in Providence, R.I. For the oration he delivered in Providence on the Fourth of July 1788, vigorously supporting the Constitution, see CC:799–C.

2. The reference is to Dr. Samuel Cooper, the pastor of the Brattle Street Congregational Church from 1744 until his death in 1783. For the meeting of the Convention at this church, see Christopher Gore to George Thatcher, 9 January, note 3.

3. Samuel Adams.

4. This motion, made on 12 January, does not appear in either the Convention Journal or the published debates. See Convention Debates, 12 January (V below).

Nicholas Pike to Jeremy Belknap Newburyport, 12 January (excerpt)¹

. . . Pray Sir, how goes on the Convention? I fear the Anti's will preponderate. . . .

1. RC, Belknap Papers, MHi. Pike (1743–1819), a 1766 graduate of Harvard College and a former town clerk and selectman of Newburyport, was a school teacher. Pike's 512-page book, *A New and Complete System of Arithmetic* . . . (Evans 21394), was published in Newburyport at about this time, and its sale was advertised in the Boston *Independent Chronicle* on 31 January. It would be widely used and praised, and by 1798 it appeared in abridgement and in second and third editions.

The Republican Federalist IV Massachusetts Centinel, 12 January

*To the MEMBERS of the CONVENTION of MASSACHUSETTS.
Honourable Friends, and Fellow Citizens,* Every candid mind will by this time I think be clearly convinced, that if the constitution of this Commonwealth *has any validity*, the ratification of a plan that would *alter*, much less of one that would *dissolve the government*, cannot be valid, unless by a mode provided by the Constitution itself. There are but two modes, to my knowledge, wherein any alterations can be made: One

has been mentioned, and it has been fully shewn that the ratification of the new Constitution by the state Convention would be in direct violation of that mode, and therefore not binding on the citizens of this State.—Let us now consider the other mode. In addition to the political compact contained in the Constitution of this State, it is bound by another as *solemn* and more *extensive*, the *articles of Confederation*. By the *first*, the “whole people covenants with each citizen, and each citizen with the whole people:”¹ and by the last, [“]the whole of the States covenants with each State, and each State with the whole of the States,”² and the powers in the articles of Confederation, expressly delegated to the United States in Congress assembled, are *paramount* to and *annul* every power of the State Constitution, that is inconsistent with and opposed to them.³ A mode is provided in the Confederation for amending it, in the words following, “and the articles of this Confederation shall be inviolably observed by every State of the union, shall be perpetual, *nor shall any alteration at any time hereafter be made in any of them unless such alterations be agreed to in a Congress of the United States, and be afterwards confirmed by the legislatures of every State.*”⁴ A correspondent provision is made in the fourth article of the Bill of Rights of our State Constitution—(*vide Constitution of Massachusetts*)⁵ the exercise then of every power, jurisdiction and right, which is or may hereafter be *by the people* thus expressly delegated, is clearly relinquished on *their* part and will be binding on *them*. Had the federal Convention reported and Congress agreed to alterations in the articles of Confederation, there could I think have been no doubt, that the ratification of such alterations *by the legislature* would have been as binding *on the people* as if made by *themselves*, because in the article mentioned of the bill of rights, *the people* have recognized the articles of Confederation, which on the part of the State were ratified, pursuant to *their* authority: And have *expressly provided* by those articles, that alterations therein which shall *be agreed to by Congress, and confirmed by the legislatures*, shall become part thereof: The legislature nevertheless of this State, would probably have applied to the people for their sense on such alterations, before a confirmation thereof, but no one will pretend to say that the federal Convention have reported alterations, or if they had, that Congress have agreed to, or the legislature confirmed them. The federal Convention, have, as has been shewn, reported a system, which destroys the articles of Confederation, and completely embraces the consolidation of the union: They have also recommended, that this new system should be administered, when ratified by nine States, and it must clearly appear, that the ratification of it by the Convention of this State, would not only be *a violation of the State Constitution, but also of the articles of Confederation*—

would thus be a double act of political perfidy—and would not be binding on any State, not even on those which may thus ratify it. Such a measure, therefore, would not only *tear up by the roots*, and *annihilate* all confidence in the most sacred and solemn covenants between the *whole people* and *each citizen of this State*, but also between the *whole of the States* and *each State*, and the new Constitution would not stand on the ground of *right, good faith, or publick confidence*. Notwithstanding then the good intentions of the federal Convention, it is an unfortunate circumstance that they did not strictly adhere to their powers, because the mode proposed for ratification, as well as the system itself, must produce great convulsions. Sir William Temple, in treating “of popular discontents,” says, “The first safety of Princes and States lies in avoiding all councils or designs of *innovation in ancient and established forms, and laws, especially those concerning liberty, property and religion* (which are the possessions men will ever have most at heart) and thereby leaving the *channel of honour and common justice* clear and undisturbed.”⁶ The new system was not only *unauthorized*, but altogether *unexpected* by Congress, the legislature, and the people, is not merely an *innovation*, but an *interchange* of the “established form” of government; and will produce as great a change in the laws concerning liberty and property—does not only *disturb*, and in some instances *alter* but in others *destroys* the channels of *honour and common justice*—and so far is the mode of adoption from being constitutional, as that it violates the Constitutions of the States and of the union, and establishes a precedent, not only for annihilating the new Constitution itself, but for building on its ruins a *complete system of despotism*—for what will the people have to secure them against an introduction of the most arbitrary government, after the *banishment of good faith* from the United States of America? Is it not incumbent then on the State Convention, to consider *seriously* and *thoroughly*, in what a situation they will place this Commonwealth and the union, by the proposed ratification? This State, before it shall have declared in favour of the new system as it stands, may have great influence in promoting an accommodation of this matter, between contending States, and the contending citizens of each State, and having the confidence of all parties, may as a wise mediatrix, promote their common interest: But when the State shall have manifested such a total disregard to the obligations of the most solemn political compacts, as to ratify in the mode proposed, the new Constitution, then will end the confidence of the union, and of our own citizens in the decision of Massachusetts, and she will embark in a precarious bottom, with the gloomy prospect of an approaching tempest, and unnecessarily expose herself to a political shipwreck.—If then, the new Constitution, ratified in its present form

and in the mode proposed, will not stand on the ground of *right, good faith, or publick confidence*, on what ground will it stand? Mr. Lock, in his treatise mentioned, chap. 17, sect. 197, says, "as conquest may be called a foreign usurpation, so usurpation is a kind of domestick conquest, with this difference, that an usurper can never have a right on his side, it being no *usurpation* but when one has got into the possession of what another has a right to." The right of originating a system for consolidating the union, belonged only to the people, but the federal Convention have taken possession of it, when called for a different purpose, and can any one say their proceedings are not founded in usurpation? The same author goes on, "this, so far as it is usurpation, is a change only of persons, but not of the *forms* and *rules* of the government. For if the usurper extend his power beyond what of right belonged to the lawful prince, or governour of the Commonwealth, it is *tyranny* added to *usurpation*."⁷ Had the federal Convention then only exercised the powers of the people in originating a system of consolidation, it would have been nothing more than usurpation; but having changed the *forms* and *rules* of delegating powers to the federal government, the Convention have done what the governours or rulers of the Commonwealth had no right to do, and by promoting State Conventions to violate the most solemn compacts, have also done what the people themselves had no right to do, and as the principles and reasonings of the above celebrated writer apply more forcibly to the *alteration* or *formation*, than to the *administration* of government, are not the proceedings of the Convention, founded not only in *usurpation*, but also in *tyranny*?

To what purpose then is it, to raise this mighty superstructure, which having no foundation, must soon fall and involve those in it in inevitable ruin—the federal Convention were undoubtedly urged to these measures by conceiving, that their system, if well adapted to the welfare of the people, would nevertheless meet with opposition from some of the States, and be thus defeated: But did not an honest zeal lead the Convention, as it has often lead others if to a *remedy worse than the disease*? Should not a proper system have been sent in a constitutional mode to the States, with a presumption that every State would do what was for the good of the whole; and if any of them had withheld their assent from a measure requisite for the general welfare, and thus rendered a *separation* necessary; should *it* not have been preceded by a declaration, stating the reasons and necessity of such a *separation*? Surely such a *dismemberment* will require as much solemnity as *that* which separated us from Great-Britain, and may produce as important consequences.

Many great objections to the new system have been unanswered, and I conceive, if we mean to support our liberties, are unanswerable: Notwithstanding which the State Convention will in all probability be warmly urged to accept the system, and at the same time to propose amendments—this indeed may take in the *weak* and *unwary*, but not persons of discernment: For a wise people will never place over themselves an arbitrary government, in expectation that it will be so *remarkably* virtuous as to divest itself of unreasonable and unlimited powers. Is not this contrary to human nature, which is generally grasping at more power, not knowing often times that it would be abused as soon as obtained?

The new Constitution provides “that the Congress whenever two thirds of both houses shall deem it necessary shall propose amendments to this Constitution, or on the application of the legislatures of two thirds of the several States, shall call a convention for proposing amendments, which in either case shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress:”—To call a Convention then, two thirds of both houses of the new Congress must deem it necessary, or the legislatures of two thirds of the several States must make an application to Congress; and can it be doubted that there will not be found such a majority of the new Congress, or of the State legislatures *disposed* to call a Convention *for making amendments*? When the Constitution is adopted, will not the friends of it strenuously contend to give it a trial? Are there not numbers who at this time openly reprobate republican governments? And will not such persons raise numberless objections to the appointment of such a Convention, and endeavour to prevent it? But supposing a Convention should be called, what are we to expect from it, after having ratified the proceedings of the late federal Convention? They will be called to make “*amendments*,” an indefinite *term*, that may be made to signify any thing. Should Judge M’Kean, be of the new Convention, perhaps he will think a system of despotism,⁸ *an amendment* to the present plan, and should the next change be only to a monarchical government, the people may think themselves very happy, for *bad* as the new system is, it is the *best* they will ever have should they now adopt it. If therefore, it is the intention of the Convention of this State to preserve republican principles in the federal government, they must accomplish it *before*, for they never can expect to effect it *after* a ratification of the new system.

1. This quoted passage is from the second paragraph of the preamble to the Massachusetts constitution (RCS:Mass., 440).
2. This quoted passage does not appear in the Articles of Confederation, and, in fact, the word "covenant" is not in the Articles.
3. There is no such provision in the Articles of Confederation. "The Republican Federalist" possibly refers to Article XIII, which provides that "Every state shall abide by the determinations of the united states in congress assembled, on all questions which by this confederation are submitted to them. And the Articles of this confederation shall be inviolably observed by every state . . ." (CDR, 93).
4. See Article XIII of the Articles of Confederation (CDR, 93). The italics were inserted by "The Republican Federalist."
5. Article IV of the Massachusetts Declaration of Rights states: "The people of this Commonwealth have the sole and exclusive right of governing themselves as a free, sovereign, and independent state; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, which is not, or may not hereafter, be by them expressly delegated to the United States of America in Congress assembled."
6. Quoted from Section I of Sir William Temple's "Of Popular Discontents," *The Works of Sir William Temple, Bart.* (4 vols., London, 1770), III, 46-47. "Of Popular Discontents" was written before 1686. It was published in London in 1701, two years after Temple's death, along with several other essays by Temple, in *Miscellanea, the Third Part*, ed. Jonathan Swift.
7. Locke, *Two Treatises*, Book II, chapter 17, section 197, p. 415.
8. For Chief Justice Thomas McKean's speech in the Pennsylvania Convention and its circulation in Boston, see the headnote to "Poplicola," *Boston Gazette*, 24 December.

Old Fog

Massachusetts Centinel, 12 January

To the REPUBLICAN FEDERALIST.

DEAR SIR, If ever the story of *John Trotter*, the *tedious preacher*, was applicable to any body, it is to you. You have given us almost three pages of *words*, in your three numbers,¹ and do not appear to have put the *entering wedge* into the Constitution. What you have been so kind as to tell us about the Convention not having a *proper right to recommend* a cure to our political evils, when they had found one, puts me in mind of an old story,—It is this—A good woman had a child dangerously burnt—a *neighbour recommended* a salve, which was never known to fail curing such wounds—and went home to get it—while gone, the good woman found out he was not a *Physician*—and, *for that reason*, would not apply the salve—the consequences were, the wound mortified, and the child died.—God grant that should we, as you wish, adopt the old woman's maxim, the consequence may not be so serious. Should your future writings put me in mind of any more *stories*, I [will] let you know it.

Yours,

1. "Old Fog" refers to the first three numbers of "The Republican Federalist" published in the *Massachusetts Centinel* on 29 December 1787, and 2 and 9 January 1788.

Massachusetts Centinel, 12 January

Mr. RUSSELL, A *real* Federalist wishes to be informed, whether granting to Congress the Impost for twenty-five years; empowering them fully to regulate trade for the said term of time, and to equalize the representation of the States, together with giving them the sole right of coining and emitting money, would not render the Confederation as compleat as could reasonably be expected, and answer the most important purposes of the Federal Government, without subjecting us to the inconveniences, dangers, and the enormous expense that will inevitably attend our adoption of the new system of *national* government.

Massachusetts Centinel, 12 January¹

The CONVENTION.

Concenter'd HERE th' united wisdom shines
 Of learned JUDGES, and of sound DIVINES;
 PATRIOTS, whose virtues, searching times have try'd,
 HEROES, who fought, where BROTHER HEROES dy'd
 LAWYERS, who speak, as TULLY² spoke before,
 SAGES, deep read in philosophick lore;
 MERCHANTS, whose plans, are to no realms confin'd,
 FARMERS—the noblest title of mankind,
 YEOMEN and TRADESMEN—pillars of the State:
 On whose *decision* hangs COLUMBIA's fate.

Thus, the various orders which constitute the great Family of the Commonwealth, concur to form the august, the honourable Convention now sitting in this metropolis;

To this enlightened and respectable body, the eyes not only of their *constituents*, but of AMERICA, and the world are turned.—And from the rays of intelligence which beam from every quarter of the assembly, we fondly anticipate the most learned, candid and patriotick discussion of the great subject of the Constitution.

1. This item was reprinted in the *Boston Gazette*, 14 January ("by desire"); *Cumberland Gazette*, 17 January; and *Worcester Magazine*, 31 January (in part); and in whole or in part in nine other newspapers by 8 April: Conn. (2), N.Y. (3), Pa. (2), Md. (1), Va. (1).

2. Cicero, the great Roman orator.

Massachusetts Centinel, 12 January

The Mechanics of this town are happy to learn that their brethren as well the Tradesmen as the substantial Yeomen and Farmers in the

neighbouring towns and governments coincide with them in sentiment—the proposed Constitution they consider as the last hope of our “dear country,” and that they are therefore determined to support it with all their influence;—Under this impression the Mechanics of the metropolis gave their suffrages, at the late choice of delegates to the Convention of this Commonwealth—the fathers of the town having allowed a sufficient time to elapse previous to the day of election,¹ the inhabitants were thereby enabled to deliberate upon the Constitution, and to form such sentiments upon the subject, as to direct them in their choice—these sentiments being in favour of adopting the proposed Constitution—they gave their votes for such persons as they supposed were firm advocates for the new system—their supposition was founded upon the explicit declaration of the majority, and the testimony of the friends to the rest—under this idea, they please themselves with the hope of seeing the UNITED exertions of the delegates of this town all centering in *one point*, the adoption and ratification of the proposed Constitution.

Not confined to the worthy Tradesmen and Artizans of this town, is the spirit breathed in their late patriotick resolutions²—it pervades all ranks, and is the constant theme of every one who has the interest, honour and happiness of his country at heart.

1. Boston elected Convention delegates on 7 December.

2. See “The Meeting of the Tradesmen of Boston on the Constitution,” 7 January.

Cyrus Griffin to Thomas FitzSimons
New York, 13 January (excerpt)¹

... Connecticut has received the constitution—a great majority. four states have now adopted.

Parties are runing very high in Massachusetz; Samuel Adams and his friends have at length come forward; the delegates from that Government, who understand characters, are doubtful of a happy Issue. if Mass. should be so unwise and dishonest to reject the system, N: York and Virginia will not hesitate one moment to follow the example—and then farewell to a federal Government of the whole; the baneful, the fatal consequences not one of us can forsee in their extent. . . .

1. In May 1997 the recipient's copy of this document was owned by Mr. Jerry Peterson, Continental Archives, Whittier, Calif. Griffin (1748–1810), a Lancaster County, Va., lawyer, was a delegate to Congress, 1778–80, 1787–88 (president 1788). FitzSimons (1741–1811), a Philadelphia merchant and a member of the Pennsylvania Assembly, signed the Constitution in the Constitutional Convention.

Henry Knox to Jeremiah Wadsworth
New York, 13 January¹

I thank you my dear friend for the information respecting the adoption of the New Constitution by your Convention²—It does my heart good. Now for Massachusetts—forward all the favorable news to Mr King—The vile insurgents aided by other things will make the adoption in Massachusetts more difficult than has been imagined—I hope and believe however that it will be adopted, but doubt of the noble Majority you had—I am still confined with the Rheumatism

Your affectionate

1. RC, Wadsworth Papers, CiHi. On the same day he wrote Wadsworth, Knox asked Henry Jackson to "Write me about the convention and send all the publications respecting it" (Knox Papers, MHi).

2. See Wadsworth to Knox, 9 January (RCS:Conn., 565). He was responding to Knox's letter of 6 January (above).

Henry Knox to George Washington
New York, 14 January¹

Some time has elapsed since my writing to you as I had nothing to offer but what you were acquainted with through the medium of the public papers

The new constitution has hitherto been as well received as could have been expected, considering the various existing opinions, prejudices, and parties in the respective states

In addition to Delaware Pennsylvania, and New Jersey, Connecticut has adopted the Constitution by a noble majority of 127 to 40. This event took place on the 9th: instant. I call the majority a noble one because it included every character in the convention of any real importance excepting Genl James Wadsworth, whom you may remember [was] commandant of a brigade of Connecticut militia in the year 1776. Colonel Wadsworth writes me² that the present Governor and Lieutenant Governor, The late Governor, The judges of the supreme Court and the Council were of the convention and all for the constitution excepting Jas Wadsworth

The Massachusetts Convention were to meet on the 9th. The decision of Connecticut will influence³ in a degree their determination and I have no doubt that the Constitution will be adopted in Massachusetts—But it is at this moment questionable whether it will be by a large majority

There are three parties existing in that state at present, differing in their numbers and greatly differing in their wealth and talents

The 1st is the Commercial part, of the state to which are added, all the men of considerable property. The clergy—the Lawyers—including all the judges of all the courts, and all the officers of the late army, and also the neighbourhood of all the great Towns—its numbers may include $\frac{3}{7}$ ths of the state This party are for the most vigorous government—perhaps many of them would have been still more pleased with the new Constitution had it been more analagous to the british constitution

The 2d party, are the eastern part of the state lying beyond New Hampshire formerly the Province of Main—This party are chiefly looking towards the erection of a new state, and the Majority of them will adopt or reject the New Constitution as it may facilitate or retard their designs, without regarding the merits of the great question—This party $\frac{3}{7}$ ths⁴

The 3d party are the Insurgents, or their favorers, the great majority of whom are for an annihilation of debts public & private, and therefore they will not approve the new constitution—This party $\frac{3}{7}$ ths⁵

If the 1st and 2d party agree as will be most probable, and also some of the party stated as in the insurgent interest, the Constitution will be adopted by a great majority notwithstanding all the exertions to the Contrary

Mr Samuel Adams has declared he will oppose it in the Convention, to the very great disgust of the people of Boston his constituents It is said Boston were about to take some spirited measures to prevent the effect of his opposition.⁶

You will see by the enclosed paper that the affairs between france and England are accomodated

[P.S.] Mrs Knox unites in presenting our affectionate compliments of the season to you & Mrs Washington and Also to Colo Humphreys—

1. RC, Washington Papers, DLC. The draft of Knox's letter is in GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York. Significant differences between the copy sent to Washington and the retained draft are noted below.

2. See Jeremiah Wadsworth to Knox, 9 January (RCS:Conn., 565). Connecticut Convention delegate Wadsworth, who was answering Knox's letter of 6 January (above), got the vote wrong; it was 128 to 40. See also above for Knox's 13 January reply to Wadsworth's 9 January letter.

3. The draft reads: "~~There can be no doubt~~ the decision of Connecticut will influence. . . ."

4. The draft reads: "This party may not be far ~~distant~~ of less than $\frac{3}{7}$ of the state."

5. The draft reads: "This party may be more than $\frac{3}{7}$ ths."

6. This sentence follows in the draft: "It is probable the debates will be lengthy and that the convention will sit one month before they decide."

Theophilus Parsons to Michael Hodge
Boston, 14 January¹

I sit down to communicate thro' you to our friends the present appearances of the Convention. It is much crowded, and is by far the most numerous representation this State ever saw. The weight of abilities, property and probity, is decided in favor of the Constitution, but I fear the balance of numbers is against it. Great numbers come determined, and upon them reason or argument will make no impression, but among the opposers there are men of integrity and candor who declare they come not decided, but are ready and desirous of being informed. The effect of argument upon these will determine the fate of the Constitution and I have therefore some faint hopes. The conduct of Connecticut will have some weight in our favor. You have, no doubt, heard that their Convention have adopted the Constitution 128 to 40. But I fear this event will have its effect chiefly upon a few wavering ones. To-day we agreed to consider the Constitution by paragraphs but to take no question but upon the whole.

This mode was moved on outside and is the most favorable way for us, as it will give us time to exert our influence, before the great question.

The most favorable state of the parties I can now give you which must be a *secret* is as follows.—In Suffolk we have a majority of 31, in Essex 27, and in the old Colony² of 20, in all 78. But against us are 43 in Worcester and 20 in Middlesex which leaves 15. We hope Berkshire and Hampshire are balanced, and we have then 15 to spare for the lower counties³ which I fear at present is not enough.

King arrived to my great joy on Friday ev'g. You must see March and get Dr. Sawyer to see his brother.⁴ They must come down immediately, *at all events*. One of the Amesbury men is still absent.⁵ Let me know the situation of my family the moment there is any alteration in it. Be discreet to whom you show this letter.

1. Printed: Eben F. Stone, "Parsons and the Constitutional Convention of 1788," *Essex Institute Historical Collections*, XXXV (1899), 92-93. Hodge (1743-1816), a sea captain before the Revolution and a militia officer during the war, was a merchant and town clerk of Newburyport, 1780-89. He was state naval officer for Newburyport, 1776-84, 1786-87, and federal surveyor of the district of Newburyport, 1789-92.

2. Probably a reference to Plymouth County, the location of the earliest settlement in Massachusetts, the New Plymouth Colony. On 2 January the *Massachusetts Centinel* reported that in Plymouth County "there are about 24 members, eight of whom only are opposed to the adoption of the new Constitution." In February, Plymouth County's delegates voted 21 to 6 to ratify the Constitution in the state Convention.

3. Barnstable, Bristol, Duke, and Nantucket.

4. Ebenezer March and Enoch Sawyer of Newbury both voted to ratify the Constitution in February. Sawyer's brother, Micajah, was a graduate of Harvard College (1756) and a Newburyport physician.

5. Both of Almsbury's delegates, Benjamin Lurvey and Willis Patten, voted to ratify the Constitution.

**Henry Van Schaack to Peter Van Schaack
Pittsfield, 14 January¹**

Captain set off rather sooner than I expected which occasioned my not sending the paper as I proposed to do. I now send you some Eastern papers which when you and our friends have done with, I would wish to have returned. Do you desire to have your papers sent back to you? The next accounts from the Eastward will contain matters "more relative." The great question has been before now fully and on one side ably discussed. If there should be a doubt about a majority the time of putting the question of decision will be protracted for a long time otherwise in about a week we shall hear of the Convention being broke up.

I saw a Gentleman from Worcester of veracity who told me that there was not a distant doubt but there would be a decided Majority in the Convention for the New Government. The Majority [] believe was so great that if the County of Hamshire sent seven Berkshire five for the Constitution and Worcester not a single member for it there would be a majority notwithstanding—Instead wh. Worcester sends 10 Hamshire 20 and Berkshire 9 or 10 *good* men.

We have every Saturday a Boston dish for dinner the best of our fish. This for your Government and that of your friends—

1. RC, Van Schaack Family Collection, NNC. This letter was addressed to Peter Van Schaack at Kinderhook, N.Y. On the address page, Henry Van Schaack wrote: "I want much to see your Governors speech to the Legislature." Governor George Clinton, suspected of being an opponent of the Constitution, had not stated his position publicly. On 11 January Clinton addressed the New York legislature and transmitted "several official communications," including the Constitution and the congressional resolution of 28 September forwarding the Constitution to the states for their consideration. Respecting these two documents, Clinton declared: "From the nature of my office you will easily perceive it would be improper for me to have any other agency in this business, than that of laying the papers respecting it before you for your information" (CC:439).

American Herald, 14 January¹

TO THE CONVENTION of MASSACHUSETTS.

The all important question is before you, and it is for you to say whether you as a people will be happy or miserable—'tis yours to determine whether your *blood-bought Independence* should prove a *blessing*

or a *curse* of the first magnitude to you and your posterity; 'tis yours to determine whether *Liberty* and *Property*, the objects which you once had in the highest veneration are worth retaining; 'tis for you to inform the world, whether there is any thing contained in those *pompous* words which is in any degree preferable to what you once despised, and had the most sovereign and perpendicular contempt for—*Slavery*.

The time is arisen when you must decide on this important affair, and is it possible that the illustrious, the so justly renowned citizens of Massachusetts of whom you are an epitome, should by one precipitate, inconsiderate act disgrace all their former glorious, and I will add unparalleled exertions in the cause of *Freedom*? Will they after their numberless declarations to the world, of their attachment *to*, and adoration *for* her be the first who shall unsheath the sword against her, and either assassinate her or drive her last asylum amongst mortals?

Never had "the good people of this Commonwealth" a matter before them which had involved in it questions of so high a nature as at present: The federal system which is proposed to them for their approbation, is pregnant with consequences of the first magnitude, consequences of the most serious nature; consequences which it appears to me are inseparably connected with inevitable ruin, and certain destruction: for if you adopt the proposed system, you give your explicit approbation to the breaking in upon the continental constitution, and overthrowing the same in a way totally unconstitutional.—You will subvert the most essential principles of our State constitution, in a way wholly different from *that* provided in the constitution, and diametrically opposed to every principle of the said compact; you will make a sacrifice of every idea of public faith: You will set an unequivocal example of revolt from established constitutions; you will as far as your influence extends, sanctify a revolt and overturning of governments; you will teach the citizens of the United States, such principles as perhaps you would be very sorry at a future period, to see reduced to practice; you will practically tell them there is nothing which is serious in a national compact, and that it is wholly right at any time to rend to pieces the most sacred national stipulations, in a way entirely unknown to the constitution: All this, and more you will do if you approve the proposed constitution in the way and manner proposed. But supposing for a moment for argument sake, that all these difficulties were removed, and that you had nothing to attend to but the *direct* consequences of the letter of this proposed constitution; should we find those consequences of a more salutary nature, or our situation any more eligible? If you adopt the proposed plan, you will subject yourselves to a government, where you will be *totally* unprotected by a BILL

OF RIGHTS, (without which no system of government ought to be instituted) for 'tis expressly provided in [the] sixth article, that the laws made by the Federal Legislature, shall be *paramount* to the constitutions of the respective States.—You will not have the least shadow of security for the freedom of the Press.—Your right to a trial by a *Jury* in civil causes, will be annihilated—and in criminal prosecutions, you shall not have a right to insist upon a trial in the vicinity, which our State Constitution, that admiration of the world, declares to be the greatest security of the subject.²—You will not have the shadow of a security, but that your Federal Representatives by the direction of Congress, must be chosen in such a place, at such a time, and in such a manner, as will prevent ninety hundredths of the people from having any voice in the election.—You will be liable to be continually and perpetually saddled with a standing army, composed not only of the refuse of your own country, but of the sweepings of Newgate, and the off-scouring of the territories of all the mercenary *Nabobs* of Europe; who if they commit the most atrocious outrages, the grosest violations of all laws, the vilest acts of rapine, robbery, ravishment and murder, will well know who has the sole right of pardon, while you may have this consolation, that 'tis out of your *hard earnings*, they are to receive the reward of their services.

New officers may be created, the duties of which you would shudder to hear named.—Your houses may cease to be your castles—the most unreasonable searches may be made on you, your papers, &c. &c. and you continually involved in foreign wars, to gratify a passion too apt to be predominant in rulers, who effect what is with no small degree of emphasis, called DIGNITY.—Your young men, the strength and pride of your country, liable—constantly liable to be drag[g]ed in consequence of *treaties* (which are to be paramount to your constitution and bill of rights) into the service of any foreign power, which stands in need of them.—Your Federal Senate the most important branch of the legislature (chosen on I had almost said the most unequal principles) to be in place for six years, in which time it is far from being impossible, but they may make themselves perpetual, and by their importance with regard to the Representatives, and their participation in the executive, may make themselves, in effect absolute.—Your State powers of laying imposts, &c. annihilated, so that you will be confined nearly to a dry tax, on polls and estates to discharge your *State debt* of 3,979,341 dollars—add to this as the sovereignty of your State will cease to exist, the Commonwealth will be as liable to have actions commenced against it as any other corporation (for aught I see) and there is provision made in the constitution for the constituting a Federal Supreme Judicial

Court, which shall have original Jurisdiction in cases where a State is a party, from which execution may issue on a Judgment on every note, with which this Commonwealth is chargeable (if the possessor will only be at the trouble of indorsing it to some inhabitant of any other State, or to a foreigner) and who will pretend to say, but such execution may be leyed on any estate, real or personal in this Commonwealth (if there is not money in the treasury to discharge it) and which shall be sold at public auction, to discharge the same, together with the enormous bill of cost, which may have arisen on the action?

Congress will then have it in their power to suspend the dearest of all privileges, the writ of *Habeas Corpus*, and it will be in the power of the President, or President and Senate, as Congress shall think proper to empower, to take up and confine for any cause, or for any suspicion, or for no cause, perhaps any person, he or they shall think proper, and confine him where he or they shall sit as long as the said suspension continues (which may be unlimited) and the poor man perhaps never have an opportunity for trial, and after (perhaps) years of imprisonment have no kind of possibility to obtain any kind of satisfaction for the loss of his liberty, &c. and his life may be involved in the matter, for should it be thought most expedient to have him assassinated by some remorseless ruffian, it may be no difficult thing to procure one to do it, when he is informed who possesses the power of pardoning. Will there be any security which any citizen of this Commonwealth will have, that his house shall not be made a barrack of, to entertain a standing army in time of peace? And I have sought in vain for an article in the proposed constitution, which makes provision that a person shall have any satisfaction for his property which is taken from him without his consent, and converted to the use of government.

The Federal House of Representatives are to be sole judges of the *qualifications* of your Representatives in that House; and it does not appear but that *they* are to *define* what qualifications are necessary: so when you have chosen Representatives, you are by no means certain they will possess such qualifications as they may judge needful.—They are likewise to expel members for disorderly conduct, and there is no security but that holding up to public view, different sentiments from those of the majority may be construed into disorderly conduct, and the member expelled for offering his sentiments to the House, in a way which they may deem disorderly, all which may in effect take away the freedom of deliberation in the House. The foregoing are but *a part* of the disagreeable consequences, which you may experience from constituting such a continental legislature, vested with powers which you supposed would be infinitely unsafe to intrust your state legislature

with; a continental legislature which perhaps are removed the farthest from accountability, or responsibility to their constituents that any legislature ever was, which *disgraced* the name of Republicanism.

In the course of all the vindications of the proposed constitution has *one* of the foregoing propositions ever been denied? I do not recollect one. What has been the arguments of the various characters who have attempted to defend the constitution? I am sorry to say it has been generally supported either by down right Billingsgate banter, or by fallacious arguments which have not the most remote connexion with conclusiveness.

One of the most powerful arguments which has been made use of in its defence is the respectability of the characters who formed it. I wish by no means to detract an *ace* from their characters, I allow them to be perhaps second to none in the world.—But what have we to do with characters in this case? It is not *men* but *measures* that we have to consult about: If the greatest men in the world should lay it down as a fixed principle, that *three* and *three* were *seven*, would it be rational implicitly to acquiesce with the proposition? By no means. The consequence is easy. The greatest men are liable to be mistaken, and the convention as great as they were, it is generally supposed laboured under a *mistake* of a considerable magnitude, with regard to the powers contained in their commission, and the person who is mistaken once, *may* be again mistaken especially when he has got wandering on mistaken ground, and acts on mistaken principles.

Notwithstanding no man has a greater veneration for the very respectable characters which composed the convention than I have, yet I will hazard this quere, Was there in that respectable body a man of a more illustrious character in any point of light than Julius Cæsar? I do not think it will be suggested that there was, yet notwithstanding all his virtues how much better it would have been for Rome, if this great and good character had been numbered with those who never saw light—*“Curse on his virtues, they’ve undone his country.”*³

In short, it does not appear that *great* characters or *small* characters have any thing to do with this matter, the constitution should be brought to the great criterion, the FITNESS OF THINGS:—If it is found consistent therewith, for Heaven’s sake, let us adopt it; if it is found to be *mene tekel*,⁴ it would be worse than *insanity* to neglect refusing it.

The proposing the present plan if it is rejected will not be without its advantages, for the investigation of the objections against it will furnish ample ideas how a constitution must be modified to comport not only with the bias, but also with the interest of the people whose welfare

is the *sole end of government*. When the inconveniencies of the proposed constitution are fully pointed out and understood, another convention may, in a short time, fabricate a constitution which would secure every advantage of civil government, without any of the disadvantages which are contained in that which is so eagerly strove to be cram'd down us, and we may soon be the most happy people in the world; but if we inconsiderately adopt the present proposed system we shall find it nearly as hard to effect any reform therein, as it was to remove the ark from the mountain of Ararat, where it first lodged after the deluge; for the least attempt or proposal for that purpose, may be construed into treasonable practices, and attended with all the dreadful consequences that an indignant authority is capable of producing, when my fellow citizens though too late, will discover the dire effects of their ill-judged credulity, and will be sensible of the worth, and put a just estimate on the advice of a RANDOLPH, MASON, NELSON⁵ and GERRY, and other illustrious Patriots, whose virtue like that of Aristides the just, denied their assent to the measures incompatible with their country's welfare.⁶ These, my fellow citizens, are men who may survive to receive the *melancholy glory* of their ruined country, which will then acknowledge that had their advice been adhered to, it would have saved it from the black gulph of infamy, horror & slavery into which it no less needlessly than precipitately, will plunge itself, if you are so infatuated as to adopt the proposed constitution. These things are at present in your power to *adopt* [or] to *reject*, they are wholly at your election, and you must be answerable to yourselves, to your fellow citizens, to unborn posterity, and to your God (who made you free, and who earnestly desires you to retain your freedom) for the consequences which may flow from the choice you may make.

January 9, 1788.

1. Reprinted: *Newport Mercury*, 28 January.

2. Article XIII of the Massachusetts Declaration of Rights provides that "In criminal prosecutions, the verification of facts in the vicinity where they happen, is one of the greatest securities of the life, liberty, and property of the citizen."

3. Joseph Addison, *Cato. A Tragedy* (1713), Act IV, scene 4. The words were spoken by Cato himself.

4. Daniel 5:25-28. "And this *is* the writing that was written, MENE, MENE, TEKEL, UPHARSIN [Aramaic]. This *is* the interpretation of the thing: MENE; God hath numbered thy kingdom, and finished it. TEKEL; Thou art weighed in the balances, and art found wanting. PERES; Thy kingdom is divided, and given to the Medes and Persians." This was the writing on the wall of King Belshazzar's banquet hall. It was Belshazzar who was found wanting; the writing foretold his destruction.

5. Probably a reference to Thomas Nelson, Jr., a signer of the Declaration of Independence and former Virginia governor. The inclusion of Nelson with the three non-signers of the Constitution, Edmund Randolph, George Mason, and Elbridge Gerry, all of whom

published criticisms of the Constitution under their names, requires explanation. Nelson was neither a delegate to the Constitutional Convention; nor did he publish an attack on the Constitution under his name. The writer of this address to the Massachusetts Convention possibly saw Nelson's name among the names of Antifederalists appearing in an extract of a letter written by Charles M. Thruston, a Frederick County delegate to the Virginia House of Delegates, to the mayor of Winchester, Va. (RCS:Va., 164-66). Thruston's letter was reprinted in the *Massachusetts Gazette*, 4 January; *Massachusetts Centinel*, 5 January; *American Herald*, 7 January; *Salem Mercury*, 8 January; and *Essex Journal*, 9 January.

6. For examples of Aristides' concern for the general welfare of the people of Athens, see Plutarch, *Lives*, 400-1, 407, 409.

American Herald, 14 January

A Correspondent says Bets 3 to 1, were made on Saturday, That the Constitution would NOT be adopted in this Commonwealth. (*Rather premature, we fancy.*)

Another (*extravagant*) Correspondent asserts, Bets 9 to 3, were, on Saturday afternoon, laid, that the Convention now convened, would, by that day se'nnight, Ratify and Confirm the Constitution, without any Alteration or Amendment whatever.

A Farmer

American Herald, 14 January¹

TO THE TOWN OF BOSTON.

I have no talent at writing, and therefore seldom attempt it—I think for my self, and always contend that I have an undeniable right to do it, and I consider the man who disguises his sentiments for fear, or favour, to be a disgrace to his specie.

In the resolutions of your Mechanics of the 7th January, 1788, they have given their opinion, that the proposed Constitution “is well calculated to secure the liberty, protect the property, and guard the rights of the citizens of America.”² In other resolves, they say, *it will encrease trade, gain them employ and subsistence, and that the rejecting of it will have a contrary effect.*—If their first resolve is founded in truth, they had no need to have said more about it; for that contains full reason for its acceptance;—but if the first is wrong, the other considerations are as unmanly, and as much opposed to true patriotism, as their urging, that a man, merely because the Town of Boston has elected him, shall hold up his hand to establish a system, though his conscience may tell him that it is a dangerous tyranny. If such politicians are wanted, GOD knows that they are too plenty. But I doubt much whether they have carefully examined the Constitution.—The hypothesis, that General Washington and Dr. Franklin made it, is too strong an argument in the minds of

too many, to suffer them to examine, like Freeman, for themselves—They have not, perhaps, considered, that Congress having a right to levy all imposts and excises, and tax all persons, and all the property of the people, necessarily annihilates all the government over the states, and establishes one entire government over the whole;—that there never can be two several separate sovereign powers, holding a controul over the same persons, and the same property at the same time: one must be in subordination to the other. Surely the power of the United States, will never be in subordinate to this Commonwealth, then who is to tax you? a House of Representatives, at three hundred miles distance from you, chosen for two years, and a Senate at the same place, chosen for six years; but it is said they are to lay no greater burdens on you, than they bear themselves;—but by setting their own wages, and establishing their own emoluments, they may ease themselves of what may oppress you; that the Supreme Judicial of Congress, will swallow up every other Court, or bring them under its power; because there can never be two separate Supreme Judicials in the same government;—here then, we are to be a Consolidated Government, and yet the Judges have power to try civil causes, without a Jury.—Do the Tradesmen of Boston mean all this? They surely do not—then if they mean only to have Congress to possess the Controul of Commerce—and to raise a Revenue from it, they will answer all the purposes proposed in their Resolves, and by uniting to accept the Constitution with amendments, they may save their Country's Liberty.

1. For an article, also signed "A Farmer," praising the Boston tradesmen for supporting the Constitution, see *Massachusetts Centinel*, 9 January.

2. For the resolutions of the Boston tradesmen, see "The Meeting of the Tradesmen of Boston on the Constitution," 7 January.

Boston Gazette, 14 January

Among the FRIENDS to the proposed Constitution now in Convention, we may fairly reckon—the most learned among the JUDGES of our land—the most liberal and intelligent of our DIVINES—the gallant and intrepid SOLDIER, *now* peaceful citizen!—the steady and uniform PATRIOTS—the SAGES of *Philosophy, Law and Physick*—the MERCHANT of enterprize, who makes the wealth of distant climes our own—the independent FARMER and TRADESMAN—the men of property, and in short all those who feel the importance of good government.—The reflection that the *sound reasoning* of such characters will have its due influence on every dispassionate mind—that the exertions of *such abilities* in so GOOD A CAUSE will be crowned with success, leaves no anxiety on the mind of every *good citizen* for the fate of the Constitution.¹

Says a correspondent—the CONVENTION now sitting in this Metropolis, is undoubtedly composed of the first characters that *Old Massachusetts* could depute from among her sons, to deliberate and decide upon the most momentuous Subject that can possibly engage the attention of mankind.²—

When we reflect upon the *wisdom candour, penetration* and patriotism, which in times past, have distinguished the Councils of this commonwealth; and that many of those characters which proved such *able pilots* during the arduous and trying scene of the Revolution, now adorn the Convention:—We fondly hope that the judgment and opinion of those men will be as a *Polar Star* to those in Convention whom Providence hath not hitherto favoured with such opportunities for information in the great affairs of government.³

If, says a correspondent, the delegates of the town of Boston to the present Convention had felt the same *laudable indignity* in being *pin'd* up to a ratification of the Constitution only.—Whether they would not have acted the same *noble* part of the SANDWICH MEMBER, by declining their acceptance to a seat in that respectable assembly?⁴

It is surprising, says a citizen, to see the pains taken to cram down the Constitution; the arts and sophistry made use of is truly contemptible.⁵

1. This paragraph was reprinted in the *Newport Herald*, 17 January; *Hartford American Mercury*, 21 January; *Connecticut Journal*, 23 January; and *Connecticut Gazette*, 25 January.

2. This paragraph was reprinted in the *Newport Herald*, 17 January; and *Hartford American Mercury*, 21 January.

3. This paragraph was reprinted in the *Hartford American Mercury*, 21 January; and *Connecticut Gazette*, 25 January.

4. This paragraph was reprinted in the *Cumberland Gazette*, 17 January. Thomas Bourn was elected to represent Sandwich in the state Convention, but he resigned after the town instructed its two delegates to vote against ratification of the Constitution. In the same issue that it printed this paragraph, the *Boston Gazette* published this item: "A correspondent wishes to know if the people have a right to read and approve, or disapprove of the Constitution for themselves? and if so, why so much said against the town of Sandwich for instructing their representative?" See IV below, Sandwich section, for more private and public commentaries on Bourn's action.

5. This paragraph was reprinted in the *Cumberland Gazette*, 17 January; and *Providence Gazette*, 19 January.

Nathaniel Barrell to George Thatcher Boston, 15 January¹

I can assure my friend Thatcher, his letter of 22d. ultimo was peculiarly flattering, and should have been answered before, but for a variety

of reasons any of which I persuade myself you will be satisfied with, when you come to be informd of them, but which I have not time now to mention—I am pleasd with the open freedom with which you touch political matters, and however we may differ on that point I hope we shall always view each other as friends to good Government—at present I confess to you we are not altogether agreed in sentiment respecting the federal frame which brings me to this town—the pamphlet you were pleasd to enclose on that subject² I think is wrote in that easy familiar stile which is ever pleasing to me. but tho it has a tendency to elucidate if not remove some objections to the federal constitution, yet I dare not say 'tis a full answer to the many objections against it, however I think with you a great part of those objections are founded on remote possibilities—do realy what you so humourously define, spring from that doctrine I have heard you reprobate, as originating in the heart which we are told by him who made it, is as you say—but tho I give more credit to this declaration than you do, yet I would by no means treat congress, or such men as my friend Thatcher, as “*tho they were rogues*”—nay I have such an opinion of you Sir, that I would cheerfully consent to your being a leading man in the first congress, after we adopt the federal Government.—I hope you will not think me to familiar if I should say the manner in which you treat this subject is rather laughfable than serious—and that it is much easier to tell the objectors to turn their representatives out, than to do it—I cant but think you know how difficult it is to turn out a representative who behaves ill, even tho chosen but for one year—think you not 'twould be more difficult to remove one chosen for two years?²—I could wish to lay my objections before you in the same familiar manner you have been pleasd to set me the example, but for want of your talents, I will do it in my own way, which are such as if not removd will prevent my accceeding to it—because after all the Willsonian orotary³—after all the learned arguments I have seen written—after all the labord speeches I have heard in its defence—and after the best investigation I have been able to give it—I see it pregnant with the fate of our libertys and if I should not live to feel its baneful effects, I see it intails wretchedness on my posterity—slavery on my children—for as it now stands congress will be vested with much more extensive powers than ever great Brittain exercisd over us—too great to intrust with any set of men, let their talents & vertues be ever so conspicuous—even tho composd of such exalted amiable characters as the great Washington—for while we consider them as men of like passion the same spontaneous inherent thirst for power with ourselvs—great & good as they may be when they enter upon this important charge, what dependance can we have on their

continuing so?—but were we sure they would continue the faithful guardians of our liberties, & prevent any infringements on the privileges of the people—what assurance can we have that such men will always hold the reins of Government?—that their successors will be such—history tells us Rome was happy under Augustus, tho wretched under Nero, who could have no greater power than Augustus—and that the same Nero when young in power could weep at signing a death warrant, tho afterwards became so callous to the tender feelings of humanity as to behold with pleasure Rome in flames.—but Sir I am convinced such that six years is too long a term for any set of men to be at the helm of Government for in that time they will get so firmly rooted their influence will be so great as to continue them for life—because Sir I am persuaded we are not able to support the additional charge of such a Government and that when our State Government is annihilated this will not suit our local concerns so well as what we now have—because I think 'twill not be so much for our advantage to have our taxes imposed & levied at the pleasure of Congress as the method now pursued—and because Sir I think a Continental collector at the head of a standing army will not be so likely to do us justice in collecting the taxes, as the mode of collecting now practiced—and to crown all sir, because I think such a Government impracticable among men with such high notions of liberty as we americans. these are the general objections as they occur to my mind, the particulars I cant bring within the bounds of a letter, all which convince me the federal constitution as it now stands, needs much amendment before 'twill be safe for us to adopt it—therefore as wise men—as the faithful guardians of the peoples liberties—and as we wish well to posterity it becomes to reject it unless such amendments take place as will secure to us & ours that liberty without which life is a burthen.—

1. RC, Chamberlain Collection, Thatcher Papers, MB. Barrell was in Boston representing York, Maine, in the state Convention; while Thatcher, also a Maine resident, was in New York City serving as a delegate to Congress.

2. Barrell refers to "A Citizen of Philadelphia" (Pelatiah Webster), *The Weaknesses of Brutus Exposed* (CC:244), which was first advertised for sale on 9 November in Philadelphia. For "Brutus," whose first number appeared in the *New York Journal* on 18 October (CC:178), see "The Massachusetts Reprinting of the Brutus Essays," 22 November 1787–8 May 1788 (RCS:Mass., 301–3). For evidence that Webster's pamphlet was sent to Barrell by Thatcher in his 22 December letter (not located), see David Sewall to George Thatcher, 5 January (IV below, York section).

3. For two of James Wilson's widely circulated speeches, see "The Massachusetts Reprinting of James Wilson's Speech of 6 October Before a Philadelphia Public Meeting," 24 October–15 November (RCS:Mass., 120–22); and "The Massachusetts Reprinting of James Wilson's 24 November Speech to the Pennsylvania Convention," 12–27 December (RCS:Mass., 419–21).

Agrippa XII**Massachusetts Gazette, 15 January¹***(Concluded from our last.)*

To the MASSACHUSETTS CONVENTION.

GENTLEMEN, The question then arises, what is the kind of government best adapted to the object of securing our persons and possessions from violence? I answer, a FEDERAL REPUBLICK. By this kind of government each state reserves to itself the right of making and altering its laws for internal regulation, and the right of executing those laws without any external restraint, while the general concerns of the empire are committed to an assembly of delegates, each accountable to his own constituents. This is the happy form under which we live, and which seems to mark us out as a people chosen of God. No instance can be produced of any other kind of government so stable and energetic as the republican. The objection drawn from the Greek and Roman states does not apply to the question. Republicanism appears there in its most disadvantageous form. Arts and domestick employments were generally committed to slaves, while war was almost the only business worthy of a citizen. Hence arose their internal dissensions. Still they exhibited proofs of legislative wisdom and judicial integrity hardly to be found among their monarchick neighbours. On the other hand we find Carthage cultivating commerce, and extending her dominions for the long space of seven centuries, during which term the internal tranquillity was never disturbed by her citizens. Her national power was so respectable, that for a long time it was doubtful whether Carthage or Rome should rule. In the form of their government they bore a strong resemblance to each other. Rome might be reckoned a free state for about four hundred and fifty years. We have then the true line of distinction between those two nations, and a strong proof of the hardy materials which compose a republican government. If there was no other proofs, we might with impartial judges risk the issue upon this alone. But our proof rests not here. The present state of Europe, and the vigour and tranquillity of our own governments, after experiencing this form for a century and an half, are decided proofs in favour of those governments which encourage commerce. A comparison of our own country, first with Europe and then with the other parts of the world, will prove, beyond a doubt, that the greatest share of freedom is enjoyed by the citizens, so much more does commerce flourish. The reason is, that every citizen has an influence

in making the laws, and thus they are conformed to the general interests of the state; but in every other kind of government they are frequently made in favour of a part of the community at the expense of the rest.

The argument against republicks, as it is derived from the Greek and Roman states, is unfair. It goes on the idea that no other government is subject to be disturbed. As well might we conclude, that a limited monarchy is unstable, because, that under the feudal system, the nobles frequently made war upon their king, and disturbed the publick peace. We find, however, in practice, that limited monarchy is more friendly to commerce, because more friendly to the rights of the subject, than an absolute government; and that it is more liable to be disturbed than a republick, because less friendly to trade and the rights of individuals. There cannot, from the history of mankind, be produced an instance of rapid growth in extent, in numbers, in arts, and in trade, that will bear any comparison with our country. This is owing to what the friends of the new system, and the enemies of the revolution, for I take them to be nearly the same, would term *our extreme liberty*. Already, have our ships visited every part of the world, and brought us their commodities in greater perfection, and at a more moderate price, than we ever before experienced. The ships of other nations croud to our ports, seeking an intercourse with us. All the estimates of every party make the balance of trade for the present year to be largely in our favour. Already have some very useful, and some elegant manufactures got established among us, so that our country every day is becoming independent in her resources. Two thirds of the continental debt has been paid since the war, and we are in alliance with some of the most respectable powers of Europe. The western lands, won from Britain by the sword, are an ample fund for the principal of all our publick debts; and every new sale excites that manly pride, which is essential to national virtue. All this happiness arises from the freedom of our institutions and the limited nature of our government; a government that is respected from principles of affection, and obeyed with alacrity. The sovereigns of the old world are frequently, though surrounded with armies, treated with insult; and the despotick monarchies of the east, are the most fluctuating, oppressive and uncertain governments of any form hitherto invented. These considerations are sufficient to establish the excellence of our own form, and the goodness of our prospects.

Let us now consider the probable effects of a consolidation of the separate states into one mass; for the new system extends so far. Many ingenious explanations have been given of it; but there is this defect,

that they are drawn from maxims of the common law, while the system itself cannot be bound by any such maxims. A legislative assembly has an inherent right to alter the common law, and to abolish any of its principles, which are not particularly guarded in the constitution. Any system therefore which appoints a legislature, without any reservation of the rights of individuals, surrender all power in every branch of legislation to the government. The universal practice of every government proves the justness of this remark; for in every doubtful case it is an established rule to decide in favour of authority. The new system is, therefore, in one respect at least, essentially inferior to our state constitutions. There is no bill of rights, and consequently a continental law may controul any of those principles, which we consider at present as sacred; while not one of those points, in which it is said that the separate governments misapply their power, is guarded. Tender acts and the coinage of money stand on the same footing of a consolidation of power. It is a mere fallacy, invented by the deceptive powers of Mr. Wilson, that what rights are not given are reserved.² The contrary has already been shewn. But to put this matter of legislation out of all doubt, let us compare together some parts of the book; for being an independent system this is the only way to ascertain its meaning.

In article III. section 2, it is declared, that "the judicial power shall extend to all cases in law and equity arising under this constitution, the laws of the United States, and treaties made or which shall be made under their authority." Among the cases arising under this new constitution are reckoned, "all controversies between citizens of different states," which include all kinds of civil causes between those parties. The giving Congress a power to appoint courts for such a purpose is as much, there being no stipulation to the contrary, giving them power to legislate for such causes, as giving them a right to raise an army, is giving them a right to direct the operations of the army when raised. But it is not left to implication. The last clause of article I. section 8. expressly gives them power "to make all laws which shall be needful and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof." It is, therefore, as plain as words can make it, that they have a right by this proposed form to legislate for all kinds of causes respecting property between citizens of different states. That this power extends to all cases between citizens of the same state, is evident, from the sixth article, which declares all continental laws and treaties to be the *supreme law* of the land, and that all state judges are bound thereby, "*any thing in the constitution or laws of any state to the contrary notwithstanding.*" If this is not binding

the judges of the separate states in their own office, by continental rules, it is perfect nonsense. There is then a complete consolidation of the legislative powers in all cases respecting property. This power extends to all cases between a state and citizens of another state. Hence a citizen, possessed of the notes of another state, may bring his action, and there is no limitation that the execution shall be levied on the publick property of the state, but the property of individuals is liable. This is a foundation for endless confusion and discord. This, right to try causes between a state and citizens of another state, involves in it all criminal causes; and a man who has accidentally transgressed the laws of another state, must be transported, with all his witnesses, to a third state, to be tried. He must be ruined to prove his innocence. These are necessary parts of the new system, and it will never be complete till they are reduced to practice. They effectually prove a consolidation of the states, and we have before shewn the ruinous tendency of such a measure.

By sect. 8, of article 1. Congress are to have the unlimited right to regulate commerce, external and *internal*, and may therefore create monopolies which have been universally injurious to all the subjects of the countries that have adopted them, excepting the monopolists themselves. They have also the unlimited right to imposts and all kinds of taxes, as well to levy as to collect them. They have indeed very nearly the same powers claimed formerly by the British parliament. Can we have so soon forgot our glorious struggle with that power, as to think a moment of surrendering it now? It makes no difference in principle whether the national assembly was elected for seven years or for six. In both cases we should vote to great disadvantage, and therefore ought never to agree to such an article. Let us make provision for the payment of the interest of our part of the debt, and we shall be fairly acquitted. Let the fund be an impost on our foreign trade, and we shall encourage our manufactures. But if we surrender the unlimited right to regulate trade and levy taxes, imposts will oppress our foreign trade for the benefit of other states, while excises and taxes will discourage our internal industry. The right to regulate trade, without any limitations, will, as certainly as it is granted, transfer the trade of this state to Pennsylvania. That will be the seat of business and of wealth, while the extremes of the empire will, like Ireland and Scotland, be drained to fatten an overgrown capital. Under our present equal advantages, the citizens of this state come in for their full share of commercial profits. Surrender the rights of taxation and commercial regulation, and the landed states at the southward will all be interested in draining our resources; for whatever can be got by impost on our trade and excises

on our manufactures, will be considered as so much saved to a state inhabited by planters. All savings of this sort ought surely to be made in favour of our own state; and we ought never to surrender the unlimited powers of revenue and trade to uncommercial people. If we do, the glory of the state from that moment departs, never to return.

The safety of our constitutional rights consists in having the business of government lodged in different departments, and in having each part well defined. By this means each branch is kept within the constitutional limits. Never was a fairer line of distinction than what may be easily drawn between the continental and state governments. The latter provide for all cases, whether civil or criminal, that can happen ashore, because all such causes must arise within the limits of some state. Transactions between citizens may all be fairly included in this idea, even although they should arise in passing by water from one state to another. But the intercourse between us and foreign nations, properly forms the department of Congress. They should have the power of regulating trade under such limitations as should render their laws equal. They should have the right of war and peace, saving the eq[u]ality of rights, and the territory of each state. But the power of naturalization and internal regulation should not be given them. To give my scheme a more systematick appearance, I have thrown it into the form of a resolve, which is submitted to your wisdom for amendment, but not as being perfect.

“Resolved, that the form of government proposed by the federal convention, lately held in Philadelphia, be rejected on the part of this commonwealth; and that our delegates in Congress are hereby authorised to propose on the part of this commonwealth, and, if the other states for themselves agree thereto, to sign an article of confederation, as an addition to the present articles, in the form following, provided such agreement be made on or before the first day of January, which will be in the year of our Lord 1790; the said article shall have the same force and effect as if it had been inserted in the original confederation, and is to be construed consistently with the clause in the former articles, which restrains the United States from exercising such powers as are not expressly given.³

[“]XIV.⁴ The United States shall have power to regulate, whether by treaty, ordinance, or law, the intercourse between these states and foreign dominions and countries, under the following restrictions. No treaty, ordinance, or law shall give a preference to the ports of one state over those of another; nor 2d. impair the territory or internal

authority of any state; nor 3d. create any monopolies or exclusive companies; nor 4th. naturalise any foreigners. All their imposts and prohibitions shall be confined to foreign produce and manufactures imported, and to foreign ships trading in our harbours. All imposts and confiscations shall be to the use of the state where they shall accrue, excepting only such branches of impost, as shall be assigned by the separate states to Congress for a fund to defray the interest of their debt, and their current charges. In order the more effectually to execute this and the former articles, Congress shall have authority to appoint courts, supreme & subordinate, with power to try all crimes, not relating to state securities, between any foreign state, or subject of such state, actually residing in a foreign country, and not being an absentee or person who has alienated himself from these states on the one part, and any of the United States or citizens thereof on the other part; also all causes in which foreign ambassadours or other foreign ministers resident here shall be immediately concerned, respecting the jurisdiction or immunities only. And the Congress shall have authority to execute the judgment of such courts by their own affairs. Piracies and felonies committed on the high seas shall also belong to the department of Congress for them to define, try, and punish, in the same manner as the other causes shall be defined, tried, and determined. All the before mentioned causes shall be tried by jury, and in some seaport town. And it is recommended to the general court at their next meeting to provide and put Congress in possession of funds arising from foreign imports and ships sufficient to defray our share of the present annual expenses of the continent."

Such a resolve explicitly limiting the powers granted is the farthest we can proceed with safety. The scheme of accepting the report of the Convention, and amending it afterwards, is merely delusive. There is no intention among those who make the proposition to amend it at all. Besides, if they have influence enough to get it accepted in its present form, there is no probability, that they will consent to an alteration when possessed of an unlimited revenue. It is an excellence in our present confederation, that it is extremely difficult to alter it. An unanimous vote of the states is required.⁵ But this newly proposed form is founded in injustice, as it proposes that a fictitious consent of only nine states shall be sufficient to establish it. Nobody can suppose that the consent of a state is any thing more than a fiction, in the view of the federalists, after the mobbish influence used over the Pennsylvania convention. The two great leaders of the plan, with a modesty of Scotsmen, placed a rabble in the gallery to applaud their speeches, and thus

supplied their want of capacity in the argument. Repeatedly were Wilson and M'Kean worsted in the argument by the plain good sense of Findly and Smilie.⁶ But reasoning or knowledge had little to do with the federal party. Votes were all they wanted by whatever means obtained. Means not less criminal have been mentioned among us. But votes that are bought can never justify a treasonable conspiracy. Better, far better, would it be to reject the whole, and remain in possession of present advantages. The authority of Congress to decide disputes between states is sufficient to prevent their recurring to hostility: and their different situation, wants and produce is a sufficient foundation for the most friendly intercourse. All the arts of delusion and legal chicanery will be used to elude your vigilance, and obtain a majority. But keeping the constitution of the state, and the publick interest in view, will be your safety.

(We are obliged, contrary to our intention, to postpone the remainder of Agrippa till our next.)

1. The first part of this essay was printed on 11 January and the third part on 18 January.

2. See James Wilson's 6 October speech to a Philadelphia public meeting (CC:134, pp. 339-40). See also "The Massachusetts Reprinting of James Wilson's Speech of 6 October Before a Philadelphia Public Meeting," 24 October-15 November (RCS:Mass., 120-22).

3. For the text of Article II of the Articles of Confederation, see "Samuel," *Independent Chronicle*, 10 January, note 3.

4. The Articles of Confederation consists of only thirteen articles. This amendment was intended to be the fourteenth one.

5. For the relevant text from Article XIII of the Articles of Confederation, see "Numa" VII, *Hampshire Gazette*, 5 September, note 2 (RCS:Mass., 12).

6. See "Agrippa" XI, *Massachusetts Gazette*, 8 January, note 2.

Massachusetts Gazette, 15 January¹

Yesterday morning was ushered in with the ringing of bells in this metropolis, on account of the pleasing intelligence received by Saturday nights mail,² that the state of Connecticut had added a FOURTH PILLAR to that GRAND REPUBLICAN SUPERSTRUCTURE, the FEDERAL CONSTITUTION. The numbers in favour of the constitution were ONE HUNDRED and TWENTY-EIGHT—against it, *forty*. The former number, were composed of men of the first characters in the state. Thus Connecticut has the honour of being the first of the New England States which has *officially* approbated a plan of government, which, if adopted by the Union, will cause the sound of republicanism, equal law, liberty and justice, to be vociferated from the furthestmost boundaries of New-Hampshire, to the extremities of Georgia.

We are informed, by a vessel arrived at Cape-Ann, after a short passage from Georgia, that that state have ratified the Federal Constitution. Thus is a FIFTH PILLAR added to the glorious fabrick. May Massachusetts add the SIXTH.

If there was one trait of modesty left with those anti-federalists who are continually dinning us with their complaints of "cramming down" the constitution, it would manifest itself, when the whole world is witnessing the unlimited discussion both in convention and in print which the subject undergoes.³

It has been shrewdly hinted, from a *certain quarter*, that should the proposed constitution be adopted by the United States, the hon. R. M.⁴ esq. is the man designed by our brethren at the southward for PRESIDENT, and not the great FABIUS.⁵ It is expected that this will be a subject of enquiry when the hon. E. G. makes his appearance on the floor of the convention.⁶

The introduction of mr. G—— to the convention, cannot be considered by the friends to the constitution as an *inauspicious* event. The utmost that can be expected by the *anti-federalists* from him, is, an *amplification* of the reasons he has already published;⁷ for as to any matters of fact, it is not probable he can be possessed of the knowledge of any, which are not EQUALLY well known to those gentlemen of the delegation who are LEGAL members of convention:⁸ and to suppose that they would *not* communicate *every circumstance* that could conduce to an elucidation of the GREAT SUBJECT, conveys an idea that I presume no man will suggest.

If, says a correspondent, the force of truth, reason, eloquence, and the most sublime rhetorical abilities, were ever influential, the friends of the new constitution have every reason to hope a happy issue to the debates of our state convention; for, never, in any assembly, were greater geniuses in politicks, or men more famed for oratory, than many who now have seats in that august body.

1. The *Massachusetts Centinel*, 16 January, reprinted a variant of the first sentence of the first paragraph. By 13 February seven other newspapers reprinted the first paragraph in whole or in part: Conn. (1), N.Y. (2), Pa. (2), Md. (1), Va. (1). The *Massachusetts Centinel*, 16 January, reprinted a variant of the second paragraph, which was reprinted in the *Cumberland Gazette*, 24 January. The last sentence of the second paragraph was omitted in the reprints that appeared in the *Independent Chronicle*, 17 January; *Essex Journal*, 23 January; *Hampshire Gazette*, 23 January; and *Worcester Magazine*, 24 January. Outside of Massachusetts, the second paragraph was reprinted in whole or in part in thirty-five newspapers by 23 February: Vt. (1), N.H. (3), R.I. (3), Conn. (5), N.Y. (6), N.J. (2), Pa. (12), Md. (1), Va. (2).

The third paragraph was reprinted six times by 5 February: Conn. (1), N.Y. (2), Pa. (2), Md. (1). The fourth paragraph was reprinted eight times by 13 February: N.H. (1), Conn. (1), N.Y. (2), Pa. (2), Md. (1), Va. (1). The fifth paragraph was reprinted in the *Cumberland Gazette*, 24 January, and in five other newspapers by 5 February: Conn. (1), N.Y. (1), Pa. (2), Md. (1). The sixth paragraph was reprinted in the *Cumberland Gazette*, 24 January; *Pennsylvania Mercury*, 29 January; *Pennsylvania Packet*, 30 January; and *Maryland Journal*, 5 February.

2. See "Massachusetts and the Ratification of the Constitution by Connecticut," 6–15 January.

3. In Massachusetts, the term "cramming it down the throats of the people" was used by "A Federalist" in the *Boston Gazette*, 26 November, and in a reply, also signed "A Federalist," in the *Gazette* on 3 December (RCS:Mass., 321, 362). See also the essay addressed to the state Convention in the *American Herald* of 14 January, and a brief paragraph that appeared in the *Boston Gazette* on the same day.

4. Robert Morris of Pennsylvania—merchant, financier, land speculator, and signer of the Constitution.

5. George Washington.

6. On 14 January the state Convention resolved that Elbridge Gerry, who had refused to sign the Constitution, be invited to attend the Convention to answer questions about the drafting of the Constitution. Gerry attended for a few days.

7. For Gerry's objections to the Constitution, see his 18 October letter to the General Court (RCS:Mass., 94–100). That letter was first printed in the *Massachusetts Centinel* on 3 November.

8. Nathaniel Gorham, Rufus King, and Caleb Strong.

Salem Mercury, 15 January

We have already had authentick accounts of the ratification of the New Constitution by three states, viz. Delaware, Pennsylvania and New-jersey; by accounts from Georgia, there is hardly a doubt but that state is the fourth; Connecticut will be the fifth; Southcarolina, Northcarolina, Maryland & Newhampshire, we understand, are very generally in favour of it—which will make NINE; nineteen twentieths of the yeomanry of Virginia, it is said, are for it;¹ the disposition of Newyork may perhaps be better determined, when the result of the present session of their legislature shall be known; it is not improbable, that even Rhodeisland may yet become sober; and as to Massachusetts, the determination of her honourable Convention, now in session, will doubtless be known as soon as the important nature of the subject before them will admit.

1. This statement was taken from the *Pennsylvania Packet*, 25 December, where a correspondent stated that "at least *nineteen-twentieths* of the yeomanry of Virginia are on the side of General Washington, the *Man of the People*, in favour of the new government" (CC:Vol. 3, p. 558. Five Massachusetts newspapers reprinted the *Pennsylvania Packet* item between 8 and 17 January.).

Hampshire Chronicle, 15 January¹

On Wednesday last the Honourable Convention for the State of Connecticut finished their session at Hartford, which lasted but six days—during which time they adopted, ratified and confirmed the Constitution of Government, proposed by the General State Convention held at Philadelphia in September last.—After a fair and candid discussion of every argument for and against the New Federal System, a motion was then made by General Parsons, and seconded by General Huntington, when the Convention divided into yeas and nays, and their appeared as follows, viz. Yeas 128, and Nays 40.

Query.—Have not the virtuous Sons of Connecticut set an example truly worthy of imitation by the *Citizens of Massachusetts*?

1. The first paragraph was reprinted in the *Vermont Gazette*, 21 January.

**Tench Coxe to James Madison
Philadelphia, 16 January (excerpts)¹**

I have obtained from the Editor about sixty pages of the debates of our State Convention, wch. I am anxious to get into the hands of Mr. King for the use of the gentlemen in the Massachusetts convention. Uncertain whether he is in New York or Boston I have taken the liberty of enclosing it to you with a request that you will as early as possible have it sent forward to him under a franked cover from yourself. . . .

Enclosed is a little paper the republication of wch. may possibly be useful in New York²—

1. RC, Madison Papers, DLC. The sixty pages of the debates of the Pennsylvania Convention that Coxe asks James Madison to forward to Rufus King in the Massachusetts Convention were obtained about three weeks before they were published by Philadelphia printer Thomas Seddon as *Debates of the Convention, of the State of Pennsylvania, on the Constitution, Proposed for the Government of the United States*. . . (Evans 21365. See CC:511 for a fuller discussion of the publication and circulation of this volume.). As requested, Madison sent the pages to King, and on 27 January Coxe forwarded some more pages, which Madison also mailed to King. (See Madison to Coxe, 20 January [below]; King to Coxe, 6 February [Mfm:Mass.]; and Coxe to Madison, 27 January, and Madison to Coxe, 30 January, Rutland, *Madison*, X, 435, 444–45.)

2. Coxe's "Philanthropos," an essay pointing out the differences among several prominent Antifederalists (including Elbridge Gerry), was printed in the *Pennsylvania Gazette* on 16 January (CC:454). It was reprinted in the *Massachusetts Gazette*, 5 February, *American Herald*, 25 February, and in eight other newspapers by 10 March: N.H. (1), Conn. (3), N.Y. (2), Va. (1), S.C. (1).

Nathaniel Gorham to Henry Knox
Boston, 16 January¹

Senate Chamber 7 oClock
 Wednesday Evening

this being the only paper the place furnishes I use it to inform you that we are hard at work—& the prospect not very good—numbers are at present against us—& the opposition leaders say they are sure of the Victory—they are your Friend Thompson White of Norton. Bishop of Rehoboth. Doctor Taylor of Worcester County—& Widgery of the Eastward²—if they succeed in opposition to such a phalanx of sensible Men & good Speakers as are in this Assembly it will be very extraordinary—We know all is at stake & work accordingly—say nothing of what I write—

[P.S.] I believe some Letters have been written from N York which have done damage³

1. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York.

2. Samuel Thompson of Topsham, Abraham White of Norton, Phaniel Bishop of Rehoboth, John Taylor of Douglass, and William Widgery of New Gloucester all voted against ratification of the Constitution.

3. Gorham possibly refers to the circulation in Massachusetts of the New York Antifederalist pamphlet *Letters from the Federal Farmer*. (See "The Circulation of the Letters from the Federal Farmer in Massachusetts," 28 December 1787–7 January 1788.) It is also possible that he is referring to an exchange of letters between Antifederalists in New York and Massachusetts. For evidence that these groups were in contact, see Charles Tillinghast to Hugh Hughes, 27–28 January (below); and Melancton Smith to Abraham Yates, Jr., 23 and 28 January (both in Appendix I).

Henry Jackson to Henry Knox
Boston, 16 January (excerpts)¹

my dear Harry

while at Club at Mr. Geyers² I recd your favor by the post this Eveng— & in order to say a few words, have stole into his counting room for a moment. . . .

as you must be very anxious respecting the conduct of this State now in convention I will in future (let what will take place) be very particular in send[ing] you the papers & every information on that head—

We have upwards of 325 Members in Convention—no one can yet determine what will be the result, all good men wish & pray for its adoption—I flatter myself it will finally be obtain'd, at present they move slowly & with great caution—all the able & sensible men are full in favor of it—by g-d it must pass—

I am happy you have undertaken the cure & I pray god from my soul that it may be effectual & that with very little pain & distress to you—my love to Lucy—your ever affectionate

1. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York.

2. Frederick W. Geyer, a Boston merchant. The "Club" was possibly "The Stone House Club." See From Henry Knox, September, note 2 (RCS:Mass., 28).

Massachusetts Centinel, 16 January¹

The accession of our sister State, Connecticut, to the *new* and *effectual* plan of *Confederation*, is a matter of real exultation to the friends of honesty and peace—and every good man sincerely hopes this event is an *earnest* and *foretaste* of that *wisdom* and *patriotism*, which will do so great honour to the Convention of this State.—For if all sense of *justice*, *honour* and *publick faith*, and every principle of regard to the PEACE and HAPPINESS of the *United States*, have not forsaken this Commonwealth, the Convention must adopt the proposed Constitution.

1. The *Centinel*, which had been eagerly awaiting the news of the Connecticut Convention, told its readers on 12 January that "The State Convention of Connecticut have been in session several days.—From the information we have been able to collect, we have good reason to expect, that the Bells of this town [Boston] will soon announce the erection of the FIFTH PILLAR of the GREAT FEDERAL EDIFICE; in the ratification of the Constitution by that State."

Remarker ad corrigendum

Massachusetts Centinel, 16 January¹

Mr. RUSSELL, *A minute in your last² reminded me of the propriety of addressing the Republican Federalist, through your paper. You will therefore much oblige one of your readers by publishing the following in your next.*

To the REPUBLICAN FEDERALIST.

SIR, Your disregard of the opinion of the publick with respect to your publications, as intimated to you in the Independent Chronicle, can be construed only into that hardness of feeling, which all finished monsters of depravity are found ever to possess. It is barely a hope, that the ruggedness of your temper will be softened in the focus of publick contempt; that induces us again to offer you our sentiments. "*Ab Jove principium*"³ was the favourite motto of the ancients, in all publick political enterprizes. Happy indeed for our country would it be, if its citizens would universally adopt this admirable sentiment. But when we look around us and view the various parties which exist in the State, pursuing with equal warmth different objects from different motives, we are ready to say with Cicero, "*Deo volente, homines hominibus*

utiles non volunt."⁴ It would be almost presumption at the present day, to say that morality at least, is a necessary qualification to a good statesman. But however the refinement of modern policy may seem to have worn away the truth of this observation, it is certain that the ancients held it with very singular solemnity. It was the custom of Cyrus, before any great attempt, to attend at the altar and propitiate the God of battles. It is hard to say whether the weal of the publick, the thirst of glory in its defence, or a sense of piety towards the gods was the strongest feature in the ancient republicks—religion was never deferred to any thing.—They were clearly of opinion, that without morality no man could become a good general, a good senator, a good magistrate, or a good citizen of any description. Nor were the reasons on which these ideas were grounded, false. A wise and a good man, a man who truly loves his country, cannot but entertain a high esteem and veneration for religion and virtue, which he sees to be so intimately connected with its prosperity. How can we suppose him sincere and zealous in discharging the duties which flow from the relations which he sustains towards his fellow men, whether in domestick or civil life, who is regardless and insensible to those more important and sacred obligations under which he lies to the parent of the universe? The mind that has lost its regard and veneration for virtue, must be too callous to those sentiments that form good members of civil society in the private ranks of life, and much more so those generous feelings, which fit a man to act with dignity and fidelity in the publick offices of State. Fortunate would it have been, Sir, for the cause of freedom as well as honesty, if these impressions had ever been stamped upon thy heart. Thy understanding is not in fault, but thy will; and though [i.e., thou] wilt ever remain a standing monument of the truth of the remark, that superiour but perverted talents, work indeed superiour mischiefs.

Publick spirit is always an argument of sincerity. To see a man, whom nature has blest with superiour talents, which the benevolent authour of all things designed to be exercised for the good of his creatures, spreading the poison of immorality among all ranks of citizens, dissolving the bands of mutual confidence among men, and lavishing his wisdom with outrageous profusion in the cause of vice and tyranny, is to see the nearest resemblance to infernal spirits, that man can see and live. The system of things teaches us to believe that the gratification of every inclination, to a certain degree affords pleasure. It is upon these principles, and these only, that we can think you are happy. Doubtless thy understanding is biassed by thy will, and thy conscience made up of the compound. But if it be a pleasure to work the destruction of

one's country, it must be a hellish pleasure. Give me leave, Sir, to observe to you, that you are still a stranger to those more noble and exalted pleasures, that arise from a punctual discharge of our duty to the Commonwealth. "Whilst a great event is in suspence, the action warms, and the very suspence made up of hope and fear, maintains no unpleasing agitation in the mind. If the event is decided successfully, such a man enjoys pleasure, proportionable to the good he has done; a pleasure like to that which is attributed to the Supreme Being, on a survey of his works. If the event is decided otherwise, and usurping courts or overbearing parties prevail, such a man has still the testimony of his conscience, and a sense of the honour he has acquired to soothe his mind and support his courage." But such a pleasure does not belong to thee.

You observe that constitutions are sacred things. It is common for refined villains to justify their practice by their principles. But thou—Oh! the extremity of cowardice! afraid to be a rogue, and not wishing to be an honest man, art chequered with a mixture of open depravity and deceiving profession. If thou hadst asked thyself whether contracts were not sacred things, and whether enacting of *Tender Laws*⁵ were not a violation of honest principles, what would thy heart have answered thee? For thy fame's sake venture something, and paint thyself of one colour. Yet variegated as thou art, we can still counterdraw the strokes of malice through thy gilded performance, and assign to every feature, the colour of its original: However secreted by the medium of a duped representation, we can see thy vivid likeness through the veil. We can meet the blackness of thy name, through the labyrinth of thy deception. Detractor! we can trace thee like the snail upon the rock, by the slime of defamation, which thou leavest behind thee. Let us denominate thee a cent[er]ped, a quadruped, or what we please, we can still discern the eccentricity of thy views, in the malice of thy lubrications. We however heartily wish the[e] a speedy reformation. To which end, we beseech thee not to continue in the very port of publick contempt, to score these little pictures of thyself, deformed images of a selfish being. Do not barter virtue for interest. Do not continue to stamp and emit the coin of thy infamy, in such giddy profusion, from thy mint of depravity. They will not pass currently. They are the counterfeit of good intentions, but the intrinsick value of damnability of spirits. On one side the image of thyself, on the other the trumpet which blows its origin. Let us not then labour in vain, and afford us not from experience an obstinate testimony of the truth of the proverb, that though you bray a fool in a mortar, yet will his folly not depart from him.⁶

Jan. 10, 1788.

1. On 12 January the *Massachusetts Centinel* stated that "‘Remarker ad corrigendam’ to the Republican Federalist, and several other speculations are unavoidably postponed."

2. Since this article is dated 10 January, the reference is to the *Massachusetts Centinel* of 9 January, which printed "The Republican Federalist" III. "Remarker ad corrigendam" had already criticized "The Republican Federalist" in the *Independent Chronicle* on 3 January.

3. Latin: "Let us begin with Jupiter," or "let us begin with the most important thing or person."

4. Latin: "Though God is willing, men are unwilling to be useful to men."

5. James Warren, possibly the author of "The Republican Federalist" essays, was occasionally criticized for supporting tender laws.

6. Proverbs 27:22.

Hampshire Gazette, 16 January

Last week, the convention of Connecticut, by a very large majority, ratified the new constitution.

Many people look upon the adoption of the new constitution, as the millenium of virtue and wealth; indeed its auspicious dawn argues much, but it should be remembered, that much depends on our own conduct.

Cumberland Gazette, 17 January

Extract of a letter from a gentleman in Boston, dated the 12th instant.

"The Convention is now sitting. No certain judgment can be formed, how the important question will be terminated;—but, it appears to me, there will be a majority in favour of the Constitution."

Remarker

Independent Chronicle, 17 January¹

To the CITIZENS of MASSACHUSETTS.

FRIENDS & FELLOW-COUNTRYMEN! In our last we commenced answering to the objections which had been stated against the Constitution. We shall now go on with our work. 4th, It is objected, that the Senate in this Constitution, bears too near a resemblance to an aristocratic body. This, however sanctioned by the great objector in Massachusetts,² is extremely disingenuous. It is an idea, thrown out on purpose to excite the jealousy of the people, and could proceed only from a heart so deeply tinged with depravity, as to wish to see the world at large of a correspondent *hue*. Unhappily, fear is a contracting principle, and suspicion a poisoning quality. But, my fellow-citizens, let reason counteract the crafty insinuations of malicious spirits.—Settle in your minds the principles of an aristocracy, and then examine the Senate,

its origin, its power, and its existance, and you will not find a single feature existing in it, which bears the least degree of resemblance to aristocratic deformity. Even their complexions are perfectly distinct. The Senate must derive their origin *from the people*; their power is limited *by the people*, and they are responsible *to the people*. It is easy to convince any honest mind, that the Senate is by no means a-kin to a body of nobles. This will appear by taking the properties of the latter, and applying them to the former. It is said that aristocracy may be either elective or hereditary. It is with this government, as with monarchy, in this respect. However an elective aristocracy, may seem to promise a good administration, experience shows that for some reason or other, practice will not advocate the preference. Contention here among the people always endangers the springs of government. Hereditary aristocracy in those countries, where it hath existed, has always been found to comport better with national happiness, than one that is elective. The properties of an aristocracy, we take to be these,—1st, It is independent; 2d, Permanent; 3d, Uncontrollable, and 4th, Not responsible. It derives its existance from an inherent right of succession, that does not come within the prescription of the people. This being the case, WISDOM, the only necessary qualification for good government, with which aristocracy hath ever been complemented, may vanish. It is also firmly fixed. Let but a body of nobles once rivet upon a people, the chains of slavery, and they are rivetted beyond the possibility of rupture. The nobility is also beyond coutroul. They know no superior upon earth. They are not under any obligations to their subjects, and therefore pay them nothing. The PEOPLE, who in all good governments are the source of power, are not here permitted to put their hands to the wheel of government. The nobility move the machine as they please. They are not responsible, nor do they know of any authority that can call them to an account. None dare say unto them, why do ye thus, or so? But, my fellow-citizens, for a moment call to mind the origin, the mode of existance, and the power of the Senate in this Constitution. Their very being is derived from the people, their power is limited, and after all, they are obliged to render an account to the *people* for their conduct, and may at any time be impeached for malpractices. Beware of false pretensions, and trust not to the crafty insinuations of designing men. Think and believe for yourselves. Judge not because there are many proformances against the Constitution, that spring solely from malicious depravity, that therefore it is bad in itself. It is a very easy matter for persons wickedly inclined to object to any thing. The christian religion itself has had its opposers. It discovers neither genius nor wisdom to object. Does it express much sagacity or

penetration to declaim largely against egregious defects that may exist in any Constitution, without showing that they are to be found in that which is proposed? Or is it not rather easy to excite the suspicions and stir up the fears and jealousy of the people, by telling them that they will lose their liberties, if they grant this, that, and the other power? Any one can cry out to a multitude, that the great fish will eat the little ones up, when in fact there is no danger at all of it. This is paying a very poor compliment to the States indeed. It is impossible that these States, should lose their liberties. Let only the imagination and the feelings be kept quiet, and reason preside, and this Constitution will receive what is due to it, *universal approbation*. The idea of an aristocracy in the Senate, is absurd in another view. If ever there were any qualifications of wealth required, there would be no danger of an aristocracy. The manner of inheriting and the mode of succession in this country, would not admit the amassing of wealth among any number of citizens, to a degree bordering upon aristocracy. Estates are not here entailed, and the dispersion of the fathers among his children, creates such a fluctuation of property, as will not give room for a permanent superiority in fortune. But the fact is, that extensive property is not to be taken into consideration. Here is to be no qualification of wealth. Wisdom and uprightness are the most essential. All honest and sensible men are entitled to a preference. This is a position confined to freedom alone, and which the best republics in the world, have embraced. Aristeus was not less a statesman or a man of integrity, because his estate at his death was not sufficient to discharge the expences of his funeral. Cincinnatus guided at one time the helm of government, and at another the plough, with equal exactness. Thank GOD, poverty is not holden to be a mark of disgrace here, as it is in England. There dignity and wealth are held to be universally concomitant. Here we are glad to embrace wisdom and honesty, whether we find it joined to a great or a moderate fortune. In the reign of Edward the fourth, when fortune frowned upon the Duke of Bedford, the King and Parliament in concurrence knit their brows, and the poor man was degraded. But here such irrational partiality is not to exist.

5th, Neither the liberty of the press, nor the rights of conscience are protected or secured. It may be answered, that if either the liberty of the press, or the rights of conscience, had been violated, a security would have been necessary. Those rights and privileges which are strictly our own, which we every day enjoy, and which we feel and know to be essential to our happiness, we do not chuse to put in the power of our rulers. As long as we are freemen, we shall never be content to give up to our governours the power of securing such rights. We mean

to enjoy and defend them ourselves. My fellow-citizens, the power of Congress does not extend to matters of this nature.

National concerns are all they had to deal with. The liberty of the press can never be endangered, as long as the *people conceive* it to be the grand bulwark of freedom and independence. No other power in the world can ever infringe it. If this should pass for an objection, it might as well be said, that the most local privilege in any state, with which the body of the nation hath nothing to do, is not secured. The only reason then that Convention did not secure these to the different States, was because they had not power to, and this power I hope we never shall grant them, but ratify the proposed Constitution, as it stands recommended, without the least insinuation to that purpose. 6th. But Congress have the power of internal taxation, and that not according to the value of land, but according to numbers. We have long seen the futility of a nominal power in Congress, unsupported by reality. This objection is very ill stated. Congress will not have the power of internal taxation, no more than they have now, but they will indeed have the power of enforcing [its?] collection. I will venture to say, that we shall not be one third part so much burthened with taxes after the adoption of this Constitution, as we are at present. The honest and well meaning have too long been imposed upon to little purpose, it is now time to [oblige?] those who have fraudulently withholden [their?] portion of support to public measures, to [pay] off their scores. Bare *recommendations* have been too long slighted and the delinquency of some States hath engendered evils in them all. In some of the Southern States, the government has been unable to collect a farthing by way of tax, from the inhabitants of the back settlements, this long time. It is now time that those who pay well and honestly should be eased of their burdens by vesting in the supreme, the power of compelling every State to a compliance with such measures. We have experienced evils from the obstinacy of a sister State, the existence of which such a power would have prevented. The confusion of our State finances and the irregularity of continental embursements, hath done more mischief among these States than the arm of a despot could have effected. The supreme power of enforcing the payment of taxes will be deemed by all honest and good men, salutary and wise. It is also a wise alteration, that the respective quotas are to be levied not according to the value of land, but according to numbers. The uncertainty of valuation hath already given birth to much injustice. It is true that the luxury which accompanies commercial wealth, is not so favourable to population as the rugged frugality of an agricultural state. Yet the number of inhabitants, generally speaking, bears a due proportion to the commerce & wealth

of a country. The propriety of any measure is derived from a compound ratio of its intrinsic utility, and the convenience of executing it. Upon these principles the mode of taxation in this constitution is much more near akin to justice, than that which now obtains. There is one clause in this Constitution, which seems to have given offence to some people, but I think not justly. It is that "the times, places and manner of holding elections for Senators and Representatives, shall be prescribed by the Legislature of each State; but Congress may at any time, make or alter such regulations, except as to the place of chusing Senators."

To discover the propriety of this article, we must observe, that without it, if each State were left to itself in these particulars, inconveniences might arise from the passion, or the obstinacy of one State, that could not be remedied, without this controuling power. Congress have no doubt, as good a right to regulate the abuse of one State in this particular, as in any other.

It is a possible case, that the obstinacy of one State might lead them to refuse to elect at all. In others, perhaps, the legislature might abuse the inhabitants, by appointing a place for holding the elections, which would prevent some from attending, and burthen others with very great inconveniences. These are cases in which the supreme power must interpose, and abuses which none but it can rectify.—This is an article, therefore, which makes provision for great good, while it leaves little room for any evil. 7th, but it is objected, that the President is to have no special council. The refined political vision of a very great man, discerned this defect.³ But from all the qualifications, either in the compound, or singly considered, it will appear that the executive is more advantageously vested in a single person, independent of council. The qualifications, 1st, *Fidelity*—To have nothing but the public interest in view.—2d, *Wisdom*—In planning as well as executing the result of deliberations.—3d, *Secrecy*—Not to permit the concerns of the nation to become notorious before they are displayed in regular action.—4th, *Dispatch*—Plans should be executed with expedition. It is indeed a common observation, that delays are dangerous, but if I mistake not, they are more so, or at least more injurious in national matters, than mere private business. With respect to the first,—*Fidelity*,—Whatever we might expect, experience proves, that from that degree of natural jealousy, which adheres to persons invested with an equal degree of power, there is not really so much fidelity to be found among a number as with one. *Envy* is a dividing principle. Another consideration has weight, viz. that bad measures are not so easily counteracted in the one case, as in the other. The sanction of many, even to a bad measure will sometimes be too great a bar to the public voice. In wisdom, a body of

Counsellors, at first view, promise a great superiority. But then the dividedness of opinion, edged by a particular fondness which we ever entertain for our own, has oftentimes become the source of great and heavy evils to a nation. Neither *secrecy* nor *dispatch*, can flourish among a number as with one. Besides it is a position which carries its own evidence with it, that the public interest is more secure in the latter case. Competitors in the road of *ambition*, always endanger public safety, while even treason in an individual, can be nipped in the bud.

8th. There are to be no *expost facto laws*.—This likewise is an objection which comes from a great character.⁴ The best and perhaps the only argument in favor of *expost facto laws*, is that the executive part of government may at any time take upon themselves to construe any particular part of the constitution to their own advantage, which could not be foreseen nor provided for, and that therefore this would render the passing of them necessary, because this would not only serve as a precedent to secure the same construction in future, but would fix in their hands that power which might destroy the peace and liberty of the subject. But when referred to the people at large, they become the poisoners of liberty. The people can never know when they are secure, and the power of making *ex post facto laws* is so unlimited as to admit the extinction of almost every privilege. Among a free people, liberty should not be destroyed, nor any mode of action rendered criminal, by a law bearing influence anterior to its existence. The impropriety therefore of granting Congress the power of making *expost facto laws* may be exposed by this simple assertion, that under such a government, no man could think himself safe. There is one more objection, and that by much the most common, which may possibly arise from its being the best founded, viz. That the constitution tends to reduce the several States to one grand whole, and that their individual *sovereignties* will be done away.

The idea of separate independent sovereignties hath been the canker worm of this union. In determining the propriety, or impropriety of this, the only question which need be asked is, whether *we are to unite or not*; for this once answered in the affirmative, will leave no room to doubt the propriety and necessity of constituting a supreme uncontrollable power some where. The idea of thirteen independent sovereignties is perfectly contradictory to that of union. We can never receive any advantage from any public measure devised, or any plan fallen upon by Congress, if after all each State has the liberty of pronouncing its own will upon it. The futility of this hath often lashed us severely. The absurdity of this is apparent. The original intent in delegating members of Congress is nullified entirely. The representatives of the

several States are met in Congress for the purpose of discerning more clearly the collective interests of the whole, so that they may be enabled to adopt such measures as may tend upon the general scale, to the advantage of the *nation*. Once admit this, and then give to each State the power of chusing or refusing, which it can do only from its own local interests and concerns, what an absurd confusion of power arises to our view. It amounts to neither more nor less than this, that each State constitutes two supreme authorities, both invested with equal, and the same powers. Do, my fellow citizens, in the name of our liberty, our happiness, and our independence, let us no longer content ourselves with seeing such a profusion of evils scattered o'er our land, barely from the obstinate negative which the frenzy or the selfishness of any one State may lead it to impose on the wisest measures of *Congress*.

1. For the first part of "Remarker," see *Independent Chronicle*, 27 December. The publication of this essay by "Remarker" was announced (along with four other items) by the *Chronicle* on 3 January. The other items were printed on 10 January.

2. Probably "John De Witt" III, *American Herald*, 5 November (RCS:Mass., 196-97).

3. See "George Mason's Objections to the Constitution," *Massachusetts Centinel*, 21 November-19 December (RCS:Mass., 289).

4. See *ibid.*, 290.

Worcester Magazine, 17 January¹

The conventions of Four States have adopted the Federal Constitution, viz. Pennsylvania, Delaware, Newjersey, and Connecticut. It is said Georgia has also adopted it, but of this we have no authentick account.

At present we cannot venture a conjecture of what will be the fate of the Federal Constitution in the Convention of this state, now assembled in our metropolis; we have not the least doubt but it will be thoroughly discussed; and we hope the arguments on both sides will have a fair and candid hearing. For the proceedings of the Convention of this State, see page 199 in this Magazine; and for the proceedings of that of Connecticut, see page 201.

1. The second paragraph (minus the last sentence) was reprinted ten times by 13 February: Vt. (1), N.Y. (3), Pa. (4), Md. (1), Va. (1).

Theodore Sedgwick to Henry Van Schaack Boston, 18 January (excerpts)¹

At the time the convention met there was doubtless a majority agt. the constitution. It is certain that several converts have been made in the course of the debates, which side now possess a majority it is impossible to determine, but our friends seem very confident of Victory.—

Gerry is admitted to a seat in the house, this vote passed the second day by a majority of about 20, in a house of about 320.²—He feels small, Bacon & Whiting altho not united personally are very industriously endeavoring to keep their force in the feild³—Milton—[sicker?]⁴ with the temper described by milton of his Devils general, is in town and seems disposed, by desperation, to defeat the measure, but on the other side the freinds of order, of government and the constitution possess such a superiority not only in their cause but in their talants as gives the most pleasing prospect of success.—

I have not called on one single freind except Bruck⁵ and that was owing to the neglect of the town.—I have just given myself an opportunity to see my freinds at dinner, every other moment has been devoted to the great object.—

I am just now informed that our freind B. Lincoln Junr. died this afternoon. He has been long sick. The General will most severely feel this stroke, & indeed the young Gentleman was a man of Virtue, of talants & of honor. . . .

N.B. By order of convention three printers are admitted into the convention that the arguments used on this very important subject may be communicatd to the public.⁶—Let the abstract as it may arrive be inserted in your paper.⁷—Sullivan has joined the oposition.⁸

1. RC, Sedgwick Papers, MHi.

2. See "Elbridge Gerry and the Massachusetts Convention," 21–23 January.

3. Neither Antifederalist John Bacon of Stockbridge nor William Whiting of Great Barrington were delegates to the state Convention. Defeated by Sedgwick, Bacon was in Boston, while Whiting was in Boston contesting the Great Barrington election returns.

4. Antifederalist James Warren of Milton.

5. Possibly Samuel Breck, or his brother William, a distiller.

6. On 14 January the Convention permitted Benjamin Russell of the *Massachusetts Centinel* and Adams and Nourse of the *Independent Chronicle* to have seats (Convention Debates, V below). Reports of the debates were published in both newspapers which were later edited and reprinted in book form.

7. The newspaper was probably the no-longer-extant *American Centinel* of Pittsfield, the town in which Van Schaack resided.

8. For Federalist James Sullivan's growing doubts about the Constitution, see "Hampden," *Massachusetts Centinel*, 26 January.

Agrippa XII

Massachusetts Gazette, 18 January¹

(Concluded from our last.)

To the MASSACHUSETTS CONVENTION.

GENTLEMEN, To tell us that we ought to look beyond local interests, and judge for the good of the empire, is sapping the foundation of a

free state. The first principle of a just government is, that it shall operate equally. The report of the convention is extremely unequal. It takes a larger share of power from some, and from others, a larger share of wealth. The Massachusetts will be obliged to pay near three times their present proportion towards continental charges. The proportion is now ascertained by the quantity of landed property, then it will be by the number of persons. After taking the whole of our standing revenue, by impost and excise, we must still be held to pay a sixth part of the remaining debt. It is evidently a contrivance to help the other states at our expense. Let us then be upon our guard, and do no more than the present confederation obliges. While we make that our beacon we are safe. It was framed by men of extensive knowledge and enlarged ability, at a time when some of the framers of the new plan were hiding in the forests to secure their precious persons.² It was framed by men, who were always in favour of a limited government, and whose endeavours Heaven has crowned with success. It was framed by men, whose idols were not power and high life, but industry and constitutional liberty, and who are now in opposition to this new scheme of oppression. Let us then cherish the old confederation like the apple of our eye. Let us confirm it by such limited powers to Congress, and such an enlarged intercourse, founded on commerce and mutual want, with the other states, that our union shall outlast time itself. It is easier to prevent an evil than to cure it. We ought therefore to be cautious of innovations. The intrigues of interested politicians will be used to seduce even the elect. If the vote passes in favour of the plan, the constitutional liberty of our country is gone forever. If the plan should be rejected, we always have it in our power, by a fair vote of the people at large, to extend the authority of Congress. This ought to have been the mode pursued. But our antagonists were afraid to risk it. They knew that the plan would not bear examining. Hence we have seen them insulting all who were in opposition to it, and answering arguments only with abuse. They have threatened and they have insulted the body of the people. But I may venture to appeal to any man of unbiassed judgment, whether his feelings tell him, that there is any danger at all in rejecting the plan. I ask not the palsied or the jaundiced, nor men troubled with bilious or nervous affections, for they can see danger in every thing. But I apply to men who have no personal expectations from a change, and to men in full health. The answer of all such men will be, that never was a better time for deliberation. Let us then, while we have it in our power, secure the happiness and freedom of the present and future ages. To accept of the report

of the convention, under the idea that we can alter it when we please, will be sporting with fire-brands arrows and death. It is a system which must have an army to support it, and there can be no redress but by a civil war. If, as the federalists say, there is a necessity of our receiving it, for heaven's sake let our liberties go without our making a formal surrender. Let us at least have the satisfaction of protesting against it, that our own hearts may not reproach us for the meanness of deserting our dearest interests.

Our present system is attended with the inestimable advantage of preventing unnecessary wars. Foreign influence is assuredly smaller in our publick councils, in proportion as the members are subject to be recalled. At present, their right to sit continues no longer than their endeavours to secure the publick interest. It is therefore not an object for any foreign power to give a large price for the friendship of a delegate in Congress. If we adopt the new system, every member will depend upon thirty thousand people, mostly scattered over a large extent of country, for his election. Their distance from the seat of government will make it extremely difficult for the electors to get information of his conduct. If he is faithful to his constituents, his conduct will be misrepresented, in order to defeat his influence at home. Of this we have a recent instance, in the treatment of the dissenting members of the late federal convention.³ Their fidelity to their constituents was their whole fault. We may reasonably expect similar conduct to be adopted, when we shall have rendered the friendship of the members valuable to foreign powers, by giving them a secure seat in Congress. We shall too have all the intrigues, cabals and bribery practised, which are usual at elections in Great-Britain. We shall see and lament the want of publick virtue; and we shall see ourselves bought at a publick market, in order to be sold again to the highest bidder. We must be involved in all the quarrels of European powers, and oppressed with expense, merely for the sake of being like the nations round about us. Let us then, with the spirit of freemen, reject the offered system, and treat as it deserves the proposition of men who have departed from their commission; and let us deliver to the rising generation the liberty purchased with our blood.

1. The first two installments of "Agrippa" XII were printed on 11 and 15 January.

2. This allusion to the "forests" is possibly a reference to Nathaniel Gorham, a Massachusetts delegate to the Constitutional Convention, who spent some of the war in isolation in the Worcester County town of Lunenburgh (RCS:Mass., 286, note 7).

3. In particular, "Agrippa" was probably referring to two of the three non-signers of the Constitution, Elbridge Gerry and George Mason, who were singled out for especially harsh treatment by Federalists.

Massachusetts Gazette, 18 January¹

At this all-important period, says a correspondent, no truly honest man, who is not misguided in regard to those measures which ought to be pursued to effect an establishment of the honour and happiness of our country, can hesitate concerning the sentiments which ought to be adopted. The proper definition of the word anti-federalism, is anarchy, confusion, rebellion, treason, sacrilege, and rapine—in short, all the evils contained in Pandora's box, will be scattered far and wide, should anti-federalism unfortunately prevail. In the word federalism is combined, national honour, dignity, freedom, happiness, and every republican privilege. Listen, ye wise men of Massachusetts, ye members of the august state convention! listen to the dictates of truth, of reason, and of justice, and if you will listen, and suffer your own minds to be opened to conviction, sure I am that you will unanimously approbate the GRAND FEDERAL CONSTITUTION.

A correspondent who has attended the debates of the convention, and seen the characters who oppose the federal constitution, and those who support the glorious plan, cannot help exclaiming—great heaven! what a contrast!

The situation of a certain *honourable* gentleman, lately *invited*,² says a correspondent, must be truly mortifying. Subject to the jeer of those who stand upon the punctilios of honour—a *proper* mark for the shaft of the satyr, and the glory only of those who oppose the best plan that ever was calculated to establish the rights and privileges of a free people.

The impudence and illiberality which *wrinkles the brow* of anti-federalism, says an attendant on conventional debates, sufficiently indicates that truth, like a dagger, pricks the heart, and forces upon the features of the phiz, a denial of what the tongue seems determined to propagate.

Should those who are now in opposition to the new plan of government, continue to persevere in that course, and be able to effect their plans, they will soon feel all those miseries they now affect to despise: they may triumph for a short time, but will soon be stopped in their career, and compelled to give up those unjust pursuits in which they may be engaged; and, instead of that admiration and esteem which they hope to gain, they will be consigned over to infamy and reproach.

It has been remarked, a correspondent writes, that if the PILLAR which the Centinel has attempted to raise, instead of being fixed and

established, should fall, that many, who have foolishly and ignorantly opposed its erection, will be crushed under its ruins! It may then be said—Mourn, ye! mourn, ye! for, by the multitude of your sins are ye doomed to affliction!

1. Each of these six paragraphs, except the third, was reprinted in the *New Hampshire Gazette*, 23 January; and the Exeter, N.H., *Freeman's Oracle*, 25 January. Three other newspapers also reprinted some of the paragraphs: *Essex Journal*, 23 January (2, 3, and 5); *Cumberland Gazette*, 24 January (3, 4, and 5); and *New Hampshire Recorder*, 5 February (1, 2, 4, and 5). For a sharp rebuke of the third paragraph, see "Lucan," *American Herald*, 28 January.

2. A reference to Elbridge Gerry, who was invited by the Massachusetts Convention on 14 January to attend its sessions. See "Elbridge Gerry and the Massachusetts Convention," 21–23 January.

John Avery, Jr., to George Thatcher **Boston, 19 January¹**

Being pretty confident that you and my old friend Mr. Otis² will be much gratified with the debates of the Convention from day to day I will endeavour to procure you the papers and forward them by every post—The Speeches of the several Members are taken down in short hand by two Gentlemen who are admitted for that purpose³—The Gentlemen you will find are warmly engaged in the Matter; however I am seriously of Opinion that if the most sanguine among them who are for adopting the proposed Constitution as it now stands would discover a conciliating disposition and give way a little to those who are for Adopting it with Amendments I dare say they would be very united indeed to have a small Majority for adopting the Constitution when the sentiments of the People are so variant upon the Subject would have a tendency very disagreeable in the End therefor I hope they will come into some Compromise before long—my Wishes are that they may adopt it and propose Amendments which when agreed upon, to transmit to the several States for their Concurrence—That Amendments should be made, seems to be the prevailing Opinion and I can't but think they will be attended to provided they are not of a local Nature and which would make the Peoples Minds perfectly satisfied; however I hope the Convention will be wisely directed and that we may have a permanent Government is my sincere prayer—Our friend Major Nason spent the last Evening with me and we had considerable Conversation upon the subject of said Constitution and find that he is warmly engaged in the Matter; he was so obliging to give me the perusal of your Letter to him—I wrote you a few days ago upon the Subject of Mrs. Chase's Affairs which I hope you have received—

Please to present my best Regards to Mr. Otis and tell him that a Line from him would be very acceptable—

1. RC, Chamberlain Collection, Thatcher Papers, MB. Avery (1739–1806), a 1759 graduate of Harvard College and a former Boston distiller and merchant, was a leader of the Sons of Liberty before the Revolution. He was deputy secretary of the state Council, 1776–80, and secretary of the commonwealth, 1780–1806.
2. Samuel A. Otis, Thatcher's fellow Massachusetts delegate to Congress.
3. See Theodore Sedgwick to Henry Van Schaack, 18 January, note 6.

William Pynchon Diary
Salem, 19 January (excerpts)¹

Saturda. snow & rain PM. . . . good news from ye Conventn a prospect yt. ye Constitn. may be accepted

1. MS, Pynchon Papers, MHi. Pynchon (1723–1789), a native of Springfield and a 1743 graduate of Harvard College, was a Salem lawyer. Before and during the Revolution, Pynchon was a Loyalist who was constantly harassed by Whigs. However, he remained in Massachusetts and criticized the British for their harsh prosecution of the war. From 1786 until his death, Pynchon served as a justice of the peace and quorum for Essex County.

Joseph Savage to George Thatcher
Weston, 19 January (excerpt)¹

. . . The friends to the New Government are fearfull that the Constitution will not go down in this State. . . .

1. RC, Chamberlain Collection, Thatcher Papers, MB.

Massachusetts Centinel, 19 January¹

So far as the discussion of the Constitution has proceeded, the defence it has received is astonishing—*divine providence* on this occasion, affords one of those few opportunities which occur in the revolution of human affairs, for the unfolding and displaying the amazing powers of the human mind—and from the progress already made in convincing those who were before unconvinced, and bringing to view the latent perfections of the system, should the arguments on which the remaining part depends for their support, be equally demonstrative and convincing, it may be presumed that had *two thirds* of the Convention been opposed to its adoption at the beginning, there will not be *one third* for its rejection at the close of the session.

It may be easily conceived from the volume of arguments opened in favour of some parts of the Constitution which were thought to be the least defensible, that what have been considered as defects will turn

out in the event from experience to be the most invaluable jewels of the system.

1. Both paragraphs were reprinted in the *Essex Journal*, 23 January, and in five out-of-state newspapers by 5 February: N.H. (2), R.I. (2), Conn. (1). By 19 February five additional newspapers reprinted only the first paragraph: R.I. (1), N.J. (1), Pa. (2), Md. (1).

“M”

Massachusetts Centinel, 19 January¹

The WISH.

I wish you all may live in peace;
 May see the publick discords cease;
 Each State, with speedy resolution,
 Adopt the federal Constitution;
 Mechanick Arts and Trade revive,
 And Agriculture spread and thrive;
 That Peace and Plenty, hand in hand,
 Once more may travel through the land;
 That Money may again abound,
 And Crowns and Dollars pass around,
 As thick as drops of falling rain,
 As thick as sands that strew the plain,
 As thick as atoms fill the air,
 Or Lawyers throng about the bar.

1. Reprinted: *Hampshire Chronicle*, 30 January; *Norwich Packet*, 28 February; *Albany Gazette*, 27 March; *Philadelphia Federal Gazette*, 29 March (in part, with revision); *Virginia Independent Chronicle*, 9 April. In the *Albany Gazette's* reprinting, the title was changed to “The WISH of a true SON of COLUMBIA.” In the *Federal Gazette's* reprinting, lines 7–8 and 13–14 were dropped and lines 11–12 were reversed. Only the *Hampshire Chronicle's* reprinting included the pseudonym “M.”

The Republican Federalist V

Massachusetts Centinel, 19 January¹

To the MEMBERS of the CONVENTION of MASSACHUSETTS.

Honourable Friends, and Fellow Citizens, The proceedings of the federal Convention, having, as has been shewn, originated in usurpation, and being founded in tyranny, cannot be ratified by the State Convention, *without breaking down the barriers of liberty; trampling on the authority of federal and State Constitutions, and annihilating in America, governments founded in compact.* In this predicament, there appears but two measures which can with safety be adopted by the Convention of this State. One has been hinted at, *an adjournment,* until the sense of Virginia can be

known. The great danger in this business is, from *precipitation*, not from *delay*: The *latter* cannot injure whilst the *former* may *irretrievably* ruin us; an adjournment would not only ripen the judgment of our own citizens, but give them an opportunity of benefiting by the opinions of those States, which are attentive to, but not *extravagantly* zealous in this matter. The other measure is, to return the proceedings of the federal Convention to the legislature of this State, to be by them transmitted to Congress, and *amended* agreeably to the articles of Confederation: For the system being *improperly* before the State Convention, and they being *incompetent* to a ratification of it, cannot thereby bind the citizens of Massachusetts. Had the system been in itself unobjectionable, it is evident from what has been said, that the sentiments of the qualified voters *on the necessity* of a revision, *must* have been taken, and two thirds of them *must* have been in favour of it, before a State Convention could be called for amending the Constitution, much more for dissolving the government.

Let us once more particularly attend to the system itself. It begins, "We the People of the United States, in order to form a more perfect union," &c. "do ordain and establish this Constitution for the United States of America"—In other words, *We the people, do hereby publicly declare the violation of the faith which we have solemnly pledged to each other—do give the most unequivocal evidence, that we cannot ourselves, neither can any others, place the least confidence in our most solemn covenants, do effectually put an end in America, to governments founded in compact—do relinquish that security for life, liberty and property, which we had in the Constitutions of these States, and of the Union—do give up governments which we well understood, for a new system which we have no idea of—and we do, by this act of ratification and political suicide, destroy the new system itself, and prepare the way for a despotism, if agreeable to our rulers.* All this we do, for the honour of having a system of consolidation formed by us the people. This is not *magnifying*, for such are the facts, and such will be the consequences. Indeed we find *despotism* not only in contemplation of the Pennsylvanians, but openly avowed in their State Convention, in the words following—"DESPOTISM, if wisely administered, is the best system invented by the ingenuity of man." This was declared by chief justice M'Kean;² and in such an high office, we must suppose him a man of too much precaution to have made the declaration, had he not known, that a majority of the Convention, and of the citizens, who so highly applauded his speeches, were of his opinion. M. Montesquieu, in his "Spirit of Laws," 1st vol. book 3, chap. 9, says, "As *virtue* is necessary in a *republick*, and *honour* in a *monarchy*, so *fear* is necessary in a *despotick* government: With regard to *virtue*, there is no occasion for it, and *honour* would be extremely

dangerous.”³ Thus has a declaration been made in Pennsylvania, in favour of a government which substitutes *fear* for *virtue*, and reduces men *from rational beings* to the *level of brutes*; and if the citizens of Massachusetts are disposed to follow the example, and *submit their necks to the yoke*, they must expect to be governed by the *whip* and *goad*. But it is remarkable, that the resolution of the federal Convention, for transmitting the system to the people, provided, “that the Constitution should *be laid before the United States in Congress assembled*, and afterwards submitted to a Convention of Delegates, chosen in each State by the people thereof, *under the recommendation of its legislature* [”];⁴ thus making Congress and the legislatures, *vehicles of conveyance*, but precluding them from passing their judgments on the system. Had it been submitted to their consideration, their members were men of such discernment, that the *defects* as well as *excellencies* of the plan, would have been clearly explained to the people; but immediately on the publication of it, we find measures were taken to prejudice the people against all persons in the legislative, executive and judicial departments of the States and Confederacy (if opposed to the plan) as being actuated by motives of private interest. Mr. Wilson, a member of the federal and Pennsylvanian Convention, in his town meeting speech, adopted this practice, which, to say the least of it, was very *illiberal*.⁵ Indeed, it is but justice to observe, that many artful advocates of this plan, to cover their designs of creating a government which will afford *abundance* of *legislative offices for placemen and pensioners*, *proclaimed suspicions* of others, and diverted the attention of the people from themselves, on whom the odium should fall.

Let us now proceed to the provision in the system for a representation of the people, which is the *corner stone* of a free government. The Constitution provides, art. 1st, sect. 2, “that representatives and direct taxes shall be apportioned among the several States, which may be included within this union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other persons.” [“Representatives” then are to be “apportioned among the several States, according to their respective numbers,” and *five* slaves, in computing those numbers, are to be classed with *three* freemen—By which rule, fifty thousand slaves, having neither *liberty* or *property*, will have a representative in that branch of the legislature—to which more especially will be committed, the *protection of the liberties*, and *disposal of all the property* of the freemen of the Union—for thus stands the new Constitution. Should it be said, that not *the slaves* but their *masters* are to send

a representative, the answer is plain—If the *slaves* have a *right* to be represented, they are *on a footing* with *freemen*, *three* of *whom* can then have no more than an equal right of representation with *three slaves*, and these when qualified by property, may elect or be elected representatives, *which is not the case*. But if they have not a right to be represented, their masters can have no right derived from their *slaves*, for *these* cannot transfer to others what they have not themselves. Mr. Locke, in treating of political or civil societies, chap. 7, sect. 85, says, that men “being in the state of slavery, not capable of any property, cannot, in that state, be considered as any part of civil society, the chief end whereof, is the preservation of property.”⁶ If slaves, then, are no part of civil society, there can be no more reason in admitting them, than there would be in admitting the *beasts* of the field, or *trees* of the forest, to be classed with *free electors*. What covenant are the freemen of Massachusetts about to ratify? A covenant that will degrade them to the *level of slaves*, and give to the States who have as many blacks as whites, *eight* representatives, *for the same number of freemen* as will enable this State to elect *five*—Is this an *equal*, a *safe*, or a *righteous* plan of government? Indeed it is not. But if to encrease these objections, it should be urged, “that representation being regulated by the same rule as taxation, and taxation being regulated by a rule intended to ascertain the relative property of the States, representation will then be regulated by the principle of property.” This *answer* would be the only one that could be made, for representation, according to the new Constitution is to be regulated, either by *numbers* or *property*.

Let us now inquire of those who take this ground, what right they have to put a construction on the constitution, which is repugnant to the express terms of the Constitution itself? This provides, “that representatives shall be apportioned among the several States, *according to their respective numbers*.” Not a word of *property* is mentioned, but the word “numbers” is repeatedly expressed—Admitting however that property was intended by the Constitution as the rule of representation, does this *mend the matter*? It will be but a short time, after the adoption of the new Constitution, before the State *legislatures*, and *establishments in general* will be so *burthensome* and *useless* as to make the people desirous of being rid of them, for they will not be able to support them. The *State appointment* of Representatives will then cease, but *the principle of representation according to property*, will undoubtedly be retained, and before *it is established* it is necessary to consider whether it is a just *one*, for if *once* it is *adopted* it will *not be easily altered*.—According to this principle, a man worth £.50,000 is to have as many votes for representatives in the new Congress, as *one thousand men*, worth £.50 each: And

sixty such nabobs may send *two* representatives, while *sixty thousand* free-men having £.50 *each* can only send the same number. Does not this establish in the representative branch of the new Congress, a principle of aristocracy, with a vengeance? The Constitution of the several States, admit of no such principle, neither can any freeman with safety thus surrender, not only the intire disposition of their property, but also, the controul of their liberties and lives to a few opulent citizens. Should it be said that the rule of federal taxation, being advantageous to the State, it should be content with the same rule for representation. The answer is plain, the rule gives no advantage, but is supposed to be advantageous to Massachusetts, and to be an accommodation very beneficial to the southern States: But admitting this State will be benefited by the rule, is it disposed to sell its birthright, the right of an equal representation in the federal councils *for so small a consideration*? Would this State give up that right to any State that would pay our whole proportion of *direct* and *indirect taxes*? Shall we relinquish some of the most essential rights of government, which are our only security for every thing dear to us, to avoid our proportion of the publick expense? shall we give up all we have, for a small part of it? This if agreed to, would be no great evidence of our wisdom or foresight. But it is not probable, in the opinion of some of the ablest advocates for the new system, that *direct taxes* will ever be levied on the States, and if not, the provision for levying such taxes will be *nugatory*: We shall receive no kind of benefit from it, and shall have committed ourselves to the mercy of the states having slaves, *without any consideration whatever*. Indeed, should direct taxes be necessary, shall we not by increasing the representation of those States, put it in their power to prevent the levying such taxes, and thus defeat our own purposes? Certainly we shall, and having given up a substantial and *essential* right, shall in lieu of it, have a mere *visionary advantage*. Upon the whole then, it must be evident, that we might as well have committed ourselves to the parliament of Great-Britain, under the idea of a *virtual representation* as in this manner resign ourselves to the federal government.

1. For a response to this essay, see "Amator Patriæ," *Massachusetts Gazette*, 29 January.

2. See headnote to "Poplicola," *Boston Gazette*, 24 December. For other comments on McKean's speech, see "Dependent Chronicle," *American Herald*, 7 January, at note 2; and "The Republican Federalist" IV, *Massachusetts Centinel*, 12 January, at note 9.

3. Montesquieu, *Spirit of Laws*, I, Book III, chapter IX, 38. The italics were inserted by "The Republican Federalist."

4. See CDR, 317-18. The italics were inserted by "The Republican Federalist."

5. See the concluding paragraph of James Wilson's 6 October speech, in which he said that "It is the nature of man to pursue his own interest, in preference to the public good; and I do not mean to make any personal reflection, when I add, that it is the interest of

a very numerous, powerful, and respectable body to counteract and destroy the excellent work produced by the late convention" (CC:134).

6. Locke, *Two Treatises*, Book II, chapter VII, section 85, p. 341.

Nathaniel Gorham to Henry Knox
Charlestown, 20 January (excerpt)¹

You must have been pleased with the resolutions of the Boston Trades Men—I think they will do good every where—do see that they are published in N York they will convert or at least silence all the Delegates of that Town²—The subject before the Convention is agitated with great warmth & zeal—but you will easily judge of the arguments when you advert to the Leaders of the opposition—& at the same time look upon the inclosed paper & consider those names which are dot[t]ed & denote those who are decidedly in favour of the plan, if I do not miscount they amount to 150—there are about 120 or thirty as positively determined on the other side—the remainder (some of which are mark[ed] with a cross) appear to be determined to hear all that can be said on the subject—& then vote as they may think right—every measure & contrivance possible is used by both sides to gain proselites—as the Antifederalists are more mixed in the Lodging Houses with those Neutral characters they have the best chance by private Conversations—while the federalists have the best of it in public—in short the chance is nearly equal & be the fate of the question as it may—the majority will be very small—but that temper which creates the difficulty here ought to alarm all the other States who wish for good Government & peace—do explain this to your Friends at the Southward—that they may know if the question is lost to what cause to attribute it. . . .

1. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at The Pierpont Morgan Library, New York. Dated only "Sunday Noon," internal evidence reveals that the letter was written on Sunday, 20 January. The balance of the letter, dealing with the conflict concerning Elbridge Gerry's presence and participation in the Massachusetts Convention, is printed in V below.

2. See "The Meeting of the Tradesmen of Boston on the Constitution," 7 January. On 18 January, two days before Gorham wrote this letter, the resolutions were published in two New York City newspapers, the *Daily Advertiser* and *New York Morning Post*.

John Jackson to Keith Spence
Boston, 20 January (excerpt)¹

. . . Our Convention is in session, but it is impossible to give you a proper estimate what will be the Result, the parties are nearly equal, & run high & were a Wager to be laid, I should be undetermined which

side to bet on, Federalists & Anti Federalists are the Ton of the Day, the important question will probably be determined this week—

1. RC, Spence-Lowell Papers, Henry E. Huntington Library, San Marino, Calif. This letter was "Hond. by Colo. [John] Langdon," a Portsmouth, N.H., merchant and a former delegate to the Constitutional Convention. A delegate to Congress, Langdon stopped in Boston and attended the Massachusetts Convention for a few days on his way home. Jackson (c. 1753–1809), a former Continental Army officer in Colonel Henry Jackson's regiment, 1777–78, and a clerk of Boston's public market, 1780, was a Boston securities broker. Spence (d. 1809) was a Portsmouth merchant.

Henry Knox to Egbert Benson
New York, 20 January (excerpt)¹

Beleiving as I do that you must in this stage of the business be anxious to know how they are going on in the Massachusetts Convention I just drop you a few lines on the Subject.

The parties stand stood [marshalled?] on the 20 19th nearly thus about 150 decidedly for the constitution. about 120 or 125 decidedly against it—and about 50 or 60, who appear to determine to hear all that can be said on both sides and then vote as they shall think right—Mr S Adams is in this class—on the whole it is highly probable that the Constitution will be adopted—Every man of talents and influence are on the federal side—The leaders of the opposition are not respectable either on account of their money property or abilities—most probably the grand question will not be determined in less than a fortnight from the present time so that we shall not hear of its issue in less than three weeks. . . .

1. FC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at The Pierpont Morgan Library, New York. Benson (1746–1833), a Dutchess County member of the New York Assembly meeting in Poughkeepsie, was attorney general of New York, 1777–89, a delegate to Congress, 1784, 1787–88, and a commissioner to the Annapolis Convention, 1786. A strong supporter of the Constitution, he was elected to the U.S. House of Representatives in 1789.

From James Madison
New York, 20 January

To Tench Coxe (excerpt)¹

I have received and forwarded your letter and pamphlet to Mr. King.² The latest information from Boston makes it probable that every aid to the federal cause will be wanted there. The antifederal party have found such reinforcements in the Insurgents, and the province of Maine which is afraid of creating obstacles to her separation, that there

is the most serious reason to apprehend the friends of the Constitution will be outnumbered. The consequences of such an event elsewhere, are as obvious as they are melancholy. . . .

*To Governor Edmund Randolph (excerpt)*³

. . . The intelligence from Massachs. begins to be rather ominous to the Constitution. The Interest opposed to it is reinforced by all connected with the late insurrection, and by the province of Mayne which apprehends difficulties under the new System in obtaining a separate Government greater than may be otherwise experienced. Judging from the present state of the intelligence as I have it, the probably is that the voice of that State will be in the negative. The Legislature of this State [New York] is much divided at present. The House of Assembly are said to be friendly to the merits of the Constitution. The Senate, at least a majority of those actually assembled, are opposed even to the calling a Convention.⁴ The decision of Massts. in either way, will decide the voice of this State. The minority of Penna. are extremely restless under their defeat, will endeavor at all events if they can get an assembly to their wish to undermine what has been done there, and will it is presumed be emboldened by a negative from Massts. to give a more direct & violent form to their attack. . . .

*To George Washington (excerpt)*⁵

. . . The intelligence from Massachusetts begins to be very ominous to the Constitution. The antifederal party is reinforced by the insurgents, and by the province of Mayne which apprehends greater obstacles to her scheme of a separate Government, from the new system than may be otherwise experienced. And according to the prospect at the date of the latest letters, there was very great reason to fear that the voice of that State would be in the negative. The operation of such an event on this State [New York] may easily be foreseen. Its Legislature is now sitting and is much divided. A majority of the Assembly are said to be friendly to the merits of the Constitution. A majority of the Senators actually convened are opposed to a submission of it to a Convention. The arrival of the absent members will render the voice of that branch uncertain on the point of a Convention. The decision of Massachusetts either way will involve the result in this State. The minority in Penna. is very restless under their defeat. If they can get an Assembly to their wish they will endeavor to undermine what has been done there. If backed by Massts. they will probably be emboldened to make some more rash experiment. . . .

1. RC, The *Forbes* Magazine Collection, New York (all rights reserved). Printed: Rutland, *Madison*, XVII, 525–26.

2. See Coxe to Madison, 16 January, and note 1.

3. RC, Madison Papers, DLC. Printed: Rutland, *Madison*, X, 398–99.

4. On 1 February the New York legislature, meeting in Poughkeepsie, voted to call a state convention. For more on the opposition to the Constitution in the New York legislature, see CC:439. In his 20 January letter to Coxe Madison also discussed the situation in the New York legislature.

5. RC, Washington Papers, DLC. Printed: CC:464.

Henry Van Schaack to Peter Van Schaack Pittsfield, 20 January (excerpts)¹

Yours of the 15th came to hand last Evening. I am obliged to you for your communications of the proceedings of your Grand Jury—It does them honor. I wish you had sent me a Copy of the address.²

The Protest of the Minority in Pennsylvania appears to me to be a laboured performance and is I think purely calculated to inflame.³

All the accounts from the Eastward have asserted a decided Majority in favor of the New proposed Government until yesterday I rec[e]ived a letter from a friend dated 9th Instant at Boston. “It is absolutely impossible at present to predict the issue of the deliberations of the Convention. At present I believe a Majority are in Opposition. Hancock is President and the Chief Justice Vice President.⁴ S Adams Old Turner^(a) and Doctr. Holton^(b)⁵ are said to be in opposition they are not I think characters to be dreaded so that I feel Sanguine

“The tradesmen of this town have had a meeting and passed some very pointed resolutions in favor of the System These were aimed at Adams who certainly has not acted very honorably in deceiving his Constituents”⁶ Mr. Adams’s abilities in popular Assemblies are such that much is to be apprehended if he comes decidedly forward in opposition to the wishes of his Constituents—He will descant upon the beauties of a republican Government—That there is still virtue enough left in the people to support the fabrick—He will reprobate the Idea of consolidation and create numberless fears that would not otherwise be thought of &c &c. These observations I have been led to make from lengthy discourses I have had with him. And from them I predicted very early that he co[ful]d not in Sentiment be in favor of the New Offered System. I hope most sincerely that I may be mistaken.

I send you the paper that has the Resolves of the tradesmen in Boston⁷—I have also sent you a paper that has a piece signed “Republican Fœderalist”⁸ The author I suppose to be S A. One of the Numbers was in the paper I sent you before. Let me entreat of you not to loose a

paper but return them all by safe hands. I will continue by every Opportunity to give the earliest and fullest information of all that is going forward in our Metropolis. The middle of next Week I expect some very interesting letters and a number of News papers. My friends at Boston are anxious to hear what your Legislature is about I wish to gratify them by every opportunity.

The famous Luke Day is certainly taken and carried into Boston.⁹ . . .

This will be sent probably from Albany where I purpose to be to morrow On my return you will hear from me about the time

[P.S.] I wrote you Three or four days ago and left my Letter with Joseph Bryant of Richmond. There was a letter for David & some News papers &c &c I hope the Packet has got to hand.

(a) A Member of the Senate decidedly in favor of Government in suppressing the Insurrection.

(b) Lately a member of the Continental Congress. A Gentleman, however, of little importance.

1. RC, Van Schaack Family Collection, NNC. This letter was addressed to Peter Van Schaack in Kinderhook, N.Y.

2. After the Columbia County, N.Y., court of general sessions completed its work at 11:00 P.M. on Saturday, 12 January, the grand jury presented their unanimous address to the justices. The jurors emphasized the importance of the preservation of the Union and asserted that the Constitution contained "every safe guard, which human foresight can suggest, for perpetuating to our posterity the blessings of Freedom; and which we conceive has regulated the distinct rights of each State, and the individual rights of the citizens of the United States, with an enlarged view the great objects of public tranquility, public union and the prosperity of the WHOLE." Printed in the supplement to the *Albany Gazette*, 17 January, the address was reprinted in the *Massachusetts Gazette* on 19 February and in twelve other newspapers by 21 February: R.I. (1), Conn. (2), N.Y. (4), N.J. (1), Pa. (4).

(4). David Van Schaack of Kinderhook, N.Y., brother to Henry and Peter, was one of the jurors, whose names appeared at the end of the address. A short summary of the address appeared in the regular issue of the *Albany Gazette*, 17 January, and was reprinted in the *New Hampshire Spy*, 1 February; Litchfield, Conn., *Weekly Monitor*, 4 February; *Salem Mercury*, 19 February; and *Hampshire Chronicle*, 27 February. Another summary printed in the *Hudson Weekly Gazette*, 17 January, was reprinted seven times by 25 February: N.Y. (2), Pa. (2), Md. (1), S.C. (2).

3. See "The Dissent of the Minority of the Pennsylvania Convention," *Pennsylvania Packet*, 18 December (CC:353).

4. William Cushing.

5. Samuel Adams of Boston, Charles Turner of Scituate, and Samuel Holten of Danvers. Adams and Turner, who opposed the Constitution in the Convention, voted to ratify the Constitution after the Convention agreed to propose amendments. There is no record that Holten voted on the Constitution.

6. See "The Meeting of the Tradesmen of Boston on the Constitution," 7 January.

7. The proceedings of the tradesmen's meeting appeared in the *Massachusetts Gazette*, 8 January, *Massachusetts Centinel*, 9 January, *Independent Chronicle*, 10 January, *Boston Gazette*,

14 January, and *Worcester Magazine*, 17 January, any one of which might have been sent to Van Schaack in Pittsfield.

8. Between 29 December 1787 and 19 January, five numbers of "The Republican Federalist" were printed in the *Massachusetts Centinel*.

9. On 7 January the *Boston Gazette* reported that Shaysite leader Luke Day of West Springfield was apprehended in New Hampshire and was taken to Boston, arriving there under escort on 5 January. A similar report appeared in the *Massachusetts Centinel*, 9 January.

A Countryman

American Herald, 21 January

To the Sons of Violence and Indecency, where or whoever they may be.

Will your pride and arrogance bear correction from uncorrupted understanding? And will your affectation of knowledge, bend to reproof, resulting from plain sense, and rustic decency? Your favorite system of despotism does not happen to suit the freeborn minds of those, who have so lately fought and bled in opposition to the same principles by which it is formed, and the same arrogant ideas by which you attempt in a lordly and over-bearing manner, to support it.

I am a plain countryman; I came into Boston under the confidence of my town who are Freeman;—I came to hear arguments, and to bend to conviction; I have spoken my sentiments—I have not been hissed, tho' I had reason to expect it—I am pointed at and abused in the streets, for what? Because I feel the independence of a Freeman, and act according to my sentiments. All wisdom is now supposed to be centered in one town, and we seem to be considered as mere cattle.—But when your ports were shut up; when your tradesmen were starving, and your trade at an end, *our free Donations* of beef and grain were very acceptable.—We were then called upon to sacrifice for *Trial by Jury*, for freedom of speech, and writing, in religion, and politicks. But when we come to exercise the freedom we have contended for, we are treated with contempt and ridiculed. We are aware, that there are many men of rank and eminence, who are in favour of the New Constitution:—And we are sorry to observe, that the same sentiments, the same contempt for the rusticity of low life, and the same scorn of our abilities, as men in office had before the revolution, still remains in our country.—But they who conceive, that a mere Paper System, can change the feelings, views and ideas of the great body of the people, at once, are no politicians. The progress from Freedom to Slavery, must be progressive; the transition proposed is too sudden.—The gulph is too deep for one leap; if *Democracy is a volcano containing the fiery materials*, of its

own dissolution,¹ this System is a bottomless ocean, where the sinking into Slavery is endless—it is a deep mine, where iron shackles are produced by the natural heat of the vapour, in perfect shape, without the weight of the Hammer.

Can you, ye wise men of Goshen, suppose or believe, that we shall submit to give up our County Courts, and go many days journey from home for that Justice we used to receive [at?] our own doors? Can one Judge appointed by Congress, try all the causes which will arise under this constitution, and which the chicane of Lawyers will throw into that jurisdiction? Where are we to have our land titles tried? Not in our own Counties, but in the Metropolis, where the Judge is to hold his pompous court. Do you think that we are to lay ourselves liable to be tried upon the information of an Attorney-General, exhibited in any part of the State, he shall choose to pack a Jury in, and that we are to be deprived of that grand Barrier, the Indictment by Grand Jury, merely because the gulled and ignorant Tradesmen of — choose it, and will abuse us unless we submit to it? Are we to give up every thing dear to us, because it is demanded by a set of men, who, while they make the demand, exhibit a spirit of despotism—equalled only by that of the Barons of the Germanic Empire (so extolled by Judge Elsworth) over their vassals.² To be plain with you, we shall not.—We shall allow Congress the controul and regulation of trade, the revenue of all imposts and excises—with courts to carry their laws in execution, to try causes between State and State, public Ministers, &c. and the regulation of currency:—But we shall retain a trial by jury as our dearest privilege, as that democratic balance, which can never be corrupted by Government, or subverted by the chicane of Lawyers.

A STANDING ARMY in time of peace—TRIAL FOR LIFE without the accusation of GRAND JURY—TRIAL by JURY in Civil cases GIVEN UP—TRIAL by JURY for crimes in the vicinity, TAKEN AWAY.—Is this, oh, AMERICANS! what you have BLED for?—

1. A reference to a speech delivered by Fisher Ames of Dedham in the Massachusetts Convention on 15 January: "A democracy is a volcano, which conceals the fiery materials of its own destruction" (Convention Debates, 15 January, V below).

2. A reference to Oliver Ellsworth's 4 January speech in the Connecticut Convention, in which he described the use of coercion in various republics. Ellsworth, a former delegate to the Constitutional Convention, declared that "How is it with respect to the principle of coercion in the Germanic body? In Germany there are about three hundred principalities and republics; deputies from these meet annually in the general Diet to make regulations for the empire. But the execution of those is not left voluntarily with the members. The empire is divided into ten circles; over each of which a superintendant is appointed, with the rank of a major-general. It is his duty to execute the decrees of the empire with a military force" (CC:413, p. 246; and RCS:Conn., 543). Ellsworth's speech was first printed on 7 January in the *Connecticut Courant* and *Hartford American*

Mercury. In Massachusetts, it was reprinted in the *Massachusetts Gazette*, 15 and 18 January, and *Massachusetts Centinel*, 16 January. The *Centinel* printed it under the heading "Mr. ELLSWORTH's excellent Speech," with this preface: "As it conveys the most important information, and the fairest reasoning, in the plainest language—we with pleasure embrace the opportunity of inserting the following Speech, made at the opening of the deliberations of the CONVENTION of CONNECTICUT, Jan. 4, 1788."

The Alleged Bribery and Corruption of the Delegates to the Massachusetts Convention, 21 January–6 February

On 15 January Antifederalist polemicist "Agrippa," commenting upon Federalist tactics employed to obtain the ratification of the Constitution by the Pennsylvania Convention, charged that "reasoning or knowledge had little to do with the federal party. Votes were all they wanted by whatever means obtained. Means not less criminal have been mentioned among us. But votes that are bought can never justify a treasonable conspiracy." On Monday morning, 21 January, the Antifederalist *Boston Gazette* printed a similar charge vis-a-vis the Massachusetts Convention in an article entitled "*BRIBERY and CORRUPTION!!!*" and signed "Centinel." "Centinel" asserted that "large sums of money" came from "a neighbouring State" to bribe Antifederalists in the Massachusetts Convention.

The same morning that "Centinel's" claim appeared in the *Boston Gazette* James Bowdoin, a Boston Convention delegate, moved that the charge be investigated. The Convention resolved to inquire into the matter and sent its messenger to the printers of the *Boston Gazette*, requesting that they appear before the Convention to give information about "Centinel's" allegation. The printers sent a letter stating that "Centinel" possessed "good foundation" for his assertion, but they refused to identify him. Whereupon, the Convention appointed a committee of seven to investigate. The committee never submitted a report.

"Centinel" explained in the *Boston Gazette* on 28 January that he was impelled to make his earlier statement because he had overheard one Bostonian say to another that "*A plan is on foot to silence*" Antifederalist leader Samuel Nasson, a delegate from Sanford, Maine. Moreover, "Centinel" was also moved to action because he learned from "a credible person," who had been in Providence, R.I., a week before "Centinel" printed his charge, that "*a bag of money* had been sent down to Boston to quiet the members of convention in opposition to the new constitution." This was the first time Rhode Island was identified in print as the source of the money, although privately this allegation was already known.

Immediately below "Centinel's" explanation, the *Boston Gazette*, with the author's permission, identified Colonel William Donnison as "Centinel." Donnison (c. 1757–1834), adjutant of a Rhode Island Continental artillery regiment during the Revolution, was a former Providence merchant. He apparently moved to Boston after 1783, when he married Bostonian Mrs. Mary Stedman. In early 1785 the *Massachusetts Centinel* carried advertisements for his Boston retail store. Governor John Hancock appointed Donnison Massachusetts adjutant-general in April 1788. For a criticism of Donnison's role, see "Truth—if no Epigram," *Massachusetts Centinel*, 26 November (Mfm:Mass.).

Centinel

*Boston Gazette, 21 January*¹

BRIBERY and CORRUPTION!!!

The most diabolical plan is on foot to corrupt the members of the Convention, who oppose the adoption of the New Constitution.—Large sums of money have been brought from a neighbouring State for that purpose, contributed by the wealthy;—if so, is it not probable there may be collections for the same accursed purpose nearer home?

*Massachusetts Gazette, 22 January*²

It is a circumstance which excites no small degree of speculation, that *certain* gentlemen in an honourable assembly, should oppose the investigation of a certain affair, and be willing to remain in total darkness upon the subject, when they *profess* to be so extremely desirous of LIGHT in matters that are obvious to every man that *will* see.

The HONOUR and CREDIT of the commonwealth appear to be involved in a thorough scrutinizing of the business of BRIBERY, asserted so plumply in yesterday's paper.

*Massachusetts Centinel, 23 January*³

Detection of antifederal machinations.

The following gross and infamous publication, viz.

[The text of "Bribery and Corruption" from the *Boston Gazette*, 21 January, was reprinted here without the signature "Centinel."] having appeared in a paper of Monday, the friends to truth and honesty—the advocates for the federal Constitution, judging it to be the forgery of some enemy to *all government*, intending to raise suspicions and apprehensions in the minds of the good people of this Commonwealth, that if the proposed Constitution should be ratified by the Convention now sitting, its adoption was effected by corrupt and wicked means—and consequently that they may afterwards oppose its being carried into effect—were anxious that it should be inquired into; and if found fallacious, that it might be contradicted, and its fabricator exhibited to the indignation of his country.⁴—As soon as our Convention met on Monday morning, the Hon. Mr. BOWDOIN, informed that Hon. body, of the publication, and introduced to the chair, a motion for an inquiry into the matter. This motion occasioned considerable conversation in the Convention. Many gentlemen urged the propriety of the investigation: that if true, the devisers of the plan might be known—and if

false, that the infamous design of the incendiary be detected—and that the authour, who had thus insulted the dignity of the people of this State, by suggesting an idea that they had appointed men to represent them in Convention, capable of being bribed; should be exposed.—The speakers, who thus urged the inquiry were, the Hon Mr. *Bowdoin*, Judge *Sumner*, Hon. Messrs. *Dalton*, *Sedgwick*, *Fuller*, *Gore*, *Jones*, (of Boston) Col. *Varnum*, and others.—On the other hand, the Hon. Mr. *White*, Mr. *Wedgery*, and Gen. *Thompson*, opposed the inquiry, on the idea that it was assuming a legislative power—that the Convention had no right to question any person on the subject—and that it would tend to produce a repetition of such publications: But a great majority of the Convention considering with indignation the insult offered to the Commonwealth, by thus holding up the idea to our sister states, and foreigners, that undue means were taking to produce a measure, to effect which they conceived nothing but fair and candid arguments and reasonings were necessary; thought an enquiry absolutely indispensable; it was therefore ordered, that the Messenger be directed to request the Printers of the paper, to appear before the Convention forthwith, to give information respecting the publication—The messenger having waited on the Printers, they in the afternoon sent a letter to the Convention, acquainting that hon. body, that the gentleman who furnished them with the information had said he had good foundation for it, and that they could not give up his name.—On this a Committee was raised, to take the letter into consideration, who have not yet reported; but from many circumstances that have transpired, we are authorized to assure the publick, that it is a FALSE and HELLISH⁵ FABRICATION.

Samuel P. Savage to George Thatcher

Weston, 24 January (excerpt)⁶

... The Affairs of Convention go on very slow, as every Inch of Ground is hotly disputed, a day or two past, Mr. Bowdoin brought in a paper of monday, when he read the following parag[rap]h “Bribery & Corruption!!!” “the most diabolical Plan is on foot to corrupt the members of the Convention, who oppose the Adoption of the new Constitution. large sums of money have been brought f[ro]m a neighbouring State for that purpose, contributed by the wealthy: if so is it not probable there may be Collections for ye same cursed purpose nearer home;”

“Centinel”

there has also been a high Dispute between Gerry & F. Dana. the Issue I have not heard.⁷ . . .

George Benson to Theodore Foster
*Providence, 25 January (excerpt)*⁸

I do myself the Pleasure to acknowledge the reception of your two [obliging favours?] The Contents of which have been imparted only to a few select Friends as the Mr. Browns, Govr. Bowen⁹ &c. we all Lament the Disagreeable situation in which you must feel yourselves—in Consequence of the *Base* report of a Design—that Implies a suspicion no less injurious & Disgraceful to the Convention than to yourselves—altho the effects may in some respects be serious yet Circumstances Consider'd 'tis a very Ludicrous Idea that the Little State of R Island that is a Blank or rather a Blot in the Union should attempt to Influence the important Deliberations of the *Great Massachusetts* [I?] think it too ridiculous to make a lasting impression & suppose the Mischief will ultimately recoil on its Authors—The Federalists & the Contra-characters in this Town are at present Tortur'd with anxious suspence & Consider *all* as Depending on the result of the Massachusetts Convention—Mr. Fenner¹⁰ says he has a Letter from a Member of the Convention stating the Majority against the Constitution at 70—but we hope better Things—& Cannot forbear flattering ourselves that the Candid amongst its Opposers will finally yield to the Force of [— —] especially when enforc'd by the Matchless abilities of some of the advocates—Your friends *in our Minority* are pleas'd at your being present at the Debates as we suppose if the Issue is favorable your representations & influence in our *Upper House* will have a good Effect we are Confident your Principles will [Prompt?] the attempt¹¹—how long do you Conjecture the Convention will remain in being—we think the Longer the important Question is protracted the more happy it will terminate. . . .

A Federalist
Massachusetts Centinel, 26 January

Mr. PRINTER, As the author of the *infamous* libel in Edes's paper of the 21st inst. who like the vile assassin that stabs in the dark, is still undiscovered—I beg leave to ask whether he may not be found among the following description of characters, who are *notoriously* known to be exceedingly industrious in encouraging the members who are opposed to the Constitution, to a perseverance in their *erroneous* principles, by taking them going in and coming out of the Convention, as well as visiting them at their lodgings almost every evening?

Whether it can possibly be one who *purchased a seat* a little distant from town, and is well known for his partiality for paper money?¹²

Whether it is probable it can be the quondam Parson, whose novel publication, the other day, excited the risibility of your readers?¹³

Whether it may be one whose zeal leads him to come every day from a neighbouring town, for the laudable purpose of making proselytes to antifederalism and who has discovered to the world, a phenomena in nature, and instanced in himself the possibility of a reformation from the most notorious habit of ——?¹⁴

Whether it may chance to be one who contracted a debt in France, in the late war, and has conveyed his estate into other hands, to prevent his creditor from recovering his just dues?

Whether one who is as noted for his *obscene, extravagant* language, as he is for his appearance, can possibly be the author of it?¹⁵

Whether a man could possibly be guilty of it, who left town, to avoid paying a just debt, abused his creditor's agent for arresting him in a neighbouring State, and broke jail when confined by the laws of his country?

Whether it may not be one who had the address to place a pair of antlers on his neighbour's head?

*Boston Gazette, 28 January*¹⁶

TO THE PUBLICK.

Finding that a well-intended publication in the Boston Gazette, signed Centinel, through the perturbation of the publick mind, has been misconceived, and conclusions drawn therefrom which never entered the heart of the author; in order to satisfy as far as possible, the candid enquirer, he feels himself call'd upon to gratify the publick by narrating some of the causes that induced it:—The author heard a citizen of this town declare to another citizen “*A plan is on foot to silence Mr. N——.*”¹⁷ A credible person, now in town, informed the author, that he was told at Providence about a week ago, by a reputable gentleman there, That a *bag of money* had been sent down to Boston to quiet the members of convention in opposition to the new constitution.—From these and some other corroborating circumstances, the author thought it serious; and actuated by the best motives, sent that piece to the press; not conceiving it would have been noticed in any other manner than he intended.

CENTINEL.

As many curious Persons appear solicitous to know the real name of the person whose signature was CENTINEL, in our last Gazette, we are

as solicitous to gratify them;—and though we do not hold ourselves under any LEGAL obligation to expose the author, yet, having obtained his CONSENT, we cheerfully

MENTION THE NAME OF
COLONEL WILLIAM DONNISON,

known by his fellow-townsmen as a man of honor and veracity.

EDES & SON.

Massachusetts Gazette, 29 January

Ha! ha! ha! ha! So, the Colonel was *Centinel!* A merry conceit enough—however, he had *good reasons* for it; and he has proved himself a brave man too, having got into his *castle*, being unable to defend himself any longer against his —, he *boldly* consented to have his name published. *Bravissimo par Dieu!*

Citizen

Massachusetts Centinel, 30 January

To Colonel W—— D——.

SIR, Was it well, because you heard one citizen say, that he heard another citizen declare, that [“]a plan was on foot to silence Mr. N——” and that a person informed you, that he was at Providence and was told, that “a bag of money had been sent to Boston, to quiet the members, of Convention, &c.” thus to trumpet to the world the plot of BRIBERY and CORRUPTION, you did on Monday last; and positively to ASSERT, that “the most diabolical plan IS ON FOOT, to corrupt the members of the Convention”—and to declare that [“]LARGE SUMS of money have been brought from a neighbouring State for that purpose, contributed by the wealthy”? Indeed, Colonel, it was not! Indeed it was not acting up to the square—nor was it wholly consistent with the character of HONOUR and VERACITY, which thy fellow townsmen, say the Printers, know to be yours. Why, Sir, to assert so positively, that a plan of bribery was on foot, from such a Canterbury tale—such a Robinhood’s barn story—at such a period—indicates motives far different from those you say actuated you.—Indeed it does—and, Sir, had you been silent on the subject, it had been better.

Boston, Jan. 28, 1788.

Pennsylvania Herald, 5 February

The enemies of the new constitution, says a correspondent, rely as much on lies for the promotion of their cause, as on any other means.

In Boston, a design to bribe the members of the convention, opposed to the proposed plan of government, with “large sums of money, brought from a neighbouring state,” is announced in one of the papers. On enquiry it appears the writer dares not discover himself—but shelters his falsehood behind the liberty of the press—the printer will not give up his name.¹⁸ In this state the people are at one time alarmed with a report of disarming the militia, by order of council¹⁹—at another time, with “large orders for ammunition being sent to Europe”—again, a subscription is set on foot, for the purpose of bribing writers and printers! In fine, to enumerate the various rumours circulated to serve the basest purposes, viz. to generate a spirit of discord and disturbance, would be equally tedious and disgusting.

Philadelphia Freeman’s Journal, 6 February

A Boston newspaper, observes a correspondent, announces the arrival of a large sum of money from the southward, and that the rich and well-born in that state had contributed an additional sum, for the purpose of corrupting and bribing the members of their convention to vote for their scheme of power and office-making; as there appeared to be a majority against it. And later accounts inform us that part of that money had been applied in hiring a mob of sailors, &c. to surround the seats of the members of convention, and to hiss, hoot and intimidate the country members. That Mr. Gerry, (who had been admitted by a majority of two thirds of that body to take a seat among them to relate any facts which might be asked concerning the proceedings of the general convention) having been abused by Mr. Dana, he refused to attend.²⁰

1. Since the *Boston Gazette* of 21 January is not extant, “Centinel” has been transcribed from the first newspaper to reprint it—the *Massachusetts Centinel* of 23 January. The *Boston Gazette’s* version of “Centinel” was reprinted in the *Cumberland Gazette*, 24 January, and nine other newspapers by 28 February: R.I. (2), N.Y. (1), Pa. (2), Md. (2), Va. (1), Ga. (1). “Centinel” was also reprinted in many other newspapers from the *Massachusetts Centinel*, 23 January, and the *Independent Chronicle*, 24 January, which also published “Centinel” as part of the state Convention’s proceedings of 21 January. (See note 3, below.) Samuel P. Savage copied “Centinel” in a letter that he sent to George Thatcher on 24 January.

2. Both paragraphs were reprinted in the *Newport Mercury*, 28 January.

3. This item—also printed in the *Independent Chronicle*, 24 January (for some differences, see notes 4 and 5)—was reprinted in whole or in part, or summarized, in the *Hampshire Gazette*, *Hampshire Chronicle*, and *Essex Journal*, all on 30 January, in the *Cumberland Gazette*, 31 January, and in twenty-one other newspapers by 20 February: N.H. (2), Conn. (4), N.Y. (3), Pa. (8), N.J. (2), Md. (1), Va. (1). Four out-of-state summaries omitted “Centinel’s” statement. The Winchester *Virginia Gazette*, 7 March, summarized “Centinel’s” allegation, the actions of the Convention to determine the truth of the allegation,

the response of the printers of the *Boston Gazette*, and "Centinel's" reasons for making his charge. The *Virginia Gazette* noted that the investigation had determined that "Centinel's" charge was false. It then concluded: "*To what arts will not the anti-federal partizans have recourse to, in their endeavours to frustrate a foundation, on which alone can be reared, the future glory of Independent America*" (Mfm:Mass.).

4. Except for "Centinel's" statement, the text up to this point does not appear in the *Independent Chronicle*. The *Chronicle* prefaced "Centinel's" declaration in this way: "On Monday last, in consequence of a publication which appeared in the Boston Gazette, of that day, the Convention passed the following resolve, viz. 'Whereas there is a publication in the Boston Gazette, of this day, as follows, viz.' " ["Centinel's" statement] "'Resolved, That this Convention will take measures for enquiring into the subject of the said publication, and for ascertaining the truth or falshood of the suggestion therein contained.' "

5. The *Independent Chronicle* changed "HELLISH" to "GROUNDLESS."

6. RC, Chamberlain Collection, Thatcher Papers, MB.

7. See "Elbridge Gerry and the Massachusetts Convention," 23-28 January.

8. RC, Foster Papers, Rhode Island Historical Society. Benson (1752-1836), a former Boston merchant, was a partner with Nicholas Brown, Sr., in the Providence mercantile firm of Brown and Benson. Foster (1752-1828), a native of Brookfield, Mass., and a 1770 graduate of Rhode Island College (Brown University), was a lawyer. He was town clerk of Providence from 1775 to 1787 and a member of the Rhode Island Council in 1787-88. He was in Boston, where Benson joined him in a few days. Both Benson and Foster advocated ratification of the Constitution. In 1790 Foster was elected a U.S. Senator.

9. Nicholas Brown, Sr., and his brother John. John Brown was the senior partner in the Providence mercantile firm of Brown and Francis and the treasurer and a trustee of Rhode Island College (Brown University). Jabez Bowen of Providence, a graduate of Yale College (1757), was deputy governor of Rhode Island almost continuously from 1778 to 1786 and chancellor of Rhode Island College from 1785 until his death in 1815. An ardent Federalist, he voted to ratify the Constitution in the Rhode Island Convention in May 1790.

10. A Providence merchant, Arthur Fenner was one of the leaders of the Country Party (Antifederalists). He was clerk of the Court of Common Pleas of Providence County and was elected governor annually from 1790 until his death in 1805. Fenner and Foster were brothers-in-law.

11. A reference to the influence Foster might have in the Council in calling a state ratifying convention. On numerous occasions between November 1787 and January 1790, the Rhode Island legislature rejected motions to call a state convention.

12. Probably James Warren who, in 1781, purchased the Milton house of Thomas Hutchinson, the former royal governor.

13. "A Federalist" probably refers to "Ezra," *Massachusetts Centinel*, 23 January, when he attributed a "novel publication" to the "quondam Parson." In the Old Testament, Ezra was a Hebrew priest and scribe.

14. Probably James Winthrop of Cambridge, the likely author of the "Agrippa" essays who, in the summer of 1787, submitted to the American Academy of Arts and Science in Boston some faulty solutions to some unsolvable geometric problems.

15. Probably Benjamin Austin, Jr., author of the essays of "Honestus" and "Candidus," among others. In the late 1790s his critics described him as "lank Honestus with his lantern jaws," as "A hungry, lean-faced fellow . . . An envious, hollow-eyed, sharp-looking wretch; This living dead man, this incessant scribe," and as an "abominable booby," whose "doings and looks are alike sickening."

16. This item was reprinted in the *Massachusetts Centinel*, 30 January (at the request of "a number of citizens"); *Essex Journal*, 6 February; and *Cumberland Gazette*, 7 February. The

Massachusetts Centinel and *Essex Journal* reprinted only the first paragraph, but they stated that the second paragraph identified William Donnison as “Centinel.” The *Essex Journal* also informed its readers that “For the Wonderful Performance, founded on the foregoing *indubitable* premises, see our last paper.” By 19 February both paragraphs were also reprinted in eight other newspapers: R.I. (2), Conn. (2), Pa. (3), Md. (1). Like the *Essex Journal*, Henry Van Schaack was unimpressed by “Centinel’s” explanation. After transcribing the article in a letter, he concluded: “So much for Bribery and Corruption” (to Peter Van Schaack, 4 February, V below).

17. The reference is to Samuel Nasson, described by Rufus King as one of three “Champions of our Opponents” (to George Thatcher, 20 January, V below).

18. This statement is based upon the report of the proceedings of the Massachusetts Convention that first appeared in the *Massachusetts Centinel* on 23 January (above). The *Herald* reprinted this report on 5 February, the same issue in which it published this statement.

19. For the alleged Federalist threat to disarm the Pennsylvania militia in order to force the Constitution on the people of Pennsylvania, see “The Militia and the Supreme Executive Council,” 19 December 1787–5 February 1788 (Mfm:Pa. 273).

20. The *Freeman’s Journal* refers to an item that appeared in the *Massachusetts Centinel* on 23 January. (See “Elbridge Gerry and the Massachusetts Convention,” 23–28 January.) Before 6 February, the *Centinel’s* item about Gerry was reprinted in two other Philadelphia newspapers, namely the *Pennsylvania Packet*, 4 February, and *Pennsylvania Mercury*, 5 February.

Editors’ Note

The Massachusetts Reprinting of Governor Edmund Randolph’s Objections to the Constitution, 21 January–11 March

Virginia Governor Edmund Randolph was one of three delegates to the Constitutional Convention who refused to sign the Constitution on 17 September 1787. The objections of the other non-signers, Elbridge Gerry and Virginian George Mason, were printed in Massachusetts newspapers in November and December. (See Elbridge Gerry to the General Court, 18 October; and “George Mason’s Objections to the Constitution,” 21 November–19 December, RCS:Mass., 94–100, 287–91.) On 2 December four members of the Virginia House of Delegates, having heard that Randolph’s reasons for opposing the Constitution (already known to them) no longer existed, requested that he favor them with his earlier objections so that they could be printed. On 10 December Randolph sent them his objections in the form of a letter dated 10 October addressed to the Speaker of the House of Delegates. The objections were published as a pamphlet around 27 December in Richmond, Va. (CC:385). Within a week, three Virginia newspapers—two in Richmond and one in Petersburg—began to reprint the letter, which was then widely reprinted throughout America.

Three Massachusetts newspapers reprinted Randolph’s letter. On 21 January the *American Herald* filled its front page and almost all of its

last page with the letter. Three days later, the *Worcester Magazine* devoted its first six pages to the letter, under a heading identifying it as Randolph's "OBJECTIONS to the FEDERAL CONSTITUTION." In its previous issue, the *Magazine* had announced that Randolph's letter had "just come to hand" and that "This well written performance will certainly appear in our next." Finally, three weeks after the Massachusetts Convention ratified the Constitution, the *Salem Mercury* began reprinting Randolph's letter in its issue of 26 February, completing its publication on 4 and 11 March. The *Massachusetts Centinel* published a brief summary of Randolph's letter on 23 January (printed below), emphasizing that Randolph would accept the Constitution even if amendments could not be obtained.

Several passages from Randolph's letter were quoted in the Massachusetts Convention by Boston delegate, the Reverend Samuel Stillman, on 6 February, hours before the Convention ratified the Constitution. Stillman's speech, the only lengthy one he made during the Convention, was designed to be conciliatory, and Randolph's letter was well suited to his purpose. Preceding the quoted passages, Stillman noted that Randolph's "candour, apparent in the letter referred to, does him honour, and merits the esteem of every candid mind. . . . I revere his character, while I differ from him in opinion." Following the quoted text, Stillman paused so "that every gentleman present may have time to indulge those feelings, which these excellent expressions must occasion. May that God who has the hearts of all men under his controul, inspire every member of this Convention with a similar disposition! Then shall we lay aside every opposite interest, and unite, as a band of brothers, in the ratification of this Constitution of national government" (Convention Debates, 6 February, V below. For "band of brothers," see RCS:Mass., 221n.).

Isaac Stearns to Nathaniel Gorham
Billerica, 22 January¹

Honrd. & dear sir

Tho God is the efficient cause of all good. & free to work with, without, or against means. Yet have we no reason to expect his miracolous interposition in any case tho ever so important: where he has put the means in our power, & we; wheither thro indolence, weakness, or wickedness neglect to use them. permit me then ~~with all due Deference,~~ but as tho you & I were [—] [sinner?], in the ~~presence of him only who searches the hearts, & weighs the actions of us the sons of Men,~~

to say, that I think this a Day big with importance to our Nation. to the united States in general, & to this Commonwealth in particular. Tho I have no pretention to a prophetick spirit yet tis my inside thought, that we may Date the rise or fall of these States, from the Day that we adopt, or reject, the Federal Constitution now under consideration. It gives me great Satisfaction when I look over the list of sensible, & penetrating Men; which compose that August Body, which are now examining the same. Tho I confess my rejoicing to be short lived, when I consider how many of that Body are under the humiliateng fetters of positive Instruction; which appears to Me, to be as great a peice [of] Mockery, as to tye a mans hand & then thro him down sutable weapons to defend himselfe with. I endeavoured to acquaint myselfe with the Constitution by many careful Readings before I put down my foot. But will now venture to say, that I am surpris'd that any man that is acquaintd with the Constitution of this Commonwealth & like it, dos not like that also, since they are as simelar as the nature of things will admit. That is a Cement of Individuals into a State or Commonwealth, to enjoy priviledges, or Immunities which Individuals could not enjoy. And this a Cement or union of sundry States, in order to enjoy such priviledges as seperate States could not enjoy. That the present Confederation is by no means sufficient, all will allow. & that something must be done or we [are] undone and is it not as true now as heretofore, that united we stand, but divided we fall. If this be not as good a Cement or Bond of union as can be divis'd, why among all the writers against it, are we not told of a better. Can any wise man think that to divid into two or more seperate Sovereigntys, would do. Would not rivalship soon become an epidemical Disease to the prejudice or destruction of the whole Is it not mervelous that so many States of such differing manners and different Interests should ever unite in one form of Government and that they should adopt ours in its Legeslative Judicial & Executive almost Verbatim Can we rationally think that if we go about to ament it the whole will not be marred by every States making amendments according to their differant Interests I grant that when I had read the proposd Constitution several times over I was dissatisfied with sundry particulars as power of Taxation alteration of place of Elections &c but when I considered that those to whom this power was to be intrusted were to be creatures of our own making and were stil dependant on those that made them and had their [Interests interwoven?] with ours and that to strip sd Constitution of those powers wou'd render it in some respects a Nullity I came to this conclusion that it would never hurt us unless we were corrupt in our Elections I shall only beg leave

to ad may he who is the Source of all Wisdom & unity direct you & all that are met on that important ocaion into that result that shall be most for his Glory & the good of this New England Nation

1. FC, Stearns Papers, MHi. Stearns represented Gorham's home county of Middlesex in the state Senate.

Agrippa XIII

Massachusetts Gazette, 22 January¹

To the MASSACHUSETTS CONVENTION.

GENTLEMEN, Truly deplorable, in point of argument, must be that cause, in whose defence persons of acknowledged learning and ability can say nothing pertinent. When they undertake to prove that the person elected is the safest person in the world to controul the exercise of the elective powers of his constituents, we know what dependence is to be had upon their reasonings. Yet we have seen attempts to shew, that the fourth section of the proposed constitution, is an additional security to our rights. It may be such in the view of a Rhode-Island family (I think that state is quoted) who have been for some time in the minority: but it is extraordinary, that an enlightened character in the Massachusetts [Convention] should undertake to prove, that, from a single instance of abuse in one state, another state ought to resign its liberty.² Can an[y] man, in the free exercise of his reason, suppose, that he is perfectly represented in the legislature, when that legislature may at pleasure alter the time, manner, and place of election.³ By altering the time they may continue a representative during his whole life; by altering the manner, they may fill up the vacancies by their own votes without the consent of the people; and by altering the place, all the elections may be made at the seat of the federal government. Of all the powers of government perhaps this is the most improper to be surrendered. Such an article at once destroys the whole check which the constituents have upon their rulers. I should be less zealous upon this subject, if the power had not been often abused. The senate of Venice, the regencies of Holland, and the British parliament have all abused it. The last have not yet perpetuated themselves; but they have availed themselves repeatedly of popular commotions to continue in power. Even at this day we find attempts to vindicate the usurpation by which they continued themselves from three to seven years. All the attempts, and many have been made, to return to triennial elections, have proved abortive. These instances are abundantly sufficient to shew with what jealousy this right ought to be guarded. No sovereign on earth need be afraid to declare his crown elective, while the possessor

has the right to regulate the time, manner, and place of election. It is vain to tell us, that the proposed government guarantees to each state a republican form. Republicks are divided into democratticks, and aristocraticks. The establishment of an order of nobles, in whom should reside all the power of the state, would be an aristocratick republick. Such has been for five centuries the government of Venice, in which all the energies of government, as well as of individuals, have been cramped by a distressing jealousy that the rulers have of each other. There is nothing of that generous, manly confidence that we see in the democrattick republicks of our own country. It is a government of force, attended with perpetual fear of that force. In Great-Britain, since the lengthening of parliaments, all our accounts agree, that their elections are a continued scene of bribery, riot and tumult; often a scene of murder. These are the consequences of choosing seldom, and for extensive districts. When the term is short, nobody will give an high price for a seat. It is an insufficient answer to these objections to say, that there is no power of government but may sometimes be applied to bad purposes. Such a power is of no value unless it is applied to a bad purpose. It ought always to remain with the people. The framers of our state constitution were so jealous of this right, that they fixed the days for election, meeting and dissolving of the legislature, and of the other officers of government. In the proposed constitution not one of these points is guarded, though more numerous and extensive powers are given them than to any state legislature upon the continent. For Congress is at present possessed of the direction of the national force, and most other national powers, and in addition to them are to be vested with all the powers of the individual states, unrestrained by any declarations of right. If these things are for the security of our constitutional liberty, I trust we shall soon see an attempt to prove that the government by an army will be more friendly to liberty than a system founded in consent, and that five states will make a majority of thirteen. The powers of controuling elections, of creating exclusive companies in trade, of internal legislation and taxations ought, upon no account, to be surrendered. I know it is a common complaint, that Congress want more power. But where is the limited government that does not want it? Ambition is in a governour what money is to a miser—he can never accumulate enough. But it is as true in politicks as in morals, he that is unfaithful in little, will be unfaithful also in much. He who will not exercise the powers he has, will never properly use more extensive powers. The framing entirely new systems, is a work that requires vast attention; and it is much easier to guard an old one. It is infinitely better to reject one that is unfriendly to liberty, and rest for a while satisfied

with a system that is in some measure defective, than to set up a government unfriendly to the rights of states, and to the rights of individuals—one that is undefined in its powers and operations. Such is the government proposed by the federal convention and such, we trust, you will have the wisdom and firmness to reject.

1. Reprinted: *New York Morning Post*, 2 February. See also note 3.

2. "Agrippa" refers to the debate in the Massachusetts Convention on 16 January over Rhode Island's recall of its congressional delegates in May 1787, and the state's refusal to send delegates before the beginning of the new federal year in November 1787. Such actions, it was asserted, were used by the Constitutional Convention to justify the constitutional provision, in Article I, section 4, that gave Congress the power to regulate the election of Representatives and Senators. For the debate in the Massachusetts Convention, see *Convention Debates*, 16 January (V below.)

3. Up to this point, the text was reprinted in the *Newport Mercury*, 28 January. In turn, this text was reprinted in the Philadelphia *Independent Gazetteer*, 21 February.

A True Federalist

Massachusetts Gazette, 22 January¹

THE TRUE FEDERALIST and MERCHANT.

Answer to the *antifederalist* and merchant in the last Gazette.

The goods wanted were, cloth for a suit of clothes to appear as Romans among Romans; and silver in part pay was offered, and an order on a neighbouring merchant for the rest of his pay. The merchant, or speculator, got sight of a loan-office certificate for 500 dollars—he wanted it in pawn. I answered, the loan-office certificate you and all the United States are bound to pay. I want to carry it with me; and I will not sell my country, sir, if I go naked. I did not mean to affront the merchant, who migrated to this country from Scotland,—whose criterion for honesty, I beg leave to submit to the publick. This merchant owed an honourable gentleman, a colonel, in Portsmouth, money, (as most canker-worms owe for their living on the general products of nature) so, not only this merchant, but his neighbours, owe, and always will be in debt somewhere.

The colonel had promised the Lebanon delegate some money for his expenses; but when this merchant was called on, he did not pay his honest debts. And the silver money offered for said cloth, to said merchant, served not only the delegate from Berwick, but the delegate from Lebanon, to proceed to take their stations, according to their country's call.

1. This item responds to one that was first printed in the *New Hampshire Spy*, 8 January, and reprinted in the *Massachusetts Gazette*, 18 January.

Massachusetts Gazette, 22 January*From a correspondent.*

Many, says a correspondent, endeavour to support the conduct of a certain honourable "invited" gentleman,¹ by recounting the history of his former good deeds. Upon such principles may the conduct of Benedict Arnold be supported. Previous to the diabolical plot, transacted between him and Sir Henry Clinton, for delivering up West-point and part of the American army into the hands of British minions, Arnold was cryed up as a brave general, and a friend to the rights of his country. The garb of hypocrisy, continues our correspondent, may sometimes be worn till it even becomes threadbare, before its wearer is detected: whether the garb has become too tattered any longer to make a *decent* appearance on the shoulders of the honourable "invited" gentleman, the observer must determine: however, be that as it may, most probably he now appears in his *TRUE colours*.

1. Elbridge Gerry.

Helvidius Priscus III**Massachusetts Gazette, 22 January¹**

To the PUBLICK.

The convention of Massachusetts has now met, and on their decisions, in a great measure, depends the fate of America. This state has, from the beginning of the contest with Britain, been distinguished for her wisdom in counsel, her zeal in opposition, and her energy in baffling the arts of power, and counteracting the intrigues of foreign and domestick foes, who wished not long ago to deprive her of her rights and to annihilate her as a state. On every trying occasion this state has stood foremost in the union, and done itself honour by its perseverance and independency of spirit—She has once more an opportunity of asserting her own dignity, by rejecting or essentially amending a system, calculated to involve [her] in a *servitude*, too complicated to be described, till its dreadful effects are experienced, when they may BE FORBIDDEN TO COMPLAIN. But if they have chosen a set of delegates, of sufficient integrity and ability, they may yet be instrumental in saving all America from a *THRALDOM*, which may be foreseen without the aid of *inspiration*. But if there should be a *temporising*, an *ignorant*, or a *designing majority*, ready to accede, from *fear*, from *folly*, or *interest*, and bow the neck to the *MISHAPEN IDOL*, held out for the adoration of the United States, it requires no uncommon sagacity to discover, that their

doings will involve this country in blood, render themselves the contempt of the best of their fellow-citizens, and the execration of posterity.

We are told, that only 25 out of 130 members, convened in the three states of Pennsylvania, New-Jersey, and Delaware,² had the wisdom, the firmness, and the patriotism, to reject the adoption of the proffered system of arbitrary government—an humiliating proof this of the local prejudices, the narrow views, and the selfish motives, by which mankind are too generally actuated—If all the wealth of America was to center in Boston, in consequence of its adoption; if Cambridge was to be made the federal city, and the fountain of all honour was circumscribed within the limits of ten miles—If the avaricious citizen, the ambitious courtier, and the ardent youth, from all parts of the continent, who are in quest of honour and emolument, were to repair and do homage for the dole³ in this favoured city, and to disseminate their wealth in its neighbourhood, no doubt the mechanicks, the macaronies, and the miserly part of Boston, and perhaps a majority in Convention, might think it good policy to adopt a system that would enrich and ennoble their own state—though even then gentlemen in the distant counties would have little reason to precipitate the plan. But view the reverse—Philadelphia is the central city; and a thousand circumstances will combine to sink the population, the wealth, and the consequence of Boston; so that, both in a general and in a local view, we cannot but hope, that in a convention of *three or four hundred men*, of Massachusetts, a large majority will be found too wise to relinquish their own sovereignty and independence, and too just to violate the present excellent constitution of this state, and break the bands of the sacred compact, which the new arrangement would annihilate, and bring them down to the *degraded dependents on a splendid monarchy, that will wring from them and their children their last farthing for its support*. We have seen much scurrility and abuse indiscriminately cast on all who are not mad enough, with their eyes open, to put a *yoke* on their necks, which neither themselves nor posterity will be able to break. But we see neither reason, argument, or necessity for this country to renounce their best privileges, because *officiously* advised thereto by a set of men acting entirely out of the line of their commission. But the *Landholder*,⁴ without *veracity*—the *New-England Dampier*,⁵ without *any thing*—and a long *etcetera* of signatures, without principle or perspicuity, will never damp the ardour of liberty, nor check the energy of the able supporters of those genuine principles that mark, with dignity, those who have again stepped forth to defend, in its last struggle, that freedom and independence of spirit, which has made this country the admiration of the philosopher, the hero, and the statesman.

It is not material whether the federal farmer belongs to Virginia or Kamtschatka⁶—whether he owns five hundred negroes,⁷ or is a man of no property at all—if his arguments are cogent—his reasonings conclusive—if the consequences of adopting the new system are fairly drawn, and the most certain despotism deduced from the principles of its fabrication, the intricacy and extent of its designs, and the fatal consequences of its operation. Nor is it of consequence to the publick, or to the general cause, whether mr. *Lee* is an enemy, or a devotee to the fame and to the merit, of general *Washington*,⁸ or whether mr. *Gerry* refused his signature to the new constitution, in consistance with his former character, from enlarged and distinguished views to the general welfare, or from the pitiful consideration of a few publick securities in his pocket:⁹ nor will it alter the *deformed visage* of this deceptive system to inquire, whether mr. *Gorham* and mr. *King* embraced it with ardour from the sublimest feelings of *patriotism* and *publick utility*, or *with an eye to the rich harvests that may be reaped on the Delaware*.¹⁰ We are not contending for the characters of men, nor entering into the private disputes and local prejudices of individuals or of states—We wish to view every thing on the broad scale of independence to America—the *sovereignty of the United States*, and the *freedom of the people*, who have a just claim thereto, by the birth-right of nature, and the grant of heaven—sealed with the rich blood of martyrs in her cause.—Every member of the community ought diligently to read and to study the constitution of his country, and teach the rising generation to be free. By knowing their rights, they will soon perceive when they are violated, and be the better prepared to resist and defend them.

1. On 18 January the *Gazette* announced that it omitted “Helvidius Priscus” from publication that day “merely because we have not room.”

2. See the *Massachusetts Centinel*, 5 January (Mfm:Mass.).

3. In the original the word was “idol,” but an erratum in this same issue of the *Gazette* noted “for idol read dole.”

4. A reference to the essays by “A Landholder” which were published in the *Connecticut Courant* and *Hartford American Mercury*, beginning on 5 November (CC:230). In particular, “A Landholder” IV, V, and VIII, 26 November, and 3 and 24 December (CC:295, 316, 371) criticized Elbridge Gerry’s objections to the Constitution found in his 18 October letter to the General Court (RCS:Mass., 94–100). For the circulation of “A Landholder” in Massachusetts, see RCS:Mass., 151.

5. A reference to “New England,” *Connecticut Courant*, 24 December (CC:372), which attacked Richard Henry Lee of Virginia for being the alleged author of *Letters from the Federal Farmer*, a pamphlet first printed in New York in early November (CC:242). On 5 January 1788 the *Massachusetts Centinel* reprinted “New England” with this statement: “If the foregoing doth not operate a DAMPER indeed, to the (*anti*) Federal Farmer’s letters, chicanery and falshood are invincible to justice and truth.” (See “The Circulation of the Letters from the Federal Farmer in Massachusetts,” 28 December 1787–7 January 1788.)

6. The Kamchatka Peninsula is bordered by the Bering Sea.

7. "New England" accused Richard Henry Lee of owning "several hundred negroes" (CC:372).

8. "New England" charged that Richard Henry Lee "several years ago endeavored to persuade us to degrade General Washington and promote his relation General Charles Lee—a man altogether unfit to command an army" (CC:372).

9. "A Landholder" VIII accused Elbridge Gerry of opposing the Constitution because the Constitutional Convention had rejected a motion he made "respecting the redemption of the old Continental Money—that it should be placed upon a footing with other liquidated securities of the United States. As Mr. Gerry was supposed to be possessed of large quantities of this species of paper, his motion appeared to be founded in such barefaced selfishness and injustice, that it at once accounted for all his former plausibility and concession, while the rejection of it by the Convention inspired its author with the utmost rage and intemperate opposition to the whole system he had formerly praised" (CC:371. See also note 3 to "A Landholder" VIII, which examines Gerry's role in the Constitutional Convention's debates on the question. For his holdings of public securities, see *Massachusetts Centinel*, 10 November [RCS:Mass., 214–15].).

10. "Helvidius Priscus" implies that Rufus King and Nathaniel Gorham would profit while they labored in the central government in a capital located on the Delaware River.

Junius

Massachusetts Gazette, 22 January¹

TO AGRIPPA.

SIR, The obvious falshoods, the complicated nonsense, and the un-systematical procedure with which your productions abound, has, without doubt, been the only reason why scarce a single pen has been seriously employed to notice you. You have indeed often been placed in a contemptible light, but in a humorous style; few of your absurd assertions, however, have claimed publick remark: this perhaps has stimulated you to persevere in a line of conduct which has already cast a shade upon the once unsullied brightness of your character, and placed you in a sphere which, unless you have entirely divested yourself of those feelings which constitute an essential part of the character of a gentleman, must be exceedingly mortifying to you.

It is not my present intention to enter into a particular detail and refutation of your arguments (if, without deviating from the rules of common sense, they can be styled arguments) I mean barely to notice a few of the most glaring of your mistakes (to be soft in the term) and absurdities, and leave the rest to sink with their author to the dreary shades of oblivion.

In your production in the *Massachusetts Gazette* of the 14th instant, you say, that in the new constitution there is no bill of rights, and consequently a continental law may controul any of those principles we at present consider as sacred. Pray sir, what authority have you for this assertion? Is not the constitution itself a bill of rights, and are not the

powers granted, properly defined? You say, however, that it is mere fallacy, invented by the deceptive powers of Mr. Wilson, that what rights are not given are reserved.² Give me leave to tell you, sir, that any assertion to the contrary of what Mr. Wilson says, in the particular referred to, must be founded in the grossest ignorance. For what right has any man, or body of men, to exercise a power that is not vested in them? Can you have the presumption to suppose that you can force a belief on the minds of the enlightened citizens of Massachusetts, that the new Congress have all power granted to them by the constitution, and that the rights and property of the subject is not sufficiently secured? If you can presume this, sir, your assurance is much greater than your boasted knowledge.

You say in the same publication, that the right to try causes between a state and citizens of another state, involves in it all criminal causes; and a man who has accidentally transgressed the laws of another state, must be transported, with all his witnesses, to a third state to be tried. This assertion has nothing but your bare word to support it. The constitution says, as plain as words can express it, that the trial of all crimes, except in cases of impeachment, shall be by jury, and the trial shall be in the state where the crime shall have been committed. If you have not published a gross falshood, in respect to that part of the constitution just mentioned, then the most adverse things in creation are congenial in their natures.

The scheme (as you term it) of accepting the report of convention, and amending it afterwards is merely delusive, you say. There is not the least shadow of delusion in the case. The constitution plainly declares, that three fourths of the states, when they see fit, may alter or amend the form of government. You say, there is no intention in those who make the proposition to amend it at all. This assertion is founded on impudence and illiberality; and it is out of your power to advance a single reasonable argument to prove that the supporters of the new constitution would not be in favour of its being amended, if upon trial, any part should be found deficient. The newly proposed form you say is founded on injustice, as it proposes that a fictitious consent of only nine states shall be sufficient to establish it. I would beg to know how long such a principle has been established? I believe, sir, you may claim the *honour* of being the first propagator of so droll an idea. Strange indeed, that the consent of a majority should be styled a fictitious consent. If any thing fictitious would have established the constitution, the convention that framed it, need only to have said that the states accepted the constitution, and set about exercising the prerogatives it granted. You say, the consent of *only* nine states will be sufficient to

establish the new constitution. I acknowledge it would be a happy circumstance if all would adopt it before it is put in force; but then if they should not, it is but reasonable, that the four dissenting states, (if four there should be) should submit to the decision of nine states.

Nobody can suppose, you say, that the consent of a state can be any thing more than a fiction in the view of the federalists, after the mobbish influence used over the Pennsylvania convention.³ Do you call the eclat of patriotism, mobbish influence? there was no influence used over the Pennsylvania convention but the influence of truth, reason and justice. You assert that Wilson and M'Kean were repeatedly worsted in argument by the plain good sense of Findley and Smilie. The assertion is false. The fact is, the arguments of Findley and Smilie, when put in competition with those of Wilson and M'Kean's, were light and trifling, and their noblest theme was low scurrillity.

(To be concluded in our next.)

1. For the second part of this essay, see "Junius," *Massachusetts Gazette*, 25 January.

2. See "Agrippa" XII (second part), *Massachusetts Gazette*, 15 January, at note 2. This issue of the *Gazette* was misdated 14 January.

3. See "Agrippa" XII (second part), *Massachusetts Gazette*, 15 January, at note 6.

John Adams to Cotton Tufts

Grosvenor Square, London, 23 January¹

So many Things appear to be done, when one is making Preparations for a Voyage, especially with a Family, that you must put up with a short Letter in answer to yours.

We shall embark in March on board of the ship Lucretia Captn Cahalan, and arrive in Boston as soon as We can:² till which time I must suspend all Requests respecting, my little affairs. Your Bills shall be honoured as they appear.

You are pleased to ask my poor opinion of the new Constitution, and I have no hesitation to give it. I am much Mortified at the Mixture of Legislative and Executive Powers in the Senate, and wish for Some other Amendments.—But I am clear for accepting the present Plan as it is and trying the Experiment. at a future Time Amendments may be made. but a new Convention at present, would not be likely to amend it. You will receive, perhaps with this, a third Volume of my Defence, in which I have spoken of the new Constitution, in a few Words.³ This closes the Work, and I believe you will think I have been very busy. I have rescued from everlasting oblivion, a number of Constitutions and Histories, which, if I had not submitted to the Drudgery, would never have appeared in the English Language. They are the best Models for

Americans to Study, in order to Show them the horrid Precipice that lies before them in order to enable and Stimulate them to avoid it.

I am afraid, from what I See in the P[apers?] that Mr Adams⁴ is against the new Plan. if he is, he will draw many good Men after him, and I Suppose place himself at the head of an opposition. This may do no harm in the End: but I should be Sorry to See him, worried in his old Age.

Of Mr Gerrys Abilities, Integrity and Firmness I have ever entertained A very good opinion and on very solid Grounds.—I have seen him and Served with him, in dangerous times and intricate Conjunctions. But on this occasion, tho his Integrity must be respected by all Men, I think him out in his Judgment.—Be so kind as to send him in my name a Set of my three Volumes.

1. RC, Montague Collection, NN. Adams answered Tufts's letter of 28 November.

2. Adams and his wife Abigail arrived in Boston on 17 June.

3. See "The Massachusetts Reprinting of the Last Letter of John Adams's *Defence of the Constitutions*," 3–13 March (VI below).

4. Samuel Adams.

Caleb Bingham to Luther Holley

Boston, 23 January (excerpt)¹

... I have nothing of the news kind to entertain you with—Our convention are debating upon the *grand question* with all vigor—which way the scale will turn is thought yet to be doubtful. I perceive the friends to the Constitution are very much concerned. There is certainly great opposition to it in the convention; and by as willful a set of men, I believe, as ever existed. The bells rung us up very early a few mornings ago, in consequence of Connecticut's adopting it—I fear you will never have it in your power to return us the compliment.

You may write often via Stockbridge—Adieu—

1. Typescript, Holley Papers, CtHi. Bingham (1757–1817), a native of Salisbury, Conn., and a 1782 graduate of Dartmouth College, owned a private school in Boston and published an English grammar in 1785 (Evans 18934). He became a prominent educator and a prolific author of textbooks, even publishing some himself. His bookstore was a meeting place of Jeffersonian Republicans. Holley (b. 1751), formerly a farmer and school teacher, was a Salisbury merchant.

Tench Coxe to James Madison

Philadelphia, 23 January (excerpts)¹

I am truly sorry that appearances are not more promising in Massachusetts than I learn from your letter of 20th instant.² The pamphlet may be of signal service as things unhappily are so circumstanced & I

rejoice in having sent it.³ I hope the movements of the tradesmen will have an influence on a principal Character.⁴ The peculiar situation of Maine is unfortunate. The greatest difficulty will arise, I fear, from circumstances wch. like this have Nothing to connect them with the constitution as matters of government. . . .

. . . Connecticut I hope will have influence every where especially in New York & Massachusetts—

I observe Consolidation is the great Object of Apprehension in New York. The same thing, the benefits of State sovereignty, is the difficulty in my opinion most generally prevailing. It does all the Mischief in Pennsylvania. I have therefore thought a few well tempered papers on this point might be useful & have commenced them under the signature of the freeman in this days Gazettee, of wch. I send you a copy. It is incorrectly printed & hastily written for at this time I happen to be very much engaged. I wish I had time and more talents for the duty. I trust however some good may happen from them & little harm—Should they be of any use in New York or Massachusetts it may be well to republish them there—

[P.S.] I add a second copy of the freeman, one of wch. perhaps it may be useful to send for republication to Mr. King.⁵

1. RC, Madison Papers, DLC. Printed: CC:468. See also the letter that Madison wrote to Edmund Randolph on 20 January.

2. In addition to writing to Coxe, Madison wrote to Edmund Randolph and George Washington on 20 January discussing the prospects for ratification in Massachusetts and the impact of Massachusetts' actions on other states.

3. The "pamphlet" was advance pages of Thomas Lloyd's debates of the Pennsylvania Convention. See Coxe to Madison, 16 January, note 1.

4. See "The Meeting of the Tradesmen of Boston on the Constitution," 7 January. The "principal Character" was Samuel Adams.

5. Four days later, Coxe wrote Madison again, enclosing a letter for Massachusetts Convention delegate Rufus King and some additional advance pages of Lloyd's debates of the Pennsylvania Convention for King. On 30 January Madison promised to forward "A Freeman" and the advance pages of Lloyd's debates to King that evening. "A Freeman" I, *Pennsylvania Gazette*, 23 January (CC:472), appeared in the *American Herald*, 11 February.

Silas Lee to George Thatcher Biddeford, 23 January¹

You ask, "does every body here take a side upon the federal Constitution?" I believe they do in general—some for & some against it—& I rather think, that there is a Majority of the Common people upon the latter—In the County of Lincoln, from what I collected at Hallowell

Court, I fancy the Majority are decidedly against the Measure—and it is said Judge Rice is among the number—he is a Member of our State Convention—his town Join mostly with him²—At Hallowell only seven in favour of it—Vassalborough chose *King Lovejoy* to represent them in State Convention—but they afterwards found out that he was in favour of it's adoption, & called another Meeting, turnd him out & chose another in his room who was decidedly against it³—The most reputable characters in that County, are, I believe, on what *you will call the right* side of the question—but the middling & common sort are on the opposite—In Cumberland & York there are not I believe a great Many that are violent on either side—Thompson Widgery & Nason, on the negative⁴—McLellan Fox & our Friend Hill on the affirmative⁵—but the latter as you may have been informd. does not attend Convention—however he is warmly engaged in the Cause—& is, I will assure you, a considerable Preacher in Israel—daily holding forth & publishing the Doctrine (some say of Mammon) (he says) of salvation—few believe, in all things—but fewer, I fancy, are converted—You ask, “what are the objections I have to the plan”?—Some, I will confess—but the want of a Bill of Rights is not one of them—that, I dont think would by any means be of any service to the people—nay I am in doubt whether such a Bill would not of itself make the Constitution far more dangerous than it now is—unless it curtailed some of the powers already proposed to be given, which would be children's play indeed—like a man's taking a note of hand, & then instantly giving a Receipt not only sufficient but on purpose to cut & defray it—a Bill of Rights, (in My opinion) would give up the controlment at least of every right not particularly secured therein—& therefore unless it mentioned & particularly secured every right not expressly granted away, instead of lessening the powers of Congress, such a Bill would actually enlarge them—for instead of the Constitution's being the limits or boundary line of Congress, the Bill of Rights only would be the sacred barrier, or mark not to be exceeded—To say I have any serious & fixed objections, is wrong—But that I have *very great doubts* I will not deny—First, whether there is an EQUAL & SUFFICIENT representation of the people?—Slaves have ever been & still are considered as the property of their Masters, & therefore as such ought I think to be taxed, but *not represented*, any more than our *oxen* or *horses*—In the Southern States the slaves are very numerous, & therefore I fear will increase their Representatives to an undue proportion—Secondly—Whether even this Representation is properly secured to the people?—The times places & manner of choosing Representatives & Senators shall be prescribed by each State—but

Congress *may* at any time *make* or *alter* such regulations, except as to place &c—pray tell me, what power have the several States in this particular?—to what purpose was the place of chusing Senators excepted? I conceive the place to be very immaterial indeed & always wondered at the exception, but the time & manner may be of consequence—thirdly whether Sexennial elections are not dangerous?—unless guarded by a Rotation of office—something like the confederation⁶—but not exactly—suppose two successive Elections in Senators, & three in Representatives—would twelve years be too short a time for an ambitious Senator—and six for a designing Representative—fourthly—Whether the powers given to Congress are not too general—i.e. whether these words “and provide for the Common Defence & *general welfare* of the united States,” may not be construed to extend to every matter of legislation? Suppose a man, with the spirit of an englishman & a Republican, should find fault with the mode of administration, & should boldly publish his sentiments upon the subject—might not Congress say that the “general welfare of the states” required that a stop should be put to such daring publications?—which, however just—however well founded, would no doubt be complimented by Congress, with the appellation of *Libels against Government*—how would this effect the liberty of the press? fifthly whether, there are not implied powers? else, why are there any negatives, or restrictions?—viz why was it provided that no titles of Nobility should be granted? suppose that clause was omitted, could congress constitutionally grant such a title?—Sixthly, whether this constitution will not finally consolidate the states—or rather totally annihilate the State governments?—Mr Willson if I mistake not, averd. that the Congress could not exist without the State legislatures⁷—with deference to that great Man’s better Judgment, I differ far from him—I think that Congress have not only the power of Judging of their own Elections, but also the *Sovereign Right of Regulating* them at any time—If so, should all the States refuse to take any steps towards the choice of Senators & representatives, Congress may provide for their Election—I would not be understood to wholly disapprove of this power I think it might have been conditional—for if any State should thus neglect or refuse, then Congress ought to have this power—These are the principal causes of my doubts—I am apprehensive, from what you have wrote upon the subject, that you will say most if not all proceed from an unreasonable distrust of ~~Mankind~~ & Our Rulers & an Idea that Congress want only an opportunity to oppress, & tyrannize over, the people—experience has taught mankind that there is danger in giving up too much power to rulers—indeed if there was not danger of their misusing their powers, there would be no need of any restraint

at all, or limitation to their power conduct—and if this Congress, that to be formd. under the new Constitution, is to consist of Men, incapable of *an Idea, or a Motive, that does not teem with the greatest interest & welfare of the people*—I say, if it is *impossible* for them to do otherwise than right—or than to *make the true happiness of their Constituents, their only Study & aim*, there is no need of any Constitution at all—all we have to do, is to give them the power of governing us at pleasure—they will certainly do right, therefore there can be no danger—If all Men were like My Dear Uncle I should be satisfied with such a plan—but I confess I have not so good an opinion of mankind as thus unlimitedly to give up all my rights—& cheerfully to submit to whatever their humor or caprice should happen to suggest—I would suggest another Quere. Whether the Holders of State Securities or notes will not, upon the adoption of this Constitution, for the nonpayment thereof, have a remedy, by an action in the Federal Court against the state issuing the same?—You may think that all these objections are either ill founded, or have no weight—I will not pretend to say that that is not the Case—I wish only to be convinced of it, & shall instantly relinquish them—but adieu to politics for this time—

1. RC, Chamberlain Collection, Thatcher Papers, MB. Two days after completing his letter, Lee continued writing to Thatcher on the same page. The continuation is dated “Friday 25 Jany.” A “P.S.” on the last page stated: “I shall not insist upon your reading this letter.” Lee (1760–1814), a 1784 graduate of Harvard College, read law with Thatcher and lived with Thatcher’s family in Biddeford, Maine. Lee married Thatcher’s niece Temperance Hedge, who also lived with that family. About 1789 Lee moved to Pownalborough, Maine. He served in the state House of Representatives, 1794, 1797–99, and the U.S. House of Representatives, 1799–1801. In 1801 President Thomas Jefferson appointed Lee, a Federalist, to be U.S. Attorney for the District of Maine, a position Lee held until his death.

2. In December 1787 Pownalborough voted against the Constitution, but Thomas Rice voted to ratify it in the state Convention. See IV below, Pownalborough section.

3. Captain Abiel Lovejoy, a veteran of the French and Indian War, farmer, saw mill owner, and landowner, represented Vassalborough in the state House of Representatives, 1777–78, 1779–80, 1781–82. Lovejoy was replaced by Captain Samuel Grant, a farmer, constable, and former Continental Army officer, who voted to ratify the Constitution. See also IV below, Vassalborough section.

4. Samuel Thompson of Topsham, William Widgery of New Gloucester, and Samuel Nason of Sanford, three of the principal Antifederalists in the state Convention, voted against ratification of the Constitution.

5. Joseph McLellan and John Fox, both merchants and selectmen, represented Portland in the state Convention, voting to ratify the Constitution. Fox sat in the state House of Representatives, 1787–88, 1790–93. “Will” was possibly William Thompson of Scarborough—town selectman, member of the state House of Representatives, and special justice of the Court of Common Pleas for Cumberland County. He voted to ratify the Constitution in the state Convention.

6. The Articles of Confederation provided that delegates to Congress have one-year terms and could serve no more than three years in any six.

7. See CC:134, p. 342.

Massachusetts Centinel, 23 January¹

A lengthy letter from his Excellency the Governour of Virginia, addressed to the Speaker of the House of Delegates of that State, has been published—in which he paints, in the most striking colours, the actual and probable evils of our present system of national government; and proves the expediency of adopting the proposed Constitution, at least with some amendments; and his principal reason for refusing to sign it seems to be, that, however necessary they might be found, no amendments were to be admitted—however, if they are not to be obtained, he would be willing to accept it as it is.²

1. Reprinted: *New Hampshire Spy*, 25 January; *New Hampshire Gazette*, *Essex Journal*, and *Hampshire Chronicle*, 30 January; *Cumberland Gazette*, 31 January; *Norwich Packet*, 6 March. For Governor Edmund Randolph's letter, see "The Massachusetts Reprinting of Governor Edmund Randolph's Objections to the Constitution," 21 January–11 March.

2. In the next-to-the-last paragraph of his letter, Randolph wrote that he would "accept the constitution" even if amendments "cannot be obtained" (CC:385, p. 134).

Pat: The Bulls and the Lion
Massachusetts Centinel, 23 January¹

The BULLS and the LION:

A FABLE.

*Recommended to the serious consideration of the opposers
of the new Constitution.*

Safe on the Lion's old domain,
The Bulls enjoy'd the flowery plain;
To conquer oft the Lion tried,
But sorely push'd on every side,
The monarch soon was taught to yield—
The Bulls united kept the field.
With grief we read the dismal tale,
That art suppli'd, where strength did fail:
New schemes and trickings Leo tries²
To make the STURDY Bulls his prize,
And by his jealous hints and fears,
Sat³ all together by the ears.

His engines were not set in vain,
Suspicion agitates their brain,
They soon grew fearful of each other,

Each scorn'd and *shunn'd* his faithful⁴ brother.
 Each feels his consequence—his pride;
 They doubt each other—they divide.
 For want of friendship's powerful stay,
 The Bulls become an easy prey—
 The Lion sees his conquest done,
 And slays the THIRTEEN ONE BY ONE.
 WE thus (it must appear to all)
 UNITED STAND—DIVIDED FALL.

1. Reprinted: *New Hampshire Gazette*, 30 January; *Pennsylvania Packet*, 6 February; *New York Morning Post*, 16 February; *Charleston Columbian Herald*, 17 April; *Philadelphia American Museum*, October issue; *State Gazette of North Carolina*, 11 December. The last two newspapers and the *American Museum* omitted the signature. The *State Gazette of North Carolina* reprinted the poem from the *Museum*. Both omitted the sentence immediately preceding the poem and both made significant changes. See notes 2–4.

2. The *Museum* changed “trickings Leo” to “tricks the lion.”

3. The *Museum* changed “sat” to “set.”

4. The *Museum* changed “faithful” to “fearful.”

Ezra

Massachusetts Centinel, 23 January¹

MR. PRINTER, The question with regard to the adoption or rejection of the federal Constitution, now under consideration of the Convention, representing the several corporations of this Commonwealth, and now sitting in the town of Boston, is a question which ought to be maturely debated, and soberly judged upon; should this take place, I imagine the result must be, a rejection of the Constitution. It can hardly be supposed possible, that a people like this, after having undergone so much loss of blood and treasure, for the purpose of securing their liberties, should now vote them all away.

I have heard several days debates of the Convention, particularly upon biennial elections, of the representatives in Congress. The speakers on the side of this article, (however learned) by no means shew fair play—for notwithstanding all their rhetorick, to set forth the benefit resulting therefrom—yet they equally and uniformly endeavour to keep out of view, the plainest and most natural construction of a subsequent section, which entirely deprives the people, (as a body) of the privilege, even of biennial elections. What security have we for it, when it is expressly provided, that Congress shall have it in their power, to alter the time and place of election? Will it not be in the power of Congress, to order the matter in such a manner, as effectually to deprive more than three fourths of the people of this privilege? Suppose for instance, the

place chosen for election, should be the extreme eastern, or western borders of this Commonwealth—what will be the consequence? Why but a very small part of the people indeed will be represented.—This is plain and obvious—it needs no comment, and the plain, good sense of the Convention will not be led aside by all the sophistical reasonings, that are made use of for that purpose. Here our orators find themselves extremely diffculted—they find it hard to make people who have the proper use of their opticks, believe that black is white, whilst the object is before their eyes. Yet as no twig is so slender, but that a drowning man will grasp it—so they think, that although they cannot make them believe it, at present, yet they may be more successful, in an attempt to possess them, with a belief, that such a thing may happen hereafter. Although they themselves, and all others, are fully sensible, that our rulers for time past, have been no other than fallible men—yet in order to get this article down, they have no other way than to have recourse to a supposed INFALLIBILITY, of which our rulers are to be possessed under the new proposed Constitution. For although they will own, that this provision is made, and that it is in the power of Congress, to do as I have mentioned, yet say they, this was never intended—and it cannot be supposed, that Congress will ever be thus unreasonable. But who will be willing to trust his liberties upon a tenure so precarious as this? Where shall we find the man disposed to carry a favourite point, and has power enough in his hands to do it, and no one to call him to account therefore—I say where is the man but will do it? I know of no infallibility upon the earth, on this side Rome—and if we should send there, and import a number of INFALLIBLE Fathers, sufficient to constitute a Congress, I think there is very little prospect, but that through diversity of climate, and other concurring circumstances, they would soon loose their *infallibility*, and become as other men.

Upon the whole, the thinking yeomanry of the country, are not to be cajoled out of their senses, by arguments like these. They are willing to have an energetick, federal government—but they are not willing to have one, which savours so strongly of aristocracy, as the present, and which they are sensible, must inevitably end in a government of this sort. They are willing to have one upon the principles of republicanism—this they set out for—this they have obtained—and this they mean to keep—and those who now seem most anxious to deprive them of such a government, were at the beginning, foremost in the cry, and most vehemently urged them on to obtain it.—They (the people) are willing the federal Convention, should return to Philadelphia, and accomplish the business for which they were delegated, viz. to amend the Confederation.—They are willing to put power sufficient into the hands

of the present Congress, to provide for the payment of the publick debt—and to set commerce upon an equal and fair footing through the States.—But they are not willing at the same time, to resign up all their liberties, into the hands of a number of designing men—(especially of the southern States) who, with others, it is evident, wish to make the common people, slaves to their mercenary purposes, wallow in luxury, and riot upon the *spoils* of the community.

I am your's, &c.

EZRA.

1. On 19 January that *Massachusetts Centinel* announced: "Though we prepared for this day the [Massachusetts Convention] speeches of Messrs. Strong, Cabot, Parsons, Dalton, and others, yet, for want of room, they, several articles of intelligence, speculations, advertisements, &c. must be deferred until Wednesday [23 January]. *Ezra in our next.*" On 26 January "A Federalist" perhaps referred to "Ezra" as a "novel publication" by "the quondam Parson" that "excited the risibility of your readers." See "The Alleged Bribery and Corruption of the Delegates to the Massachusetts Convention," 21 January-6 February. The Convention debates over biennial elections, described by "Ezra," took place on 14, 15, 16, and 17 January.

Editors' Note

Elbridge Gerry and the Massachusetts Convention 23-28 January

On 14 January the Massachusetts Convention invited Elbridge Gerry, a former Constitutional Convention delegate, to sit in the Convention and answer questions respecting the adoption of the Constitution. The next day Gerry accepted the invitation. He was asked a question on the 18th, and he replied in writing on the 19th. On the latter day the Convention debated a provision on the Senate. Although Gerry was not asked a question, Caleb Strong referred to him in a debate, causing Gerry to rise and state that he was preparing a letter on the subject. The propriety of his interruption was questioned, and, when he tried to justify his action, he was prevented from speaking. The Convention debated whether or not Gerry should be asked to provide information about the Senate, and then it adjourned. Delegate Francis Dana and Gerry got into a heated argument and had to be separated. Gerry did not return to the Convention, but on 21 January he addressed a letter to its presiding officer.

Gerry's letter, to which he had appended "a State of Facts," was read in the Convention on the 22nd, and on the 23rd the letter without the statement of facts appeared in the *Massachusetts Centinel*. The letter was reprinted in the *Independent Chronicle*, 24 January; *American Herald*, 28 January; *Salem Mercury*, 29 January; *Essex Journal*, 30 January; *Cumberland Gazette* and *Worcester Magazine*, 31 January; and outside the state, in

whole or in part eighteen times by 20 February: R.I. (2), Conn. (5), N.Y. (4), Pa. (5), Md. (1), Va. (1). On 28 January the state of facts appeared in the *American Herald*. It was reprinted in the *Independent Chronicle*, 31 January (supplement); *Salem Mercury*, 5 February; *Essex Journal*, 6 February; and outside the state, seven times by 8 March: R.I. (2), N.Y. (4), Pa. (1).

For Gerry's letter and state of facts, see the Massachusetts Convention, 22 January (V below).

George Washington and the Constitution

23 January–2 February

Time and again, Federalists urged ratification of the Constitution because George Washington had signed it. Although Washington supported ratification in his private correspondence, he avoided making a public statement on the Constitution. An excerpt from one private letter, written on 14 December 1787 to Charles Carter of Ludlow, a Stafford County, Va., planter, was printed on 27 December in the *Virginia Herald* of Fredericksburg. (For the complete text of Washington's letter, concerned largely with farming matters, see Abbot, *Washington*, V, 489–92.) The 27 December issue of the *Herald* is not extant, but on 3 January 1788 the *Pennsylvania Mercury* reprinted the extract of the letter under the dateline, "FREDERICKSBURG, December 27" and under the heading "Extract of a letter of a late date from a member of the late Fœderal Convention, to his friend in this town." Washington was first publicly identified as the letter writer on 1 January, when the *Maryland Journal* preceded its reprinting of the letter with a statement indicating that it was "from the illustrious President of the late Federal Convention." (For Washington's displeasure at the publication of his letter and for Carter's defense of his actions, see RCS:Va., 278–80, and CC:386.)

The extract of Washington's letter was reprinted throughout America, and it precipitated a debate in Massachusetts concerning its authenticity and the validity of its arguments. Within three months, it was reprinted in the January issue of the Philadelphia *American Museum* and in forty-nine newspapers: Vt. (1), N.H. (3), Mass. (9), R.I. (4), Conn. (7), N.Y. (8), N.J. (3), Pa. (10), Md. (1), S.C. (1), Ga. (2). The Massachusetts reprints appeared in the *Massachusetts Centinel*, 23 January; *Independent Chronicle*, 24 January; *Massachusetts Gazette*, 25 January; *American Herald*, 28 January; *Hampshire Gazette*, 30 January; *Hampshire Chronicle*, 30 January; *Cumberland Gazette*, 31 January; *Worcester Magazine*, 31 January; and *Essex Journal*, 6 February. The *Massachusetts Centinel* headed its reprint: "The illustrious WASHINGTON's opinion on the federal Constitution." The *Essex Journal* indicated that it had omitted the letter from its previous issue because it lacked the space. (For more about the reprinting of the letter by Massachusetts newspapers, see note 1 below.)

The publication of Washington's letter pleased most Federalists. After reading some of the newspaper criticisms of Washington's letter to Carter, James Madison wrote Washington that "I cannot but think on the whole that it [the

publication of the letter] may have been of service, notwithstanding the scandalous misinterpretations of it which have been attempted" (20 February, RCS:Va., 280–81).

On 20 December 1787 Madison, concerned about the prospects of ratification in Massachusetts, had written Washington that "I have good reason to believe that if you are in correspondence with any gentlemen in that quarter [Massachusetts], and a proper occasion offered for an explicit communication of your good wishes for the plan, so as barely to warrant an explicit assertion of the fact, that it would be attended with valuable effects. I barely drop the idea. The circumstances on which the propriety of it depends, are best known to, as they will be best judged of, by yourself" (CC:359). On 10 January Washington replied that he had no regular Massachusetts correspondent (RCS:Va., 292). Washington later remembered that he frequently corresponded with Benjamin Lincoln, a Massachusetts Convention delegate who had served with him during the Revolution (Washington to Madison, 5 February, CC:499). Responding to a letter from Lincoln of 9 January, Washington wrote on 31 January that "There is no question however but the decision of other States will have great influence here; particularly of one so respectable as Massachusetts.—You have undoubtedly seen my sentiments upon the Constitution in an extract of a letter written by me to a Gentleman in Fredericksburgh, which I find has circulated pretty generally through the Papers.—I had not the most distant idea of its ever appearing before the public, for altho' I have not the least wish or desire to conceal my sentiments upon the subject from any person living, yet, as the letter containing the paragraph alluded to was written upon several other matters quite foreign to this, & intended only for that Gentleman's own inspection, I did not attend to the manner of expressing my ideas, or dress them in the language I should have done, if I had had the smallest suspicion of their ever coming to the public eye—through that Channel.—I feel myself much obliged by your promise to inform me of whatever transpires in your Convention worthy of attention, and assure you that it will be gratefully received" (RCS:Va., 279).

Another Washington letter supporting the Constitution, this written to Caleb Gibbs of Boston on 28 February, appeared in print for the first time in the *Massachusetts Centinel* on 22 March (CC:638). It was reprinted forty-nine times by 10 May, seven times in Massachusetts alone. Gibbs commanded Washington's bodyguard during the Revolution and both he and Lincoln were with Washington at Yorktown in 1781.

Massachusetts Centinel, 23 January¹

The illustrious WASHINGTON's opinion on the federal Constitution.

Extract of a letter, of a late date, from the illustrious President of the late federal Convention, to his friend in Fredericksburg, Virginia—extracted from Mr. Green's Virginia Herald.

"I thank you for your kind congratulations on my safe return from the Convention, and (am pleased that the proceedings of it have met

your approbation.)²—My *decided* opinion of the matter is, that there is *no alternative* between the *adoption* of it and *anarchy*. If one State, however important it may conceive itself to be, or a minority of them, should suppose that they can dictate a Constitution to the union,³ unless they have the power of applying the *ultimo ratio* to good effect, they will find themselves deceived. All the opposition to it, that I have yet seen, is, I must confess, addressed more to the passions than to the reason; and *clear I am*, if another federal Convention is attempted, that the sentiments of its members will be *more discordant* or *less accommodating*⁴ than the last. In fine, that they will agree upon no general plan. General government is now *suspended by a thread*, I might go further, and say it is *really at an end*, and what will be the consequence of a fruitless attempt to amend the one which is offered, before it is tried, or of the delay from the attempt, does not in my judgment need the *gift of prophesy to predict*.

“I am not a blind admirer, (for I saw the imperfections) of the Constitution I aided in the birth of, before it was handed to the publick; but I am fully persuaded it is the *best that can be obtained at this*⁵ *time*;—(that it is free from many of the imperfections with which it is charged),⁶ and that *it or disunion* is before us to choose from. If the first is our election, when the defects of it are experienced, a constitutional door is opened for amendments, and may be adopted in a peaceable manner, without tumult or disorder.”

Brutus

*Independent Chronicle, 24 January*⁷

January 23, 1787 [i.e., 1788].

Mess'rs. ADAMS and NOURSE, I have this moment read in the Centinel, what is said to be a letter from General Washington. I have had, and do as yet entertain a high opinion of that illustrious Commander, and therefore have not yet brought myself to believe this to be his production, for he never could thus insult the country *with a military arrogance*. The letter says, that “*if one State, however important it may conceive itself to be, or a minority of them, should suppose that they can dictate a Constitution to the Union, unless they have the power of applying the ULTIMO RATIO, to good effect, they will find themselves deceived.*”

The subject of the letter, is the proposed Constitution. A general Convention was appointed to add efficient articles to the confederation—but they have reported a form of government, as nearly like that of Great-Britain, as the circumstances of the country will admit. This if

adopted, dissolves the confederation, and the people are called to deliberate on this momentous question. In the midst of their debates, is published a letter said to be from General Washington, holding up the idea, that if a majority of the States, agree to this New Constitution, the *ULTIMO RATIO*, that is the *BAYONET*, shall compel the minority to submit. To justify the threat, it is declared that government is at an end—Are we then in a state of nature? Is there any other tyranny than that of compelling the weaker to submit to the stronger?—Is this what that illustrious General fought for? Are these his Laurels? If they are, he borrowed them from Cæsar.

*Massachusetts Gazette, 25 January*⁸

A scribbler under the signature of Brutus, in the Independent Chronicle of yesterday, says a correspondent, with all that impudence so concomitant with the principles of anti-federalism, insinuates that the letter wrote by the late illustrious president of the federal convention is a forgery; this is no doubt done with a view to take off the weight of any influence which the said letter might impress upon any minds. The deception will, however, easily be seen through, and its author despised. The comments of Brutus upon the letter are too ridiculous and contemptible to notice.

Cato

*Massachusetts Centinel, 26 January*⁹

TO BRUTUS.

Oh! BRUTUS—how it grieves the ingeneous heart, thus to see thee prostitute thy sense and thy honesty (if any yet is left within thee) to the vile practice of falshood and deceit.—Every one who has read the letter of Gen. *Washington*, published in the last *Centinel*,¹⁰ is ashamed for his species, that there is one so corrupt as to endeavour to mislead his fellow-citizens as to its real meaning—which is this—if *Massachusetts, or Virginia, or a minority of the States, in refusing to accept the new Constitution, can suppose themselves strong enough to dictate to the majority of the States, whom they suppose to be weaker, such a Constitution as they please to make, [they] will very much deceive themselves—for they may depend on it that majority, though weaker, will never consent to be dictated to by a minority, who may suppose themselves stronger, unless they force them by dint of the bayonet.* This is his plain and obvious meaning.—Blush, BRUTUS! blush! wrap thyself again in thy native insignificance—retire from the world—and in solitude and silence pray heaven to forgive thee thy sins.

An American

*American Herald, 28 January*¹¹

We have been frequently advertised in the public papers, that General Washington, when he set his hand to the proposed Constitution, uttered these words—"THIS IS, PERHAPS, THE LAST TIME THE AMERICANS WILL HAVE AN OPPORTUNITY, COOLLY, TO SET DOWN, AND AGREE UPON A FORM OF GOVERNMENT."¹²—The mode of expression from a Soldier,—from a Man, who, besides the CINCINNATI, could call out many followers—from a Man, who stands in the public eye, the sole candidate for Chief Ruler of all the States: From such a one, it was as void of prudence as it was of foundation.—This has alarmed many patriots, and given pain to many of his friends—but they all feel a respectful delicacy towards that Great Man, and have therefore been silent, while they might have observed, that, as the motion made by Virginia for a General Convention, was so readily agreed to by all the States; and that as the people were so very zealous for a good Federal Government, though this plan, which was aided in its birth by that Great Man, should fail, the people could again *set themselves down coolly, to make another*.—The mode of expression might have been animadverted upon. THE LAST TIME they would have an OPPORTUNITY!—From whom do they receive this OPPORTUNITY, but from Heaven?—And who shall withhold the boon?

Had not his letter appeared in the papers, fully explanatory of his ideas, still the regard all feel for him, might have constrained a decent silence. In this letter he says, "MY DECIDED OPINION IS, THAT THERE IS NO ALTERNATIVE BETWEEN THE ADOPTION OF IT (that is the proposed Constitution) AND ANARCHY." One would suppose it very strange, that a Convention of fifty members, however respectable, should have such an opinion of their own sagacity, that when they had performed a task *which they took upon themselves*, they supposed that three millions of people could not amend it, or wish an alteration! and that unless this identical System, with every letter and figure thereof should be adopted, all Government would be at an end, "Old Chaos would come back again, and nothing but anarchy ensue!"—No new Convention, no new set of men can ever agree again, why?—Because miracles have ceased.

But he goes on,—“If ONE STATE, however important it may conceive itself to be, or a minority of them, should suppose, that they can dictate a Constitution to the Union, unless they have the power of applying the ULTIMO RATIO, to good effect, they will find themselves deceived.”—One expression more ought to be attended to, in order to find the General’s meaning:—“GENERAL GOVERNMENT IS NOW

SUSPENDED BY A THREAD—I MIGHT GO FURTHER, AND SAY, IT IS REALLY AT AN END.”—The proposed Constitution, is by the recommendation of the Convention, to be in force when nine States shall ratify it; if seven or eight out of 13 agree to it, yet the old Confederation remains until the people agree upon another.—But General Washington tells us, that the General Government is at an end already, and that unless the New Plan is adopted, anarchy and confusion takes place, and that a minority, unless they can apply the *Ultimo ratio* with good effect, will find themselves deceived. I do by no means wish to put an uncandid construction upon this letter, but I cannot resist the conclusion, that the General has declared, that this Constitution shall be supported by the *ULTIMO RATIO*, that is—by force.

What is a Tyranny, but a Government forced by the stronger upon the weaker?—How imprudent then must the General be to make these declarations?—Does our soil produce no more Washington’s? Is there none left who would oppose the attempt to establish a Government by force?—Can we not call from the fields, the counters, the bar, and mechanics’ shops, any more Generals?—Is our soil exhausted?—And does any one suppose that the Americans, like the Romans, will submit to an Army merely because they have conquered a foreign enemy?

The truth is that we cannot exist without a General Government, and that great thanks are due to the Convention for the plan they offer; but should the body of the people, or even a majority of the States, wish for alterations, before they ratify the work, surely they may be obtained without bloodshed, without the *ULTIMO RATIO*. And the majority with usual American candour, will yield to their brethren.

Junius

*Massachusetts Gazette, 29 January*¹³

To the PUBLICK.

Can the citizens of this metropolis, or the well wishers to the establishment of good government throughout the state, be accused of deficiency in point of candour, should they resent, in the highest degree, the insults offered them by a band of harpies and knaves—by a set of beings, destitute of principle, of property, and decency? Can you, my countrymen, tamely submit to see the characters of men who have fought your battles, who have assisted in your councils, and braved danger in every shape, to rescue you from the devouring jaws of despotism, and establish your national honour and dignity on a permanent basis, now defamed, villainously defamed, by the most infamous scurrillity that ever blotted the newspaporial page. Defamed too by men

whose only boast is treachery and injustice, and whose publications exhibit insurgency in its most glaring colours.

I this morning took up the AMERICAN HERALD, and, after perusing it, with emotions of indignation and contempt, committed it to the flames. It was fraught (with some exceptions) with defamation and slander, and I was astonished to think that the editor of that publication should make it the vehicle of so much stupidity, finished impudence and complete puppyism, to the publick. The piece signed an "American," is a composition of scandal and abuse, levelled at one of the first characters in the universe, and could proceed only from a mind capable of suggesting ideas that can be stiled nothing else but the mere filth and scum of the most finished rascality.

Let the red lightning wing its way, with double force,
To blast the black'ning wretch who dares
Traduce the fame of characters
The height of whose ambition is their country's welfare.

The character of the illustrious Washington is too firmly established to be injured by the pitiful insinuations and misrepresentations of a paltry and insidious scribbler—the fame of the American Fabius can never be wounded by the shafts of wretches, however well skilled in ribaldry and defamation—nor by the aspersions of those who wish to bury their own crimes in the vale of publick iniquity. The fame of Washington will stand recorded on the brightest pages of the historian, while the deeds of his vile calumniators

Now do, and will in future ages, live
"In all the glare which infamy can give."

What true American can peruse the vile misconstructions which are put upon the sentiments of the president of the late federal convention, and not feel an honest indignation rising in his bosom against those nefarious, despicable, midnight croakers, who make it their business to squall from the pit of darkness, against characters whose patriotism darts rays of brightness that damps the feeble powers of their opticks, and forces them to retire to their gloomy cells, from whence they breath forth their noxious vapours with an intent to taint the clear atmosphere of truth and reason? But feeble will be the attempts of villainy, to sap the confidence which the citizens of America have in men of tried and known integrity, firmness and patriotism. The citizens of America have too much knowledge and good sense to be led away by the arts of men who need only be known to be despised.

Massachusetts Centinel, 2 February

A QUESTION.

Whether there was any necessity for the signature of BRUTUS to the piece of scurrility upon the American FABIUS in the Independent Chronicle of the 24th ult?—Does not this wretched performance carry the mark of the BRUTE upon the face of it? How gross the writers ignorance, with his *ultimo ratio!* how ridiculous his affectation of learning! how contemptible his remarks! how impudent his reflections!

1. Washington's letter first appeared in print in the no longer extant *Virginia Herald* of 27 December. The reprint in the *Massachusetts Centinel*, 23 January, from which the text here has been transcribed, is the earliest Massachusetts reprinting. The first reprintings italicized only the key words "ultima ratio." All other italics first appeared in the Providence *United States Chronicle*, 17 January. Six of the nine Massachusetts newspapers that reprinted Washington's letter (including the *Massachusetts Centinel*) repeated all the italics. The *Massachusetts Centinel* lower cased the first letters of many words that were capitalized in earlier reprintings. Only the *Worcester Magazine* reprinting included the centered introductory line, which originated in the *Massachusetts Centinel*. The words "ultima ratio" were rendered as "ultimo ratio" in all Massachusetts newspapers, except the *Hampshire Gazette*. Seven Massachusetts newspapers italicized the two words, while the other two printed them in large caps.

For significant differences between the newspaper version of the letter and Washington's letterbook copy, see notes 2 to 6 below. (The recipient's copy of the letter has not been located.)

2. Instead of the text in angle brackets, the letterbook copy reads "with what you add respecting the Constitution."

3. Instead of the word "union," the letterbook copy reads "Majority."

4. Instead of the word "accommodating," the letterbook copy reads "Conciliator[y]."

5. The word "this" is the only word underlined in the letterbook copy. Moreover, the phrase in the letterbook is "*this* day," not "this time."

6. The text in angle brackets does not appear in the letterbook copy.

7. "Brutus" was printed in the *Independent Chronicle* immediately above Washington's letter. It also immediately preceded the letter in the *Hampshire Chronicle*, 30 January, and *Cumberland Gazette*, 31 January. "Brutus" was also reprinted in the *Massachusetts Centinel*, 26 January; *New York Morning Post*, 5 February; and *Philadelphia Independent Gazetteer*, 4 April, all of which had already printed Washington's letter. For a similar criticism of the extract from Washington's letter, see "A Countryman" VI (Hugh Hughes), *New York Journal*, 14 February (CC:386-H).

8. The *Massachusetts Gazette* printed this attack on "Brutus" in the same issue that it published Washington's letter. This attack on "Brutus" was reprinted in the *Pennsylvania Mercury* and *Pennsylvania Packet*, 7 February; and *Pennsylvania Journal*, 9 February.

9. This item, along with Washington's letter and the article by "Brutus," was reprinted in the *Cumberland Gazette*, 31 January.

10. *Massachusetts Centinel*, 23 January.

11. Reprinted: *New York Journal*, 12 February.

12. This quotation has not been located, but on 7 November the *New Jersey Journal* reported that when Washington was about to sign the Constitution, he said: "Should the states reject this excellent Constitution, the probability is, an opportunity will never again offer to cancel another in peace—the next will be drawn in blood!" (CC:233-A). By the

end of the year, the *Journal's* report was reprinted thirty-eight times throughout America, including six times in Massachusetts: *Hampshire Gazette*, 21 November; *Massachusetts Centinel*, 24 November; *Boston Gazette*, 26 November; *Salem Mercury*, 27 November; *Cumberland Gazette*, 30 November; and *Massachusetts Gazette*, 4 December.

13. On 25 January "Junius," answering "Agrippa," used Washington's letter to demonstrate that anarchy would follow the rejection of the Constitution (*Massachusetts Gazette*, 25 January, below).

Matthew Cobb to George Thatcher 24 January (excerpt)¹

I have flattered my self that I was on the list amongst the number of your Friends;—But not receiving a line from you has almost convinced me of the contrary however my attachment to you Sir & your Family, together with the purity of my friendship, will I presume excuse the freedom of this letter.—When you receive this it will remind you that your friend MC. is in being—If your silence is owing to your being constantly engaged in the great affairs of the union, I shall the more redily excuse it—Perhaps you conclude that I have not an ear for politicks, which appears to engross the attention of all classes of people, at this important crisis—But in that I assure you Sir you are mistaken, for I would not be so singular—for we are all politicians here from the well known G—n—D—s To A—n—S—h² who is considered here as the man of the people—you no doubt have been inform'd of all the particulars relating to the choice of members in the province of main, for the convention & this Town in perticular whose member in not attending, discovers as much wisdom, perhaps as in any action of his life—A Gentleman of sense & information has Jest arived in this Town from Boston, who informs us that Tompson, Wedgary & Nason are the greatest speakers in convention, from This quarter, or rather thay speak the most, & that Mr. Wedgary show'd him a list of 222 that was desidedly against it, out of 360—from the best information that I can get, I think it not probable that it will be ratified in this state When vice prevails & impious men barr [i.e., bear] sway the post of honour is a private station (Cato[])]³ When I took up the pen I did not intend to have said any thing about politicks & I beg your pardon for calling your attention to whot I have already said, as upon the second thought I am convinced that you correspond with gentlemen from this quarter, who informs you of every minute circumstance that takes place & would leave no room for a man of my ability, to say any thing new upon the subject. . . .

1. RC, Chamberlain Collection, Thatcher Papers, MB. This letter was postmarked "Portsmouth/February 5." The place of writing is not indicated, but the letter was probably written from Biddeford, Maine, where Cobb (1757–1824), formerly of Barnstable,

was the principal merchant. Cobb moved to Portland in 1796, continued to prosper as a merchant, and before his death served as town treasurer, selectman, and a member of the Massachusetts House of Representatives.

2. Probably Allison Smith who was elected a delegate to the state Convention, but refused to attend.

3. Joseph Addison, *Cato. A Tragedy* (1713), Act IV, scene 4.

Norwich Packet, 24 January

We learn from Boston that the honorable Convention, now setting in that town, meet with considerable opposition, from the great party spirit which prevails in their deliberations.—We however cannot but think that the Constitution will at the close be adopted—it is thought that they will not complete their business this three weeks.

Nathaniel and Francis Thayer to Champion and Dickason Boston, 25 January (excerpt)¹

... we hope soon to be under a Government established on the principles of Civil Liberty: and secure to every person, his Right & property, of course we hope with success to be able to discharge our Debt due you: it will give us great pleasure when that wish'd for Period arrives, but thank Heaven you are our only Creditors: and we think we have a Sufficiency on hand, to satisfy you at any time whatever: we think we see now the Trade moving in a Better Channel than at any time as yet: our Exports are nearly sufficient to ballance our Imports. Consequently the Trade is mutually advantageous: there is nothing requir'd in this Life; but patience Fortitude & perseverance to carry us through the greatest difficulties that can overtake us;

1. FC, Nathaniel and Francis Thayer Letterbook, MHi. The Boston city directory for 1789 lists Nathaniel and Francis Thayer as shopkeepers at number 9 Cornhill. Champion and Dickason were London merchants.

Agrippa XIV Massachusetts Gazette, 25 January¹

To the MASSACHUSETTS CONVENTION.

GENTLEMEN, That the new system, proposed for your adoption, is not founded in argument, but in party spirit, is evident from the whole behaviour of that party, who favour it. The following is a short, but genuine specimen of their reasoning. The South-Carolina legislature have established an unequal representation, and will not alter it:² therefore Congress should be invested with an unrestrained power to alter

the time, manner and place of electing members into that body.³ Directly the contrary position should have been inferred. An elected assembly made an improper use of their right to controul elections, therefore such a right ought not to be lodged with them. It will be abused in ten instances, for one in which it will serve any valuable purpose. It is said also that the Rhode Island assembly *intend* to abuse their power in this respect,⁴ therefore we should put Congress in a situation to abuse theirs. Surely this is not a kind of reasoning that, in the opinion of any indifferent person, can vindicate the fourth section. Yet we have heard it publickly advanced as being conclusive.

The unlimited power over trade, domestick as well as foreign, is another power that will more probably be applied to a bad than to a good purpose. That our trade was for the last year much in favour of the commonwealth is agreed by all parties. The freedom that every man, whether his capital is large or small, enjoys, of entering into any branch that pleases him, rouses a spirit of industry and exertion, that is friendly to commerce. It prevents that stagnation of business which generally precedes publick commotions. Nothing ought to be done to restrain this spirit. The unlimited power over trade, however, is exceedingly apt to injure it.

In most countries of Europe, trade has been confined by exclusive charters. Exclusive companies are, in trade, pretty much like an aristocracy in government, and produces nearly as bad effects. An instance of it we have ourselves experienced. Before the revolution, we carried on no direct trade to India. The goods imported from that country, came to us through the medium of an exclusive company.⁵ Our trade in that quarter is now respectable, and we receive several kinds of their goods at about half the former price.—But the evil of such companies does not terminate there. They always, by the greatness of their capital, have an undue influence on the government.

In a republick, we ought to guard, as much as possible, against the predominance of any particular interest. It is the object of government to protect them all. When commerce is left to take its own course, the advantages of every class will be nearly equal.—But when exclusive privileges are given to any class, it will operate to the weakening of some other class connected with them.

(Remainder next Tuesday.)

1. The editor of the *Massachusetts Gazette* faced a space problem in the 25 January issue. Because the debates of the Massachusetts Convention were of "great publick importance," he preferred "giving them a place" to the exclusion of parts of "Agrippa" and an entire article by "Massachusettensis." The remainder of "Agrippa" and the article by "Massachusettensis" appeared on the 29th. The editor also announced in his 25 January

issue that "An Impartial Spectator" would not be printed because he believed the author "has misconceived some points on which he founds his suggestions."

2. "Agrippa" refers to a statement made by Rufus King in the Massachusetts Convention on 21 January concerning malapportionment in the South Carolina legislature. King declared that "By the constitution of South-Carolina, the city of Charleston has a right to send 30 representatives to the General Assembly; the whole number of which amount to 200. The back parts of Carolina have increased greatly since the adoption of their constitution, and have frequently attempted an alteration of this unequal mode of representation; but the members from Charleston having the balance so much in their favour, will not consent to an alteration; and we see that the delegates from Carolina in Congress, have always been chosen from the delegates of that city. The representatives, therefore, from that state, will not be chosen *by the people*; but will be the representatives of a faction of that state" (V below). Under the state constitution of 1778, the Charleston District (which included the city of Charleston) sent 96 men to the 202-member lower house of the state legislature (Jerome J. Nadelhaft, *The Disorders of War: The Revolution in South Carolina* [Orono, Me., 1981], 30–31).

3. Article I, section 4, of the U.S. Constitution, states that "The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators."

4. "Agrippa" refers to statements made by Francis Dana and Rufus King in the Massachusetts Convention on 21 January. They declared that, during the previous year, the Rhode Island legislature tried to treat the large, more populous towns unfairly with respect to their representation in the lower house (V below). In March 1787 the Rhode Island legislature attempted to amend the colonial charter (the state's constitution) in order to reduce the representation in the lower house of the state's four original towns (Newport, Portsmouth, Providence, and Warwick) so that they would have the same number of representatives as the other towns. After the bill was sent to all of the state's towns for consideration, it was defeated by one vote in the lower house in early November 1787 (Irwin H. Polishook, *Rhode Island and the Union, 1774–1795* [Evanston, Ill., 1969], 147–48). For a response to "Agrippa," see "Captain M'Daniel," *Massachusetts Gazette*, 29 January; and for "Agrippa's" rejoinder, see "Agrippa" XVI, *Massachusetts Gazette*, 5 February, at note (a).

5. The British East India Company.

Junius

Massachusetts Gazette, 25 January¹

To AGRIPPA.—*Concluded.*

SIR, You tell us, in your publication of January the 18th,² that to look beyond local interests, and judge for the good of the empire, is sapping the basis of a free state. If every state was to confine themselves wholly to their own private views, and refuse to relinquish a little for the good of the whole, the union would be in a fine situation indeed; a situation, however, which the anti-federalists wish to place it in, for they glory in the principles of Shayism. You say, sir, that the men who framed the old confederation are against the new plan of government. There may be a few, but I trust very few indeed, of those who framed

the old confederation that are in opposition to the new plan, the most of them are highly in favour of it. You say, that you appeal to any man of unbiassed judgment, whether his feelings tell him, that there is any danger at all in rejecting the new plan. You further say, that you ask not the palsied or the jaundiced, nor men troubled with bilious or nervous affections, for they can see danger in every thing. It is then plain, sir, that you do not address your question to those of your own stamp, for they are the men who see with jaundiced eyes, and shake, as if troubled with the palsy, at the idea of vesting an efficient power in a federal head, to promote their own prosperity and happiness. Anti-federalists are the men who are troubled with bilious and nervous affections, and had you made your appeal to them, you might have expected an affirmative answer to your question. But, sir, if you appeal to the good sense of enlightened and liberal minds, your question will most certainly be answered in the negative. The illustrious WASHINGTON, (whose character as well as others of the convention, in some of your publications, you censured, infamously censured)³ has recently given it as his opinion, that anarchy will follow the rejection of the federal constitution.⁴ The distance, you say, from the seat of government, will make it extremely difficult for the constituents to get information of the conduct of their representative. This assertion is puerile and weak, and you must have inserted it barely with the view of lengthening out your absurd harrangue. If the representative, you say, is faithful to his constituents, his conduct will be misrepresented, in order to defeat his influence at home. Of this, you say, we have a recent instance. This is not a matter of fact, but a mere assertion founded on your opinion. You may possibly think, the conduct of the gentleman you allude to was misrepresented; but, sir, give me leave to inform you, that a very great part of his constituents think his conduct justly represented, and have a very different idea of it, from that which you entertain.⁵ If, however, such a thing should happen, as that the conduct of a representative should be misrepresented, it is hoped, on his return home, if he should find an assembly of the people convened for any particular purpose, and his town have not thought him an object worthy to represent them in that assembly, that he will not pitifully sneak in and accept of a seat in it, when a majority of the sensible and honest part of the assembly view him in a most contemptible light, though for various reasons, a greater number of hands may be held up to invite him, than otherwise. We shall, in our elections, you say, have all the intrigue, cabals and bribery practised, which are usual at elections in Great-Britain. This is a bugbear of your own begetting, a mere chimera

of your fanatick brain, without reason or probability to support it. However ripe you may be, sir, for caballing, intriguing and bribery, it is hoped your colleagues are few.

You tell us, if we accept of the constitution, we shall be bought and sold again—and that to accept it under an idea that we can amend it, is sporting with fire-brands, arrows and death, and an hundred other absurdities, founded on your own crazy imagination; your productions are a jumble of words, which convey ideas foreign to the subject you pretend to discuss, and are even a disgrace to the cause you try to support. Your opinion is as fickle as the wind, and liable to be changed by one w——n as well as another. You have been heard to talk in favour of the constitution one day, and a few days after been detected in running out against it. In short, your conduct with regard to the constitution, has been in the highest degree inconsistent; and it is to be lamented that even the common language of contempt must give such an author a notice, of which you are wholly unworthy. I bid you adieu, for the present, in order to address myself a moment to the honourable convention now sitting in Boston.

FATHERS and countrymen! you are now convened to discuss a subject more important than any which has hitherto demanded your attention. The Federal constitution was framed by men, some of whom have borne no small share of the hardships and toil with which the independence of America was purchased; men, who from their cradles have been nurtured in the principles of republicanism, and early had a sense of the rights of human nature impressed upon their minds.

Writers on both sides have given you their opinion of the constitution, but you will judge of it from your own investigation of the subject; and be assured, that

On your debates depends th' impending fate
 Of all that freemen prize as good and great:
 Your wisdom, unborn millions must adore,
 Or curse your names as they each deed explore;
 For should the glorious plan, before you, fall,
 We must attend a tyrant's lordly call;
 Be summon'd from the mores which gave us birth,
 And creep, like reptiles, on the face of earth:
 No more partake of what was once bestow'd,
 And what we purchas'd with our dearest blood.

1. The first part of "Junius" appeared in the *Massachusetts Gazette*, 22 January. The last two paragraphs of "Junius" were reprinted in the *Pennsylvania Herald*, 7 February.

2. See "Agrippa" XII, *Massachusetts Gazette*, 18 January.
3. No criticism of George Washington has been located in any of the "Agrippa" essays.
4. See "George Washington and the Constitution," 23 January–2 February.
5. A reference to Elbridge Gerry, who was praised by "Agrippa" in his first number published in the *Massachusetts Gazette* on 23 November (RCS:Mass., 304). See "Agrippa" XII, *Massachusetts Gazette*, 18 January, for the allusion to Gerry that "Junius" criticizes.

Massachusetts Gazette, 25 January¹

The anti-federalists, says a correspondent, feel a consciousness at length that truth and reason are capable of forcing conviction on the mind; they now dread the discussion of the remaining part of the constitution on which no debates have yet taken place. Indeed, the beauties of that excellent system of government, which the federal convention have planned, are daily seen in a more conspicuous point of view; every just comment upon its various parts, adds new lustre to the noble fabric. By the federal constitution,

Freemen, your sacred rights are well secur'd,
 There justice in unsullied splendour reigns,
 By *knaves* and *tools* alone, 'tis unendur'd,
 While ev'ry honest man its worth proclaims.

The *Agrippanian* junto, says a correspondent, are so fearful that their plans will miscarry, and that the federal constitution will be adopted, that they have it in contemplation, it is said, to purchase a sufficiency of black cloth to hang round the walls of their cabinet, if it can be obtained upon *anti-federal credit*.

1. These two paragraphs were reprinted in the *Pennsylvania Packet* and *Pennsylvania Mercury*, 7 February, and *Pennsylvania Journal*, 9 February. The first paragraph only was reprinted in the Exeter, N.H., *Freeman's Oracle*, 1 February, and *Maryland Journal*, 12 February; while the second paragraph only appeared in the Winchester *Virginia Gazette*, 7 March.

The Yeomanry of Massachusetts Massachusetts Gazette, 25 January¹

MR. ALLEN, *Please to insert the following in your FREE PAPER,*
and you will oblige a number of free born people.

To the PUBLICK.

Many are the arts made use of by our aristocratick gentlemen, to accommodate the federal constitution to the taste of the yeomanry of the country. But it is very unlucky for them, that they should be so far misled, as to attempt to trump up *one* thing which appears by no means to be founded in truth, viz. that none but placemen and pensioners

are opposed to it. This is so far from quadrating with truth, that we conceive it to be an absolute falshood. We would ask the disinterested part of the community just to look over the characters which are so fond of swallowing this creature, which exhibits all the pourtraits of an over-bearing aristocracy, and see if *they* are not chiefly composed of salary men and pensioners, and those who at least think themselves fair candidates for places of honour and emolument, whenever the aristocratic wheels of the federal chariot shall be set in motion.²

When we see the adherents to this constitution chiefly made up of civil and ecclesiastical gown men, and their dependents, the expedient they have hit upon is not likely to have the intended effect. There are many men destitute of eloquence, yet they can see and hear—They can think and judge, and are therefore not likely to be wheedled out of their senses by the sophistical reasonings of all the advocates for this new constitution in the country combined. We know this is not true; and as we well know the design of such representations, we would have those gentlemen know, that it will not take. They must pull upon some other string, or they must fail. Another thing they tell us, that the constitution must be good, from the characters which composed the Convention that framed it. It is graced with the names of a Washington and a Franklin. Illustrious names, we allow—worthy characters in civil society. Yet we cannot suppose them, to be infallible guides, neither yet that a man must necessarily incur guilt to himself merely by dissenting from them in opinion.

We cannot think the noble general, has the same ideas with ourselves, with regard to the rules of right and wrong. We cannot think, he acts a very consistent part, or did through the whole of the contest with Great-Britain: who, notwithstanding he wielded the sword in defence of American liberty, yet at the same time was, and is to this day, living upon the labours of several hundreds of miserable Africans, as free born as himself; and some of them very likely descended from parents who, in point of property and dignity in their own country, might cope with any man in America. We do not conceive we are to be overborne by the weight of any names, however revered. "ALL MEN ARE BORN FREE AND EQUAL;"³ if so, every man hath a natural and unalienable right to his own opinion, and, for asserting this right, ought not to be stigmatized with the epithets of tenacious and dogmatical. If we were to pin our faith on any sleeves but our own (without derogating in the least from the merit of any one of the Massachusetts delegates in the federal convention) we should be as likely to pin it on the sleeve of the hon. mr. Gerry as any one of them. But we mean to see with our own eyes, and thus seeing to act for ourselves. In this view, as a

tribute due from us to that hon. gentleman, we must acknowledge his tenderness, his care for the preservation of the liberties of the people, and his desire on all occasions to preserve them from invasion. This hon. gentleman was one who assisted in rearing the pillars of a republican government,⁴ he has ever since aided in the support of them, and thus hath acted a much more consistent part than those his brethren, who, after all the expense and fatigue of rearing the building, are now for razing the foundations, destroying instead of repairing the frame, and erecting another, which by no means can answer the good purpose of sheltering the people from storms. But, to lay aside metaphor—

This gentleman is much more consistent, than those who are for turning our republican government into a hateful aristocracy. And we must think it very dishonourable in the aristocratical party, to treat the worthy gentleman, in the manner they have done in the publick papers: We can assure them it has been far from helping their cause. We do not wish to tire the publick, but would hint to those gentlemen, who would rob the people of their liberties, that their sophistry is not like to produce the effect. We are willing to have a federal constitution. We are willing another trial should be made; this may be done without derogating from the gentlemen, who composed the late convention. In framing a constitution for this commonwealth, two trials were made before one would stick. We are willing to relinquish so much, as to have a firm, energetick government, and this we are sensible may [be] done, without becoming slaves, to the capricious fancies of any sett of men whatever. It is argued, that there is no danger that the proposed rulers will be disposed to exercise any powers that this constitution puts into their hands, which may enable them to deprive the people of their liberties. But in case, say they, they should make such attempts, the people may, and will rise to arms and prevent it; in answer to which, we have only to say, we have had enough of fighting in the late war, and think it more eligible, to keep our liberties in our own hands, whilst it is in our power thus to do, than to place them in the hands of fallible men, like ourselves, who may if they please, entirely deprive us of them, and so we be at last reduced to the sad alternative of losing them forever, or recovering them back by the point of the sword. The aristocratick party are sensible, that these are the sentiments of the majority of the community, and their conduct plainly evinces the truth, of a well known ancient adage—“*Nothing cuts like the truth.*”

1. Reprinted: Philadelphia *Freeman's Journal*, 13 February; Philadelphia *Independent Gazetteer*, 14 February.

2. See “The Federal Chariot,” *Bickerstaff's Boston Almanack for 1788* (above).

3. These are the first seven words of Article I of the Massachusetts Declaration of Rights (RCS:Mass., 440).

4. A reference to the fact that Elbridge Gerry was a signer of the Articles of Confederation, the only signer among the Massachusetts delegates who attended the Constitutional Convention. Another Constitutional Convention delegate, Francis Dana, also signed the Articles but he did not attend that convention.

Massachusetts Centinel, 26 January

To the CONVENTION.

A word to the wise, is sufficient; therefore my address shall be short.—

It is allowed by all, that we must establish a national government; it is also known, that amongst all the opposers of the new Constitution, no one has offered to our consideration another system.—*They pull down*, but, like the enemies of Christianity, give us nothing in lieu of the system *they destroy*.—This circumstance, demonstrates either the perfection of the new Constitution, or the weakness of its opposers, or both. Reason and not names, should determine our judgment; but, when we observe the great majority in the Continental Convention for the Constitution; the large majority in the several States which have adopted it; the great majority in this Commonwealth, who have had the best means of information;—and also, the small number against it, who are considered (even by their most partial friends) as competent judges of this great concern—when all these circumstances are duly considered, they will have weight with impartial minds.

As this is a republican Constitution, the people can make alterations, and additions, whenever a majority of them please—and the experience of a few years, will no doubt point out the propriety of making some. The greatest opponents, allow the necessity of a new government; their fears are, that it may not be well administered, after a few years—But why may not our children be as wise as we are, and as vigilant to have their government well administered?

The checks are innumerable; *all the outs*, who wish for a seat in Congress—all the legislative and executive powers of the States—and in short, all the people of America.—Besides these external checks, are to be considered, the sensible and honest men in Congress; of which we ought to suppose there will be a number, even in the most corrupt times.—WITH ALL THESE CHECKS, is it rational to suppose that our representatives in Congress, will pursue measures to injure their constituents?—Such a supposition can spring only from extreme jealousy, or the clamorous brains of giddy politicians. The opposers ought to

consider, that there is but *one step* between our *present situation* and monarchy!—and that many *oppose* with no other view but to introduce a monarchy!

Hampden

Massachusetts Centinel, 26 January

On 27 January, the day after “Hampden” appeared, Federalist Rufus King, a Newburyport delegate to the Massachusetts Convention, wrote Henry Knox that “yesterday’s centinel contains a proposal for a conditional Ratification, said to have come from Sullivan, The Opposition give it some Countenance—I mention the Circumstance rather to shew that our Opponents are not so confident of their Numbers, since hitherto they have reprobated the Suggestion of Amendments and insisted among their Party on a total Rejection of the Constitution” (V below). The objections in “Hampden’s” third and fourth amendments are similar to those that James Sullivan delineated in a 28 September 1787 letter to King. Moreover, like Sullivan, “Hampden” believed that the Constitution had to be ratified, although he thought that it needed alterations. (See Sullivan to King, 23 and 28 September, RCS:Mass., 16–17, 21–22. See also Samuel Bannister Harding, *The Contest over the Ratification of the Federal Constitution in the State of Massachusetts* [New York, 1896], 31n–32n.)

Even though Sullivan’s objections to some provisions of the Constitution were known, he was considered a Federalist in the first two or three months following the adjournment of the Constitutional Convention. He was possibly the author of the “Cassius” essays that advocated ratification of the Constitution while voicing some criticisms of it. Sullivan was on five nomination lists for election as one of Boston’s delegates to the state Convention, but he was not elected, a defeat that was described as “extremely mortifying” to him (Christopher Gore to Rufus King, 9 December, IV below, Boston section). Federalist Christopher Gore, who was chosen, explained that “It was impossible to elect Sullivan in this town, I interested myself warmly in his favor—but the people will not confide in him and he may from this neglect be oppos’d” (to Rufus King, 23 December). Federalist Nathaniel Gorham, Charlestown’s delegate to the state Convention, noted that “The Town of Boston committed a great mistake in not chusing Sulivan” (to Rufus King, 12 December, IV below, Boston section).

Sullivan’s failure to become a Convention delegate, plus his objections to the Constitution, probably caused him to drift out of the Federalist camp, which favored unconditional ratification of the Constitution. On 18 January Federalist Theodore Sedgwick, Stockbridge’s delegate to the state Convention, ended a letter by stating that “Sullivan has joined the oposition” (to Henry Van Schaack).

On 27 January Benjamin Lincoln, a Hingham Convention delegate, sent George Washington two newspapers, including the issue of the *Massachusetts Centinel* that contained “Hampden.” Lincoln informed Washington that he would “see in the paper propositions for adopting the constitution on conditions, this will not be attended to—It is possible if we adopt it absolutely that

the convention may recommend certain amendments—It will never I presume be adopted on any conditions, It will pass absolutely or be rejected” (V below).

“Hampden” was reprinted in toto in the *New Hampshire Mercury*, 30 January, and in the *Worcester Magazine*, *New York Morning Post*, and *Cumberland Gazette*, all on 7 February. On 28 January the *American Herald* reprinted an excerpt of “Hampden” beginning with the amendments under the heading, “THE AMENDMENTS PROPOSED/To the *FEDERAL CONSTITUTION*.” The amendments were printed as a broadside, possibly by Edward Eveleth Powars, the printer of the *Herald*. Divided into two columns, the right half of the broadside lists “Hampden’s” seven amendments; the left half gives the commentaries on them. The amendments are headed: “*AMENDMENTS PROPOSED*.” The commentaries are preceded by this statement: “The Convention, having power either to accept or reject the proposed Constitution in whole, or in part, have necessarily and incidentally, a right to accept the same on condition—That the other States in the Union shall agree to such amendments as are proposed by this Convention.” This last sentence is crossed out with pen and ink on the only copy of the broadside located. For a photographic facsimile of the broadside, see Mfm:Mass.

Chief Justice William Cushing, a Scituate Convention delegate, copied the broadside but did not include the crossed-out sentence found in the statement preceding the commentaries column. On the verso of Cushing’s copy appears his rendering of the fourth, fifth, and sixth paragraphs (with variations) of the newspaper version of “Hampden.” For a photographic facsimile of both pages of Cushing’s document, see Mfm:Mass.

Mr. RUSSELL, I have had no hand in the productions respecting the proposed plan of government—but I feel interested as a citizen.—I have waited to see if any motion might be made, or any disposition appear in the Convention, to prevent one of two evils taking place; the first is, *that of rejecting the Constitution*; the second is, *that of adopting it by a bare majority*.

I am not contented with it as it now stands, my reasons are assigned:—

I am not satisfied with the provision for amendments, as it stands in that system, because the amendments I propose, are such as two thirds of the Senate will perhaps never agree to—the indictment by grand jury, and trial of fact by a jury, is not so much set by in the southern States, as in the northern—the great men there, are too rich and important to serve on the juries, and the smaller are considered as not having consequence enough to try the others; in short, there can be no trial by peers there:—The middle States gain advantages by having the legal business done in one of them, which may prevent their leading men, from engaging seriously in amendments:—I therefore propose the adopting the Constitution, in the following manner, in which I conceive there will be great unanimity.

THAT this Convention do adopt and ratify the Constitution, or frame of government for the United States of America, proposed by the Federal Convention, lately holden at Philadelphia; upon the following conditions, viz.

That the first Congress which shall be holden under the same, shall before they proceed to exercise any powers possessed under the Constitution, excepting those of organizing themselves, and of establishing rules of procedure, take into consideration all amendments proposed by the Convention of this or any other State, and to make such amendments therein proposed as aforesaid, as any seven of the States shall agree to; and which amendments shall be considered as a part of the Constitution.

And that the Senators and Representatives of the several States, shall set together in one body, and vote by States, in considering such amendments;—but the President or Vice-President elect, shall have no vote therein.

The AMENDMENTS PROPOSED.

FIRST. *In the fourth section of the article of the Senate, strike out these words, "But Congress may, at any time, by law, make, or alter, such regulation, except as to the place for choosing Senators;" and insert these words, "But if any State shall refuse to prescribe time and place for such elections, Congress shall provide therefor by laws made for that purpose."*

Remark—this amendment takes off the main objection made to this article, and gives Congress power to perpetuate its own existence.

2d. *In the second clause of the ninth section insert the words—"And the Supreme Judicial Courts of the several States, and either Judge thereof, shall have power to issue this writ."*

This secures the right of Habeas Corpus, without going to Pennsylvania for it.¹

3d. *In the eighth section of the powers of Congress, strike out the word, "Taxes."*

This leaves the powers of impost and excise to Congress. And should war, or any other circumstance render internal taxes necessary to be in Congress, they may have the power granted hereafter.

4th. *In the second section of the Judiciary Power, strike out the following words, "Between a State and a citizen of another State, between citizens of different States."*

Laying a State liable to be sued, robs it of all its sovereignty, and in this case may lay the several States liable to be sued for their public securities.

5th. *In the second clause of the same section, strike out the words, "Both as to law and fact," and add to that clause these words—*Provided nevertheless, that all issues of fact shall be tried by a jury to be appointed according to standing laws made by Congress.

This will preserve the inestimable right of a trial by jury.—This right is the democratical balance in the Judiciary power, without it, in civil actions, no relief can be had against the High Officers of State, for abuse of private citizens; without this the English Constitution would be a tyranny.—See Judge Blackstone's excellent Commentary on this privilege, in his third volume, page ___²

6th. *In the last clause in the same section next after the word State, insert these words, In, or near the County.*

This keeps up the idea of trial in the vicinity. See the Massachusetts declaration of rights on this point³—Also, that of other States, &c.

7th. *At the end of the same clause, add these words—*Provided that no person shall be held to answer to any charge of a criminal nature, unless it be upon indictment of a Grand Jury, appointed, sworn and charged according to known and standing laws.

This is the greatest security against arbitrary power; without this, every person who opposes the violation of the constitutional right of the people, may be dragged to the bar, and tried upon a bare *information* of an Attorney-General.—The loss of this privilege carries with it the loss of every friend to the people.—There is no instance yet, in England, or in America, excepting in the Stuart's reign, of a person's being tried for his life, otherwise than upon indictment.⁴ It was attempted before the Revolution, but successfully opposed.

1. "Hampden" presumes that the federal capital will be in Pennsylvania, where the U.S. Supreme Court will sit. For another Antifederalist assumption that the federal capital might be in Pennsylvania, see "Helvidius Priscus" III, *Massachusetts Gazette*, 22 January, at note 10.

2. Blackstone, *Commentaries*, Book III, chapter XXIII, "Of the Trial by Jury," especially pp. 379–85.

3. Article XIII of the Massachusetts Declaration of Rights provides that "In criminal prosecutions, the verification of facts in the vicinity where they happen, is one of the greatest securities of the life, liberty, and property of the citizen" (RCS:Mass., 443).

4. "Hampden" probably refers to events that occurred in 1642 involving Parliament and Charles I, the second Stuart monarch. On 3 January the attorney general—without a bill of indictment from a grand jury—delivered a royal message to the House of Lords impeaching for high treason a member of that house and five members of the House of Commons, one of them John Hampden. The Lords were asked to arrest the six men. Questioning this procedure, the House of Lords appointed a committee to determine its legality; whereupon the king sent his serjeant-at-arms to the House of Commons to arrest the five members. The House refused to surrender them, voted that the attempt to arrest

them was a breach of privilege, and informed the king that it could not reply to such an important royal message without mature deliberation. On 4 January the king, accompanied by more than 300 armed men, went to the House of Commons to seize the five members, but the five members were not in attendance. The king's action so antagonized Parliament and its supporters that on the 10th Charles and the queen left London.

On 14 February the Commons sent to the Lords an act impeaching the attorney general "for maliciously advising and contriving the articles" on which six members of Parliament were charged with high treason. Even though the king had dropped the idea of prosecuting the six, the Commons wanted to make certain that in the future no royal official would obey such a royal command. Charles refused his assent to the act, and in the next several months Charles and Parliament exchanged charges and counter charges on this and other matters. On 1 June Parliament submitted to the king a "petition and advice" (the "Nineteen Propositions") outlining a future government in which Parliament was supreme. The eighteenth proposition stated "That your Majesty will be pleased, by act of parliament" to exonerate the six members of wrongdoing "in such manner that future parliaments may be secured from the consequence of that evil precedent." On 18 June Charles denounced and rejected the propositions. Respecting the eighteenth, he noted that he did not assent to the February act because it was unlawful and insulting. Charles asserted that he was justified in proceeding against the six members because parliamentary privilege did not extend to treason. The situation continued to deteriorate, and in August civil war broke out.

Tench Coxe to James Madison

Philadelphia, 27 January (excerpt)¹

From your letter with respect to the Convention at B[oston] I have been anxious to procure the Rem[ainde]r of Mr. Lloyd's debates to send to Mr. King. There were some pages more struck off, which I have obtained and cover them to you with a letter to be forwarded as before.² I beg your pardon for the trouble I give & the freedom I have used.

I find our Opposition were possessed of the temper of the Western & Eastern Members of the Massachussets Convention very minutely when I recd. your letter. That evening a person much Opposed to the Constitution said Massachussets would reject it. I fancy Mr. G. & Mr. S. A.³ keep up a minute & regular correspondence. . . .

1. RC, Madison Papers, DLC. In this letter, Coxe replies to Madison's letter of 20 January, to which Coxe had first replied on 23 January. Madison responded to Coxe's 27 January on the 30th.

2. See Coxe to Madison, 16 January.

3. Elbridge Gerry and Samuel Adams.

Charles Tillinghast to Hugh Hughes

New York, 27-28 January (excerpts)¹

. . . The federalists, as they are pleased to call themselves, have their *doubts* whether Massachusetts will adopt the new constitution proposed—they say, if that state does not, it will never take place—from which we

may infer, that the prayers of the whole tribe of office seekers—would be *Officers &c &c*—are daily put up for the fulfillment of their Wishes—Mr. Gerry writes that he is clearly of opinion that their is a majority against it²—But whether it proceeds from my not being of so *sanguine* a disposition as some of *my Neighbours*, I must confess to *you*, I have *my fears*.—They are grounded on a variety of reasons, but the chief are, that most of the men of *abilities, learning, information* and *INTRIGUE*, (but not of honesty, with regard to the liberties of the People at large) in the Massachusetts Convention, are in favour of the new System; their sitting in Boston, is also not in favour of the People; for the more honest, tho' less informed, will be the more likely to be duped and cajoled by the designing ones, who will treat them with *Dinners &c. &c.* Another reason I can assign, which is a very strong one, with me, and that is, on examining the list of delegates, I find that there are *seventeen Clergymen*,³ *delegates from different Towns*; and altho' the precepts of that Religion, which they profess, and whose principles they endeavour to impress on their hearers, strongly recommend *humility &c.*, yet there are no set of Men, *collectively* who have more pride, and who are possessed of more *arbitrary* principles—I have not taken up this opinion hastily; but from a particular attention I have paid to their Conversation, deportment &c, not only in this State, but those others in which I have travelled—And as the new Constitution does not exclude them from offices under it, and the Constitutions of the different states (this, and one or two more, excepted)⁴ permitting them to hold civil and other Offices, I have not a doubt but they will be found, at the close of this important Business, almost generally, the most zealous advocates for the adoption of the proposed government—I know you are fully sensible of the *influence* they commonly have on the minds of the more *ignorant*, tho not less *virtuous* part, of the community; and I make not a doubt, but they will use their utmost exertions as well in, as out of Convention, to make proselytes to the *new faith*.

In my last letter, I inclosed you the Copy of a short one I received from Colonel Pickering.—A few days ago I recd. the original, of which the inclosed is a Copy, and as I knew, that you would be glad to see what he could say for himself, I prevailed on John to assist me in copying it⁵—from the pains he has taken, and the complexion of the postscript, I believe he intended that I should publish it—but as his reasons does not convince me, I shall not do it. I wish my abilities were sufficient to enable me to enter into a full discussion of the subject—in that case, it is *probable*, the charge of *inconsistency*, at least, might be retorted on him—He shews, I think, more *Temper* in this last letter, than he ordinarily does—particularly in that part, where he says, that the

Opposition in Massachusetts, consists only of *Paper-money men*, and *Shayites*⁶—does he include in this Description *Mr. Gerry, Mr. S. Adams* and *Mr. Dane*? men, who have borne some of the most important Offices in that State, and have *all* been Delegates to Congress—But, the spirit of *party will, generally*, ever predominate. . . .

Monday Morning Jany. 28. 1788

P.S. The Boys set out in about an hour—From the account brought by the eastern Post it appears pretty evident that there is a decided majority against the new Constitution in the Massachusetts Convention—You will find in Greenleaf's of this day an extract of a letter from Boston—The Letter was received by Greenleaf, from one of his Correspondents.⁷

The extract from Edes's paper, serves to convince me that no means will be left unessayed to get a *majority*, however *small*, in favour of the government proposed.⁸ . . .

1. RC, Hughes Papers, DLC. For lengthier excerpts from this letter, see CC:479. Tillinghast (c. 1748–1795), a New York City merchant and distiller, was son-in-law to John Lamb, one of New York's Antifederalist leaders. In 1788 Tillinghast was secretary to the Federal Republican Committee of New York, a group of prominent Antifederalists. Hughes (1727–1802), a Dutchess County, N.Y., landholder, was a Continental deputy quartermaster general during the Revolution, and Tillinghast had been his assistant. Hughes, a contributor of Antifederalist essays to the *New York Journal*, was serving as tutor for John Lamb's sons.

2. Gerry's letter has not been located. For a New York newspaper report possibly based upon Gerry's letter, see Melancton Smith to Abraham Yates, Jr., 28 January, note 2. Although Gerry's letter reached its destination, other Gerry letters did not. On 15 March Gerry complained that several letters to his "friends" in New York and their letters to him were not received (to Jonathan Harley, Mfm:Mass.).

3. Seventeen clergymen were listed as delegates to the state Convention in the lists published in the newspapers beginning in mid-January. See *American Herald*, 14 January (Mfm:Mass.).

4. Georgia, New York, North Carolina, and South Carolina restricted the holding of all or some public offices by clergymen (Thorpe, II, 785; V, 2637, 2793; VI, 3253).

5. On 24 November Tillinghast sent Federalist Timothy Pickering of Pennsylvania, but formerly of Massachusetts, a copy of *Letters from the Federal Farmer*, a New York Antifederalist pamphlet published earlier that month (CC:242), asking for Pickering's opinions about the Constitution. Pickering replied briefly on 6 December and lengthily on 24 December. The recipient's copy of his 24 December letter has not been located, but a draft is in the Pickering Papers at the Massachusetts Historical Society. For the Tillinghast and Pickering letters, see CC:288 A–C.

6. Pickering wrote: "If it meets any opposition in the N. England states, it will be chiefly from Shayites & Paper-Money-men: but their numbers & characters are alike contemptible" (CC:288, p. 198).

7. See *New York Journal*, 28 January (V below).

8. The reference is to an item entitled "Bribery and Corruption" that was published in the *Boston Gazette* on 21 January, and reprinted in the *New York Journal* on 28 January.

For the item, see “The Alleged Bribery and Corruption of the Delegates to the Massachusetts Convention,” 21 January–6 February.

Massachusetts Clergy and the State Convention, 28–29 January

American Herald, 28 January

From CORRESPONDENTS.

A correspondent asks, Whether it would not be equally as proper for the Lieutenant-Governour, and Council,¹ to be admitted to a seat in the Convention, as the Reverend Clergy of this, and the adjacent towns?² More particularly, as the former are nearly as much concerned in the affairs of Government as the latter.

Another Correspondent observes, That he cannot but flatter himself, the Convention will meet the approbation of Heaven, as the Reverend Clergy are so *constantly* present to offer up their pious ejaculations.

The same Correspondent remarks, How vastly pleasing it would be to the Reverend Mr. MOORHEAD,³ could he but peep into his Meeting-House; as it would afford him the greatest satisfaction to see such a respectable Cluster of the Clergy of *every Denomination*, most cordially CONFEDERATING within the confines of his Pulpit!

Massachusetts Gazette, 29 January

The editor of the Herald’s correspondents, observes one, not contented with venting their malice against the federal constitution, now begin to level their low scurrility at the clergy who attend the conventional debates, and who, at the request of the honourable convention when they first assembled, each morning address the Supreme Being with prayer, before the business of the day is entered upon. That venerable body have, however, too much good sense to notice such publications in any other way than to treat them with the contempt they deserve.

1. Two of the state’s nine councillors (Nathan Cushing of Scituate, and Israel Hutchinson of Danvers) were already Convention delegates. On the motion to admit the Lieutenant Governor and the Council, see William Lambert to Enos Hitchcock, 12 January, note 4.

2. On the afternoon of 17 January the Convention moved from the State House to the Reverend Jeremy Belknap’s church in Long Lane, where the Convention “Voted, That the Pulpit be assigned for the Gentlemen of the Clergy who may be in Town, and that the Monitors provide seats for such as cannot be accomodated there” (Convention Debates, 17 January, V below).

3. John Moorhead, the first pastor of the church in Long Lane, was ordained in Ireland. He was installed as pastor in 1730, continuing in that position until his death in

1773. Built in 1744, the building in which the Convention met was later known as the Old Presbyterian Meetinghouse.

American Herald, 28 January¹

It is notorious (says a Correspondent) that the *Federalists*, as they are pleased to call themselves, are ashamed of a cause, in favor of which, they have discovered so much insolence; and to support which, they can use no arguments but those which are destructive of every principle of Republicanism.

The promulgation of Doctor RUSH'S INSPIRED SYSTEM,² has brought forth almost all the abilities of this State.—The Hon. Mr. A—s,³ by persevering in his scepticism may possibly damn his well-deserved Fame, acquired in a long course of patriotism—But altho' he opposes the *IMMEDIATE HAND OF HEAVEN*, we cannot but admire the consistency of his character in adhering to his old principle of Republicanism.—Nothing, surely, but the *Hand of GOD* could so completely have changed the tone of the pious and enlightened Clergy of this Commonwealth, who were formerly so vehement in their addresses in favour of the Liberties of mankind on very different principles from those on which the *Divine Code* before us was founded.

1. These two paragraphs were reprinted in the *New York Journal* on 12 February, in reverse order.

2. On 12 December Benjamin Rush asserted in the Pennsylvania Convention that "the hand of God was employed" in drafting the Constitution as much "as that God had divided the Red Sea to give a passage to the children of Israel, or had fulminated the ten commandments from Mount Sinai!" Rush's speech was widely reported and denounced by many. (See CC:357; and RCS:Pa., 592-96.)

3. Samuel Adams.

Lucan

American Herald, 28 January¹

That cause which cannot be supported but by the most disingenious procedure, must be a very bad, a very unblest system.

I was lead to this observation by that flood of scandalous abuse, by that torrent of scurrility, by that bilingatorian production, which appeared last Friday in the third column of the third page of the Massachusetts gazette, said to be introduced by a Correspondent.²

Who this Correspondent is, I know not, neither do I wish to know—for there is no particular person I could wish to have so contemptible an idea of, as to suppose him capable of being the genuine father of such an ill-begotten, base-born, infamous brat, as is fostered up in the lap of the Massachusetts gazette—a production which was undoubtedly

conceived in sin, if it had not the misfortune to be brought forth in iniquity; and is it not a little strange, that the worthy publisher of the Massachusetts gazette should condescend to undertake to play the mid-wife, and introduce into the world such an extraordinary creature, and as some think (tho' I believe groundlessly) stand ready to be its god-father?—Shall the hon. Mr. G.³ stand exposed to the base ribaldry, the cowardly insults, the low, grovelling, grubstreet banter of the unprincipled scribblers who can recommend themselves to the publisher of a gazette?—Scribblers, whose performances are too dull to laugh at—who are too mad to reply to—whose insignificance and deranged finances protects them from a law suit!—Surely such scribblers would do well to consider, whether their productions can have any other effect, than that of making themselves (if possible) more contemptible, and of prejudicing all good people against that cause they would wish to support.

Saturday, January 26, 1788.

1. For a response to "Lucan," see "Cagliostro," *Massachusetts Gazette*, 29 January.

2. See *Massachusetts Gazette*, 18 January (third paragraph).

3. Elbridge Gerry.

Ship News

American Herald, 28 January¹

SHIP NEWS.

It is expected the Ship CONSTITUTION will be soon launched from Massachusetts-dock; the workmen having been near three weeks in examining her Bottom, but notwithstanding the *greatest part* of them are convinced of many *defects*, yet some who expect to be Officers on board (particularly the Candidate for PURSER) are willing to hazard the chance of stopping her LEAKS, after she has been some months at sea.²—However, it is thought by many *old Sailors*,³ that it would be most prudent to make her *tight*, while she is on the stocks; though this precaution may be disgusting to certain *fresh Water* sailors, who regard but little the fatigues of the hands at the *Pump*,—provided they can secure to *themselves* the State-Rooms, and other warm births in the cabin.

On Saturday se'nnight, the Ship JUDICIARY, and Ship REPUBLICAN, had a slight Engagement in Constitution harbour, amidst the Fœderal and Antifœderal Squadron.⁴—A few random shot were fired on both sides, but a number of ships slipped their cables, and run between them, which gave an opportunity for the Combatants to get clear of each other.—The damage sustained on either side was but triffling, as the JUDICIARY was quickly taken under convoy of the KING-FISHER;⁵ and

the REPUBLICAN was seen under full sail, making for a safe harbour; followed by the AGRIPPA-Tender.⁶—Both Ships have since left the main Squadron; the Captain of the JUDICIARY resenting the attack of the REPUBLICAN as an affront to the FEDERAL FLAG; the Republican being admitted as a *distressed Ship* to ride at anchor with the Convention Fleet.—The ship W—D—Y, in company with the *Bomb-Frigate* BRIGADIER, fired a few stern shot, but was silenced by the King-Fisher.⁷

23.—Yesterday a select body of REAL FEDERALISTS examined the ship OLD CONFEDERATION, as she now lays hauled up in Congress dock-yard.—They report, she is sound Bottom, and strong built; and that no further repairs are wanting, than a thorough CALKING; which might be done in a few weeks—provided the Owners would unite to set the workmen about the business:—They are wholly averse to *breaking her up*, as they think it a needless expence to put another on the stocks upon a *New Construction*, while they are in possession of One of *good seasoned Timber*, which might be compleatly fitted to answer every purpose.⁸

1. Reprinted: *New York Journal*, 11 February. For a response to “Ship News” by a correspondent, see *Boston Gazette*, 4 February. The correspondent suggested that James Sullivan was the author of “Ship News.” For other “Ship News,” see RCS:Mass., 86–93.

2. Possibly a reference to former Governor James Bowdoin of Boston, a merchant, who on 23 January stated in the Convention debates: “Like all other human productions, it [the Constitution] may be imperfect, but most of the imperfections imputed to it, are ideal and unfounded; and the rest are of such a nature that they cannot be certainly known, but by the operation of the constitution: And if in its operation it should, in any respect be essentially bad, it will be amended in one of the modes prescribed by it. I say, *will be amended*, because the constitution is constructed on such principles, that its bad effects, if any such should arise from it, will injure the members of Congress equally with their constituents; and therefore both of them must be equally induced to seek for and effectuate the requisite amendments” (Convention Debates, 23 January, V below).

3. Probably a reference to such old revolutionaries as Samuel Adams.

4. A reference to an altercation that took place on 19 January, between Francis Dana, an associate justice of the Supreme Judicial Court, and Elbridge Gerry, well known for his intense and profound commitment to republicanism. On the altercation, see Editors’ Note: “Elbridge Gerry and the Massachusetts Convention,” 23–28 January.

5. Probably Federalist leader Rufus King.

6. A reference to Antifederalist James Winthrop, the author of the “Agrippa” essays.

7. A reference to Antifederalist Convention delegates William Widgery and General Samuel Thompson. For what is possibly the debate (on representation) in question, see Convention Debates, 17 January (V below).

8. Introduced by the number “23,” this paragraph probably refers to the debate that took place in the Massachusetts Convention on 23 January, in which Antifederalist leader Samuel Thompson said, “Let us amend the old confederation” (Convention Debates, 23 January, V below).

Editors' Note
The Massachusetts Reprinting of the Report of
New York's Delegates to the Constitutional Convention
American Herald, 28 January

On 10 July 1787 Robert Yates and John Lansing, Jr., two of New York's three delegates to the Constitutional Convention, left that body, never to return. While in the Convention, both men advocated only a revision of the Articles of Confederation, not its abandonment in favor of a new constitution. On 21 December—as the scheduled meeting of the New York legislature approached—they wrote to New York Governor George Clinton, giving their objections to the Constitution. Their letter first appeared on 14 January 1788 in the New York *Daily Advertiser* and the *New York Journal* and then was reprinted eighteen times from New Hampshire to Georgia (CC:447). On 28 January 1788 the *American Herald* reprinted the letter from the Antifederalist *New York Journal* which had published it under the heading "REASONS OF DISSENT." The *Herald* was the only Massachusetts newspaper to reprint the letter.

Editors' Note
Massachusetts Reprintings of Unrest in Western Pennsylvania
American Herald, 28 January–28 February

On 28 January the *American Herald* reprinted two items depicting the opposition to the Constitution in western Pennsylvania. Both described the violent disruption of a Federalist celebration in Carlisle on 26 December in honor of Pennsylvania's ratification of the Constitution two weeks earlier. The first item—an extract of a 4 January letter from Carlisle, Pa., which first appeared in the Philadelphia *Independent Gazetteer* on 12 January—declared that "You cannot conceive the violent language used here, the whole county [Cumberland] is alive with wrath, and it is spreading from one county to another so rapid, that it is impossible to say where it will end, or how far it will reach, as the best and leading characters in all these counties, during the late war, are now the foremost in this unfortunate dispute." The letter also noted that Antifederalists in the western counties were "forming themselves into societies and associations to oppose this new constitution" (Mfm:Pa. 328). The *Essex Journal*, 6 February, reprinted an excerpt from this letter. A correspondent in the *Massachusetts Gazette* of 29 January said that he had it on "good authority" that the Carlisle letter was "by no means founded in truth" (Mfm:Mass.).

The second item reprinted by the *American Herald* on 28 January, written by a Federalist identifying himself as "An Old Man," was a lengthy account of the Carlisle riot and the next day's proceedings (26–27 December). "An Old Man" accused Antifederalists of beating people, destroying a cannon, burning an almanac containing the Constitution, and burning effigies of Chief Justice Thomas McKean and Federalist leader James Wilson, the two principal Federalist speakers in the Pennsylvania ratifying convention. "An Old Man" wrote that "Every lover of good order must lament the wound the dignity of the state has received in burning in the public street, in one of the largest towns in open day, the effigy of the first magistrate of the commonwealth. Proceedings of this kind are really alarming, directly tend to the dissolution of all governments, and must receive the reprobation of every honest citizen." First printed in the *Carlisle Gazette*, 2 January 1788 (CC:407), "An Old Man" was reprinted in whole or in part thirty-seven times by 10 March, including seven times in Massachusetts (*American Herald*, 28 January; *Boston Gazette*, 28 January; *Hampshire Chronicle*, 30 January; *Massachusetts Gazette*, 1 February; *Salem Mercury*, 5 February; *Essex Journal*, 6 February; and *Cumberland Gazette*, 28 February).

When Elbridge Gerry saw both of these items in Boston's newspapers, he wrote: "I expect we shall be in a civil War, but may God avert the evil" (to Samuel R. Gerry, 28 January, Mfm:Mass.). However, the correspondent of the *Massachusetts Gazette*, 29 January, who had described the extract of the Carlisle letter as unfounded, declared that the people of Pennsylvania were "never more united" on any public act than they were on the ratification of the Constitution.

Newspapers and the Post Office, 28 January–21 February

In the first months of 1788, several New England printers complained they were not receiving the usual newspapers from New York City and places further south. This failure to obtain newspapers was due partly to the harsh winter of 1787–88, but most particularly to the new policies that the Confederation post office adopted in the fall of 1787 and implemented on 1 January 1788. Contracts were awarded to postriders (the lowest bidders) over the more expensive but more reliable stagecoaches. Moreover, Postmaster General Ebenezer Hazard had abandoned the tradition of permitting the postage-free exchange of newspapers among printers. Therefore, each printer was required to negotiate with the post rider who would carry his newspaper for a fee. Some postriders refused "to take papers for printers," while others, who agreed to carry them, occasionally discarded or sold them.

On 28 January the *Boston Gazette* declared (without editorial comment) that, for a month, it had not received any newspapers printed south of New Haven, Conn. (Nine days earlier the *Providence Gazette* made a similar statement.) The

Massachusetts Centinel complained on 16 February that, since the start of the year, New England's printers had not received a single newspaper from beyond the Hudson River. The *Massachusetts Centinel* hoped that either Congress or the postmaster general would remedy the situation at a time when people were so much interested in "the progress of political affairs." The *Centinel's* statement was reprinted in the *American Herald*, 18 February; *Independent Chronicle*, 21 February; *Cumberland Gazette*, 28 February; and *Worcester Magazine*, 28 February. By 26 March it appeared in seventeen other newspapers: N.H. (2), R.I. (2), Conn. (1), N.Y. (3), N.J. (2), Pa. (5), Md. (1), Va. (1). The *New York Journal*, 25 February, and ten other newspapers reprinted the *Centinel's* statement under the heading "(FACTS! !)."

On 21 February Adams and Nourse of the *Independent Chronicle* dashed off a letter to Charles Thomson, the secretary of Congress, complaining about the failure of the post office to deliver newspapers. This action, they charged, deprived "the Union of every public information necessary for its well being." Adams and Nourse enclosed newspapers in their packet and asked Thomson to give them to the Massachusetts delegates in Congress. Six days later Samuel A. Otis, a Massachusetts delegate, reporting on events in Congress to James Warren, the speaker of the Massachusetts House of Representatives then in session, added a postscript to his letter, declaring that "The Postmaster conducts poorly in shifting the Mail from Stages to Horses & I find your intelligence imperfect. The enclosed papers containing all the news, when you have read them please to hand to my other friends with my Compliments" (Smith, *Letters*, XXIV, 661–62).

Antifederalist newspapers outside Massachusetts asserted that Postmaster General Hazard had deliberately changed the system to prevent the dissemination of Antifederalist information. Some Massachusetts newspapers, especially the Antifederalist *American Herald*, reprinted articles making this charge, but no attacks upon Hazard originated in Massachusetts newspapers. In fact, on 21 March the *Massachusetts Gazette* refused to attribute the failure to receive newspapers from south of New Haven "to any evil design," and on 7 May the *Massachusetts Centinel* vigorously defended Hazard (CC:Vol. 4, pp. 566–67, 589–91). The *Centinel* defended Hazard against the charge that the "Dissent of the Minority of the Pennsylvania Convention," first published in the *Pennsylvania Packet* on 18 December 1787, had not reached Boston before the Massachusetts Convention adjourned on 7 February. (For the charge, see CC:647.) Benjamin Russell, the printer of the *Massachusetts Centinel*, maintained that he had himself received three copies (two newspapers and a broadside) of the "Dissent" within ten days after it was signed. He believed that other Boston printers had received as many. Russell was correct about at least one other Boston printer; Edward Eveleth Powars of the *American Herald* published a pamphlet edition of the "Dissent" sometime between mid-January and early February. (See CC:353, p. 11. See also "The Circulation of the Letters from the Federal Farmer in Massachusetts," 28 December 1787–7 January 1788.) On 9 April a correspondent of the *Pennsylvania Gazette* also claimed that the "Dissent" had been printed during the Massachusetts Convention at the behest of Convention delegate Rufus King who had brought a copy to Boston (Mfm:Pa. 620).

"M" denied that King had carried the "Dissent" to Boston, while "Z" confirmed that he had done so (*Pennsylvania Gazette*, 16, 23 April, Mfm:Pa. 629, 652).

The Reverend Jeremy Belknap linked the circulation of the "Dissent" in Boston to delegate Samuel Adams's proposal of amendments in the Massachusetts Convention on 6 February. Belknap wrote in his diary that "It was matter of speculation how Mr Adams came to propose *such* amendments—many suspicions were formed & some thõt he *meant* to overthrow ye Constitution.—Certainly it was the worst blow which had been given to it—In a Week or two afterward came along a *protest* of ye Pennsylvia minority—in wh *these very things* are objected to ye Constitution wh he proposed to guard against by his motion—It is sd ye copies of these Protests were purposely *detained* on ye road—but it is supposed A had a copy in a letter before the Convention was dissolved—

"An attempt was made by the antifeds in Pennsylvia to throw an Odium on ye post officers for detaing these & other Papers—but in fact the Office has nothing to do with them—The carrying of News-papers is a matter entirely between the Printers & the Riders & is allowed to ye latter as a perquisite." (See Jeremy Belknap: Account of the Massachusetts Convention, 6 February, V below. Although Belknap placed this passage under his diary entry for 6 February, it was apparently written after that date.)

For a fuller discussion of the circulation of newspapers and the role of the post office, see CC:Vol. 4, Appendix II, "The Controversy over the Post Office and the Circulation of Newspapers."

Boston Gazette, 28 January

We have received no Papers to the Southward of New-Haven for the Month past.

Massachusetts Centinel, 16 February

The several Printers on the Continent are requested to notice in their papers, that since the commencement of the present year, the Printers in the northern States have received scarce a single paper, printed beyond the Hudson.—Notwithstanding the publick are exceedingly anxious, at the present all-important period, to be acquainted with the progress of political affairs, the Printers in Boston have not received any papers from New-York, for several weeks, though before January they were regularly received.—This calls loudly for remedy; and if, as it is said, it is owing to the design of some of the Mail-Carriers, it is hoped, that Congress, or the Post-Master General, will look into, and remedy it—as it must be of first importance, that the channels of information should be kept as free as possible.

Adams and Nourse to Charles Thomson
*Boston, 21 February*¹

The Post refusing to bring on, or forward from hence, the public News Papers directed from one Printer to another, you will please to excuse our inclosing the within papers directed to our Delegates in Congress under cover of Your Name,² untill the several Stage drivers are brought to a sence of their duty—This insult offerred the *public* by those men at this important crisis, deprives the Union of every public information necessary for its well being

1. RC, PCC, Item 78, [Miscellaneous] Letters Addressed to Congress, 1775–89, Vol. 18, p. 651, DNA. The letter was dated “Thursday Morning two oClock” and was docketed “Note—from Printers in Boston to Mr Thomson Feby 1788.” Thomson (1729–1824), a former Philadelphia merchant and Revolutionary leader, was secretary of the Continental and Confederation congresses from 1774 to 1789.

2. Nathan Dane, Samuel A. Otis, and George Thatcher represented Massachusetts in Congress at this time. Adams and Nourse had been in contact with Secretary Thomson for some time. In March 1785, as printers to the Massachusetts General Court, they were asked to supply three copies of their newspaper, the *Independent Chronicle*, for the use of Congress. Adams and Nourse had been recommended by the Massachusetts delegates in Congress who stated that “their weekly Gazette will probably contain as great information as any news paper” in Massachusetts. See LMCC, VIII, 52–53. The extra copies of newspapers enclosed in Adams and Nourse’s letter might have been meant for distribution via the Massachusetts delegates to New York printers.

Agrippa XIV

Massachusetts Gazette, 29 January¹

(Concluded from our last.)

TO THE MASSACHUSETTS CONVENTION.

GENTLEMEN, This appears to be the universal effect of such establishments. A point of such magnitude ought, then, to be particularly guarded. In some respects it is beneficial that a system of commerce should be established by national authority. But if it is found, as it will upon examination, that most governments establish those companies, from occasional and temporal motives, and that they produce ill effects on government and on trade; the power ought in this respect to be restrained. As we are situated at one extreme of the empire, two or three such companies would annihilate the importance of our seaports, by transferring the trade to Philadelphia. With the decay of trade is connected the depreciation of lands and estates for want of a market for the produce. At present our exports are great and our manufactures are every day rising in importance. It seems to be agreed on all sides, that from the port of Boston only the balance was last year as much as

an hundred & fifty thousand pounds in favour of the state; a comparison of that and former years is far from proving the distressed state of commerce. Complaints in that respect are about as well founded as in most others. They are made to serve a present purpose, and when that is accomplished, there is no redress for the disappointment of the public expectation. It becomes us then to consider well of the powers before we surrender them. There is no recovering them when once given. It is vain to flatter ourselves with the idea, that three quarters of the members of the new government will ever be for restraining their own power.² If it was so easy as the federalists pretend to procure an alteration of the system after its adoption, I think, that it is a circumstance not much in its favour. In order to be perfect a constitution should be permanent. The new system sets out with a violation of the compact between the states. While it is in discussion, we ought to consider, that injustice never can be the basis of a good government. I have met with an account of one government uniformly supported by that principle, and I do not wish even my antagonists to become the subjects of that kingdom.

In answer to the favourite remark of the federalists, that what is not given is reserved, it is sufficient to reply, that the framers of the proposed constitution have themselves thought it necessary to make an explicit reservation of the power to grant titles of nobility. Why did they reserve this point, if it would not otherwise have been given up? The conversation of the party is in direct opposition to any design ever to alter the system in favour of the liberties of the people. It is said that a constitution is itself a bill of rights. The fallacy of this position is easily shewn, but the length of this paper makes it necessary to postpone that part of the argument. At present we shall only observe, that a constitution does not necessarily point out any other dependencies than of the parts of the government upon each other, and not those between the government and people. Has Venice no constitution? Yet the people have no share in the government.

1. For the first part of essay XIV, see *Massachusetts Gazette*, 25 January.

2. Article V of the Constitution provides that two-thirds of the members of both houses of Congress could propose amendments. Three-fourths of the states were required to ratify proposed amendments.

Agrippa XV

Massachusetts Gazette, 29 January

To the MASSACHUSETTS CONVENTION.

GENTLEMEN, As it is essentially necessary to the happiness of a free people, that the constitution of government should be established in

principles of truth, I have endeavoured, in a series of papers, to discuss the proposed form, with that degree of freedom which becomes a faithful citizen of the commonwealth. It must be obvious to the most careless observer, that the friends of the new plan appear to have nothing more in view than to establish it by a popular current, without any regard to the truth of its principles. Propositions, novel, erroneous and dangerous, are boldly advanced to support a system, which does not appear to be founded in, but in every instance to contradict, the experience of mankind. We are told, that a constitution is in itself a bill of rights; that all power not expressly given is reserved; that no powers are given to the new government which are not already vested in the state governments; and that it is for the security of liberty, that the persons elected should have the absolute controul over the time, manner and place of election. These, and an hundred other things of the like kind, though they have gained the hasty assent of men, respectable for learning and ability, are false in themselves, and invented merely to serve a present purpose. This will, I trust, clearly appear from the following considerations.

It is common to consider man at first as in a state of nature, separate from all society. The only historical evidence, that the human species ever actually existed in this state, is derived from the book of Gen.¹ There, it is said, that Adam remained a while alone. While the whole species was comprehended in his person was the only instance in which this supposed state of nature really existed. Ever since the completion of the first pair, mankind appear as natural to associate with their own species, as animals of any other kind herd together. Wherever we meet with their settlements, they are found in clans. We are therefore justified in saying, that a state of society is the natural state of man. Wherever we find a settlement of men, we find also some appearance of government. The state of government is therefore as natural to mankind as a state of society. Government and society appear to be co-eval. The most rude and artless form of government is probably the most ancient. This we find to be practised among the Indian tribes in America. With them the whole authority of government is vested in the whole tribe. Individuals depend upon their reputation of valour and wisdom to give them influence. Their government is genuinely democratical. This was probably the first kind of government among mankind, as we meet with no mention of any other kind, till royalty was introduced in the person of Nimrod. Immediately after that time, the Asiatick nations seem to have departed from the simple democracy, which is still retained by their American brethren, and universally adopted the kingly form. We do indeed meet with some vague rumors

of an aristocracy in India so late as the time of Alexander the great. But such stories are altogether uncertain and improbable. For in the time of Abraham, who lived about sixteen hundred years before Alexander, all the little nations mentioned in the Mosaick history appear to be governed by kings. It does not appear from any accounts of the Asiatick kingdoms that they have practised at all upon the idea of a limited monarchy. The whole power of society has been delegated to the kings: and though they may be said to have constitutions of government, because the succession to the crown is limited by certain rules, yet the people are not benefitted by their constitutions, and enjoy no share of civil liberty. The first attempt to reduce republicanism to a system, appears to be made by Moses when he led the Israelites out of Egypt. This government stood a considerable time, about five centuries, till in a frenzy the people demanded a king, that they might resemble the nations about them. They were dissatisfied with their judges, and instead of changing the administration, they madly changed their constitution. However they might flatter themselves with the idea, that an high spirited people could get the power back again when they pleased; they never did get it back, and they fared like the nations about them. Their kings tyrannized over them for some centuries, till they fell under a foreign yoke. This is the history of that nation. With a change of names, it describes the progress of political changes in other countries. The people are dazzled with the splendour of distant monarchies, and a desire to share their glory induces them to sacrifice their domestick happiness.

From this general view of the state of mankind it appears, that all the power[s] of government originally reside in the body of the people; and that when they appoint certain persons to administer the government, they delegate all the powers of government not expressly reserved. Hence it appears, that a constitution does not in itself imply any more than a declaration of the relation which the different parts of the government bear to each other, but does not in any degree imply security to the rights of individuals. This has been the uniform practice. In all doubtful cases the decision is in favour of the government. It is therefore impertinent to ask by what right government exercises powers not expressly delegated. Mr. Wilson, the great oracle of federalism, acknowledges, in his speech to the Philadelphians, the truth of these remarks, as they respect the state governments, but attempts to set up a distinction between them and the continental government.² To any body who will be at the trouble to read the new system, it is evidently

in the same situation as the state constitutions now possess. It is a compact among the *people* for the purposes of government, and not a compact between states. It begins in the name of the people and not of the states.

It has been shown in the course of this paper, that when people institute government, they of course delegate all rights not expressly reserved. In our state constitution the bill of rights consists of thirty articles.³ It is evident therefore that the new constitution proposes to delegate greater powers than are granted to our own government, sanguine as the person was who denied it. The complaints against the separate governments, even by the friends of the new plan, are not that they have not power enough, but that they are disposed to make a bad use of what power they have. Surely then they reason badly, when they purpose to set up a government possess'd of much more extensive powers than the present, and subject to much smaller checks.

Bills of rights, reserved by authority of the people, are, I believe, peculiar to America. A careful observance of the abuse practised in other countries has had its just effect by inducing our people to guard against them. We find the happiest consequences to flow from it. The separate governments know their powers, their objects, and operations. We are therefore not perpetually tormented with new experiments. For a single instance of abuse among us there are thousands in other countries. On the other hand, the people know their rights, and feel happy in the possession of their freedom, both civil and political. Active industry is the consequence of their security; and within one year the circumstances of the state and of individuals have improved to a degree never before known in this commonwealth. Though our bill of rights does not, perhaps, contain all the cases in which power might be safely reserved, yet it affords a protection to the persons and possessions of individuals not known in any foreign country. In some respects the power of government is a little too confined. In many other countries we find the people resisting their governours for exercising their power in an unaccustomed mode. But for want of a bill of rights the resistance is always by the principles of their government, a rebellion which nothing but success can justify. In our constitution we have aimed at delegating the necessary powers of government and confining their operation to beneficial purposes. At present we appear to have come very near the truth. Let us therefore have wisdom and virtue enough to preserve it inviolate. It is a state contrivance, to get the people into a passion, in order to make them sacrifice their liberty. Repentance always comes, but it comes too late. Let us not flatter ourselves that we

shall always have good men to govern us. If we endeavour to be like other nations we shall have more bad men than good ones to exercise extensive powers. That circumstance alone will corrupt them. While they fancy themselves the vicegerents of God, they will resemble him only in power, but will always depart from his wisdom and goodness.

1. Genesis.

2. A reference to James Wilson's 6 October 1787 speech before a Philadelphia public meeting, in which he stated "But in delegating foederal powers, another criterion was necessarily introduced, and the congressional authority is to be collected, not from tacit implication, but from the positive grant expressed in the instrument of union. Hence it is evident, that in the former case [i.e., state constitutions] every thing which is not reserved is given, but in the latter the reverse of the proposition prevails, and every thing which is not given, is reserved" (CC:134, p. 339). See also "The Massachusetts Reprinting of James Wilson's Speech of 6 October Before a Philadelphia Public Meeting," 24 October–15 November (RCS:Mass., 120–22).

3. See RCS:Mass., 440–45.

Cagliostro

Massachusetts Gazette, 29 January¹

To LUCAN.^(a)

Lucan, poor Lucan! what ails thee?—Why foams thy breast with raging passion, and why swells thy bosom with wrath too great almost for utterance? Have thy masters used thee ill? Have the *Agrippianian* junto, to whom thou art white-washer, used thee roughly, for not warding off the shafts levelled at the hon. anti-federal champion, their president-general? Go, poor, contemptible fellow, and tell them that thou didst thy best, but could not effect it. Beg them not to discharge thee for one unhappy mistake, for none are exempt from failings. Plead, pathetically plead, that anti-federal mercy may be extended. Tell them, despicable, paltry scribbler, tell them that you will learn consistency before you again assume the pen as an advocate for their deplorable cause—that you will not again say a production is too contemptible to notice, and then exhaust all the farrago centered in your pericranium, to blackguard it. Tell them these things, unfortunate, drooping mortified tool, and they will, without doubt, in great goodness, extend their pity and clemency towards you. Know, completely-despised pimp, that the author of the paragraph you allude to, beholds you in the most contemptible light imaginable—he beholds you as a muckworm, just creeping from a dunghill, discharging the contents of the filth on which it has been feeding. Your miserable, truly wretched and foul condition, however, excites commiseration, and as great a puppy as you are, I pity you from my soul. "Go, go, poor devil! why should I kill thee?"²

(a) *A scribbling anti-federal junto tool, in the HERALD.*

1. "Cagliostro" replies to "Lucan," which appeared in the *American Herald* on 28 January.

2. Probably a variation of the following from Laurence Sterne's *Tristram Shandy*: "go poor Devil, get thee gone, why should I hurt thee?—This world surely is wide enough to hold both thee and me." See Sterne, *The Life and Opinions of Tristram Shandy, Gentleman, in The Florida Edition of the Works of Laurence Sterne*, ed. Melvyn New and Joan New (3 vols., Gainesville, Fla., 1978–84), I, 131.

Amator Patriæ**Massachusetts Gazette, 29 January**

To the Members of the Hon. Convention.

GENTLEMEN, As truth is the object of every candid Enquirer, even on subjects the most trivial, the operation of this principle becomes peculiarly necessary in the all important subjects now under your deliberation. In a matter of so great moment, and the decision of which involves in IT the happiness or misery of our dear country, every friend thereof feels an obligation on himself to expose the specious glare of false reasoning, and detect the insidious arts of designing men—To this end, I would ask your attention to a few sentiments of the Republican Federalist, No. V. in the Centinel,¹ who gilds his poison by assuming a name which sounds harmoniously in the ears of freemen, but who, with an effrontery peculiar to himself, charges the members of the late federal Convention with crimes, which no one, possessed of a heart less corrupt than his own, could have ever conceived. He says, "the proceedings of the late federal Convention having, as has been shewn, originated in usurpation; and being founded in tyranny, cannot be ratified by the state Convention, without breaking down the barriers of liberty, and trampling on the federal and state constitution."—And goes on to say, "that, in this predicament, there is but two things can with safety be adopted: the one is, to wait the result of Virginia; and the other is, to return the proceedings of the federal Convention to the legislature of this state, to be by them transmitted to Congress for amendments, agreeable to the articles of confederation." I would now ask, for what reason the former should take place, and shew the impracticability of the latter. Can the *vox populi* of Virginia—can the adventitious circumstance of a sister state's compliance or rejection alter the intrinsic merits or demerits of the system? Surely no. But he seems to think we want the advantage of their abilities in the discussion, which is but an ill compliment indeed to the wisdom of this state, that we should wait to benefit ourselves by the judgment of a band of slaves, as he implicitly styles them in another paragraph—deprecating the idea

of making a covenant with them. Strange reasoning this! His argument on this point appears to me tantamount to saying this—That we had better agree to this horrid combination to deprive us of our liberties, if Virginia will hold us out in it—Which is, upon his own idea, assenting to the violation of compacts, sacred and profane, for more trivial reasons, and with less compunction of conscience, than, I dare say, any member of the federal or state conventions would ever be found willing to, or any one, but the Republican Federalist.

As to his latter position, the nature of the case makes it impracticable: for will Virginia, if she should ratify the system now before us, conceiving it calculated to promote her best interest and welfare—I say, will she, in this case, relinquish, in order to meet the sentiments of Massachusetts? The answer is plain and obvious. Where are we then? Why—just where the Republican Federalist would have us to be—in a state of division and dissention.

Let us now see what he says in respect to the *census* of representation, as established by the new system.—He marks, as a defect, that numbers, in lieu of property, is made the *census*: at the same time allowing, that had it been, the matter would not thereby be mended: and proceeds to assert, that in a short time the state assemblies will be found so expensive and burthensome, we shall wish to be rid of them. But, with a plausible ingenuity, he takes care to reserve enough of the state powers to answer his own purpose, viz. that though their assemblies are dissolved, the principle of representation, according to property, will undoubtedly be retained. Arguing from thence, that a man worth £.50,000 will, in future, be able to have as many votes for representatives in the new Congress, as one thousand men, worth £.50 each; establishing thereby, as he terms it, an aristocracy with a vengeance; which, if true, must equally apply to our general court, as it is to the pecuniary qualification of a voter for a representative to that body he must undoubtedly refer, when speaking of the principle of representation.² But I deny its application to the choice of members for the new Congress; as their choice by the people at large, is altogether a novelty, as the state constitution has provided no legal qualification of voters therefor; but it must hereafter be determined by an act of the legislature, who will undoubtedly form it on the broadest basis, taking care to prevent the direful consequences which are predicted. And as the existance of one of the most important parts of the new system is bottomed in its principles on the existance of the state constitutions, they must stand or fall together; nor can the contrary happen, till every spark of liberty is extinct, and every heart as rotten as the Republican Federalist's.

As the advantages we receive by the established rule of representation, forces conviction upon every rational mind, I shall not notice his weak attempt (by begging the question) to establish the contrary idea in the latter clauses of the number referred to.

Venerable Fathers! I trust that you will not be led away by the artful logick of men, with whose feelings and interests the establishment of a good government would essentially militate, and who, to say the best of them, may wish to hide their vices in the map of publick enormities, which must exist in case of anarchy; men who wait for an opportunity to raise "their greatness on their country's ruin."³ But I must rely that you will candidly, dispassionately and impartially deliberate the great plan now before you upon its own principles, and by those principles cause it to stand or fall; and not suffer party prejudices and local views to sap the foundation of the fairest temple which was ever erected to the goddess of liberty.

1. "Amator Patriæ" responds to "The Republican Federalist" V, *Massachusetts Centinel*, 19 January.

2. According to the Massachusetts constitution of 1780, any male adult resident of a town could vote for the town's state representative if he had "a freehold estate within the said town of the annual income of three pounds, or any estate of the value of sixty pounds" (Thorpe, III, 1898).

3. See "Cassius" VI, *Massachusetts Gazette*, 25 December, second paragraph from the end, for the quoted text.

Massachusetts Gazette, 29 January¹

If the anti-federal cause, says a correspondent, is as base and contemptible as the scribblers who advocate it, the federalists have very little to fear, for certainly a more despicable junto than the herd of anti-federal writers, were never leagued together.

1. Reprinted: *Hampshire Chronicle*, 6 February.

Massachusetts Gazette, 29 January¹

It is curious to observe, writes a correspondent, with what acrimony the opposers of the new frame of government exclaim against those who pretend to arraign the conduct of their chieftain; and they themselves are exerting their utmost to defame one of the first characters in the universe.² But inconsistency is a part of the anti-federal creed.

1. Reprinted: *Hampshire Chronicle*, 6 February.

2. Probably George Washington.

Massachusetts Gazette, 29 January

Origin of almost every war between commercial powers.—Some squabble, or civil broil, takes place in the neighbouring petty states—*one* of the powers equips a cautionary armament—the other power finds it necessary to follow the example, in order to watch motions; upon which the first adds to the force and number; so does the second. They then send to each other, to demand an explanation, without betraying a mutual distrust and jealousy. They then look sour at each other, and grow surly. The next thing—armament puts to sea, and, most likely, fall in with one another, when some hot-headed officer, of little experience, and less prudence, offers an insult; this is resented, and so they go to blows. This spark kindles up the flame, and the dogs of war are let loose to ravage and destroy mankind.—So much for the faith to be reposed in nations. *Quere.*—Whether the political hemisphere is not agitated exactly in this way, at the present moment?

Captain M'Daniel

Massachusetts Gazette, 29 January¹

To AGRIPPA.

SIR, You have been noticed heretofore for a *few mistakes* which you have made in the course of your publications. I now call upon you to prove an assertion in your publication of January the 25th. You there assert, sir, that it is said the Rhode-Island assembly intend to abuse their power in regard to elections, therefore we should put Congress in a situation to abuse theirs. Now, sir, it is my opinion that this originated no where but in your own imagination. If I am mistaken I will make concessions; but, sir, except you prove what you have said, to be a fact, you will certainly be thought a *cousin germain*² to *Ananias* and *Saphira*.³

1. "Captain M'Daniel" responds to the first part of "Agrippa" XIV, *Massachusetts Gazette*, 25 January, at note 4.

2. I.e., first cousin.

3. Ananias and his wife Sapphira fell dead shortly after they falsely claimed that they had donated all of the proceeds from the sale of their property, when in fact they had held back a part. Their deaths were viewed as divine judgments (Acts 5:1-11).

Massachusettensis

Massachusetts Gazette, 29 January¹

That the new constitution cannot make a union of states, but only of individuals, and proposes the beginning of one new society, one new government in all matters, is evident from these considerations, viz. It marks no line of distinction between separate state matters, and what

would of right come under the controul of the powers ordained in a union of states. To say that no line could be drawn, is giving me the argument. For what can be more absurd than to say, that states are united where a general power is established that extends to all objects of government, that is, all that exist among the people who make the compact? and is it not clear, that Congress have the right, (by the constitution) to make general laws for proving all acts, records, proceedings, and the effect thereof, in what are now called the states? Is it possible after this that any state act can exist, or any publick business be done, without the direction and sanction of Congress, or by virtue of some subordinate authority? If not, how, in the nature of things, can there be a union of states? Does not the uniting of states, as states, necessarily imply the existence of separate state powers? Again, the constitution makes no consistent, adequate provision for amendments to be made to it by states, as states: not they who draught the amendments (should any be made) but they who ratify them, must be considered as making them. Three fourths of the legislatures of the several states, as they are now called, may ratify amendments, that is, if Congress see fit, but not without. Where is then any independent state authority recognized in the plan? And if there is no independent state authority, how can there be a union of states? But is it not a question of importance, why the states, in their present capacity, cannot ratify the original? I mean, why the legislatures of the several states cannot do this business? I wish to be informed where to find the regular exercise and legal sanction of state power, if the legislative authority of the state is set aside? Have the people some other constitutional means by which they can give their united voice in state affairs? This leads me to observe, that should the new constitution be received as it stands; it can never be proved that it originated from any proper state authority: because there is no such authority recognized either in the form of it, or in the mode fixed upon for its ratification. It says, "We the people of the United States," &c. make this constitution; but does this phrase, "We the people of the United States," prove that the people are acting in state character, or that the several states must of necessity exist with separate governments? Who that understands the subject will believe either? Suppose the same people should agree to be united with Canada, by some instrument of government, and say, we the people of the United States of America agree so and so respecting this union—Would this way of characterizing themselves, amount to a proof that they exercised state authority in this matter? and that the union was a proper union of state powers? No, verily; it is the tenor of the compact that must determine whether this was a union of states, or whether the

people were taken under the government of Canada as individuals. Why does not the constitution begin something to this purpose, viz. We the people of the state of New-York, of the state of New-Jersey, &c. in order to form a more perfect union of these several states of America, do, by virtue of the constitutional powers we are now in possession of, make and ordain this constitution. I know that a preamble of this kind would not be conformable to a design of dissolving the state governments; but whether it would not be material to a plan that was intended for, and calculated to make a union of the states, I leave to the judgment of the impartial publick; I mean those who are versed in these matters: for my part, I am inclined to think that, laying an original foundation of society, and uniting two or more societies, are very different things. Again, what is said about the United States guaranteeing a republican form of government to each state in the union, is a mere fallacy. After the adoption of the new system, the United States can be United States only in consequence of the powers vested in Congress. Why was it not said, that the United States in Congress assembled shall protect each state in the union in the enjoyment of their separate forms of government? But this would not correspond with having no line of distinction between the state governments and the general government. Make the best of it, this guaranteeing implies, that new forms of government for the states, is a condition in the general agreement. And does not this imply that the old forms are given up, or annihilated, and that there is no security for the new ones, only what is provided in the new constitution? and that is just none at all; for it does not say that Congress shall take care of this affair. But suppose that Congress represents a union of states—would it not be a curiosity in the political world, that these states must depend for their very existence upon a power of their own establishing? Should it come to this, what must the separate governments be but powers ordained by Congress, and consequently under the controul of that body? Can this be uniting the American states? No—it amounts to beginning the American publick world anew.

Again, the plan does not acknowledge any constitutional state authority as necessary in the ratification of it. This work is to be done by a mere convention, only in consequence of mere recommendation; which does by no means amount to a proper state act. As no state act can exist independent of the supreme authority of the state, and this authority is out of the question in the ratification of the new constitution; it clearly follows, that the ratifying of it, by a mere convention, is no proper state business. To conclude, the people may make the original, but the people have no right to alter it. Congress may order this

matter just as they please, and consequently have who they please elected for governours or representatives, not of the states, but of the people; and not of the people as men, but as property—Not the least remedy pointed out in the plan against this or any other calamity, which may come upon the people, in consequence of the wanton, unrighteous use of congressional power.

1. Reprinted: *Newport Mercury*, 18 February. On 25 January the printer of the *Massachusetts Gazette* had informed the public that “Massachusettensis” would appear in the issue of 29 January. He needed the space on the 25th to print the debates of the Massachusetts Convention, which, “being of great publick importance,” he preferred “giving them a place to many matters which do not appear of such publick utility.”

James Madison to Tench Coxe **New York, 30 January (excerpts)¹**

I have been favored with two letters from you, one containing 2 copies of the freeman, the other a pamphlet & letter for Mr. King. The latter will be forwarded this evening, as will also the former which did not arrive in time for the preceding mail.² . . .

Our anxiety for the event in Masts. was not relieved by the last mail. No decisive index had appeared of the relative force of parties. Some letters are flattering, others discouraging, and others again totally skeptical. My hopes & apprehensions are pretty nearly balanced by the sum of the probabilities of each side, tho' with rather a preponderancy on the favorable side.

1. RC, Madison Papers, DLC. Printed: CC:485. Madison responds to Coxe's letters of 23 January (above), and 27 January (Rutland, *Madison*, X, 435).

2. See Coxe to Madison, 23 January, notes 3 and 5.

The Republican Federalist VI **Massachusetts Centinel, 30 January¹**

To the MEMBERS of the CONVENTION of MASSACHUSETTS.

Honourable Friends, and Fellow Citizens, Whoever has attended the debates of the Convention, must already be convinced, that the magnitude of the object, and the anxiety of the members, whether for or against the system as it stands, has produced a party spirit which augurs no good. It has now become a struggle for conquest; rather than for conviction: And great as the characters are which compose the Convention, their talents are more employed to make proselytes in favour or against than to investigate precisely and explain clearly the merits and demerits of the proposed Constitution. It must likewise appear, that so many able and eloquent speakers as there are in favour of it, from

the supreme executive, judicial and legislative departments, as well as from the bar, desk,² medical and military professions, that there is not a prospect of doing justice to the objections against the plan. Should it, therefore, in this state of affairs, be carried by a small majority, what must be the consequences? They are too apparent, and too ruinous to contemplate, and every one is left to form his idea of them. The same would probably be the effect of a negative, and the farther we proceed in this business, the more evident is it, that an adjournment until the sense of Virginia and other States can be known, is not only proper, but indispensibly necessary for the peace and welfare of this State.—To persuade the people that this system will produce advantages which will never flow from it, or to conceal from them the *burthen* and *coercion* that will result from it, will be impolitick in the extreme, for the deception must appear as soon as the plan is administered, and the new administration itself will be overwhelmed, and all federal government be prostrated by an enraged and disappointed people. I am sensible that many worthy men are for adopting this plan, not because they approve of it, but from an idea that we shall never obtain another; but what reason is there for this apprehension? The whole Continent are desirous of an efficient federal government—The first constitution proposed to the people of Massachusetts was rejected by them; it originated improperly as this did, and if it had not, it was not a good one. The people therefore made a second attempt, and succeeded in it; and is there not the same reason to hope for success in the present case? Or if we fail, that the attempt will probably make us unanimous in adopting this system? But is it not extraordinary, that a Constitution should be proposed by gentlemen, who had no authority whatever to form it—that they should dissolve themselves without knowing the objections of the people, and that the latter should now be told, they must take this or have none?—This may be language adapted to slaves, but not to freemen.

By my last,³ I think it must fully appear, that the apportionment of representatives by the new system, is to be either according to numbers or property—If according to numbers, that we are to commit ourselves by an unequal representation to the States who are peopled in a great measure with slaves, and if according to property that we are to adopt in our representative branch the most extraordinary principle for establishing an aristocracy, that ever was imposed on a free people. The Constitution further provides, that “the actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct.” The whole number of freemen

and slaves at this time, according to the best information, is about two millions seven hundred thousand, of which six hundred thousand at least are slaves—two millions one hundred thousand freemen then, and three hundred and sixty thousand, being three fifths of the slaves, will make the present enumeration two millions four hundred and sixty thousand.⁴ If we suppose (what considering the continual emigrations from the old to the new States cannot be admitted) that in every twenty years we shall double our numbers, at the end of three years the enumeration will be two millions eight hundred and twenty-nine thousand, and what is to be done with this enumeration? The Constitution in the next paragraph provides, that “the number of representatives shall not exceed one for every thirty thousand, but each State shall have at least one representative, and until such enumeration shall be made, New-Hampshire shall be intitled to choose three, Massachusetts eight,” &c. &c. The people then are called upon to ratify a Constitution, which provides that they shall never have above one representative for thirty thousand inhabitants, without providing that they shall have one for that number: This clause, whilst it restrains the new government from allowing more than one representative to the number mentioned, authorizes it by making the rule of apportionment one or two hundred thousand inhabitants for each representative, to reduce their number to twenty-eight or even to fourteen. This is so clear, that the warmest advocate for the new system will risque his reputation for candour by denying it. If there was no discretionary power intended to be lodged in the new Congress, to reduce the number of representatives lower than one for every thirty thousand inhabitants, it would have been provided, that “the number of representatives” shall be at least one for every thirty thousand; and not as it now stands, “that it shall not exceed one” for that number. It may be said, perhaps, that the increase of the inhabitants will be such hereafter as that it will be necessary for Congress to have the power to make the rule of apportionment higher than thirty thousand; but why then was it not provided, that the people should be allowed one representative for every thirty thousand, until the representatives amounted to a certain number? Even two hundred representatives for a legislature, invested as this is to be, with almost unlimited powers, over the lives, liberties and property of the citizens of these States, is not too much at this early period:—Why should we then, having but sixty-five representatives, intrust Congress with a power to reduce this to a much less number? Perhaps it will be said, there is only a possibility of this evil; but in the progress of these papers I think it will appear there is a probability if not a certainty, that when Congress shall have established their *revenue-acts* and *standing army*, which will be

accomplished in a few years, they will reduce the number of representatives so low, and regulate their elections in such a manner, as effectually to destroy the representation of the people. Some indeed may say, that if it was greater than at present, it would be expensive and burthensome; but this is too trifling an objection to deserve refutation; for the people of the country know well, that their greatest security against a tyrannical government consists in a *full* and *free* representation—*full* as to number of representatives—*free* as to the right of election, and they are not thus to be bubbled out of their liberties. Should it be admitted, that at the end of three years there will be a representative for every thirty thousand inhabitants, the whole number in the federal legislature will then be ninety-four, and this State's proportion thirteen, and after that time no alteration will be made until the year eighteen hundred and one: And are the citizens of this State disposed to commit every thing dear to them, for the space of thirteen years, to a government, constituted as the new one is to be, with only eight representatives for part of the time, and thirteen for the remainder of it?—Are the States having slaves, to have according to the number of freemen a much greater representation than this State? And if there had been no objection of this kind, are the State governments to be subject to annihilation, and when this is accomplished, is the principle of property, which is now contended for as the rule of apportionment, to be then the rule for electing representatives, whereby sixty or a less number of wealthy men, may elect as many representatives as sixty thousand yeomen? What is the number of freemen in Great-Britain, and how many representatives have they? The number, I think, is computed to be about eight millions, and “the number of English representatives, is five hundred and thirteen, and of Scots forty-five, in all five hundred and eighty-eight.” In this proportion we should have a representative for every thirteen thousand six hundred inhabitants, and this State would have thirty representatives in the new Congress. Will the people of this State intrust themselves to a government which will have the power, and every motive to reduce the number of representatives to one half or to one quarter of what they are now to be, and thus to deprive the citizens of their best security for liberty? I think they will not, and that it ought not to be expected of them.

(To be continued.)

1. For the remainder of this essay, see “The Republican Federalist” VI, *Massachusetts Centinel*, 2 February (extra). The first part of “The Republican Federalist” VI was answered by “A Real Federalist,” *Massachusetts Centinel*, 1 February.

2. A reference to the clergy. A “desk” was a pulpit.

3. See “The Republican Federalist” V, *Massachusetts Centinel*, 19 January.

4. The Constitutional Convention (1787) estimated the non-slave population to be 2,261,000 and the slave population to be 520,000, making a total of 2,781,000. The population estimate used by the Convention for the purposes of apportionment and taxation (including three-fifths of the slaves) was 2,573,000 (CDR, 300–301).

**Dwight Foster to Enos Hitchcock
Brookfield, 31 January (excerpt)¹**

Revd. & Dear Sir—

I have only a Moment in which to write a Line by your Brother and Revd. Mr. Ward—and therefore can only congratulate with You upon the agreeable Prospect of the adoption of the federal Constitution in this State—We consider our political Happiness as dependent on the Decision of the important Question—we are also pleased with the Dawn of federal Principles in some Parts of the State of Rhode Island—God grant the Spirit may extend till the utmost Limits of our Borders are affected by it. . . .

1. RC, Miscellaneous Manuscripts, Hitchcock Papers, Rhode Island Historical Society. Hitchcock replied to Foster's letter on 4 February. Foster (1757–1823), a 1774 graduate of Rhode Island College (Brown University) and a lawyer, represented Brookfield in the state House of Representatives, 1780, 1791–92. He was a U.S. Representative, 1793–1800, and a U.S. Senator, 1800–1803.

**Nicholas Hoffman and Son to Nicholas Low
New York, 31 January (excerpt)¹**

. . . Our Harbour still remains very full of Ice which makes Business dull, money in great Demand. The Latest accounts from Boston are more favorable to the new constitution. Coln. W—^{tt}2 & Genl. K—³ are in full expectation of its being ratified by their convention. . . .

1. RC, Low Papers, Box 82 (New York, 1780–89), DLC. This letter was addressed to Low in Poughkeepsie, where he was representing New York City in the state legislature. Hoffman (1736–1800) and his son (probably Martin) were New York City merchants. Low (1739–1826), a New York City merchant with ties to Alexander Hamilton, was a founder and a director of the Bank of New York. He voted to ratify the Constitution in the New York Convention in July 1788.

2. Probably Marinus Willett, a New York City merchant and alderman and an ardent Antifederalist. A former Son of Liberty and Continental Army officer, Willett was the sheriff of New York City and County from 1784 to 1787.

3. Probably Federalist Henry Knox.

**A Real Federalist
Massachusetts Gazette, 1 February¹**

MR. ALLEN, I have long waited for some person to strip off the mask from the false “Republican Federalist:” but in No. 6, he has saved the

friends of peace, good order, and government, the trouble; and has plainly evinced, that his object is not merely defeating the hopes of the people respecting the proposed constitution, but is ultimately the introduction of those scenes of *anarchy* and *confusion* to which the DESPERADOES of the day turn their wishes and expectations, as to their *dernier resort*. Can it be possible, that the "Republican Federalist" is a RESIDENT in this town? (he is not an inhabitant)²—that he attends the DEBATES of the honourable Convention from day to day?—that he peruses those debates after they are published, and yet has the effrontery to assert, that the deliberations and "free conversation of that honourable body are a struggle for conquest?" Yes—it is not only possible, but a fact. However, it is very certain, that there is not a person living, who is so besotted in his understanding, and who has eyes to *see*, and ears to *hear*, that can or will believe the assertion. This IMPUDENT INCENDIARY further observes, "that the GREAT CHARACTERS from the executive, judicial and legislative departments, as well as from the bar, desk, medical and military professions, are all so employed in favour of the constitution," that is, according to him, in making prose-lytes, that "the objections have not justice done them." If the *real* design of this insinuation was not truly diabolical, its extreme absurdity would render it unworthy of notice. It is so much of a piece with the ingenious observations of a certain *oriental* orator, that it has been suggested the "Republican Federalist" is a manufacturer of sp—hes.³ He may rest assured, that there are more eyes than ever Argus⁴ had watching his motions, both *diurnal* and *nocturnal*, and that a full disclosure of certain *dark* transactions will in due time be made. The able and eloquent speakers, by confession of this false Federalist, from every department and profession, are then in favour of the constitution?—This truth must have wrung thy heart, thou advocate for treason, while thy pen was writing it! Yes—be it published to the applauding world, that the WEIGHT of *character*, *learning* and *abilities*, in this commonwealth, and more especially in the convention, is decidedly in favour of adopting the proposed constitution. The GOD of New-England hath not forsaken us, notwithstanding our many publick offences! He hath inspired our *wise men* with *wisdom*, and our *prudent men* with *understanding*. They appear fully to discern what is best to be done. The things that belong to our peace are not hidden from the eyes of those that the people always have put confidence in, and who have *never* deceived them. The constitution has undergone so thorough a discussion, and the objections against it have been so fully and fairly stated, not by its enemies, but by its FRIENDS, and those objections so completely and *unanswerably*

answered, that to suppose it will not be adopted by the convention of this commonwealth, conveys such a reproach upon their wisdom and patriotism, as none but such inveterate enemies to our peace and honour as the *Republican Federalist*, would wish them to incur.

The *immediate* adoption of the constitution, it is true, would not answer the design of this *false Federalist*; it would prevent the effects of that DESPAIR and FRENZY which all *good men* fear would be exhibited on its rejection, as its adoption would be a *corner stone* on which to found our hopes of rational security and peace.

This false federalist has stumbled upon ONE truth. "The whole continent, he says, are desirous of an efficient federal government." I will add another, viz. *Every man*, whose *interest* it is to have *such* a government, (thank God a goodly majority) are decidedly of opinion, that the proposed system is *that* "efficient federal" plan!—The "Republican Federalist" says, "that the first plan of government proposed for this commonwealth was rejected," and that "it was not a good one." If he was designed to point out the defects of that reprobated system, it may be supposed that the best he could designate would be, that it was the joint production of the labours of mr. BOWDOIN and the two ADAMS'S; and it may be truly said, that the proposed continental system is peculiarly odious to *certain characters*, not on account of its defects, (they have not established one) but because the *wisest, best, and most independent and distinguished* PATRIOTS and LEGISLATORS in America, were its framers.

1. "A Real Federalist" responds to the first part of "The Republican Federalist" VI, *Massachusetts Centinel*, 30 January.

2. The alleged author of "The Republican Federalist" essays was James Warren of Milton.

3. "A Real Federalist" accuses Antifederalist James Warren of writing speeches for Massachusetts Convention delegates. The "*oriental* [i.e., eastern] orator" was probably from Maine, such as Samuel Nasson, Samuel Thompson or William Widgery, all of whom were active debaters, especially the latter two.

4. Because the mythological giant Argus "had a hundred eyes in his head, and never went to sleep with more than two at a time," he kept watch day and night.

An Honest Man

Massachusetts Gazette, 1 February

Mr. PRINTER, I am a labouring man, and therefore can hope for nothing in this world but to get my living by industry; but I feel a concern for the publick good, as well as those in higher station. A great deal has been written about the new constitution—Now I will, once for

all, speak my mind plainly,—which is, that we do now adopt the constitution, and chuse mr. *Adams*, (an old tried patriot,) for a senator, and mr. *Gerry* (who thinks some amendments should be made) for a representative, in the new Congress;¹ and I don't doubt they will alter what may want mending, and all the people be satisfied.—Think of this, good folks!

1. Samuel Adams was defeated for election to the U.S. House of Representatives, while Gerry was elected to that body.

Massachusetts Gazette, 1 February

To the EDITOR of the MASSACHUSETTS GAZETTE.

SIR, Feeling the want of a good and energetick national government was not among the last of my fellow-citizens in giving my voice in favour of the new system, now under consideration; but I confess my partiality proceeded principally from the unanimity and respectability of the honourable composers of it. Since I have attended to the debates on the subject, both in convention and the publications abroad, especially a pamphlet, intituled, “Letters from the Federal Farmer to the Republican,” I am led to apprehend I was utterly mistaken as to my first ideas; and conclude, with this *inimitable author* and *candid reasoner*, that—“Time should be taken fully to examine and consider the system proposed. Men, who feel easy in their circumstances, and such as are not sanguine in their expectations, relative to the consequences of the proposed change, will remain quiet under the existing governments. Many commercial and monied men, who are uneasy, not without just cause, ought to be respected; and, by no means, unreasonably disappointed in their expectations and hopes; but as to those who expect employments under the new constitution; as to those weak and ardent men, who always expect to be gainers by revolutions, and whose lot it generally is to get out of one difficulty into another, they are very little to be regarded: and as to those who designedly avail themselves of this weakness and ardour, they are to be despised. It is natural for men, who wish to hasten the adoption of a measure, to tell us, now is the crisis—now is the critical moment which must be seized, or all will be lost: and to shut the door against free inquiry, whenever conscious the thing presented has defects in it, which time and investigation will probably discover. This has been the custom of tyrants and their dependants, in all ages. If it is true, what has been so often said, that the people of this country cannot change their condition for the worse, I presume it still behoves them to endeavour deliberately to change it for the better.

The fickle and ardent, in any community, are the proper tools for establishing despotick government. But it is deliberate and thinking men, who must establish and secure governments on free principles. Before they decide on the plan proposed, they will inquire whether it will probably be a blessing or a curse to this people."

"I think the honest and substantial part of the community, will wish to see this system altered, permanency and consistency given to the constitution we shall adopt; and therefore they will be anxious to apportion the powers to the features and organization of the government, and to see abuse in the exercise of power more effectually guarded against. It is suggested, that state officers, from interested motives, will oppose the constitution itself—I see no reason for this, their places in general will not be affected, but new openings to offices and places of profit, must evidently be made by the adoption of the constitution in its present form."¹

1. These excerpts were quoted from the *Letters from the Federal Farmer*, a New York Antifederalist pamphlet that probably was reprinted in Boston in January 1788. No copy of the Boston printing is extant. There are minor spelling and punctuation differences between the excerpts printed here and the first edition published in New York (CC:242, pp. 20–21, 53–54). The excerpts were also reprinted in the *Newport Mercury*, 18 February. See also "The Circulation of the *Letters from the Federal Farmer* in Massachusetts," 28 December 1787–7 January 1788.

Hampden

Massachusetts Centinel, 2 February (extra)¹

Mr. RUSSELL, As I understand the fifth article in the proposed Constitution, it is provided by it, that when two thirds of the Senate, and two thirds of the House, (that is, as it appears to me, when two thirds of these bodies, seperately) shall deem it necessary, they shall propose amendments, or when the legislatures of two thirds of the States, shall apply for it, Congress is to call a Convention of all the States; this Convention when called, are not to be authorised to make amendments, but are only to propose them to the legislatures of the several States, and then if the legislatures of three fourth parts of the States shall agree to the amendments proposed, they are to be considered as a part of the Constitution.²

I am exceedingly pleased with this mode, so far as it regards the purpose which it was intended to effect. When a government is in exercise, all innovations are dangerous; the forming, or amending a government, opens a wide field for speculation, and men of genius and ability will throng it: One amendment begets another, and that a third,

until, perhaps, the parties are lost in the windings of their own arguments; and the people thrown into dreadful factions. Ideas like these have prevented, and do still prevent, the people in England, from attempting to regain an equal representation in Parliament. The exceeding *slow*, *precarious*, and *expensive* method for amendments, proposed in this Constitution, will prevent those frequent attempts which otherwise might create parties, to the great injury of the general government.

But this remedy is by no means calculated for those defects, which appear upon the plan, before it is adopted. It is only intended for those which may appear upon the exercise of it. The United States are under great obligations to the honourable gentlemen who formed this plan; but in a country, where learning, ability, and particularly the knowledge of politicks, are so universally disseminated, it would be very extraordinary, if those men, however great and learned, should produce a system, in which no amendments, by others, should not be justly proposed. Yet if none could be proposed without introducing the confusion, which some people apprehend, we had, it may be said, better take it as it is. If there is no alternative but the ratifying this, or having no government, this position may be supported. But whether we had better adopt this as it is, or lay a foundation to obtain amendments before it is carried into exercise, is quite another question, and one which clearly exists. To ratify this, as it is, would be clearly deciding, that it is right, and a motion for immediate amendments would be preposterous: There are amendments, stated in my other paper, which are by no means local, and some of which, respecting the right of juries, I believe a majority of States will agree to.³ Mr. *Wilson*, has said that the Convention could agree upon no mode of expression to place this, as a constitutional right in the system.⁴ I see no objection to the mode of expression, I have used in my other paper. If there is not, this secures the right. But should not seven States, assembled in Convention, as proposed, agree to any amendments, the Constitution remains as it is—but should they agree to any, those will be a part of it.

1. On 30 January the *Massachusetts Centinel* announced that it had omitted "Hampden."

2. Article V of the Constitution provides that amendments are to be adopted when ratified by three-fourths of either the state legislatures or state ratifying conventions as directed by Congress.

3. See "Hampden," *Massachusetts Centinel*, 26 January, particularly his fifth and sixth amendments on juries.

4. See James Wilson's 6 October speech before a Philadelphia public meeting (CC:134, pp. 340-41). See also "The Massachusetts Reprinting of James Wilson's Speech of 6 October Before a Philadelphia Public Meeting," 24 October-15 November (RCS:Mass., 120-22).

The Republican Federalist VI
Massachusetts Centinel, 2 February (extra)¹

(Concluded from our last.)

To the MEMBERS of the CONVENTION of MASSACHUSETTS.

Honourable Friends, and Fellow Citizens, I am sensible it will be said the Constitution provides "that the electors in each State shall have the qualification requisite for electors of the most numerous branch of the State legislatures." But the new Constitution was evidently intended to, and must in its operation inevitably produce an abolition of the State governments, and when this is accomplished, the rule of apportionment of representatives according to property, must and will apply to electors, and have the effect mentioned. There would nevertheless be some consolation, if these were the only objections relative to representation in the new system, but in the second sect. of the first art. there is a provision that "no person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States," &c. had this provision extended to the foreigners, who under the government of the United States, had contended for the establishment of our independence, it would have met with no objection; but as it now stands, any foreigner having attained the age of twenty five years, having been seven years a citizen of the United States, and being an inhabitant of any State, may be elected a representative—and the right of being elected senators, is confirmed to foreigners who shall have attained "the age of thirty years," and "who shall have been nine years a citizen of the United States, &c." Thus are we to have a supreme legislature over us, to consist as well of foreigners, as of freemen of the United States.—CITIZENS OF AMERICA! What have you for a number of years been contending for? To what purpose have you expended so freely the blood and treasures of this country? To have a government with unlimited powers administered by foreigners? Will there not be immediately planted in the several States, men of abilities, who, having the appearance of privates, will nevertheless be in the pay of foreign powers? Will not such men ingratiate themselves into your favour, or, which will be much better for them, into the favour of the new government? And after seven years residence, will they not be in your federal house of representatives, or after nine years residence in your senate? Will not the most important secrets of your executive, respecting treaties and other matters, be by these means always open to European powers? Will you not be engaged in their trials? Will not your interest be sacrificed to their politicks? And will you not be the puppets of foreign Courts? Perhaps you will

be told that this provision will encourage emigrants, who will bring their money to America; but will you for such precarious and futile prospects consent to part with the right of governing yourselves? How carefully is this point guarded by Great-Britain. Judge Blackstone, book first, chap. tenth, says, "naturalization cannot be performed but by act of parliament, for by this an alien is put in exactly the same state as if he had been born in the king's legiance, *except* only that he is *incapable* as well as a denizen of being *a member of the privy council, or of parliament*, no bill for naturalization can be received in either house of parliament without such disqualifying clause in it."² Other European powers are equally careful to exclude foreigners from their councils, whilst we, *too wise* to be benefited by the experience of governments which have existed for ages, and have attained the zenith of power, are adopting new principles, and exposing ourselves to evils which must inevitably lead us to destruction.

What I before hinted respecting the danger of ratifying the new Constitution, as it stands, is now too evident to admit of a doubt: The opposition in Pennsylvania have been so imprudent as to burn in effigy, Judge M'Kean and Mr. Wilson, two of the leading members of their State Convention.³ The offenders are of obscure, and perhaps contemptible characters, and there is danger, *that* they will be arrested, without considering the probability of their having been excited to this outrage by men of influence—that the government will be opposed—and that a civil war will commence, which will flame through this continent, the consequences of which are to be dreaded: Thus will the fairest prospects that ever a people had of establishing for themselves *good government*, be at once blasted by *imprudent zeal* and *cursed ambition*.

The virulent supporters of the new system, say, as those did in the parliament of Great-Britain, who pushed the American revenue-acts, that the opposition consists principally of men of *low* and *vulgar* minds, but the event will be much the same in the one case as in the other: The yeomenry supported by men of abilities and integrity in the several States, and standing on the ground of *right*, will *maintain it*; and in case of a war, will derive from this continent, many valuable men amongst us, who although now deceived by an aristocratick party, will be considered as *usurpers* and *tyrants*. These are not the apprehensions of a timid mind, they are predictions founded on our own experience, and God grant, that the wisdom of this Convention, on which is suspended the fate of America, may avert the impending evil. You have now the *confidence* of your countrymen, and it is hoped will not be deprived of it, by the arts of any individuals *with interested views*: You are now in

possession of an *inestimable jewel*, which if lost by a hasty ratification, will never be regained. It is not my wish to make any objections to the new system that are not well founded, and such I conceive to be those against biennial elections: For, considering the extent of the continent—the complicated business of the legislature—the experience requisite for its members—the necessity of their punctual attendance—and their arrangements for quitting their States, and familiar biennial elections, are not *lengthy* or *dangerous*; but can there be any reason, that in the first Congress, when the most important institutions and provisions will be made for carrying into effect the new system, Massachusetts, who according to her numbers of freemen, is entitled to nearly eleven out of sixty-five, should have but eight representatives? It must clearly appear, by my former numbers,⁴ that by the clause for regulating representation, we are to be reduced to the level of slaves, and that we shall soon be such, if the planters of the south are to send to the new Congress, representatives for three fifths of their *negroes*. But if this rule was even admissible, we are entitled to above nine representatives according to the present enumeration, and are told, as a consolation for having but eight members, that New-Hampshire has the deficient member, which to us is the same thing. This to me is unintelligible, for the members of both houses are to be paid out of the continental treasury, to which we shall contribute a full proportion according to our property: Why then should we give up to any State whatever, the important privilege of sending a representative? New-Hampshire is a good neighbour, but like other States, has her separate interests, and in pursuit of it, our's may and will be sacrificed, by such an unreasonable concession. It is remarkable, that in the new system there is no qualification of property, for members of either branch of the federal legislature. It is surprizing to some gentlemen in Convention, that others should wish "to exclude from the federal government a *good man*, because he was not a rich one"⁵—No such thing is in contemplation, but on the other hand, they wish to send him there, and want to know what security there is, that a good man, not being wealthy, shall long continue to be eligible to such an office? If there was provision in the Constitution, that any citizen having three, six, or even nine hundred pounds estate, should be eligible, and that one of those sums should be requisite to qualify him, the publick would be equally guarded against a representation of persons having no property at all, and an exclusion of good men, because not wealthy: But the objection to the Constitution is, that it has no provision for securing the eligibility of good men. If good

members without much property, should oppose the wealthy but unprincipled ones in Congress, and prevent their passing oppressive acts, such as revenue-acts, calculated to promote speculation—to protect defaulters—and to plunder the people, (as this system undoubtedly will of all their property) will not those unprincipled members exert themselves to pass an act, requiring for senators and representatives so high a qualification of property, as to exclude for ever from Congress, the good men who have not great estates? Surely they will, being fully authorized thereto by the *omnipotent* clause, enabling Congress “to make *all laws* which shall be *necessary* and *proper* for carrying into execution the foregoing powers and *all* other powers, vested by this Constitution, in the government of the United States, or in any department or office thereof.” This I call an *omnipotent* clause, for I must believe the man who says, that he can see in its *aphelion*, a comet which requires a century for its revolution, as soon as him that says, he can see the extent to which an artful and arbitrary legislature, can by this clause *stretch* their powers. We shall next consider the most important clause respecting representation, in art. 1st. sect. 4th. which provides, “that the times, places, and manner of holding elections for senators and representatives, shall be prescribed in each State by the legislature thereof: But the Congress may at any time by law, make or alter such regulations, except as to the places of choosing senators.”—Great *ingenuity* has been manifested in attempts to explain away the *meaning* and *tendency* of this *fatal* clause—a clause destructive of the *small* but *best* security which the people by the new system will have for preserving their liberties: Let us candidly attend to the arguments urged on this occasion. One is, that the legislatures, or as they are called the *sovereignties* of the States, are to be the constituents of the federal senate, and the people, the constituents of the house of representatives; that in the frequent struggles and contentions between these two branches to depress and controul each other, each will be supported by its constituents, and therefore that the State legislatures, if uncontrouled by the federal legislature, would endeavour so to regulate the times, places, and manner of holding elections, as to deprive the people of their right of representation—Here, be sure, is the *appearance* of great tenderness for the *rights* of the people, and *nothing but the appearance*, for an *imaginary danger* of losing their rights is held up to them to introduce a *remedy* which must inevitably deprive them of those rights. That there will be such struggles and contentions between the two branches, is admitted—but is it natural to suppose, that the State legislatures, in aid of the federal senate, will wish to destroy the federal representation? Are not the members of one branch of the State legislatures *in all the States*

and of the other branch, in most of them, elected annually, or for a less time? Are not those members dependent on the people for re-elections, and equally with them affected by all federal and state laws? Can those members have any *separate* interest from the people for destroying the balance in the federal legislature? And if they could have such a separate interest, and should attempt to impair or destroy the right of choosing federal representatives, would not the people instantly feel the injury, and leave out of the legislature men so inimical to their rights? Was there no controuling power in the federal legislature for altering or regulating the times, places, and manner of holding elections, would not the people, by annually electing those who are to make the regulations, have every check requisite for securing the right of elections? If, indeed, the members of the State legislatures held their offices independent of the people, and had separate interests, there would be some ground for the argument—but, dependent as they are, and having the same interests with the people, they cannot.

1. For the first part of this essay, see *Massachusetts Centinel*, 30 January.
2. *Commentaries*, Book, I, chapter X, 374.
3. Thomas McKean and James Wilson were burned in effigy by Antifederalists in Carlisle on 27 December 1787. See "Editors' Note: Massachusetts Reprintings of Unrest in Western Pennsylvania," 28 January–28 February.
4. See "The Republican Federalist" V and VI, *Massachusetts Centinel*, 19 and 30 January.
5. A quotation from a speech made by Theodore Sedgwick in the Convention on 17 January (see Convention Debates, V below).

Massachusetts Centinel, 2 February

In May 1784 the *Massachusetts Centinel* began printing a series of short moralistic essays on such topics as moderation, gaming, gratitude, and justice. Originally entitled "Preparations for Sunday," the series was renamed "The Weekly Monitor" on 21 October 1786, and essay numbering began a year later with "184."

The WEEKLY MONITOR. No. 199.

In the course of the political existence of America—it hath appeared, that the arm of divine beneficence, hath ever been stretched out to her support in the hour of adversity—To the gloom of misfortune, the gleam of joy hath succeeded—and the hour of depression hath ever been the prelude to the day of glory and success: Therefore, although our political hemisphere may now be involved in clouds and thick darkness—a reliance on him who hath never yet failed—will inspire us with a confidence that all will be well:—that whether the result of the deliberations of the Convention should be in favour—or whether opposed to the adoption of the new system of government will prompt us still to think that all is for the best—and still hope that though our deliverance is not yet come—that this is not the moment fittest for its arrival.

Editors' Note

A Spectator: A Short History of a Recent Freak**Massachusetts Centinel, 2 February**

On 2 February the *Massachusetts Centinel* printed "A short History of a recent FREAK" by "A Spectator," describing an altercation on 19 January between Francis Dana and Elbridge Gerry. See "Editors' Note: Elbridge Gerry and the Massachusetts Convention," 23–28 January. For the text of "A Spectator," see the Massachusetts Convention, 22 January (V below).

Ebenezer Hazard to Jeremy Belknap**New York, 3 February (excerpt)¹**

Yours of 20th. & 25th. ulto.² are both before me: the former has been read almost as often as either of St. Paul's Epistles; I got fairly tired of reading it, & yet I could not refuse, as it contained the most particular acct. of your Con[vention] & their doings that has yet been recd. & every body here feels deeply interested in both. Continue your favors in this way, for I am almost run down by Friends, who wish for Information, & are to the last Degree anxious to hear either that *Massa. has* adopted the new Constitution, or that it is reduced to a Certainty that she will do it. Your Letters have encouraged them; but we cannot certainly determine whether the Feds. have a Majority or not,—or, if they have, how many:—can you tell us.—It seems clear that they have the Majority of Understanding & Eloquence; but a Nose of Wax will be counted one, as well as any other Nose.—So G. has got out of the *Pound*:³—I wonder that he ever suffered himself to get into it.—The specimens of elocution & Similies which you gave me were very pleasing. They were very natural, & I think must have had great Influence on the "plough-joggers" as they were in *their own way*.—The Convention proceeds with great Deliberation indeed.⁴—We have been told that the Delegates from the Prov. of Maine have been converted, & are now *all federal*.—is it so?—And I have been told today that *Massa. has adopted* the new Constn:—indeed a Gent[lema]n came to my house on purpose to ask me if I had any Advice of it from B—n: I told him no, but thought it could not be true, as on the 25th. ulto. the Con. had advanced no farther than Art. 1. Sect. 9;⁵—unless the Antifeds. had got weary, and called for the Question. . . .

1. RC, Belknap Papers, MHi. Printed: *Belknap Correspondence*, Part II, 13–15.

2. For Belknap's letters of 20 and 25–26 January, see V below.

3. The reference is to Elbridge Gerry who had been asked by the Massachusetts Convention to attend its sessions and answer questions posed about the Constitutional Convention. Belknap's letter of 25–26 January indicated that Gerry had not appeared in the

Convention since 19 January (V below). See also "Editors' Note: Elbridge Gerry and the Massachusetts Convention," 23–28 January.

4. In his letter of 25–26 January, Belknap described and quoted from the 25 January speech of Federalist Jonathan Smith of Lanesborough which was addressed to his "Brother Ploughjoggers" (V below). See also Exeter, N.H., *Freeman's Oracle*, 1 February, note 1 (Appendix I).

5. See Belknap's letter of 25–26 January (V below).

Enos Hitchcock to Dwight Foster
Providence, 4 February (excerpt)¹

Your Congratulation on the prospect of an Adoption of federal Constitution I return in like kind—I wish there was now no doubt—hope soon there will be none—having spent the last week at Boston I came home less confirmed in the belief of its Adoption than when I went—But when I consider the numbers—interest—understanding & eloquence in its favour I by no means despair—That the cause [of] American liberty (which implies good government) is a peculiar object of divine patronage is uniformly an Article of my Creed—is light & consolation under every cloud of political darkness & distress. . . .

1. RC, Chamberlain Collection, MB. Hitchcock replies to Foster's letter of 31 January.

William Robinson, Jr., to John Langdon
Philadelphia, 4 February (excerpt)¹

My dear Friend

. . . Our Eyes are now turned towards the East to view the Motions of Massachusetts—you by this Time may possibly know the Event of the Proceedings of their Convention—The Dissention existing in that State is well known here; their Example will be interesting & should they reject the New Constitution, who can tell the Consequences? Should they adopt it I doubt not but the States will be regularly connected from N Scotia to the Chesapeake forming nine bounding each other—But Sir turn the Reverse—If Massachusetts rejects—what will be the Conduct of N Hampshire, R Iland & N York?—N York stands wavering & that State is important—the Decision in Boston will fix them—Let us but Suppose Massachusetts & New York reject, what will Virginia do? In that Case they also will probably reject & No. Carolina will follow them—then how shall we stand[?] N Hampshire, R Island, Connecticut, N Jersey, Pensylva., Delaware, Maryland, S Carolina & Georgia—these indeed would make nine, but I think no one would pronounce they could form an Empire seperated by Massachusetts, N York, Virga. & No. Carolina—on the contrary should all adopt from N Hampshire to

Maryland inclusive, with S Carolina & Georgia, any testy Humour of Virginia would avail them Little as the nine northernmost States would alone form a strong, compact Empire & with the aid of the two most Southern, would induce Virginia & N Carolina to concur—May Heaven inspire American Bosoms with Patriotism, for if we are not now wise, in vain has our blood been spilt. Again may the Furies rage & Civil Discord raise again her Crest with Horrors unknown before—Heaven avert the Evil! . . .

1. RC, Langdon/Elwyn Papers, New Hampshire Historical Society. Robinson, a merchant, represented Philadelphia County in the state assembly, 1785–89, and in the state constitutional convention, 1789 and 1790. Langdon (1741–1819), a Portsmouth merchant, was a member of Congress, 1775–76, 1787; speaker of the New Hampshire House, 1777–83, 1786–87, 1788; New Hampshire president, 1785–86, 1788–89; and a delegate to the Constitutional Convention, where he signed the Constitution. In June 1788 he voted to ratify the Constitution in the New Hampshire Convention. Langdon was elected U.S. Senator in November 1788.

A Bostonian

American Herald, 4 February

Mr. POWARS, While the hon. Convention are attending to amendments to the Constitution before them, it is presumable, they will not omit *one*, which, in my opinion, will tend to the greatest security of the liberty of the people.—That an effectual barrier be made against the legislative & judicial departments being constituted in the same persons—I say *effectual*. In doing which, it will become evidently necessary, that the gentlemen of the law, who are expounders thereof in the judiciary department should be excluded from a seat in the legislative.—I need not explain the evil tendency which an union ever had, and ever will have: It has been acknowledged, I believe, the greatest defects in the Massachusetts Constitution, and while 99 out of 100 of its inhabitants acknowledge the reasonableness of this proposition, no wonder those gentlemen are so extremely anxious for the present adoption of this Constitution, knowing, that should it go out to the people, that this security would be the first object of their attention, and that an adjournment would have this effect. But, say the '*order*,'²¹ "shall we be divested of our privileges as citizens?"—Pray, why do not the Judges of the Judicial Court, the State Attorney, the Judges of Probate complain?²² Is it not evident, that if it is thought expedient to prohibit those characters from a seat in the legislature, gentlemen who have stated salaries, and therefore cannot be thought to have that local interest in view that may reasonably be supposed the other branch of the same court have, that they also should be debarred?—Is it not contradictory to every

precept of human wisdom and inconsistent in its nature, that the expounders of law, men whose fortune and dependence depend principally on its inaccuracy, its vague and ambiguous terms, its incomprehensibility, should be the framers thereof?—I say no wonder those gentlemen are for swallowing it down in its present form, while they naturally suppose they are conceived necessary agents in making laws to be the supreme law of the land, and at the same time harvesting in the judicial department.—Business enough to be sure, stepping from one court to the other, within the circuit of a *court-yard*, while almost every civil action of considerable magnitude between citizens of different states, besides a multiplicity of other trials are to pass thro' their hands.—I say there are many alterations necessary to be made in the new Constitution before it will suit the people not only of Massachusetts but of New-England in general, but no one of so much consequence as the one proposed; for when the legislature of a nation are composed of men only, whose happiness depends on the simplicity and brevity as well as energy of the laws of their country, then may we expect to find a *code* suited to the genius of the people, and applicable to a republican government.—It is inconsistent to suppose, that the same laws substituted to a *monarchical*, or *aristocratical* government, should be adequate to the simple and comprehensive constitution of a *democracy*—I cannot but wish the Constitution to be adopted, with amendments; but, inasmuch as I conceive this Convention has no authority or power to make any, they will prove futile in Congress with respect to a ratification, as Congress has not power to take cognizance of them by the proposed Constitution.—If the Constitution is good, and cannot be amended for the better, then no injury can happen by delay, as its advocates will naturally increase, and its opponents diminish.

1. This sarcastic reference to the "order," as a means of describing the legal profession, apparently was first employed by "Honestus" (Benjamin Austin, Jr.) on 9 March 1786 in the *Independent Chronicle*. On that date "Honestus" began a series of essays attacking the legal profession. In part, "Honestus" was responding to "The Free Republican," who had asserted that lawyers were a "necessary order in a republic." For other sarcastic references to the "order," see *Independent Chronicle*, 30 November (IV below, Boston section) and a spurious "Candidus," *Massachusetts Centinel*, 26 December.

2. "A Bostonian" apparently meant to bring the new Constitution into line with the Massachusetts constitution of 1780 which prohibited judges of the Supreme Judicial Court, the judges of probate, and the attorney general from sitting in the General Court (Thorpe, III, 1909-10).

"O"

American Herald, 4 February

In this item, "O" attempts to associate John Adams with the opposition to the Constitution. The first two paragraphs (fully sixty percent of this item)

consist of quotations stitched together from the preface and five letters or chapters of the first volume of Adams's *Defence of the Constitutions* (CC:16). "O" often excerpted these quotations without supplying ellipses to indicate deleted text; significant deletions from quoted text are indicated by asterisks. "O" altered the text by changing punctuation, word order, and words, and by adding italics. Significant variations from the *Defence* are noted.

"The mistakes of great men, as well as the absurdity of fools, when they countenance the prejudices of numbers of people, especially in a young country, and under new governments, cannot be too fully confuted.¹—Let us compare every constitution we have seen with those of the United States of America, and we shall have no reason to blush for our country:—*We shall have reason to exult, if we make the comparison with the English constitution.* The powers of the *one*, the *few*, and the *many*, are nicely balanced in their legislatures—Trials by jury are preserved in all their glory*—The habeas corpus is in full force—The press is the most free in the world—And where all these circumstances take place, it is unnecessary to add, that the laws alone can govern.²—The United States of America have exhibited, perhaps, the first example of governments erected on the simple principles of nature:—And if men are sufficiently enlightened to disabuse themselves of artifice, imposture and hypocrisy, they will consider this as an æra in their history; but the people have too often bestowed their applauses and adoration on artifices and tricks,³ on hypocrisy and flattery, on bribes and largesses—Americans are in this age too enlightened to be bubbled out of their Liberties.* They know that popular elections of one essential Branch of the Legislature, frequently repeated are the only possible method of forming a free Constitution and of preserving the Government of Laws, from the domination of men, or preserving their lives, liberties and properties in security.—They know* that when popular Elections are given up, Liberty and free Governments must be given up.⁴

["]The natural Aristocracy among mankind,* is the brightest ornament and glory of a nation, and may be always made the greatest blessing of society, if it is judiciously managed in the Constitution; but if not, it is always the most dangerous, nay it never fails to be the destruction of the Commonwealth.⁵ There is but one way yet found, to avail the Society of all the Benefits of this Body of Men,* and at the same time to prevent them from undermining the public Liberty, and that is to throw them* into one assembly in the Legislature:—to keep all the executive powers out of their hands, as a Body;—to erect a chief Magistrate over them, invested with the whole executive Authority;*—to give that first Magistrate a negative on the Legislature, by which he

may defend himself and the people, from all their enterprizes in the Legislature; and to erect on the other hand, an impregnable barrier against them, in an House of Representatives *fairly, fully and adequately* representing the people.⁶—The end to be aimed at in the formation of a representative assembly seems to be the sense of the people—the public voice:—dividing the districts—diminishing the distance of travel—confining the choice to residents would be great advances towards the annihilation of corruption⁷—And there can be no free government without a democratical branch in the legislature.⁸—The improvements to be made in the English constitution lie entirely in the house of commons.—If county members were abolished, and representatives *proportionally* and *frequently* chosen in *small districts*, and if no candidate could be chosen but an established, long settled inhabitant of that district, it would be impossible to corrupt the people of England, and the house of commons might be the immortal guardians of the national liberty.⁹—It *would be better for America* to go through all the revolutions of the Grecian states rather than an absolute Monarchy* among them, notwithstanding all the great and real improvements made in that kind of government.—The objection to these governments is not that they are supported by nobles and a subordination of ranks, for all governments, even the most democratical, are supported by a subordination of offices and of ranks too.¹⁰—An Alexander or a Frederick possessed only of the prerogatives of a king of England, and leading his own armies, would never find himself embarrassed or delayed in an honest enterprize, he might indeed be restrained from running mad, and from making conquests to ruin his nation merely for his own glory, *but this is no argument against a free government.*¹¹—Shall we conclude, that human nature is incapable of liberty.—That no honest equality can be preserved in society, and that such forcible causes are always at work as reduce all men to a submission to despotism, monarchy, or aristocracy?—By no means.¹²—The people of America, and their delegates in Congress were of opinion that a simple assembly was every way equal to the management of their federal concerns, *and with very good reason*, because Congress is not a legislative assembly, nor a representative assembly, but only a diplomatic body.—A single council has been found to answer the purposes of confederacies very well; but in all such cases the deputies are responsible to the states—Their authority is clearly ascertained, *and the states in their separate capacities are their checks*:—These are able to form an effectual balance, and at all times controul their delegates*—Congress will always be composed of members from the natural and artificial aristocracy of every state, even in the northern as well as the middle and southern states. Their natural

dispositions then in general will be* to diminish the prerogatives of the governors and the privileges of the people, and to augment the influence of the aristocratical parties.—There have been causes enough to prevent the appearance of this disposition hitherto; but* it will be found absolutely necessary to give negatives to the governors to defend the executives against the influence of this body, as well as the senators and representatives of the several states,—the necessity of a negative in the house of representatives will be called in question by nobody.—Dr. Price and the Abbé De Mably are zealous for additional power to Congress. Full power in all foreign affairs, & over foreign commerce, and perhaps, some authority over the commerce of the states with one another may be necessary, and it is hard to say that more authority in other things is not wanted; yet the subject is of such extreme delicacy and difficulty that the people are much to be applauded for their caution.”¹³

ADAMS'S Defence of the Constitutions of the United States of America.

It is impossible not to remark the caution of the author in delegating power to Congress, and how provident in establishing checks upon that body, without which, he sees that their influence will become dangerous.—Is it not that dangerous influence we now feel, joined with the influence of the national [i.e., natural] aristocracy of the country, from which, he says, the members will generally be chosen?—To discover this, we should determine with certainty whether the misfortunes we are now suffering, are derived from our constitutions, if they are, we should then enquire whether the proposed constitution is a certain remedy, and even if it is, then whether it may be productive of as great or greater evils. Otherwise, we may only convert ourselves from a disagreeable situation to a very wretched one.—We shall learn these things with certainty if we fully know the nature of the legislature under the new plan.—If the representatives must be chosen, as the members of the Congress now are, from the natural or artificial aristocratical body in every state, the influence of the aristocratical parties will be more dangerous in proportion to the encrease of the powers delegated to this Congress, and the abatement of the checks—The powers of the present Congress “are clearly ascertained, and the states in their separate capacities are the checks.”¹⁴ Just the reverse of all this is the case in the proposed Congress:—One or two short extracts will shew the power of their legislative authority. Sect. 1st. “All legislative powers herein granted shall be vested in a Congress of the United States.”—We shall see what these powers are in sect. 8th. “The Congress shall have power to provide for the general welfare of the United States.”

And for this purpose, their *laws* are to be supreme and unchecked even by the constitutions of the states, with authority to erect the most formidable judicial tribunals, with an executive, consisting of the whole strength supported by all the resources of the United States.

Certainly these powers can never be prudently committed to a legislature composed of members from the aristocratical parties in every state, which must always be the case for the same reason that the members of the present Congress now are, and that a Consul at Rome would never be, elected, but from among the patricians, although the plebeians were electors, and had a right to elect whom they pleased—Indeed it is impossible to be otherways, when one, or a few men are to be chosen in a large district, by a great number of electors, but the richest, most notable or most intriguing should be elected; and it is as impossible that any of these should properly represent that most numerous and most valuable part of the community, the commonality; for in order for one man properly to represent another, he must feel like him, which he cannot do if he is not situated like him. It is not to be expected of human nature that the rich should be always attentive to the interests of the commons, they will, the best of them, feel, in spite of their natural integrity, an involuntary bias towards those of their own rank. It is for this reason, the rich are continually fearful of Agrarian laws, and the division of property; the poor have equal reason to dread the influence of the rich to produce monopolies, and to lay restraints on personal liberty. We find some governments restraining the price of labour by law. This is as unjust as an abolition of debts, or a partition of property.

1. Letter II, "Preliminary Observations," 7. Adams's text reads: "and even the absurdities of fools."

2. Letter XXIII, "Recapitulation," 95–96. After the phrase "Trials by jury are preserved in all their glory," "O" deleted the phrase "and there is no standing army."

3. "Preface," xi, ix, x. "O" omitted "superstition" after the word "hypocrisy."

4. Letter LIV, "Locke, Milton, and Hume," 369.

5. Letter XXV, "Dr. Franklin," 116–17.

6. *Ibid.*, 117. "O" deleted: (1) "which they are capable of affording"; (2) "all, or at least the most remarkable of them"; and (3) "to make them dependent on that executive magistrate for all public executive employments." He also substituted "House of Representatives" for "house of commons."

7. "Preface," iv.

8. *Ibid.*, ix. "O" substituted "legislature" for "constitution."

9. Letter LIV, "Locke, Milton, and Hume," 371.

10. "Preface," vii. "O" omitted: "it is nevertheless agreed, to ring all the changes with the whole set of bells, and."

11. "Preface," ix.

12. Letter XXIII, "Recapitulation," 95. After "shall we conclude," "O" dropped "from these melancholy observations" and after "monarchy," "oligarchy."

13. Letter LIII, "Congress," 362-64.

14. *Ibid.*, 363.

Editors' Note

The Massachusetts Reprinting of Luther Martin's Genuine Information, American Herald, 4 February-8 May

On 4 February—two days before the Massachusetts Convention ratified the Constitution—the *American Herald* reprinted the first installment of Antifederalist Luther Martin's twelve-installment *Genuine Information*, the first installment of which appeared in the Baltimore *Maryland Gazette* on 28 December 1787 (CC:389). Martin and three other Maryland delegates to the Constitutional Convention had addressed their state's House of Delegates on 29 November about the Convention's proceedings. The widely circulated *Genuine Information*, critical of the Constitution and the Convention, represented Martin's enlargement and reorganization of his speech. By 8 February 1788, the *Maryland Gazette* had printed the eleven other installments of the *Genuine Information*.

The *American Herald* reprinted the first installment from the Antifederalist *New York Journal* of 15 and 16 January, under a New York dateline of 15 January, along with the *Journal's* preface to it. This preface stated: "As every Species of information, received immediately from Delegates in the late General Convention, may be supposed universally interesting, the subsequent Communication, at the Request of many respectable Characters in this City, is here inserted." Between 11 February and 8 May, the *American Herald* reprinted, in whole or in part, eight more installments (II, V-X, and XII—CC:401, 441, 451, 459, 467, 484, 493, 516), the only Massachusetts newspaper to reprint any part in the series.

Genuine Information evoked almost no response in Massachusetts. At the end of February, "A Columbian Patriot" (Mercy Warren) quoted (with variations) Luther Martin's complaint against the Constitutional Convention's rule of secrecy. Martin declared that he would have liked to have corresponded with important political characters outside the Convention and that Convention members had to obtain permission by vote to make copies of resolutions and the journal (CC:581, p. 285, for "A Columbian Patriot"; and CC:389, p. 151, for Martin.). For personal criticism of Martin, occasioned by the *American Herald's* reprinting of the first installment of the *Genuine Information*, see *Massachusetts Gazette*, 5 February.

Ship News**Boston Gazette, 4 February¹**

Mess'rs. EDES, please to publish the following SHIP NEWS,
and oblige a Correspondent:

The several Committees who were ordered to take under consideration the Ships Confederation and Constitution, after due examination have reported—

That the former is a very leaky weak vessel, built at a time when season'd timber could not be procured; the necessity of her being built immediately was the cause of the Builders throwing her so slightly together, and not more firmly and consistently uniting the various parts. That many of her planks are rotten; that her timbers in many parts are defective; that should she engage an enemy of one third of her guns, on the reception of the first well-aim'd broadside, she would be effectually ruined: in short, that she is beyond repair.—That the latter the beautiful ship *Constitution* far exceeded in *goodness* the expectation of the Committee; that in their judgment (and they differ not in opinion from some of the first characters in Europe or America) this ship on the *whole, is far superior* to any now *extant*; and should she be laid aside in hopes of building a better, there are a hundred chances to one but we should be disappointed. They earnestly recommend her as a ship *well calculated for the American service*, and if properly officer'd and *mann'd, she will greatly* promote the interest of the United States, and support with *dignity the American flag*.

Our correspondent observes, that he is by no means surpriz'd at the conduct of the quondam j-d-e, who founded the ship news of last week in the Herald.—This is not the first instance by many of his duplicity of behavior. We can easily believe where wealth and power are the sole motives to action, that dissimulation and double dealing are necessary. No person more highly approv'd of the Constitution than this gentleman; but after the town made choice of their members to Convention, perhaps they disappointed his hopes by their choice, and he thought it most for his interest to join the opposite party. Have we not reason to suppose that we should even now gain a very warm advocate for the Constitution could we convince the gentleman that should it be adopted the people would so far disregard his conduct, as to appoint him to a very honorable and lucrative office?²

1. The first two paragraphs of this item were reprinted in the *Hampshire Chronicle*, 13 February. This item responds to "Ship News," *American Herald*, 28 January.

2. The quondam judge was probably James Sullivan of Boston, who had resigned his seat on the Supreme Judicial Court in 1782, having served on the state's highest court

since 1776. He was perhaps the author of the Federalist essays by "Cassius" and a defeated candidate for the state Convention. (See "Cassius," *Massachusetts Gazette*, 2 October [RCS:Mass., 30-32]; and IV below, Boston section.) On 26 January the *Massachusetts Centinel* printed an item by "Hampden" (allegedly written by Sullivan) that proposed a number of amendments to the Constitution.

Helvidius Priscus IV

Massachusetts Gazette, 5 February¹

To the Inhabitants of Massachusetts.

It has been one of the leading arts of the aristocratick faction, to depreciate the abilities of that part of the convention of the Massachusetts who are opposed to the arbitrary system, which the other supports with the avidity of interest, and the acrimony of contempt for those of less fortune, education, or other factitious advantages than themselves. An impartial observer, who has little personal acquaintance with, nor any undue prejudice against, the one side, or predilection in favour of the other, has read with great attention the speeches of both, on a subject the most important that has yet been discussed in America. He has been willing to discover truth, and ready to pay the tribute of applause wherever it is due, either to the peasant, just called from the field, or to the accomplished citizen, who has spent his life in a court; and has faithfully compared the arguments of both, and must acknowledge, that, where he had been led to expect genius, improved by education, oratorical abilities, and profound reasoning, brightened by study and experience, he has been mortified, for the sake of human nature, to find evasion and sophistry; the prostration of the genuine principles of liberty, and the weak subterfuges of party, endeavouring to cast a veil over the design, the meaning and the consequences of a system that does not require the deepest sagacity to penetrate. On the other hand, there seems to be the modesty of benevolence and the boldness of truth, in the short, unadmired speeches which, in the garb of simplicity, utter the native dictates of good sense, uncorrupted by the splendour of wealth, and animated by the feelings of the man who revolts at the idea of relinquishing the privileges of the free-born citizen; and in the more lengthy investigations, a *Mr. K—sly*² appears to have as thorough a knowledge of the subject in debate, and to express his ideas of the police of the old and new system, as well as of the rights we possess, and the privileges we are about to relinquish, as some of the gentlemen of the bar, who claim more attention in the assembly, from their different modes of education. Nor will few deny that *Dr. W l—d*³ has discovered as much knowledge of ancient history, that he

speaks as clearly on the subject of intrigue, which has been the ruin of republicks, and that he elucidates the consequence of different governments and combinations, at least with as much precision as *mr. G—m*,⁴ without introducing the localities, that occasion a temporary animosity between Connecticut and New-York.⁵ The comprehensive view of the subject of taxation, the inconsistency of opinion in those who were lately perhaps over delicate with regard to a general impost, yet are now ready to make the most unequivocal surrender of all their property at the call of a Congress without check or controul—the fatal tendency and the aggregate evils that must be the certain consequence of such an imprudent resignation of the purse and the sword—the anticipated view of the miseries introduced in the *venerable garb of ancestral sanction*,⁶ and the short survey of the complicated mischiefs with which the whole system is replete, are delineated with a patriotick zeal and energy of expression, and in an unaffected style and manner, that does honour to the abilities, as well as to the heart, of *mr. Symms*. But a comparative view of abilities or address, of the justice and rationality of one cause, or of the absurdities and consequential confusions of the other, are of little avail—The temporizing expedient may probably be adopted: then may your friends in both countries pity the total debilitation of that energetick spirit that has made you the admiration of the speculative man of science in his closet, and has gained you the alliance of some of first nations in Europe; while your enemies will justly ridicule your wanton waste of blood for the bubble of liberty, which you have suffered to be blown away by the breath of those who never inhaled the smallest breezes from the temple of freedom; and your oppressors will laugh that the *gilded trap* has caught the gudgeons in its net. And when the thin vizard that has been cast before your injured opticks shall fall from your lids, you may find the men, who have lured you to the snare, are the least disposed to meliorate your sufferings. But it is said, YOU MUST ACCEPT AND RATIFY THE PROPOSED CONSTITUTION—Then, with your hands tied behind you, and sackcloth on your backs, you may perhaps be permitted to approach the FEDERAL CITY with supplicatory addresses, to mollify the hard conditions of your subjugation; and among other evils you deplore, you may pray that no direct taxes may be assessed, but when the *exigences* of your *masters* require it. But you will remember the *Caudine Forks* cannot be repassed, without bending the neck beneath the yoke of the *Samnites*;⁷ you may then, as the humiliated Romans, in the deepest consternation, look with silent agony on each other, but without discovering a ray of hope in the countenance of the brave, reduced by their own rashness to

inextricable wretchedness: nor will you forget that you have been repeatedly warned of your danger by the friendly pen of

HELVIDIUS PRISCUS.

1. For a response to "Helvidius Priscus" IV, see "Portius," *Massachusetts Gazette*, 8 February.
2. For the speech delivered by Major Martin Kingsley [Kinsley] of Hardwick, see Convention Debates, 21 January, P.M. (V below).
3. For the speech delivered by Samuel Willard of Uxbridge, see Convention Debates, 22 January, A.M. (V below).
4. For the speech delivered by staunch Federalist Nathaniel Gorham of Charlestown, in reply to Willard, see Convention Debates, 22 January, A.M. (V below).
5. For one source of animosity between Connecticut and New York, see RCS:Mass., 61, note 5.
6. Antifederalist William Symmes, Jr., of Andover, used the phrase "venerable habit of ancestral sanction" in a lengthy speech delivered in the Massachusetts Convention on the afternoon of 22 January (V below). Symmes voted to ratify the Constitution, explaining why in another speech (Convention Debates, 6 February, P.M., V below). For another comment on Symmes's 22 January speech, see "Bob Short," *Massachusetts Gazette*, 5 February (V below), which was printed immediately below "Helvidius Priscus" IV.
7. In 321 B.C. an entrapped Roman army surrendered to the Samnites at the Caudine Forks. The Romans were required to sign a humiliating surrender.

Editors' Note

False Reports of North Carolina's Ratification of the Constitution, 5–6 February

On 5 and 6 February, the *Massachusetts Gazette* and *Massachusetts Centinel*, respectively, briefly reported that North Carolina had ratified the Constitution. The *Gazette's* report was reprinted four times, including the *Cumberland Gazette*, 14 February; while the *Centinel's* was reprinted in the *Independent Chronicle*, 7 February, *Hampshire Chronicle*, 13 February, *Worcester Magazine*, 14 February, and in eight out-of-state newspapers. On 14 February the *Newport Herald* published a similar report that appeared in seventeen other newspapers, nine in Massachusetts. The *American Herald* and *Worcester Magazine* were the only Massachusetts newspapers that did not reprint the report. The *Massachusetts Centinel*, 20 February, reprinting was prefaced: "SEVENTH PILLAR raised (if true)." It was concluded: "(We wait with impatience for an official confirmation of this happy event)." Also on 14 February the Antifederalist *New York Journal* pointed out that the North Carolina Convention was not scheduled to meet until July. Six newspapers, including the *American Herald*, 3 March, reprinted the *Journal's* correction.

For all of the documents, see CC:Vol. 4, pp. 507–9.

Massachusetts Gazette, 5 February

The ratification of the New Constitution by the Convention of this state, which we expect will be announced in our next Gazette, will add a SEVENTH PILLAR to the GLORIOUS FABRICK, which the renowned ARCHITECTS of "our dear country," have planned and framed.

Junius**Massachusetts Gazette, 5 February**

*"Of all the causes which conspire to blind
Man's erring judgment, and misguide the mind;
What the weak head with strongest bias rules,
Is pride, the never failing vice of fools."*¹

There is in the human breast a degree of pride which, if we give way to it, often involves us in a labyrinth of difficulties, and renders our situations extremely perplexing. Too many, influenced by that pride which merits nothing but censure, obstinately persevere in an erroneous line of conduct when the right path is pointed out to them, and they themselves are convinced of it. Such conduct is founded on motives which degrade the rational mind, and makes it appear little even in its own eyes. When we are convinced that our conduct cannot be justified by reason, to acknowledge that conviction, and pursue the right course, is truly laudable. It is true, that when we change the ground which for some time we have firmly trod, when we advocate a measure that has for a long time met with our severest censure, we sometimes subject ourselves to the jeers of ignorance. But can this trifling inconvenience bear a comparison with the benefits to be derived from forsaking the paths of error and adhering to the ways of wisdom. Can any thing rival the happiness to be derived from the approbation of our conduct by the wisest part of the community, and from a sense of having discharged the obligations we were under to our consciences and to our country?

It is averred, and by many believed to be an absolute fact, that NINE TENTHS of the members who compose the Massachusetts Convention, are in favour of the federal constitution, and heartily wish for its adoption; but many of them having obstinately opposed it heretofore, submit to be so far governed by that weakness which some call pride, as to determine to vote against the ratification of it, in spite of conviction, reason and every thing else. It is hoped, however, that reflection will influence them to relinquish a determination so derogatory to every principle which ought to actuate the breast of a rational being.

1. Alexander Pope, *An Essay on Criticism*, Part II, lines 201–4. This work was first published in 1711.

Massachusetts Gazette, 5 February

The business of the Convention draws to a close.—The decision of the final question was expected to come on this day.—The friends to the constitution anticipate a pleasing result; and their hopes are not a little confirmed, by the *ravings* with which certain anti-federal scribblers adorn their publications—witness, “The Republican Federalist,” “A Bostonian,” &c. &c. &c.

The BRIGADIER,¹ says a correspondent, is in a great *quandary* about the federal constitution, and his conversation in private circles, evinces an absolute change in his sentiments. He, however, it is said, so much dreads the scoff of ignorance, that he is determined to suppress all qualms of conscience, and vote against the adoption of the constitution, let the consequence be what it will. Thus we see an instance, continues our correspondent, where the smile of ignorance has an influence superiour to the esteem of wisdom. Alas! for human frailty!

“O, FOLLY! at thy crouded shrine
What wretched heaps of suppliants bow!
Thy powers the common mass entwine,
To thee they breathe their fervent vow.”

A correspondent wishes to inquire, whether the mr. M——,² who figured in Powars’s paper of yesterday, against the proposed constitution, and who was so liberal in his abuse of the great Washington and Franklin—names dear to every friend to his country and mankind—is the individual mr. M—— who, for some *courtly* behaviour in Baltimore, had the felicity to escape with a twang of the nose, a kick of the breech, and a few stripes from a hunter, without resenting the premises?

1. Probably General Samuel Thompson of Topsham who on 6 February voted against ratification of the Constitution.

2. The reference is to Luther Martin, a former Maryland delegate to the Constitutional Convention, whose *Genuine Information* the *American Herald* began to reprint on 4 February. See “The Massachusetts Reprinting of Luther Martin’s *Genuine Information*,” *American Herald*, 4 February–8 May.

Massachusetts Gazette, 5 February¹

On the approaching Decision of an important Question.

The all important moment is at hand,
When *we* the fate of millions must decide;

Freedom and peace will soon pervade the land,
Or Anarch stretch his horrid pinions wide.

1. Reprinted: *New Hampshire Gazette*, 27 February.

Agrippa XVI
Massachusetts Gazette, 5 February

To the MASSACHUSETTS CONVENTION.

GENTLEMEN, In my last address¹ I ascertained, from historical records, the following principles, that, in the original state of government, the whole power resides in the whole body of the nation; that when a people appoint certain persons to govern them, they delegate their whole power; that a constitution is not itself a bill of rights; and that, whatever is the form of government, a bill of rights is essential to the security of the persons and property of the people. It is an idea favourable to the interest of mankind at large, that government is founded in compact. Several instances may be produced of it; but none is more remarkable than our own. In general I have chosen to apply to such facts as are in the reach of my readers. For this purpose I have chiefly confined myself to examples drawn from the history of our own country, and to the old testament. It is in the power of every reader to verify examples thus substantiated. Even in the remarkable argument on the fourth section, relative to the power over election, I was far from stating the worst of it, as it respects the adverse party. A gentleman, respectable in many points, but more especially for his systematick and perspicuous reasoning in his profession, has repeatedly stated to the Convention among his reasons in favour of that section, that *the Rhode-Island assembly have for a considerable time past had a bill lying on their table for altering the manner of elections for representatives in that state.*² He has stated it with all the zeal of a person, who believed his argument to be a good one. But surely a *bill lying on a table* can never be considered as any more than an *intention* to pass it, and nobody pretends that it ever actually did pass. It is in strictness only the intention of a part of the assembly, for nobody can aver that it ever will pass.^(a) I write not with an intention to deceive, but that the whole argument may be stated fairly. Much eloquence and ingenuity have been employed in shewing that side of the argument in favour of the proposed constitution; but it ought to be considered, that if we accept it upon mere verbal explanations, we shall find ourselves deceived. I appeal to the knowledge of every one, if it does not frequently happen, that a law is interpreted in practice very differently from the intention of the legislature. Hence arises the necessity of acts to amend and explain former acts. This is

not an inconvenience in the common and ordinary business of legislation; but is a great one in a constitution. A constitution is a legislative act of the whole people. It is an excellence that it should be permanent, otherwise we are exposed to perpetual insecurity from the fluctuation of government. We should be in the same situation as under absolute government, sometimes exposed to the pressure of greater, and sometimes unprotected by the weaker power in the sovereign.

It is now generally understood, that it is for the security of the people, that the powers of the government should be lodged in different branches. By this means publick business will go on, when they all agree, and stop when they disagree. The advantage of checks in government is thus manifested, where the concurrence of different branches is necessary to the same act; but the advantage of a division of business is advantageous in other respects. As in every extensive empire, local laws are necessary to suit the different interests, no single legislature is adequate to the business. All human capacities are limited to a narrow space; and as no individual is capable of practising a great variety of trades no single legislature is capable of managing all the variety of national and state concerns. Even if a legislature was capable of it, the business of the judicial department must, from the same cause, be slovenly done. Hence arises the necessity of a division of the business into national and local. Each department ought to have all the powers necessary for executing its own business, under such limitations as tend to secure us from any inequality in the operations of government. I know it is often asked against whom in a government by representation is a bill of rights to secure us? I answer, that such a government is indeed a government by ourselves; but as a just government protects all alike, it is necessary that the sober and industrious part of the community should be defended from the rapacity and violence of the vicious and idle. A bill of rights therefore ought to set forth the purposes for which the compact is made, and serves to secure the minority against the usurpation and tyranny of the majority. It is a just observation of his excellency doctor Adams in his learned defence of the American constitutions, that unbridled passions produce the same effect whether in a king, nobility, or a mob.³ The experience of all mankind has proved the prevalence of a disposition to use power wantonly. It is therefore as necessary to defend an individual against the majority in a republick, as against the king in a monarchy. Our state constitution has wisely guarded this point. The present confederation has also done it.

I confess that I have yet seen no sufficient reason for not amending the confederation, though I have weighed the argument with candour. I think it would be much easier to amend it than the new constitution.

But this is a point on which men of very respectable character differ. There is another point in which nearly all agree, and that is, that the new constitution would be better in many respects if it had been differently framed. Here the question is not so much what the amendments ought to be, as in what manner they shall be made; whether they shall be made as conditions of our accepting the constitution, or whether we shall first accept it, and then try to amend it. I can hardly conceive that it should seriously be made a question. If the first question, whether we will receive it as it stands, be negatived, as it undoubtedly ought to be, while the conviction remains that amendments are necessary; the next question will be, what amendments shall be made? Here permit an individual, who glories in being a citizen of Massachusetts, and who is anxious that the character may remain undiminished, to propose such articles as appear to him necessary for preserving the rights of the state. He means not to retract any thing with regard to the expediency of amending the old confederation, and rejecting the new one totally; but only to make a proposition which he thinks comprehends the general idea of all parties. If the new constitution means no more than the friends of it acknowledge, they certainly can have no objection to affixing a declaration in favour of the rights of states and of citizens, especially as a majority of the states have not yet voted upon it.—

“Resolved, that the constitution lately proposed for the United States be received only upon the following conditions:

“1. Congress shall have no power to alter the time, place or manner of elections, nor any authority over elections, otherwise than by fining such state as shall neglect to send its representatives or senators, a sum not exceeding the expense of supporting its representatives or senators one year.

“2. Congress shall not have the power of regulating the intercourse between the states, nor to levy any direct tax on polls or estates, nor any excise.

“3. Congress shall not have power to try causes between a state and citizens of another state, nor between citizens of different states; nor to make any laws relative to the transfer of property between those parties, nor any other matter which shall originate in the body of any state.

“4. It shall be left to every state to make and execute its own laws, except laws impairing contracts, which shall not be made at all.

“5. Congress shall not incorporate any trading companies, nor alienate the territory of any state. And no treaty, ordinance or law of the United States shall be valid for these purposes.

“6. Each state shall have the command of its own militia.

"7. No continental army shall come within the limits of any state, other than garrison to guard the publick stores, without the consent of such states in time of peace.

"8. The president shall be chosen annually and shall serve but one year, and shall be chosen successively from the different states, changing every year.

"9. The judicial department shall be confined to cases in which ambassadours are concerned, to cases depending upon treaties, to offences committed upon the high seas, to the capture of prizes, and to cases in which a foreigner residing in some foreign country shall be a party, and an American state or citizen shall be the other party; provided no suit shall be brought upon a state note.

"10. Every state may emit bills of credit without making them a tender, and may coin money, of silver, gold or copper, according to the continental standard.

"11. No powers shall be exercised by Congress or the president but such as are expressly given by this constitution and not excepted against by this declaration. And any office[r]s of the United States offending against an individual state shall be held accountable to such state as any other citizen would be.

"12. No officer of Congress shall be free from arrest for debt by authority of the state in which the debt shall be due.

"13. Nothing in this constitution shall deprive a citizen of any state of the benefit of the bill of rights established by the constitution of the state in which he shall reside, and such bills of rights shall be considered as valid in any court of the United States where they shall be pleaded.

"14. In all those causes which are triable before the continental courts, the trial by jury shall be held sacred."

These at present appear to me the most important points to be guarded. I have mentioned a reservation of excise to the separate states, because it is necessary, that they should have some way to discharge their own debts, and because it is placing them in an humiliating & disgraceful situation to depute them to transact the business of internal government without the means to carry it on. It is necessary also, as a check on the national government, for it has hardly been known that any government having the powers of war, peace, and revenue, has failed to engage in needless and wanton expense. A reservation of this kind is therefore necessary to preserve the importance of the state governments; without this the extremes of the empire will in a very short time sink into the same degradation and contempt with respect to the middle state[s] as Ireland, Scotland, & Wales, are in with regard

to England. All the men of genius and wealth will resort to the seat of government, that will be [the] center of revenue, and of business, which the extremes will be drained to supply.

This is not mere vision, it is justified by the whole course of things. We shall therefore, if we neglect the present opportunity to secure ourselves, only encrease the number of proofs, already too many, that mankind are incapable of enjoying their liberty. I have been the more particular in stating the amendments to be made, because many gentlemen think it would be preferrable to receive the new system with corrections. I have by this means brought the corrections into one view, and shewn several of the principal points in which it is unguarded. As it is agreed, at least professedly, on all sides, that those rights should be guarded, it is among the inferiour questions in what manner it is done, provided it is absolutely and effectually done. For my own part, I am fully of opinion, that it would be best to reject this plan, and pass an explicit resolve, defining the powers of Congress to regulate the intercourse between us and foreign nations, under such restrictions as shall render their regulations equal in all parts of the empire. The impost, if well collected, would be fully equal to the interest of the foreign debt, and the current charges of the national government. It is evidently for our interest that the charges should be as small as possible. It is also for our interest that the western lands should, as fast as possible, be applied to the purpose of paying the home debt. Internal taxation and that fund have already paid two thirds of the whole debt, notwithstanding the embarrassments usual at the end of a war.

We are now rising fast above our difficulties, every thing at home has the appearance of improvement, government is well established, manufactures increasing rapidly, and trade expanding. Till since the peace we never sent a ship to India, and the present year, it is said, sends above a dozen vessels from this state only, to the countries round the Indian ocean. Vast quantities of our produce are exported to those countries. It has been so much the practice of European nations to farm out this branch of trade, that we ought to be exceedingly jealous of our right. The manufactures of the state probably exceed in value one million pounds, for the last year. Most of the useful and some ornamental fabricks are established. There is great danger of these improvements being injured unless we practice extreme caution at setting out. It will always be for the interest of the southern states to raise a revenue from the more commercial ones. It is said that the consumer pays it; But does not a commercial state consume more foreign goods than a landed one? The people are more crouded, and of consequence the land is less able to support them. We know it is to be a favourite

system to raise the money where it is. But the money is to be expended at another place, and is therefore so much withdrawn annually from our stock. This is a single instance of the difference of interest; it would be very easy to produce others. Innumerable as the differences of manners, and these produce differences in the laws. Uniformity in legislation is of no more importance than in religion; Yet the framers of this new constitution did not even think it necessary that the president should believe, that there is a God, although they require an oath of him. It would be easy to shew the propriety of a general declaration upon that subject. But this paper is already extended too far.

Another reason which I had in stating the amendments to be made, was to shew how nearly those who are for admitting the system with the necessary alterations, agree with those who are for rejecting this system and amending the confederation. In point of convenience, the confederation amended would be infinitely preferable to the proposed constitution. In amending the former, we know the powers granted, and are subject to no perplexity; but in reforming the latter, the business is excessively intricate, and great part of the checks on Congress are lost. It is to be remembered too, that if you are so far charmed with eloquence, and misled by fair representations and charitable constructions, as to adopt an undefined system, there will be no saying afterwards that you were mistaken, and wish to correct it. *It will then be the constitution of our country, and entitled to defence.* If Congress should chuse to avail themselves of a popular commotion to continue in being, as the fourth section justifies, and as the British parliament has repeatedly done, the only answer will be, that it is the constitution of our country, and the people chose it. It is therefore necessary to be exceedingly critical. Whatsoever way shall be chosen to secure our rights, the same resolve ought to contain the whole system of amendment. If it is rejected, the resolve should contain the amendations of the old system; and if accepted, it should contain the corrections of the new one.

(a) *A writer in the Gazette of 29th Jan. under the signature of captain M'Daniel having with civility and apparent candour, called for an explanation of what was said in one of my former papers, I have chosen to mention him with respect, as the only one of my reviewers who deserves an answer.*⁴

1. See "Agrippa" XV, *Massachusetts Gazette*, 29 January.

2. The reference is either to Francis Dana or Rufus King, both of whom referred to the attempt of the Rhode Island legislature to reapportion its lower house by eliminating the weighted position of the four original towns and having all the towns equally represented. See "Agrippa" XIV, *Massachusetts Gazette*, 25 January, note 4; and Convention Debates, 21 January (V below).

3. Adams, *Defence of the Constitutions*, I, 93.

4. See "Captain M'Daniel," *Massachusetts Gazette*, 29 January.

William Frost to George Thatcher
York, 6 February (excerpt)¹

. . . my Taxes are Yet unpaid for want thereof, & find pritty Tite grubing along to get Bread &c. to Support life with my Family. Good Heavins where are we all going too. Shall our lives and Property never be Secure to us shall it be said that the Americans has no true faith that Confidence cannot be put in them, as was and is Justly Said of the Avoriginals, good God let not it be so said of a Christian People it seems there is a great Struggl in Boston about this New Constitution for and against it, but it is my Serious oppinion about the matter that there is no man can give any Rational accot. why he is against it only these two Week reasons the one is this that it is his Stubbond Will, & the other is that he is as Blind as any Common Stone in the Wall; clear it is to me that nothing under Heaven is Wanting else to give life to the Nerves & Sinnues of the World of mankind both at Home & abroad to Establish true faith & Redeem our Creadit that Common Justice & harmony may take Place among mankind. . . .

1. RC, Chamberlain Collection, Thatcher Papers, MB. This letter was postmarked at Boston, on 5 March.

The Republican Federalist VII
Massachusetts Centinel, 6 February

To the MEMBERS of the CONVENTION of MASSACHUSETTS.

Honourable Friends, and Fellow Citizens, Let us, however, suppose the federal senate, in such a mighty squabble calling on their constituents, the State legislatures, for aid to impair or destroy the democratical federal branch. Is it possible that the members of any State senate or house, would "introduce such regulations, as would render the right of the people, insecure," or "make an unequal and partial division of the State into districts," or "disqualify one third of the electors," as has been urged? Would the members from Worchester, or Hampshire, in either branch consent to regulations which would deprive their constituents of their suffrages and increase the privileges of the electors of Suffolk, or any other county? Could the members in either branch of the State legislature, ever have a motive to adopt such measures, as would deprive *themselves* as well as their constituents from influencing the elections of federal representatives? Will not the members of the State legislatures, *as part of the collective body*, be the constituents of the

federal representatives? Will not the State legislatures, being thus the constituents of both branches, be the only *safe* and *proper* umpire for preserving the harmony and ballance of the federal legislature? Will not the State legislatures knowing there can be no security for property under a *rapacious aristocracy*, leave out of the federal senate every member that shall aim at an undue controul of the house, and endeavour to produce by the people the same change of such federal representatives, as shall encroach on the rights of the senate? Surely they would; and it is unnatural to suppose that the State legislatures can have any interest in aiding the federal senate to destroy the ballance of the federal legislature, or if they had, that the measure would be attempted; or if it was, that the people would need any other assistance, than their rights, under the State Constitutions to defeat the attempt. But let us suppose there is some danger of this evil, is it to be avoided by incur[r]ing one much greater? The federal senators, except two thirds of the first senate, will be always elected for *six* and the house for *two* years. The members of both the federal branches from the *duration* and *respectability* of their appointments, and from their *lucrative* establishments, *to be made by themselves*, will have a great interest in their *offices*, and every motive to *perpetuate them*. This will be a common interest, and may, (as I think will evidently appear) be attained without even altering the form of the new Constitution, so excellently well adapted is it, to the establishment of a *baleful aristocracy*. The federal legislature may, as has been shewn, and undoubtedly will, make the qualification of property so high, as that few in each State can be elected to either the senate or house: Whilst the revenue laws and other civil establishments in the executive and judicial departments of the union, will necessarily produce through the Continent, *swarms* of officers, who being nominated by the President, and appointed by and with the advice and consent of the *senate*, will be in *their interest*, and in the *interest* of the *house* likewise, as grants will be made by their joint concurrence. All the federal *military* officers will be appointed in the same manner, and be in the same interest—all the *militia* officers, through the continent, where appointments are by the new system, reserved to the States, will nevertheless, as the military officers under the present Confederation, be commissioned by the President of the United States, and attached to the congressional interest. All the late officers of the army who are a very reputable and influential body of men, and who are united by an institution, which gives them ten times the influence, they would otherwise have, will have the same attachment to federal government. How easy then, will it be *with such support*, for a body of such able men as

will compose Congress, to establish the elections of federal representatives at the *metropolis* as at *any other place*, in each state, and when this is effected, to collect the *congressional* or *crown officers* (as they soon will be called) at that place, and carry the elections for these senators and representatives who shall be in the aristocratical interest of the federal government, leaving out all *honest republicans*, who shall have been so vulgar as to have paid any regard to the interest of their constituents?

Essex Journal, 6 February¹

Extract of a letter from a gentleman in Charleston, South-Carolina to his friend in this town, dated the 20th ult.

“We are looking forward with great impatience for the adoption of the Federal Constitution—it has lately been fully discussed in our House of Assembly;² and from the disposition of the people, we have not the smallest doubt of its being adopted by this state—It will be of infinite advantage to the Eastern states; for the policy of the federal government will doubtless lead them to give a determined preference, if not an exclusive privilege, to the vessels of America, to the carrying of its own produce; should that be the case, we shall want annually, to export the produce of this state, from 20 to 25,000 tons of shipping, which, from the present situation of America, must be provided from the three Eastern states.”

1. Reprinted: *New Hampshire Spy*, 8 February; *Newport Herald*, 21 February.

2. All the states called conventions to consider the Constitution, but only the January 1788 session of the South Carolina legislature seriously debated the merits of the Constitution, when considering the resolution to call a state convention.

Adelos

Hampshire Gazette, 6 February

Mr. Printer, In the present political contest, respecting the establishment of the Federal Constitution, I have been rather a silent spectator—I have heard and read much—said little—The writers on both sides the question, have shewn spirit and learning. I confess the advocates for it have manifested a spirit (some of them at least) rather unbecoming, and somewhat bordering upon persecution: this I hope, however, will not be justified by people in general; but that every one may be allowed to speak his sentiments, and have fair play at disquisition. It is a matter of importance and requires sobriety. In this view of the matter, I beg leave to offer a few remarks for public consideration.

I am not about at this time to impugn every part and parcel of the new frame of government; but if I may be allowed the natural, inherent, the grand birthright of all the human race, I will very freely and boldly oppose one article of it,—page 12, beginning of section 9.¹ which however strange it may appear, has been but little noticed. It permits, in express terms, of that most cursed of all trades, the African slave-trade. I must confess it will be very wonderful to me, if the Massachusettians (above all people in [the] world) should hold up their hands to give efficacy to a constitution which admits of slavery; and not only so, but Congress is expressly restricted from making any provision against it, for the term of twenty-one years, let the mischiefs resulting therefrom be ever so great. It is strange, I say, if Massachusetts should give countenance to this, after establishing a constitution of their own, fronted with these words, “*All men are born free and equal;*”² and in consequence of which have emancipated many wretched Africans, and delivered them from masters more sordid to them (many of them) than they were to the brutal herd. I cannot see but the first moment we adopt the Federal Constitution as it stands, we raze [i.e., raze] our own to the very foundation. We allow that freedom and equity are the natural rights of every man born into the world; but if we vote this, we vote to take away those rights, and to sport ourselves with the liberties of mankind. I wish to know how one man came by his right to the service of another, without his free consent, and a proper recompense when required? Whether we go ourselves to Africa to procure slaves, or employ others to do it for us, or purchase them at any rate of others, it matters not a whit. It is an old saying and a true one, “The partaker is as bad as the thief.” It is well known that this trade is carried on by violence and rapine; nay, murder is not, I presume, out of the question. Who gave mankind a right thus to play the devil with one another? We reprobate the conduct of the Algerines; their conduct truly is highly reprehensible;—they enslave the Americans,³—the Americans enslave the Africans: which is worst? Six of one and half a dozen of the other. Congress may make laws to punish piracies and felonies committed on the high seas; but yet we may go to Africa, and lay waste and destroy what we please; captivate thousands of free born men, without the least provocation—bring them to America and doom them to perpetual bondage, and all with impunity: Congress are not to be allowed to prevent it. The thought is truly shocking, and nature shudders at the recollection!

Flimsy indeed, is the argument of the Connecticut Landholder, in support of the Constitution, that “slaves are so numerous in the southern states, should an emancipation take place, they will be undone,”—

truly wretched enough!⁴ So then, if by fraud and violence, I have got the possession of my neighbour's estate, reduced him to misery and slavery, the laws may not restore it to him, the rightful owner again, lest I should be undone. Too weak even for idiocy itself. I think upon the whole the article ought to be expunged; or that we ought not to vote to give life to a constitution, which at its first breath will be branded with eternal infamy, by having a stamp of slavery and oppression upon it.

1. A reference to Article I, section 9, which appears on page 12 of the pamphlet edition of the Constitution printed in the fall of 1787 by Adams and Nourse (printers to the General Court), and sent by the legislature to every town and district in the state. In this edition, section 9 was headed: "*Restrictions upon Congress*" (Evans 20801).

2. The first seven words of Article I of the Massachusetts Declaration of Rights (RCS:Mass., 440).

3. During the 1780s the Barbary States preyed upon American vessels in the Mediterranean. In 1783, for example, Moroccan pirates captured the *Betsy* and her crew, holding them hostage in Tangier for two years before releasing them. Two more vessels—the *Maria* and the *Dauphin*—were seized and their crews imprisoned in Algiers. Since Congress did not have enough money to pay the ransom or build a navy, American seamen languished in prison or were sold into slavery.

4. The quoted passage has not been located in any of the essays of "A Landholder." However, in his sixth essay "A Landholder" stated that "all good men wish the entire abolition of slavery, as soon as it can take place with safety to the public, and for the lasting good of the present wretched race of slaves" (*Connecticut Courant*, 10 December 1787, CC:335, p. 401). "A Landholder" VI was reprinted in the *Hampshire Gazette* on 2 January.

Hampshire Chronicle, 6 February

It affords us peculiar satisfaction, that we are enabled to inform the publick, from good authority, that there is the greatest probability of the Federal Constitution's being adopted by this Commonwealth: It is expected that the grand question will be proposed in the course of the present week, when it is hoped that those virtuous citizens who have so long exerted themselves in the cause of LIBERTY and INDEPENDENCE, will once more shine with distinguishing lustre.

Jeremiah Hill to George Thatcher Biddeford, 7 February (excerpts)¹

My dear friend,

... we have here plenty of snow, plenty of rain, consequently bad roads, therefore no post last week, from thence you may naturally conclude that we had no convention news, only what circulated thro' the *domestic telltale*, by the post this week we learn that the Convention were

to rise this week on Tuesday, that there were a majority of 14 in favor of the Constitution; I hope by Friday to congratulate you on its ratification, but why need I mention to you those matters, when I know that you will be better informed of real Facts than I can possibly communicate? why to let you know that we in this A—e of the world have an Idea of good things to come as well as other folks, and as pleased to hear the news The lapse of my letters has so confounded my Ideas that I sometimes scratch when it does not itch, I believe I shall very soon formally indict the postmaster general and all his understrappers for Sacrilege when I am informed that there is a Congress, except you will bring on the matter by a motion as we legislators say, I think such abuses are intolerable. . . .

Brother Lee has got well of his *Epidemic*² and will I believe make a very good federalist, your prescription turn'd the disorder thô at times his brain seems a little adelled yet. but I am continually administring cordials to him. . . .

1. RC, Chamberlain Collection, Thatcher Papers, MB.

2. For the position of Silas Lee on the Constitution, see his 23 January and 7 February letters to Thatcher.

Silas Lee to George Thatcher
Biddeford, 7 February (excerpt)¹

My Dear Uncle

. . . In my last I gave you a small sketch of the sentiments of the people in these Counties, respecting the new Constitution—as I have never interested myself much in the matter, I could not be very particular as to that—I also suggested a few doubts respecting, perhaps you will call them objections against, the plan—I think the fourth Sect: grants a dangerous power—& a power too by no means necessary to the establishment of an energetick Government—If the clause was conditional it would serve every purpose, *but a destruction of the State legislatures*—the powers of the Senate are greater, if I mistake not than the Lords of England—have they a power to propose amendments to Money Bills?—A Republican Government is gaurenteed to each State in the Union—But may not Congress establish one republican form, such as they shall chuse, throughout the whole?—also why is it a compact of Individuals, instead of a Confederacy of States? the former supposes one consolidated Government, the latter only a combination of several independent sovereignties for particular national purposes.

These are some of the many queries that I have put to our Friend Hill—which I suppose induced him to tell you that I “had broke out”—

but as they were only doubts in my mind, & I have never been positive,—hence Brother Hill has supposed that my antifederalism was of “*the better Sort*”—indeed I will Confess have never thought that an attention to it, at the present time, was of so much consequence to me, as my profession—but as it will be of great service to me to discuss the subject a little with you; & more especially as you have generously assured me that it would be very agreeable to you, I propose every week to send you a few observations upon it untill, I am convinced that my fears are groundless—

As for News you have every thing that transpires at Boston as well as almost every where else much sooner than we do—excepting however *our domestic Intelligence*—e.i. matters & things of *this house*—Betsy King is with us²—we have fine times indeed, nothing wanting but you & company we are quilting coverlid—Betsy is a stanch *Federalist*—and quite a politician—you would have been diverted to have heard our Conversation last evng. when I shew her your letter wherein you cite Bror. Hill—we disputed about two hours.—Mamma & Tempy³ sometimes put in a word—they also were on your side of the house—the Former was a true woman, I told Her—& a Dear good one, too—truly laughable was the scene. Betsy’s warmth was genuine—“she pitied me” she said—& I believe she even thought me *guilty of a crime*—it is impossible to paint the scene in it’s true colours—her warmth was natural—& words emphatical—“are you an antifederalist she began”—I laughd.—“yes you are”—and reasoned against me most beautifully—it was fun indeed—

P.S. I hope you will not forget [to] send me the Marrow of the Constitution that you mentioned—in my next I will mention Hallowell court—

1. RC, Chamberlain Collection, Thatcher Papers, MB.

2. Elizabeth (“Betsy”) King was a younger half-sister of Rufus King.

3. Thatcher’s niece, Temperance Hedge, whom Lee would marry.

Lewis R. Morris to Samuel Blachley Webb
Springfield, Vt., 7 February¹

Dear Webb—

Was I to write you a Letter as long as you deserve, I must devote more time to you than I can spare from my good Father whose stay with me is very short and the whole of that must be engrossed by business, I have snatched a few moments from the busy scene to devote to you, to thank you for your kind remembrance of me, and to assure you of my regard, secluded from all my former acquaintance, and even

my retirement broke in upon by misfortune, you must ever consider yourself as performing a Deed of Charity to write me,—I shall ever remember your polite and friendly Attention to me—Well Webb are you most married? my Father has dropt some Hints about a certain young Lady at Claverack—a very handsome Girl, tho' I am informed that she is not sound in the Toes—get her sound that she may last, for it is the devil to be *unwifed*—We are looking anxiously toward Boston for the Fate of the fœderal Constitution, we daily see many fine sensible performances from that Convention and I doubt not that the wisdom as well as the Property of the State are in favor of it, but unfortunately every Blockhead and Bankrupt in the State has as good a Vote as a better Man—should Massachusetts adopt the Constitution, Rhode Island and New Hampshire will follow the Example—the Judge² tells me that New York will adopt it. God send it success—present me to my friends you know them, and to Miss H—— when you see her—I am my dear Webb yours sincerely

1. RC, Webb Papers, CtY. Morris (1760–1825), a native of Scarsdale, N.Y., served in the Continental Army during the Revolution as an ensign. From 1781 to 1783, he was secretary to Confederation Secretary for Foreign Affairs Robert R. Livingston. Morris moved to Springfield, Vt., in 1786, and five years later he was appointed the first U.S. marshal for the district of Vermont. Webb (1753–1807), a native of Wethersfield, Conn., served in the Continental Army during the Revolution, for a time as George Washington's aide-de-camp and private secretary. In 1783 Congress brevetted him a brigadier general, and in 1784 he established himself in New York City as an agent for Joseph Barrell, a Boston merchant.

2. His father, Richard Morris, was the chief justice of the New York state supreme court and a Federalist delegate to the New York Convention.

Independent Chronicle, 7 February¹

Doth he not speak Parables? EZEKIEL.²

A certain Farmer not long ago, settled on a new piece of land, which he was in hopes, by his industry and the assistance of his healthy boys, to be able to cultivate to advantage. Unfortunately he was of a morose, tyrannical and selfish disposition; and often irritated his boys, by his austerity; and as they grew older, he used them more like slaves than children. They being hardy, resolute, and not easily subjected to rigorous government, and finding that their father was not their natural parent, but only a father in-law;³ and also that he had not so good a title to the farm, as they would have when they came of age, determined with one consent, that if he persisted in his tyrannical conduct, they would attempt to oust him and set up for themselves. Accordingly, on a certain day, when the choleric old gentleman, had begun to enforce

his unreasonable commands with a cudgel, they manfully returned the blow, and after an obstinate struggle, he was forced to retreat; and with a broken pate, and sore sides, he betook himself muttering and resentful, to his paternal estate on the other side of the water. The lads, being *Thirteen* in number, and of a sanguine, vigorous and enterprising turn, concluded they could easily manage their joint interest so as very soon to make their fortunes. They had sense enough to know, that as their united efforts had ejected their father-in-law, so their united affections and efforts would be necessary for their future establishment and prosperity. They had only a small cultivated spot on their new farm, upon which they had a crop of wheat, of which they had selected for seed, a choice sheaf apiece, larger or smaller in proportion to the age, ability and industry of each brother. As they had no shelter for the preservation of their grain, it was judged necessary that all their sheaves should be compacted together into one shock. But the difficulty was how to compact them so as that the whole should be secure from injury and depredation. At length, with joint contrivance and industry, they formed a kind of covering with straw and other materials, which they placed over their sheaves to keep them together, and to screen them from storms and from birds of prey. But it was soon found to be inadequate to the purpose. So weak and loose was it in its contexture, that it could neither shelter the sheaves from the weather, nor keep them from falling apart. Nay, it evidently sunk down, so that most of the sheaves stuck out above it; and by unnatural pressure against one another, they began to be intertangled, to lose their fine shape and proportion, and threatened the bursting their bands and becoming like a heap of threshed straw. So that the brothers were all convinced that something more effectual must be done, or all their past labour, and fine prospects of future crops, would be lost; and their grain, appearing like a neglected, broken shock, and free plunder for all, should be pillaged away, not only by birds and beasts of prey, but by rapacious farmers around them. But though the case appeared urgent, it was difficult to find out, or to agree among themselves, what was best to be done. There was a growing uneasiness and anxiety; and especially as blackbirds and vermin had begun to make disorder and waste in many of the sheaves,—some thought it was best for each one to take care of his own bundle separately. Some, through want of spirit and a fraternal affection and generosity, seemed not to care whether any thing was done for mutual advantage. And some were so abject and base, as to wish to go back again to their step father, and ask his pardon, and promise to submit to all his orders and impositions for the future, if he would take their bundles into his custody. But the most of them

having cherished their original independent and generous spirit, and being fully persuaded that they had wit and ability enough among themselves, if they would but unitedly exert it, to preserve their own sheaves, without meanly suing to others for assistance, manfully determined to lay their heads and their hands together, and shew what they could do. Accordingly all but one or two entered into close consultation to strike out some plan for the joint security of their precious grain. The youngest Boy, indeed, having been neglected in his education, and kept low company, was ignorant, wilful and knavish; and ungenerously refused to join with his brothers in any well judg'd, interesting expedient.⁴ But this discouraged not the rest. The most active and penetrating among them at length devised the following as the most probable scheme to answer the purpose, viz. That a handful of the tallest, strongest and straitest of the straws, should be culled out of each bundle, the bigness of the handfuls to be determined by the bigness of their respective bundles; and that these handfuls so selected should by proper interwoven threads and constricting bands, be ingeniously formed into a Cap-Sheaf to unite and cover the whole. Every one saw that this, if faithfully executed, was a judicious expedient; that thirteen sheaves well bound, and set close and upright under such a Cap-Sheaf, would help to keep one another up; and would remain safe and well shaped, uninjured by storms, and undiminished by birds of prey; and moreover would comprize and convey the ideas of unity, security and comely proportion. And that no apprehensions, jealousies, or dissensions might be entertained amongst these brothers, it was provided that each one should have the culling of his own bundle for the forming and repairing the Cap-Sheaf, and might aid with his own ingenuity in the construction of it. But tho' common sense could not but acknowledge this; and also, that it was much better to spare a handful of grain for the preservation of the rest, than to risk the loss of the whole for want of such a sheaf, yet several were fearful, and some were obstinate. Some pretended they had as good run the venture of losing all at once, as to have all the best of it pick'd away by little and little. Some feared the Cap-Sheaf would be made so heavy as to settle their sheaves flat to the ground. Others pretended that the Cap-Sheaf being composed of the tallest and strongest of the straws, might be made so stiff and tight, as to compress and pinch the heads of their sheaves too close; or at least, might enclose them so effectually, as to prevent their inspecting and handling them, or taking them out, whenever they should think fit. In short, notwithstanding the union of interest, honor and safety that demanded the united sentiments, exertions and affections of these thirteen brethren, divers of them objected to the proposed

measure. So that they who had the most extended views, and felt the warmest emotions of brotherly kindness as well as of self love, dreaded the consequences of disunion.—The subject had been so long in debate, and was so interesting to this rising family, that it engaged the attention of older farmers though at a distance. Those among them who had a sense of honor and humanity, were grieved at the dissensions of these brethren, and wished they might have wisdom to coalesce, and preserve their precious seed, upon which all their hopes of a succession of encreasing harvests depended. Others that were selfish and unfriendly, endeavoured to blow the coals of strife between these brothers, in hopes they would be obliged to seperate one from another, and become tenants upon their farms, or servants in their families. And particularly their old step father listened with milignant pleasure to every account that was brought him of their quarrels and dangers, and hoped soon to see the time when he should get these rebellious Jacks into his hands again, when he would keep their noses effectually to the grindstone, and make them repent their audacity in resisting his authority. In fine, the most sanguine hopes, that the most benevolent of these brothers, or of their friends, dared to entertain, were, that nine of them would pretty soon be induced to secure their sheaves in the method proposed, and that the rest would see cause after a while to follow their example; except the youngest; and he, they expected, would become a vagabond and a highway-robber, and soon be brought to an inglorious end; and that if any of the scattered straws of his sheaf remained, worth picking up, they would be collected, and tuck'd into some of the other bundles.

1. Reprinted in the *Cumberland Gazette*, 28 February. On 29 May the *Newport Herald* printed this allegory at the request of "a number of your customers." Four newspapers then reprinted the item from the *Herald: Massachusetts Gazette*, 3 June; *Pennsylvania Mercury*, 14 June; Lansingburgh, N.Y., *Federal Herald*, 30 June, and *Hartford American Mercury*, 14 July.

2. Ezekiel 20:49.

3. George III.

4. Rhode Island alone refused to adopt the Impost of 1781 and to send delegates to the Constitutional Convention in 1787. Along with New Hampshire, Rhode Island also refused to adopt the April 1783 amendment to the Articles of Confederation changing the method of apportioning federal expenses among the states from land values to population.

A Watchman

Worcester Magazine, 7 February¹

(The following was a few days since sent us for publication; as it is the first piece written in this county, against the Federal Constitution, that has been

offered to us for publication, we think proper, in order to shew impartiality, to publish it, notwithstanding the author evidently appears to be much mistaken in some of his assertions.)

For the WORCESTER MAGAZINE.

To the CITIZENS of the UNITED STATES.

Men, Brethren, and Sisters, Hearken! it is now a critical time with us, and a time in which we ought to be upon our watch, and upon our guard. Now is the time for us to look out; now is the time for us to take care; now is the time for us to see that nothing is done to deprive us of our religious, or our civil liberties.

Our government at present is democratical, that is, the power is in the people; we are allowed to choose our rulers, make our own laws, and perform religious worship according to the dictates of our own consciences; and by our constitution a freedom of speech, and the liberty of the press, are allowed to every one of us. But although we are under such an excellent constitution, behold a new one is presented to us for our reception, which appears much like an aristocratical form; and will, if it is established, demolish a part of our democratical government, and deprive us of a part of our liberties.

Before we suffer this new constitution to be established, we ought to consider seriously what it contains, and whether it is calculated to promote our felicity? or whether, like a wolfe in sheep's clothing, it is calculated to vest certain men with more power, deprive us of our liberties, and bring our land into lordships, and lead us into vassalage and slavery, like the poor people in Holland, who, after they had obtained their independency, lost their power, and were not suffered to have any voice in their government, no not so much as to choose their representatives.

How often has it been ringing in our ears from every quarter of the United States, that our present constitution is the best that ever was or ever could be established; if that be true, pray what need is there of an alteration—what need have we to alter a constitution that is every way perfect; if we should suffer our democratical government to be demolished, and an aristocratical one established, it is probable that in a few years some designing men will attempt to pull that down, and set up one that is monarchical, and so bring the country under a military government.

Permit me then, my beloved brethren and sisters, to point out wherein this new constitution is deficient.

1st. There is no bill of rights in it. 2d. Although different religions are allowed to set in Congress, yet there is no liberty given to the people to perform religious worship according to the dictates of their consciences. 3d. There is a door opened for the Jews, Turks, and Heathen

to enter into publick office, and be seated at the head of the government of the United States. 4th. There is nothing said about the people being allowed the freedom of speech and the liberty of the press. 5th. It divides Congress into three branches, as President, Senate, and a house of Representatives, which will be a great clog to business, and a hindrance to the making of laws with expedition and dispatch. 6th. It deprives men that are endowed with the wisdom that is from above, from entering into Congress; unless they have arrived at a certain age, and have abode in the states a certain quantity of time. 7th. It augments the members of Congress, and makes the government more expensive. 8th. It deprives the people of the liberty of choosing their delegates to Congress annually, and of recalling them when they please. 9th. It almost annihilates the state governments, and deprives their legislature of the power of making their own laws. 10th. It makes no provision against the keeping a standing army in a time of peace. 11th. It deprives the people of the power of levying and collecting their own taxes. 12th. It vests Congress with power to tax all the states, to send forth collectors, and enforce the payment of taxes by a standing army. 13th. It vests Congress with power to run the people into debt, by borrowing money of foreign nations, upon the credit of the United States; and it doth not oblige the members of that assembly to render any account of the expenditure of the same, if they shall see fit to secret it. 14th. No provision is made in it against having the civil power subject to the military, nor against having people that do not belong to an army or navy tried and punished by the military laws. 15th. It deprives the people in the several states of the liberty of making their own constitution, and vests it in the hands of Congress. 16th. It deprives the inhabitants of each state of the power of choosing their superiour and inferiour judges.

Thus have I exhibited some of the deficiencies in our new Constitution, perhaps more might be mentioned; but although there are some deficiencies, yet there are many excellent things that are worthy of our reception and establishment, providing our constitution is deficient. Some people are averse to a democratical government, because they esteem it to be the most expensive and irregular; but the governments of Connecticut and Rhodeisland have been such from their first settlement; they have chose their own officers, and made and executed their own laws, and where can we find cheaper and more regular governments than they have been?

Thus, my beloved friends, have I given you the foregoing hints, that you may be upon your guard, and ward off the impending danger. Keep the power in your own hands, and let nothing be established that may deprive you of your liberties and make you unhappy.

1. Reprinted: *New Hampshire Recorder*, 19 February.

Portius

Massachusetts Gazette, 8 February¹

To *Helvidius Priscus*.

SIR, When I first began to read your production in last Tuesday's paper, I thought the beginning of it seemed to be dictated by a spirit of candour; but, upon further perusal, I found that what I had mistaken for sentiments devoid of prejudice, was only a glossy preface to an exhibition of party virulence and anti-federal rascality.

You call yourself an impartial observer, who has no personal acquaintance with, nor any undue prejudice against one side, or predilection in favour of the other. What, in the name of common sense, sir, stimulated your pen to write words which convey ideas so foreign to the heart, which declare sentiments so different from those which have guided every part of your conduct with respect to conventional affairs? Are you so divested of reason as to suppose that a single assertion contained in your declamatory harrangue of Tuesday, will have any weight with the unprejudiced part of the publick? You cannot harbour a thought so derogatory to every thing rational. Your only view, therefore, in defaming worth and ascribing merit to ignorance, villainy and misinformation, must be similar to that which stimulates the venal parasite to fill his patron's ear with applause and approbation, though sensible he deserves the cutting lash of censure, and the bitterest reproach and infamy.

You say you are not acquainted with any on either side. By what means then, THOU MODERN CATALINE,² are you so frequently introduced into those nocturnal scenes of conspiracy, carried on by the star ch—r associates?³ What countenances you nightly to resort to the boarding-houses of this city, in order to hold *mighty converse* with anti-federal dupes and their champions? When these things are known, sir, how can you have the confidence to assert your ignorance of men whom you are known constantly to associate with? There is this to be said in your *defence*—impudence is an anti-federal characteristick.

But, sir, to the characters you mention—With regard to the first,⁴ his honesty is not doubted, but with respect to deficiency of judgment in so weighty an affair as the decision of the question respecting the constitution, he may, perhaps, be accused, and not unjustly.—But for the doctor⁵—Good God, sir! What could induce you to bring into view a character so villainous and despicable—a character which casts an odium upon the cause you so zealously support, and who is a disgrace to that assembly in which he holds a seat—a man who, no longer ago

than last winter, sided with a band of ruffians and desperadoes, to overthrow the constitution of the state, and lay law and government prostrate at the shrine of anarchy—and who, when the arm of avenging justice was stretched forth to take him, was forced to flee the state, and take shelter under the protecting wing of the legislature of a neighbouring state,⁶ a legislature that indignant justice spurns at the bare mention of, and whose records, (I mean those of recent date) will appear in a most glaring point of view on the black roll of eternal infamy. No wonder, sir, that such characters are in opposition to a government founded on principles of true republicanism and strict justice. If such men are advocates for your darling cause, reason argues that the cause itself is as infamous and despicable as those who support it.

The grand question respecting the constitution will undoubtedly be decided before these remarks meet the publick eye, and decided to the satisfaction of every friend to honesty freedom and justice. I will close with requesting you, your coadjutors and patrons, to bear your disappointment and the thwarting of your hopes with fortitude, to conduct as becomes peaceable citizens and subjects, as thereby you will gain the protection of government, however little you may deserve it.

1. "Portius" responds to "Helvidius Priscus" IV, *Massachusetts Gazette*, 5 February.

2. Lucius Sergius Catilina (c. 108–62 B.C.), anglicized Catiline, a Roman noble, conspired to seize power. His plot was discovered, and he was denounced by Cicero in four memorable orations. Catiline escaped from Rome, but the republic's army defeated his forces at Pistoria, where he was killed.

3. The Court of Star Chamber evolved in 15th century England from the judicial sittings of the King's Council at Westminster. It began as a court of equity and prerogative, but extended its jurisdiction, particularly under the Tudors, to criminal matters. Under James I and Charles I, the Star Chamber became tyrannical and arbitrary, and it was abolished by the Long Parliament in 1641.

4. Martin Kingsley. See "Helvidius Priscus" IV, *Massachusetts Gazette*, 5 February, at note 2.

5. Dr. Samuel Willard. See "Helvidius Priscus" IV, *Massachusetts Gazette*, 5 February, at note 3.

6. Samuel Willard, described as "one of the principal springs of insurgency" and a man who "openly espoused the cause of treason and rebellion," sought refuge at his brother's home in Smithfield, Rhode Island, thereby avoiding arrest by Sheriff William Greenleaf in February 1787. Rhode Island authorities refused to endorse the warrant for Willard held by Greenleaf, who proceeded to Smithfield. To avoid Greenleaf, Willard went to Providence and in March 1787 was present in the Rhode Island legislature, where he spoke successfully against a bill barring Massachusetts rebels from Rhode Island. In May Willard was elected to the Massachusetts House of Representatives, but, along with two other Shaysites, he was not permitted by the House to take his seat.

New York Daily Advertiser, 8 February¹

Extract of a letter from a gentleman in Boston, dated Jan. 30, to his friend in this city.

“The Convention has now proceeded as far as the 2d section of the 3d article, and by Tuesday next I suppose the business will be brought to a close. I am happy in informing you, that, from the most accurate calculation that has been made, there is a majority of *Thirty* in favor of the Constitution. Some of the Delegates, who were instructed by the towns they represented to vote against it at all events, have returned home and informed their constituents, that so much light had been thrown upon the subject, that they could not, as honest men, hold up their hands in opposition to the Constitution. The towns have sent them back, and directed them to vote as they thought best.² The famous Bacon,³ who has so often altered his mind, is now fully persuaded that we had better adopt it; so that, upon the whole, I have not the least doubt of its being ratified by a very considerable majority.

“The Governor made his appearance for the first time to-day; and as he is very popular, and has openly declared himself in favor of the Constitution, I make no doubt it will be the means of making many proselytes. No new faces appear in the Convention against the plan of Government, and the opposers are daily diminishing. When this great and important business is determined, I shall duly advise you; and I am fully persuaded that I shall soon be able to inform you, that the honest yeomanry of Massachusetts have ratified and confirmed the Federal Constitution.”

1. This extract of a letter was also printed in the *New York Packet* on 8 February. It was reprinted ten times by 7 March: N.Y. (1), N.J. (1), Pa. (5), Va. (3).

2. For an example of such a delegate, see John Sprague's speech in IV below, Lancaster section.

3. A reference to John Bacon. See IV below, Stockbridge section.

Pennsylvania Herald, 9 February¹

The enemies to the new constitution formed great hopes that Massachusetts would reject that system of government, and on ground that appeared not a little flattering. Those counties in which the rebellion raged, sent to convention sixty members, who are to a man as decidedly opposed to a federal government, as they were to that of their own state.² The people of the province of Maine, who have forty-five delegates in convention, were equally opposed to this system; but for reasons no ways criminal. Desirous of erecting their province into a separate, independent state, they regarded with great apprehension that clause in the constitution which bars the establishment of new states but with the consent and approbation of three fourths of the members of congress. Their delegates were, therefore, on leaving home, and for

some time afterwards unanimous in their opposition, with the insurgent delegates. However, when their motives were known, they were referred to the articles of confederation, which guard against the admission of new states, without the consent of nine of the thirteen old ones. Thence it was clear that by the new system the matter would be placed on rather a more favourable footing than it had formerly been. This effected an amazing alteration in their conduct, and letters from persons of the best information in Boston declare, that the delegates from Maine are now among the most decided advocates of the proposed form of government.³

1. Reprinted: *Virginia Independent Chronicle*, 27 February.

2. The rebellion was centered in five counties—Berkshire, Bristol, Hampshire, Middlesex, and Worcester. In each of them a majority of the delegates voted against ratifying the Constitution on 6 February. The Worcester vote of 43 to 7 was the most lopsided.

3. The delegates from the three Maine counties voted 25 to 21 to ratify the Constitution.

**Abigail Adams Smith to John Quincy Adams
London, 10 February (excerpt)¹**

... respecting your desire that your father Should determine to Spend the remainder of his days in retirement—I cannot agree with you in this wish—it is in his Power to do His Country Essential Service—by assisting in Her Councils—by His opinions, advice, & recommendations, he has it *I believe* in his Power to do as much perhaps *the most* towards establishing her Character as a respectable Nation—of any Man in America—and Shall he retire from the World and bury himself amongst his Books—and Live only for himself?—No—I wish it not—I have no desire that he should be chosen Governor of the State—let those Possess that station who are ambitiously grasping at a Shadow—which I Consider the Honour attendant upon that office to be—but I do hope—upon the establishment of a New Constitution—to see Him in some respectable and usefull Office under it—the Americans in Europe say he will be Elected Vice President—besides my Brother independant of other important Considerations—he would not I am well Convinced be Happy in Private Life—you will before he arrives in America have seen two other Vollumes of His Book²—and perhaps you will hear from him a system of Government which you may not expect—he is of opinion that some *new* form of Government for our Country is necessary—he does not wholly approve of the one which has been offered—but he thinks that the People had better adopt it as it is—and then appoint a new Convention to make such alterations as

may prove necessary—He wishes they Had Entitled the Cheif Magistrate to a greater degree of independance that they had given him the *Sole* appointment of all Offices—that they had made provision for a Privy Councill—either of His own appointment or chosen by the Senate—and some others which you will hear from himself—if the system at present under Consideration is not adopted I am of opinion that he will assist at a future Convention and have a principle Hand in the framing One which may be adopted—most of the Americans now in Europe are in favour of it—being well Convinced that a Change is absolutely necessary to the respectable Establishment of our Country in the Eyes of Europe and her importance as a Nation. . . .

1. RC, Adams Family Papers, MHi. Smith (1765–1813), the sister of John Quincy Adams, was married to William Stephens Smith, of New York, secretary to the American legation in London which was headed by her father, American ambassador John Adams. The Smiths returned to America in May 1788.

2. The three volumes of John Adams's *Defence of the Constitutions* were published in London. Volume I appeared in January 1787, Volume II in August 1787, and Volume III in January 1788.

**Henry Van Schaack to Peter Van Schaack
Pittsfield, 12 February (excerpt)¹**

My dear Brother

Yours of the ——— Captain² handed me last evening—so far from apparent exultation I took the freedom with the Patroon,³ in my letter by his Express, to recommend moderation to him and the other friends to the Constitution. I feel now pretty confident that the adoption will be general throughout the United States, and I shall then be possitive in my mind, that there will be a peaceable submission to the new Government, at least in this Commonwealth.—Much depends upon the opinion the people entertain of the energy a Government will possess that is offered to them. In the various conversations I have had with the middling and lower class of people, opposed to the new federal plan of Government, I find they all consider that if it once gets agoing (as they term it) its efficacy will be such as that it will not do to give it opposition—This opinion I believe is general in this State. . . .

1. RC, Van Schaack Family Papers, NNC.

2. Probably Captain Prosper Polly of Lenox, a deputy sheriff of Berkshire County.

3. A reference to Stephen Van Rensselaer, patroon of the Manor of Rensselaer in Albany County, N.Y., who was commonly called "The Patroon."

Salem Mercury, 12 February¹

A correspondent observes, that the years 88, for some centuries past, have been remarkably conspicuous for great events: In 1588, the Spanish armada was destroyed; in 1688, the revolution in England commenced; and in the beginning of the year 1788, when the Connecticut Convention adopted the new Constitution, the majority consisted of 88; and in the same year, the Convention of Massachusetts consented to the adoption of the same Constitution.

1. Reprinted: *Massachusetts Centinel*, 16 February. This item originated in the Litchfield, Conn., *Weekly Monitor*, 28 January, without the final clause about Massachusetts. Sixteen newspapers (none in Massachusetts) reprinted the *Monitor's* version by 31 March: Vt. (2), N.H. (2), R.I. (2), Conn. (1), N.Y. (2), Pa. (5), Md. (2).

IV.
THE ELECTION OF CONVENTION DELEGATES
19 November 1787–7 January 1788

Introduction

On 25 October the Massachusetts General Court adopted resolutions calling a state convention to consider the Constitution. The resolutions “directed” selectmen to convene the inhabitants of their towns qualified to vote for members of the state House of Representatives in order to elect convention delegates. To vote for members of the state House, an inhabitant had to be an adult male, a one-year resident of the town, and possessed of “a freehold estate within the said town of the annual income of three pounds, or any estate of the value of sixty pounds” (Thorpe, III, 1898. For the resolutions calling the convention, see RCS:Mass., 143–46.). The resolutions calling the convention neither set qualifications for delegates nor prohibited state and local officials from being delegates. Thus, according to one newspaper writer, “On the present occasion *every* man either IN OFFICE, or OUT OF OFFICE is eligible . . . this enlarges the sphere of our enquiry—it gives us the fairest opportunity to concenter the *wisdom*, the *firmness* and the *patriotism* of the Commonwealth, in the approaching Convention” (“An Elector,” *Massachusetts Centinel*, 28 November, Boston section, below).

In calling town meetings, selectmen would issue warrants instructing constables to give legal warning to the freeholders to assemble in town meeting, listing the day, time, place, and agenda. (Selectmen often placed business other than electing delegates on the agenda.) Only those items placed on the agenda in the warrant could be legally considered at the town meeting. After posting notice, constables informed selectmen that proper notification had been given. (When a Cambridge constable failed to certify that he had given adequate warning, the selectmen rescheduled the meeting.) Often town meetings would adjourn to another day, at which time the original meeting would continue. Occasionally subsequent town meetings were called, when, according to law, at least ten freeholders petitioned the selectmen to call a meeting.

As in the election of state representatives, the 25 October resolutions provided that votes were to be cast by ballot. State law required that state representatives were to be elected by a majority of those voting, and seemingly the towns followed this procedure in the election of convention delegates. Some towns needed more than one ballot to

elect convention delegates by a majority vote. (See, for example, the Sheffield and Mount Washington section.) Selectmen were directed to certify the results. (The selectmen of Taunton refused to certify the election of the town's second and third convention delegates who were elected at a subsequent town meeting.)

Towns were eligible to send the same number of delegates to the state convention that they could send to the state House of Representatives. According to the Massachusetts constitution of 1780, an incorporated town could elect one representative if it had 150 rateable polls, two with 375, and three with 600. With each additional 225 rateable polls, a town could send an additional representative. Towns under 150, incorporated before the adoption of the state constitution, were allowed one representative. A town incorporated after 1780 could not send a representative until it had 150 rateable polls. Incorporated in 1784, the Berkshire County town of Dalton did not meet this minimum standard, and the town's freemen protested their ineligibility to be represented in the convention as a violation of their natural rights.

The committee of the state Convention appointed to examine the returns of the delegates reported on 11 January that eleven towns had elected more delegates than they were authorized to send under the last valuation. The committee also reported, however, that certificates had been received from the selectmen and/or the assessors of some of these towns, stating that the number of rateable polls had increased sufficiently since the last valuation to merit an additional delegate. The Convention agreed to seat all of these eleven enlarged delegations—Beverly, Dighton, Falmouth (Cumberland County), Marlborough, Petersham, Plympton, Portland, Pownalborough, Sandwich, Waterborough, and Worcester.

Towns electing more than one delegate sometimes voted for all of them in a single ballot. Others voted *seriatim*. (See Newburyport section.) Approximately 100 more convention delegates were elected than attended the state House of Representatives, whose sessions began in May 1787. This increase of about 38 percent was perhaps due to the Constitution's importance and the state's payment of the Convention's expenses. Every county, except Berkshire and Nantucket, sent more delegates to the Convention than to the legislature; the three Maine counties doubled their representation. Some towns sent fuller complements to the Convention, including the previously mentioned eleven towns, who believed that their increased population warranted additional representation. A number of towns refused to elect a delegate or voted to send fewer than those to which they were entitled. Biddeford, Chatham, Gardner, Sherburne (Nantucket County), Standish,

Truro, Vassalborough, Wendell, and Windham voted not to appoint delegates. Biddeford reversed its decision and elected a delegate, who did not attend the Convention. Vassalborough elected a delegate, reversed that decision, and voted not to send a delegate. Then, the town again changed its mind and elected a delegate.

Most towns neither instructed delegates nor commented on the Constitution. A few voted on whether or not to instruct delegates. Sometimes, towns voted immediately on instructions. Other times, they appointed committees to draft instructions, which were read and voted on later in the day or at a later date to which the meeting had adjourned. The propriety of instructions was an issue before, during, and after the Convention.

Few of the towns for which instructions have been found instructed their delegates to ratify the Constitution; several told their delegates to use their own discretion. Most of the towns for which instructions have been found, however, ordered their delegates to vote against ratification. Some of these towns stated that the Constitutional Convention only should have amended the Articles of Confederation by giving Congress additional powers. At least four of them—Belchertown, Fryeburg, Harvard, and Townshend—objected to the Constitution's lack of a religious test for officeholders. Other objections to the Constitution included the lengthy terms of office for the President, Vice President, Senators, and Representatives; the powerful federal judiciary that would distress the people and leave their property insecure; the blending of legislative and executive powers; the power of Congress to regulate elections; the smallness of the House of Representatives; the excessive powers of Congress that would endanger lives and property and lead to the annihilation of the states; and the lack of a bill of rights.

Northampton's instructions, which gave their delegates discretion, were most widely reported, appearing first in the *Hampshire Gazette*, 28 November, and then in five Massachusetts newspapers, the December issue of the nationally circulated *Philadelphia American Museum*, and in nine out-of-state newspapers by 17 December. Several towns either adopted Northampton's instructions nearly verbatim or used them as a base for their own instructions. In the state Convention, delegates usually honored their instructions, but in several instances delegates, who either had been elected as Antifederalists or who had been instructed to vote against ratification, did the contrary, occasionally explaining their actions. William Cranch reported in late January that several delegates had returned home to request that their town withdraw their instructions and permit them to vote their consciences. In

at least one case—that of John Sprague of Lancaster—a delegate indicated that he convinced his town to revoke his instructions to vote against ratification and to allow him to use his own discretion.

The first elections were held on 19 November in four towns, while the last occurred in Taunton on 7 January 1788, two days before the scheduled meeting of the convention. The day of election has been determined for about 280 towns. About 60 percent of the town meetings met on Monday; other popular meeting days were Tuesday and Thursday. Very few towns met on Saturday and none convened on Sunday. Meeting times are known for about 150 towns and ranged from 9:00 A.M. to 3:00 P.M., with almost half of the towns assembling at 1:00 P.M. Other favorite times were 9:00 A.M., 10:00 A.M., and 2:00 P.M. The least scheduled times were 11:00 A.M. and 3:00 P.M. Almost one-half of the elections occurred on three Mondays—3, 10, and 17 December. Most often, freemen assembled at a meeting house. Other locations included courthouses, school houses, inns or taverns, private dwellings, and even a private office. Richmond adjourned its town meeting from 7 to 17 December. In the interim, the town held four informational meetings at three school houses and a private residence on consecutive evenings (10–13 December), making it easier for freemen to attend “to consider of, and examine the Federal Constitution.” On 17 December Richmond elected its delegate.

Voter turnout depended on such factors as the weather, the location of the meeting place, and the disagreement within a town over the Constitution and potential convention candidates. Boston had the largest number of reported voters with 763 ballots cast. (The percentage of qualified voters this represented is uncertain. At this time Boston had 2,782 rateable polls, not all of whom were qualified to vote.) In the Worcester County town of Gardner five freeholders were recorded as voting that they did not like the new Constitution. Unqualified persons sometimes voted. At least four disputed elections occurred—Great Barrington, Sheffield and Mount Washington, Taunton, and Williamstown—in which remonstrances protesting the election results were registered with the Convention. The Convention refused to overturn any election.

Delegates were almost always identified by their social status or vocation in town records, election certificates, and the roster found in the Convention Journal. Almost a third of the names were followed by “Esquire,” the highest ranking designation. Many delegates identified as “Esquire” were also identified as “Honorable,” indicating that they were present or former officeholders. After “Esquire,” the most popular designations were “Mr.” or a military title, ranging from ensign to

major general. More than twenty delegates were denominated as reverend or deacon, and ten delegates were identified as doctors.

In this compilation of election documents, towns are arranged alphabetically. Headings include the names of the towns, the dates that delegates were elected, the names of the delegates, and how the delegates voted on ratification. A "Y" is placed after the name of each delegate who voted to ratify the Constitution, an "N" after those who voted against ratification, and an "A" after those who were either absent or abstained. When the names of two towns appear in a heading, the first is the primary town, the second the district voting with that town. (A district was a clearly designated geographical area that did not have sufficient population to warrant certain town privileges, including the power to elect its own representative.) An asterisk in a heading denotes a cross-reference to one or more documents that appear elsewhere in RCS:Mass.

Only information of substance appears in this compilation of documents: vote totals, appointments of committees to draft instructions, instructions, debates over the Constitution, disputed elections, etc. Documents placed on Mfm:Mass. include: warrants of selectmen calling town meetings, reports of constables stating that they had properly given notice of town meetings, minutes of town meetings that merely give the election results, manuscript election certificates, and duplicate petitions to the Convention protesting elections. Dates of election are usually found in the town records, but, when they are not, they have been supplied from election certificates, diaries, letters, and newspapers. The election certificates for Easton, Hancock, Hubbardston, and South Brimfield provide the only sources for those towns that indicate the delegates were elected unanimously. The Ashby certificate reveals that the town's delegate received "a large majority of Votes."

Because only relevant portions of town records are printed here, the minutes of most town meetings are excerpted. *Pro forma* prefatory material, statements about the dissolution of meetings, attestations of authenticity of the minutes, and signatures of town clerks, moderators, and selectmen are deleted, unless there is some compelling reason to include the information. Ellipses are not used at either the beginning or the end of town records but are used to indicate deleted portions between published excerpts. Paragraphs are standardized. To eliminate confusion, commas are inserted in strings of names, and the word "deacon," abbreviated in various ways, is spelled out in full. Town records located in the offices of the town clerks have no source cited. Many town records have been microfilmed by the Church of Jesus Christ of Latter-Day Saints; others are found in the microfiche of *Massachusetts Vital Records, 1620-1900*. (See RCS:Mass., lix.)

Dates of Election for Massachusetts Convention Delegates

(* See Notes Following Table)

Monday, 19 November 1787

Barnstable
Haverhill
Pembroke
Portland*

Tuesday, 20 November

Hadley
Lancaster
Newburyport
Springfield

Wednesday, 21 November

Machias

Thursday, 22 November

Longmeadow
Medford
Northampton and
Easthampton
Salisbury
Westport
West Stockbridge

Friday, 23 November

Natick

Monday, 26 November

Amherst
Attleborough
Barre
Bernardston and
Leyden
Boylston
Falmouth (Barnstable Co.)
Grafton
Holden
Marlborough*
Norton
Pelham
Rehoboth
Taunton*
Walpole (Suffolk Co.)
West Springfield
Worthington

Tuesday, 27 November

Chesterfield
Hallowell
Princeton

Wednesday, 28 November

Petersham

Friday, 30 November

Brimfield
Foxborough
Lee
Southampton
Stockbridge
Stow and Boxborough
Westminster

Monday, 3 December

Andover
Ashburnham
Athol
Becket
Belchertown
Berkley
Blanford
Braintree
Charlestown
Chelsea
Cohasset
Cummington and
Plainfield
Deerfield
Dighton
Dunstable
Franklin
Gorham
Granby
Granville*
Great Barrington*
Greenfield
Groton
Hatfield
Hubbardston
Ipswich
Lanesborough
Lunenburg
Mansfield
Marblehead
Milton
Newton
Oakham
Oxford

Plymouth

Rainham

Rutland

Scarborough

Scituate

Shrewsbury

Stoughton

Sturbridge

Sunderland

Wells

Westford

Whately

Wilbraham

Williamsburgh

Winchendon

Worcester

York

Tuesday, 4 December

Bolton and Berlin
Colrain
Halifax
Newbury
North Yarmouth
Royalston
Sandisfield
Sharon
South Hadley

Wednesday, 5 December

Coxhall
Salem

Thursday, 6 December

Boxford
Bradford
Fryeburg
Medway
Middlefield
Palmer
Westfield
Wilmington

Friday, 7 December

Abington
Boston
Buckland*

Saturday, 8 December

Truro*

Monday, 10 December

Acton and Carlisle
 Alford
 Almsbury
 Bellingham
 Billerica
 Bridgewater
 Brookline
 Charlton
 Concord
 Dedham and Dover
 Duxbury
 Framingham
 Freetown
 Gray
 Hanover
 Hardwick
 Harpswell
 Hopkinton
 Leverett
 Lexington
 Lynn and Lynnfield
 Monson
 Needham
 New Gloucester
 New Marlborough
 Northfield
 Partridgefield
 Pepperellborough
 Sanford
 Sherburne (Middlesex Co.)
 Shutesbury
 Southwick
 Sutton
 Templeton
 Tyringham
 Ward
 Wareham
 Warwick and Orange
 Westhampton
 Weston

Tuesday, 11 December

Cape Elizabeth
 Danvers
 Dudley
 Ludlow
 Plympton
 Pownalborough

Sandwich*
 Shelburne
 Tisbury
 Western

Wednesday, 12 December

Georgetown
 Leominster
 Spencer

Thursday, 13 December

Charlemont
 Chester
 Dorchester
 Egremont
 Hingham
 Sandwich*
 Standish*
 Stoneham
 Topsfield
 Uxbridge
 Windham*
 Woolwich
 Yarmouth

Friday, 14 December

Easton

Monday, 17 December

Ashby
 Beverly
 Boothbay
 Bristol
 Brookfield
 Cambridge
 Conway
 Dracut
 Greenwich
 Harvard
 Hull
 Kingston
 Kittery
 Leicester
 Lenox
 Lincoln
 Littleton
 Malden
 Marshfield
 Mendon
 Middleborough

Milford
 New Bedford
 New Braintree
 New Salem
 Paxton
 Reading
 Richmond
 Roxbury
 Sheffield and Mount
 Washington*
 Shirley
 Sterling (Worcester Co.)
 Sudbury
 Upton
 Waltham
 Watertown
 Weymouth
 Winslow
 Winthrop
 Woburn
 Wrentham

Tuesday, 18 December

Bath
 Berwick
 Biddeford*
 Brunswick
 Edgcomb
 Gloucester
 Pepperrell
 Rowley

Wednesday, 19 December

Bedford
 Chatham*
 Chelmsford
 Pittsfield
 Thomaston

Thursday, 20 December

East Sudbury
 Edgartown
 Fitchburgh
 Harwich
 Methuen
 Rochester

Saturday, 22 December

Bowdoinham
 Sherburne (Nantucket Co.)*

Monday, 24 December	Westborough	Friday, 28 December
Adams	Williamstown*	Montague
Douglass	Tuesday, 25 December	Monday, 31 December
Holliston	Ashfield	Portland*
Lebanon	Dartmouth	Shapleigh
Loudon	Medfield	Topsham
Marlborough*	Windsor	Ware
Northborough*	Wednesday, 26 December	Wendell*
Norwich	Hancock (Berkshire Co.)	Tuesday, 1 January 1788
Pittston	Waterborough	Manchester
South Brimfield and Holland	Wellfleet*	Vassalborough*
Southborough	Wenham	Saturday, 5 January
Swanzy	Thursday, 27 December	Northbridge
Tewksbury	Gardner*	Monday, 7 January
Townshend	Newcastle	Taunton*
Washington		

Unknown Dates: Arundell, Bakerstown, Ballstown, Belfast, Bridgtown, Brownfield, Buxton, Camden, Canaan, Chilmark, Falmouth (Cumberland Co.), Goshen, Hancock (Lincoln Co.), Lewistown, Limerick, Little Falls, Massabesick, Medumcook, Middleton, Montgomery, New Ashford, Norridgewalk, Pearsonfield, Provincetown, Raymondstown, Royalsborough, St. George's, Shepardstown, Sterling (Lincoln Co.), Sylvester, Wales, Walpole (Lincoln Co.), Waldoborough, Warren

- Biddeford voted on 11 December not to send a delegate. At a second meeting, perhaps on 18 or 25 December, the town elected Allison Smith, who indicated that if elected he would not attend the Convention.
- Buckland's election certificate, dated 2 January, indicates that the town meeting that elected a delegate was held "on friday the ninth Day of December last." The ninth of December was a Sunday. The 7th of December was a Friday. The 9th of November was a Friday.
- Chatham voted not to send a delegate.
- Gardner voted not to send a delegate.
- Granville's election certificate, dated 7 January, indicates that the town meeting that elected delegates met "on Monday the 9 day of December last." The 9th of December was a Sunday.
- Great Barrington elected William Whiting on 26 November, but reconsidered and voted on 3 December for Elijah Dwight.
- Marlborough elected two delegates, one on 26 November, the other on 24 December.
- Northborough elected Isaac Davis on 10 December. Sometime thereafter, Davis declined and Artemas Brigham was elected on 24 December.
- Portland elected Samuel Deane and John Fox on 19 November. Deane declined. Then Peleg Wadsworth was elected but he declined. On 3 December Joseph McLellan was elected and accepted. Sometime thereafter, McLellan declined to serve, but he was elected again on 31 December.
- Sandwich elected Thomas Bourne and Thomas Smith on 11 December. Bourne declined and was replaced by Thomas Nye on 13 December.
- Sheffield and Mount Washington voted on 10 December but John Ashley received one vote short of a majority. Ashley received a majority on 17 December. The election result was unsuccessfully contested at the Convention.

- Sherburne (Nantucket Co.) voted not to send a delegate.
- Standish voted not to send a delegate.
- Taunton elected one delegate on 26 November and added two others on 7 January.
- Truro voted not to send a delegate.
- Vassalborough elected Abias Lovejoy on 30 November. On 11 December the town reconsidered and voted to send no delegate to the Convention. On 1 January Samuel Grant was elected.
- Wellfleet elected Hezekiah Doane on 12 December. On 26 December the town voted to release him from going to the Convention and elected Levi Whitman.
- Wendell voted not to send a delegate.
- Williamstown elected William Young on 17 December, but the selectmen adjourned the meeting until 24 December, when the meeting replaced Young with Thompson J. Skinner. Another meeting on 1 January replaced Skinner with Young. The supporters of Young unsuccessfully petitioned the Convention to seat Young instead of Skinner.
- Windham voted not to send a delegate.

Acton and Carlisle, Middlesex County, 10 December
Asa Parlin (N)

Town Meeting, 10 December

at a General Town meeting at the meeting house in Said Town [Acton], it Being Legally warned as appears by the Returns of the Constables on their Warrants Mr Asa Parlin was Chosen a Delegate for the Purposes mentioned in the above warrant and it was voted that Francis Faulkner, Do[cto]r [Abraham] Skinner, Nathaniel Hutchenson, Simon Tuttle, Deacon Robbons, Capt John Heald, Lieut Thomas Noyes, Thomas Hutchens & Daniel Davis be a Committe to form Instructions for the above Deligate and Both meeting¹ was adjourned to monday the 31 Day of December Instant

Town Meeting, 31 December

the Town a[nd] District being met according to adjournment no Instructions were Given to Said Deligate

1. On 30 November the selectmen (in one warrant) gave notice of two town meetings. The first meeting was to elect a convention delegate and the second, to be composed of "those Inhabitants of Said Town who are Quallified to vote in town affairs," was to raise money to pay town debts.

Adams, Berkshire County, 24 December
Jeremiah Pierce (N) Valentine Bowen (A)

Henry Van Schaack to Theodore Sedgwick
Pittsfield, 14 December (excerpt)¹

... It is said that the people at Adams are in favour of the New System and that Hinman² will be chosen. ...

Town Meeting, 24 December

At a meeting of the Inhabitants of the Town of Adams Legally warned and convened on Decemr. 24. 1787 for the Purpose of Taking into consideration the Federal Constitution and to Appoint one or more Deligates to Attend the State convention Agreeable to the Order of the General Court of this Commonwealth

The Federal Constitution being read and Debated By Paragraphs—

1. Voted that this Town Disapprove of the Same
2. Voted that the Town will Appoint Two Deligates to Meet in the State Convention
- 3 Voted that Valentine Bowen and Jeremiah Pearce be Appointed as Deligates from this Town
- 4 Voted that the Said Deligates be Directed to Vote Against the Adoption of the said Constitution

1. RC, Sedgwick Papers, MHi. Other excerpts from this letter are printed below in the Pittsfield, Richmond, Sheffield, and Washington sections. For the complete letter, see Mfm:Mass.

2. Reuben Hinman was Adams's delegate to the state House of Representatives.

**Amherst, Hampshire County, 26 November
Daniel Cooley (N)**

Convention Debates, 6 February 1788

Mr. COOLEY, (*Amherst*) said, that he endeavoured to govern himself by the principles of reason—that he was directed to vote against the adoption of the Constitution, and that in so doing, he had not only complied with his directions, but had acted according to the dictates of his own conscience. . . .

Andover, Essex County, 3 December*
Thomas Kittridge (N) William Symmes, Jr. (Y)
Peter Osgood, Jr. (N)

Town Meeting, 31 January 1788

At a Meeting of the Freeholders and Other Inhabitants of the Town of Andover at the North Meeting House in said Town, being legally warn'd & convend on sd. Day for the Purpose of expressing their Sentiments on the Subject of the Federal Constitution &co.

Honbe. Samuel Phillips Esqr. was chosen Moderator

The Question was put.—Whither it is the Opinion of the Town, that it be expedient all circumstances considered, that the Federal Constitution now under consideration of the Convention sitting in Boston for the Purpose of considering the same be Adopted as it now stands

past in the Aft.	115	Majority
in the Negative	<u>124</u>	Majority
	9	Majority

against adopting sd Constitution—

Question was put. Whither the Town would give Instructions to their Deligates in Convention relative to the same

past Una. in the Negative—

*According to the Andover election certificate, the election took place on 3 December (Mfm:Mass.), but the minutes of the town meeting omit any reference to this action.

Ashburnham, Worcester County, 3 December
Jacob Willard (N)

Town Meeting, 3 December

The town being meet first made choice of Joshua Smith Esq moderator

2 Voted & choose mr Jacob Willard to go to Convention . . .

Voted not to accept of the New Constitution

Ashfield, Hampshire County, 25 December
Ephraim Williams (N)

Town Meeting, 25 December

At a legal Town meeting of the inhabitants of the town of ashfield held Decembr. 25th 1787

Votd. & Choose Mr. Ephraim Williams to serve as deligate to attend a state Convention agreable to an order of the Genl. Court for the Purpose of Takeing into Consideration the proposed Confederal Constitution

Voted—To instruct the said deligate to use his influence that the said Constitution doth not take place

Attleborough, Bristol County, 26 November*
Elisha May (Y) Moses Willmarth (Y)

Town Meeting, 31 December

At a Town Meeting Legurly warnd and held in the Meeting Hous in the Second Precinct in Attleborough on Monday the 31 day of Decem-ber AD 1787

first Made Chois of Caleb Richardson Moderator for Said Meeting
 2ly Voted Not to Instruct their Delegates
 3ly Voted to Dismiss the third artical in the warrant

*On 26 November the town of Attleborough met and elected two delegates, whom the *Massachusetts Centinel*, 5 December, described as "federal men" (Mfm:Mass.). On 22 December the selectmen issued a warrant calling another meeting for 31 December to consider whether or not the delegates should be instructed. The third item in the warrant called for the town to determine whether it "will Chuse a Committe of Correspondenc to Sit in County Convention if Required."

Barnstable, Barnstable County, 19 November
Shearjashub Bourne (Y) Nymphas Marston (A)

Gideon Hawley to Lieutenant Governor Thomas Cushing
4 January 1788¹

After my dutiful as well as friendly regards beg leave to remind yr. Honor that I have a friend & Neighr. who was also my Classm² at Coll[ege], a very worthy man, that did honr. to the Majest.³ under the old Constitn, whose Comn. as a Justice of the quorum, for reasons unaccountable to me hath not been renewed under the present Governrnt especially as men of learnng & Abili[ties] are an ornament to any institution and have been very usefull in our Com[mon] Wealth and much needed in our day and such is the present low Estate of this County that we have few of them upon the civil list at this time.

The Gent. I beg to recomd. to you is N. M. Esqr.⁴ & you may assure yrself that I wd not recomd. a Man unworthy of yr. notice. He is a man of Great Property and influ[ence] in the town of B—le and can at any time comãd more Votes in it than any o[the]r Man and I suppose has ever used his influence in favr. of the present Lt. Govr.—He might long ago have been our Sena[tor] and if he pleases may obtain it yet—At any time may represent his town at Genl. Court and is now going up to Convention. Your honor will find him for one of his Abili[ty], learnng and property a Gentlem[an] of singular Modesty, and very far from being a man of consid[erable] shew & ostenta[tion]. But as I have already intim[ated] we have not a man amo[n]g us to w[ho]m the p[eo]ple look up, with more sincerity and confid[ence] than they do to Mr. M.

1. FC, Samuel P. Savage Papers, Gideon Hawley Letterbook, MHi. Hawley docketed this letter, introducing Convention delegate Nymphas Marston (see note 4), as "Copy This Sent forward." For an earlier draft, docketed as "not sent," see Mfm:Mass. Since 1758 Hawley (1727–1807), a graduate of Yale College (1749) and a Congregational minister, had been missionary to the Mashpee Indians of Barnstable, continuing to minister to them until his death. Lieutenant Governor Cushing was involved in the Society for the Propagation of Christian Knowledge in North America.

2. In the earlier draft, Hawley wrote "Class mate."

3. In the earlier draft, Hawley spelled out the word "magistracy."

4. In 1774 Nymphas Marston, a graduate of Yale College (1749), was a justice of the Court of Common Pleas of Barnstable County. From 1765 to 1767, he represented Barnstable in the colonial House of Representatives. Marston did not vote in the state Convention. He died in Boston on 11 February.

Becket, Berkshire County, 3 December
Elisha Carpenter (Y)

Town Meeting, 3 December

on the Day above said [3 December,] the Freeholders and other Inhabitants Quallified to Vote for a Representative upon Due Warning [— —] Meet in town Meeting Mr. Elisha Carpenter Moderator. Mr. Elisha Carpenter Chose[n] Deligate to represent them in State Convention to be Convened at the town house in Boston on the 2d. Wednesday of January next Persuant to a Resolution of the General Court of the 25th. of octor last

Then Voted to adjorn this Meeting to the 10th. of this Instant to 12 Clock at noon

Henry Van Schaack to Theodore Sedgwick

*Pittsfield, 4 December (excerpt)*¹

... I have infinite satisfaction to inform you from 'Squire Kingsleys² own mouth that a man of a fair Character is chosen for Becket such an [one?] as our friend approves. ...

Town Meeting, 10 December

according to adjornment meet

it was then moved that the Instructions given by the town of Northampton³ to there Delegates be read and being read & Considered it was Voted to adopt the same for Instructions to our deligate and that he Govern him self accordingly

1. RC, Sedgwick Papers, MHi. Other portions of this letter are printed below in the Great Barrington and Pittsfield sections. For the complete letter, see Mfm:Mass. On 5 December Sedgwick replied that "I am happy in being informed that a good man is elected in Becket" (RCS:Mass., 384).

2. Probably Nathaniel Kingsley, justice of the peace for Becket.

3. See Northampton section.

Belchertown, Hampshire County, 3 December
Justus Dwight (N)

Town Meeting, 3 December

Agreable to the foregoing warrant the People Meet at time & Place Appinted & Proceeded as follows

Chose Doctr. Howe Moderator

Chose Mr Justus Dwight Deligate to go to the Convention to be holden at Boston on the Second wedensday in Jany. next—

Voted to Chuse a Committee of nine to Instruct there deligate

Chosen—Ebenr. Warner, Oliver Bridgman, Capt. John Coal, Doctr E. Howe, Simeon Bardwell, Lt. Mason Halett, Solo. Shumway, Jacob Willson, Roswell Knolton, Committee . . .

14th. Voted to Adjurn this meeting to monday the Seventeenth Instant at one oClock P.M.

Town Meeting, 17 December

Agreable to the fourgoing adjurnment the People Meet at time & Place appointed & Proceeded to Business

15th Voted to Except [i.e., accept] the Report of the Committee to Instruct Mr. Dwight—

Preliminary Instructions, 17 December¹

Sr

As you are Chosen a Delagate for this town to Set in Convention to act on the federal Constitution Latly agreed on by the Convention of the United States when assembled at New York and Proposed to be Laid before a Convention of Each State[.]² the Business of the Convention appears to us to be of as much Importance as any that was Ever transacted we there fore Expect you will give Strict attention to the business whilst you are Employed in it and use your Influenc that there may be a Constitution Establish'd which shall secure the Libertys of the People Establish Justice Insure Domestick tranquility and Promote the general welfare of the people

And as it is necessary you should be Instruc[t]ed by the Inhabitants of this Town whether to Except of the Constitution proposed or not it is the oppin[i]on of this town that the Constitution Proposed has great merit in many Respects. and by Proper amendments may be adapted to the Exigencies of Gouverment and the Preservation of Liberty

Istly we are of opinion that the Provision of Representation and right of Election are not Secured to the people

2dly that matters of the greatest Importanc may be transacted by the Presedent with the advice of two thirds of a quoram of the Senate which we think Leavs room for amendment

3dly that the System is without a Bill of rights to Secure the Priveledges of the People which article we think of the greatest Importance and a bill of rights we think ought to be Established before the Constitution takes Place

4thly that no Religious test is to be Required for the qualification to any office or Publick trust under the united States and as it has Ever been the Principale and Practice of the Papists to Persicute those of the Protestant Religion we think it of the highest Importance to guard against those Evils which have So greatly Effectted our Fathers in ages past and that no man of the Papist Religion be Ever a President or Senator

There are many questions which arise in my mind with respect to the form of Government Proposed and Particularly whether the Constitution does not in Effect Destroy the very Idea of Sovereign Independant States which we have so much gloried in

whether it does not so alter our Glorious Constitution as in Effect to Dissolve it

and whether the amendmets in the Constitution ought not to be made before the Ratification

it is much Easier to Set out right than to get right after we have gone wrong and as it has been ~~the Disposition~~ the fate of almost all Republican Goverments that have Ever Existed after a very Short time by the art and Intregues of those that bear Sway to be brought into forms of Government that are the most oppesive we ought therefore to weigh the matter well and not to adopt a Constitution that may be made better in so many Respects & which Endangers the Libertys of the People

*Final Instructions, 17 December*³

To Mr. Justus Dwight Sir

In Conformity to a Resolution of the General Court Passed the 25th of october Last we have deligated you to meet in State Convention on the Second Wednesday of January next for the Purpus of adopting or Rejecting the Reported Constitution for the United States of america—

the object of your Mission Sir is of the highest magnitude in human affairs too Important Complicated & Extensive to be hastily decided upon—much time and application is Nesessary in order thoroughly to investigate it: the Civil dignity and Prosperity of this State; of the United States; and, Perhaps, of humanity, are Suspended on the decision of this momentious Question: and while our minds are fealingly Impressed With the Necessity of having an Equal Energetic federal Government; We are apprehensive that our Rights and Privalages Will not be Confirmed to us by adopting the Proposed Federal Constitution. Ist. there is no bill of Right[s]. for other Reasons See artical 1 Section 2–3–4 and 8[,] artical 2d Section 1 & 2[,] artical 3d Section 1 and [Article] 6.⁴ With many other obvious Reasons; but We Wish you Sir Patiently to hear and Examine Every argument that Shall be offered for

Holbrook, Labon Bates, Joseph Holbrook, Amaziah Cushman, Amos Ellis.

Voted to ajurn this meeting to Elias Thayer's to the 21 of December Instant

Town Meeting, 21 December

Meet according to Ajurnment and Proseeded
voted to Exsept of the report of the Commetty wich is as folloeth—
The Committe Report to the Town that they Cannot Except of the
Proposd Constitution as it Now Stands

Bernardston and Leyden, Hampshire County, 26 November
Agrippa Wells (N)

Town Meeting and Instructions, 26 November

At a Legal Town Meeting holden at the house of Mr. John Burke,
Voted

1 Capt. Elisha Burnham, Moderator

2 Voted Capt Agrippa Wells, Delegate, to represent the Town of Bernardston and District of Leyden, in the Convention to be holden at Boston, on the Second Wednesday of January next.

3 Voted the following instructions be given to Capt. Wells

Sr the Town of Bernardston & district of Leyden having made Choice of you to represent them in the Convention, proposed to be holden, at Boston, on the Second, Wednesday of January next, for the purpose of Considering, and acting on the Federal Convention [i.e., Constitution], lately proposed by the General Convention at Philadelphia have by this Choice, sufficiently, Testified their Confidence, in your ability & integrity to represent them in the proposed Convention but at the same time think they have a right, to give you instructions, to regulate your Conduct in your abovesaid Capacity and do instruct you not to tally, to reject the abovesaid Constitution, being of the opinion that by proper amendments, it may be adopted to secure our liberties, and answer the Design of the general Union, and that with regard to those Amendments, you should pay particular attention, to those Objections made against asd. [i.e., aforesaid] Constitution, by Mr. Elbridge Gerry, and by the Minority of the Assembly of Pensalvania, as lately published in the Springfield & Northampton papers.¹

the above Instructions, having been read in Town Meeting and approved—

1. See Elbridge Gerry to the General Court, 18 October (RCS:Mass., 94–100); and “The Massachusetts Reprinting of the Address of the Seceding Assemblymen of the Pennsylvania Assembly,” 23 October–8 November (RCS:Mass., 115–16).

Berwick, York County, 18 December*
Richard Foxwell Cutts (N) Nathaniel Low (N)
Elijah Hayes (N)

Town Meeting, 10 December

At a Town Meeting at the North Parish in Berwick on the 10th. day of December 1787 agreeable to the within Warrant

After opening the Meeting the Town Clerk being absent

Voted Ichabod Goodwin, Clerk pro tempore, Then ordered the Meeting be opened with prayers, and Deacon Thomas Hodsdon be desired to wait on the Rev. Mr. Merriam for that purpose. after which the Town took into consideration what number of delegates should be elected and voted to send two delegates.

2d. voted to adjourne this meeting till Tuesday the 18th day of this inst. December, at twelve of the clock, to this Meeting house which was accordingly adjourned—

Jeremiah Hill to George Thatcher

Biddeford, 12 December (excerpts)¹

... now for Convention news, that is the nearest my heart as well as yours, I believe the County of York will make a tolerable appearance in a political View ... Berwick has forgot their first Love ...

Town Meeting, 18 December

Tuesday the 18th day of December met as per agreement—The votes were called for one delegate and Doc. Nathaniel Low was chosen. then a motion was moved and seconded to reconsider the vote. which passed—on the tenth day for sending two delegates—which passed—to reconsider it. Then voted to send two in addition to Nathaniel Low who was chosen. The vote then was called for and Richard Fox Cutts and Capt. Elijah Hayes were chosen. Then the Meeting was dissolved

*For an anecdote about a Federalist merchant in Portsmouth, N.H., who refused to sell “a small quantity of goods” to an Antifederalist Convention delegate from Berwick, see *New Hampshire Spy*, 8 January (III above). This anecdote, reprinted in the *Massachusetts Gazette* on 18 January, was answered by “A True Federalist” in the *Gazette* on 22 January (III above).

1. RC, Chamberlain Collection, Thatcher Papers, MB. This letter, with a postscript dated 13 December, was postmarked at Portsmouth on 18 December. Other portions of

it appear below in the Biddeford section and in the Kittery section (note 1). For the complete letter, see Mfm:Mass.

Beverly, Essex County, 17 December
George Cabot (Y) Joseph Wood (Y)
Israel Thorndike (Y)

Philadelphia Independent Gazetteer, 8 January 1788

Another correspondent has sent us the following paragraph—"Mr. Dana, late a member of Congress for Massachusetts, who discountenanced the new federal constitution in that honorable body,¹ has lost his election for the state convention of Massachusetts."

Philadelphia Independent Gazetteer, 9 January

In the paragraph sent us by a correspondent, printed in our paper of yesterday, the name of Mr. *Dana*, was inserted, by mistake, instead of Mr. *Dane*; the former being chosen for the Massachusetts State Convention, and the latter having lost his election—The paragraph rectified will read thus—"Mr. DANE, late a member of Congress for Massachusetts, who discountenanced the new federal constitution in that honorable body, has lost his election for the state convention of Massachusetts."

Pennsylvania Gazette, 9 January

The people of Massachusetts give the most convincing proofs of their dispositions in favor of the new government, by every account we can collect. Mr. *Dane*, one of their members of Congress, who acted in opposition to the proposed constitution in its passage thro' that house, has been a candidate for a seat in their state convention, but was rejected.

1. For Nathan Dane's opposition to the Constitution in Congress in September 1787, see CC:95. See also Dane to Caleb Strong, 10 October (RCS:Mass., 62-63).

Biddeford, York County*
Allison Smith (A)

On Tuesday, 11 December, the town of Biddeford met and voted not to send a delegate to the state Convention. Some freemen petitioned the selectmen to call another meeting, at which the town voted 25 to 23 to send a delegate and by a vote of 30 to 18 elected Antifederalist Allison Smith over Benjamin Nason. The freemen voting for Smith were the same ones who, at

the first meeting, voted not to send any delegate. At the second meeting, they voted for Smith upon discovering that, if elected, he would not attend.

Jeremiah Hill to George Thatcher
*Biddeford, 12–13 December (excerpts)*¹

... now for Convention news, that is the nearest my heart as well as yours, I believe the County of York will make a tolerable appearance in a political View ... Biddeford has backsliden & fallen from a state of Grace to a State of nature. met Yesterday & a dumb Devil seized a Majority & they voted not to send, & when called on for a Reason they were dumb, *mirabile dictu!*² A— S—th³ appeared by their Motion to be Belzabub B— S—e & his brother J—n and A—s G—n⁴ were high in rank in his infernal Majesty's Club, but I hear to day that there is a party making head for pitioning the Select Men to call another Meeting if thought legal—I have an anxious desire to know how you go on at the Southward, and how the new Constitution is received in that part of the United States, my earnest desire & prayer to God is that the United States may be saved from the wrath of Intestine Broils and mortal Jars, the Disciples of this Constitution are in the same Dilemma that the Disciples of old were *ergo* the[y] must be wise as Serpents & harmless as Doves⁵ and by their good works manifest that they are the Friends of mankind in General & of America in particular, & I have faith to believe that they will by persevering in the ways of well doing arrive to that glorious Æra when Peace and good Order shall be established on a firm unshaken Basis as firm and unshaken as the ever lasting Hills.⁶ . . .

P.S. Thursday Morning [13 December]

Mr. Lee spent the evening with us

we took the whole matter under our most serious Consideration, corrected the Errors of Congress, the Faults of the Convention, the Ambition of the several States took a short cursory view of the rise & progress of civil Liberty and the general Principals of Republicanism, the motives that influenced the different parties just touched upon the Cincinnati⁷ &c &c . . .

Thursday Evening

N.B. my Brother Nat. has this minute returned from Boston, & informs that you have got the small pox by innoculation that you have very light—and that the Towns in general from here there have chosen Men for the Convention who are in favor of it—Amen

Jeremiah Hill to George Thatcher

Biddeford, 1 January 1788 (excerpts)⁸

In my last I told you the fate of Biddeford respecting our sending a delegate to the Convention and that a number had Petitioned the Selectmen to call another Meeting, the Meeting was call'd, when the parties appeared in full armour, and with difficulty a vote was obtained to send: 25 for it & 23 against it—the two parties pitched on their Man, the Federalists for Mr. Nason,⁹ the Anti's for A. Smith, the votes were 30 for Mr Smith & 18 for Mr. Nason horrenda dictu! !¹⁰ how are the mighty fallen!¹¹ . . . to return to Biddeford Pisocket & winter harbour have formed an Alliance and having surrounded the falls¹² squad at the late Meeting, they were obliged to surrender at discretion. . . .

Jeremiah Hill to George Thatcher

Biddeford, 9 January (excerpt)¹³

. . . but this I will now leave and return to Biddeford, where politics rage high yet, the party who voted for Mr. Smith were the same who voted the preceding meeting not to send any body, and they say they voted in Consequence of hearing that he would not go, if he was chosen, therefore they answered their purpose the same as if the Town had adhered to their former vote, this was their *politicks*. . . .

*See also Matthew Cobb to George Thatcher, 24 January (III above).

1. RC, Chamberlain Collection, Thatcher Papers, MB. This letter, with a postscript dated 13 December, was postmarked at Portsmouth, N.H., on 18 December. Other excerpts from this letter are printed above in the Berwick section and in the Kittery section (note 1). For the complete letter, see Mfm:Mass.

2. Latin: "Wonderful to relate."

3. Allison Smith often served as a Biddeford selectman. He was disparagingly described "as the man of the people" (Matthew Cobb to George Thatcher, 24 January, III above).

4. Possibly Benjamin Staples and his brother John and Amos Gordon.

5. Matthew 10:16. "Behold, I send you forth as sheep in the midst of wolves: be ye therefore wise as serpents, and harmless as doves."

6. The phrase "everlasting hills" appears in Genesis 49:26. "The blessings of thy father have prevailed above the blessings of my progenitors unto the utmost bound of the everlasting hills. . . ."

7. Society of the Cincinnati.

8. RC, Chamberlain Collection, Thatcher Papers, MB. This letter was dated "Tuesday Jany. 1. 1788." The place of writing does not appear, but Hill lived in Biddeford, Maine. For other excerpts from this letter, see III above.

9. Probably Benjamin Nason, who like Allison Smith, had served as a Biddeford selectman.

10. Latin: "Horrendous to relate."

11. II Samuel 1:25. "How are the mighty fallen in the midst of battle!"

12. Hill refers to various clusters of settlement in the town of Biddeford. Winter Harbor

(present-day Biddeford Pool) was on the coast. The "falls" (the present-day town center) was five miles inland on the Saco River. Pisocket has not been identified.

13. RC, Chamberlain Collection, Thatcher Papers, MB. A longer excerpt from this letter appears in III above.

Boston, Suffolk County, 7 December

Samuel Adams (Y)	Charles Jarvis (Y)
James Bowdoin (Y)	John Coffin Jones (Y)
Caleb Davis (Y)	William Phillips (Y)
Thomas Dawes, Jr. (Y)	Thomas Russell (Y)
Christopher Gore (Y)	Samuel Stillman (Y)
John Hancock (Y)	John Winthrop (Y)

The campaign in Boston to elect delegates to the state ratifying convention probably began on 7 November, when "Nauticus" recommended seven candidates, identified only by sobriquets. A week later, the campaign became serious, partisan, and rancorous with the appearance of a one-page Antifederalist broadside signed "Truth." This broadside, enumerating thirteen reasons for amending the Constitution, was aimed at the tradesmen and mechanics of Boston, a large, politically powerful group. "Truth" maintained that the Constitution would be detrimental to Boston's trade and growth. Responding quickly, Federalists asserted that the Constitution would benefit the town by restoring commercial prosperity. (See RCS:Mass., 232-35.) After the appearance of "Truth," increasing amounts of original and out-of-state items appeared in Massachusetts newspapers. (See RCS:Mass., 149-54.)

Both Federalists and Antifederalists published lists nominating convention delegates in the newspapers between 28 November and the morning of 7 December, the day of the election. (In all, fourteen lists were printed; two appeared on 7 December.) The first eleven list makers, believing that Boston was entitled to eleven convention delegates, limited their recommendations to that number. After "Fair Play" informed Bostonians in the *Massachusetts Centinel* on 5 December that they were entitled to send twelve delegates, the last three lists included that many names. In all, forty-two men were nominated. No candidate appeared on all fourteen lists. Governor John Hancock and former Governor James Bowdoin were listed on thirteen; Charles Jarvis appeared on twelve; and Samuel Adams, John Coffin Jones, and Samuel Stillman each on ten. Twenty candidates were nominated but once. Of the twelve delegates elected, Thomas Russell was on the fewest number of lists, two. The list offered by "Concord" in the *Massachusetts Gazette* on 7 December was the only one to recommend all twelve of the delegates who were eventually elected.

The nominees included prominent public officials, such as the governor, the former governor, the lieutenant governor, the state attorney general, two members of the Governor's Council, a judge of the Court of Common Pleas, a probate judge, the president of the state Senate, two other senators, and six members of the state House of Representatives. More than one-half of the forty-two nominees were merchants or former merchants. Seven nominees were lawyers; two were physicians; and two were clergymen. Because mechanics

were a political force, four highly successful mechanics were nominated: hat-ers Nathaniel Balch and Sarson Belcher, bricklayer William Bell, and shipwright Joseph Clark. Each appeared on only one ticket, and none was elected. A fifth former mechanic, Thomas Dawes, Sr., a bricklayer, mason, and architect who appeared on six lists, was now a member of the Governor's Council. Dawes was not elected, but his son, lawyer Thomas Dawes, Jr., who was on eight tickets, was elected. Each of the five mechanics was well-to-do and prominent in town politics. Belcher, Bell, and Dawes belonged to The Ancient and Honorable Artillery Company of Massachusetts, while Clark became a member in 1789. Clark was described privately as one of "the greatest Leaders at the North End," the section of Boston where many mechanics lived and worked (Nathaniel Gorham to Henry Knox, 6 January 1788, III above). The desire to have "different interests" represented in the Convention was so strong that "A Bostonian," *Massachusetts Gazette*, 4 December, identified each of his candidates by office or occupation.

On Friday, 7 December, at 10:00 A.M., with a light rain that later changed to snow, the freeholders and other inhabitants of Boston convened at Faneuil Hall. After offering a prayer, the meeting read the 30 November warrant for calling the meeting and the resolves of Congress and of the Massachusetts General Court respecting the procedure for ratifying the Constitution. Whereupon, the freeholders and other inhabitants began to vote for twelve delegates and continued to do so until the selectmen declared the poll closed at 12:30 P.M. In all, 763 votes were cast, with James Bowdoin receiving the most, 760, and Christopher Gore, the fewest, 517, among the twelve elected delegates. Samuel Adams received the ninth highest total, 628. (The time allotted for voting was consistent with the elections of the governor, lieutenant governor, and state legislators. The number of votes cast was similar to that cast for the House of Representatives in the 1780s and for governor in 1784-86. The gubernatorial elections of 1787 and 1788 had high turnouts of 1,499 and 1,437, respectively.)

Of all the nominees, Samuel Adams attracted the most attention. Adams had maintained an unusual public silence on the Constitution, but Federalists believed he would oppose ratification. They also realized that it would be difficult to deny him a seat in the Convention. Therefore an attempt was made to bring some pressure upon Adams by omitting his name from four of the nomination lists, although he was on the last three tickets, which most closely reflected the election's final outcome. (For Gore's thoughts on the reasons for Adams's election, see Gore to Rufus King, 23 December, below.)

As the time for the meeting of the Massachusetts Convention drew closer, Adams's opposition to the Constitution became more widely known and he came under severe attack. On 25 and 28 December the *Massachusetts Gazette* printed three items declaring that Adams opposed the Constitution (III above). He was accused of writing newspaper articles attacking the Constitution and of distributing in Massachusetts the *Letters from the Federal Farmer*, an important Antifederalist pamphlet from New York. (See "Helvidius Priscus" I, *Independent Chronicle*, 27 December; "The Circulation of the Letters from the Federal Farmer in Massachusetts," 28 December 1787-7 January 1788; and "The Republican Federalist" I, *Massachusetts Centinel*, 29 December, all in III above.)

On 3 January 1788 Boston's Convention delegates caucused and Adams declared his opposition to Constitution, indicating that he would oppose it in the Convention. This announcement alarmed Boston's tradesmen, and on 7 January, two days before the scheduled meeting of the Massachusetts Convention, over 380 of them met in the Green Dragon Tavern, where they unanimously adopted resolutions supporting the Constitution. Although they did not mention Adams by name, they warned that a vote against the Constitution by any of the town's delegates would be "contrary to the best interests, the strongest feelings, and warmest wishes" of the town's tradesmen. (See "The Meeting of the Tradesmen of Boston on the Constitution," 7 January, III above. Shipwright Joseph Clark, a former nominee for Convention delegate, played a prominent role in this meeting. For more on Samuel Adams and the tradesmen's meeting, see Nathaniel Gorham to Henry Knox, 6 January, above.)

Nauticus

Massachusetts Centinel, 7 November

Mr. PRINTER, Please to inform the publick, that the *Constitution* fleet is to undergo a survey in our harbour, in January next. As the judgment of our most skilful seamen will be wanted—I hear, the *White* and *Red* squadrons, commanded by Admirals *In*, and *Out*, have determined to send the following ships, viz. the *Patriot*, Admiral H.—the *Orb*, Admiral B.—the *Republican*, Capt. A.—the *Tully*, Capt. S.—the *Galen*, Capt. J.¹—the *Fearnought*, Capt. H.²—and the *Harrington*, Capt. M.³ as the surveying squadron. Yours, NAUTICUS.

1. The *Patriot*, Admiral John Hancock; the *Orb*, Admiral James Bowdoin; the *Republican*, Captain Samuel Adams; the *Tully*, Captain James Sullivan; and the *Galen*, Captain (Doctor) Charles Jarvis. "The *Orb*" refers to the interest in physics and astronomy held by former governor James Bowdoin, the first president of the American Academy of Arts and Sciences. "*Tully*," a sobriquet for Sullivan, was the anglicized version of the clan name of Roman orator and statesmen Marcus Tullius Cicero.

2. Possibly Boston merchant Stephen Higginson, who others also offered as a candidate. Known for his toughness, Higginson was an ardent supporter of the American Revolution; a successful privateer during the war; a severe congressional critic of the powerful Superintendent of Finance, Robert Morris; and a militant opponent of the Shaysites. In an obituary, friend and relative John Lowell referred to Higginson's "inflexible firmness" during the Revolution "which pointed him out as a man fitted for times of peril and dismay" (*Boston Daily Advertiser*, 23 November 1828, quoted in Thomas Wentworth Higginson, *Life and Times of Stephen Higginson* . . . [Boston and New York, 1907], 290).

3. Probably Boston lawyer and orator Perez Morton, who others also offered as a candidate. In a funeral oration for General Joseph Warren, who was killed at Bunker Hill, Morton compared Warren to several leading republicans: "Like [James] Harrington he wrote,—like Cicero he spoke,—like [John] Hampden he lived,—and like Wolfe he died!" Only General James Wolfe, a hero of the French and Indian War, was not a noted republican, but, like Warren, he died in battle. Morton became a member of the Republican party. Another candidate whose name began with the letter "M" was Jonathan Mason, Jr.

*Massachusetts Gazette, 16 November*¹

It is said, that, among others, who will be chosen delegates to the Convention which is to meet at the statehouse in this town, in January next, to decide whether this state will adopt the plan of federal government, His Excellency JOHN HANCOCK, Esquire, OUR WORTHY CAPTAIN GENERAL, and the Honourable JAMES BOWDOIN, Esquire, are talked of. (It is sincerely hoped, says a correspondent, that they may be elected; as from the abilities, patriotism, and extensive influence of the former, joined to his high approbation of the plan of federal government, & the acknowledged worth and talents of the latter gentleman, as well as his firm and unremitted attachment to the welfare and happiness of his country, the publick have every thing to hope.)

The Reverend SAMUEL STILLMAN, we also hear is talked of as a delegate. His professed and firm attachment to the plan of federal government, will, without doubt, render him an object for the choice of his fellow-citizens on the important occasion.

1. Reprinted: *New Hampshire Gazette*, 21 November; *Pennsylvania Packet*, 29 November; and *Pennsylvania Mercury*, 30 November. Excerpts that excluded the text in angle brackets appeared in the *Cumberland Gazette*, 22 November; a brief summary was printed in the *Worcester Magazine*, 22 November, and *New Hampshire Recorder*, 4 December. For a list of delegates built upon this item's recommendations, see "Candor," *Massachusetts Centinel*, 28 November (below).

On 30 October and 11 November, respectively, Federalists Nathaniel Gorham and Henry Jackson wrote Henry Knox that Bowdoin and Stillman would be delegates. Both believed that the choice of Stillman, a Baptist minister whom Jackson described as "a high Federal Man & charmed with the proposed plan," would favorably influence Baptists (RCS:Mass., 168, 215).

An Elector

Massachusetts Gazette, 20 November

To the free and independent ELECTORS of MEMBERS
for the approaching CONVENTION.

GENTLEMEN. "This is the day of our political salvation,—if we are wise, let us remember we are wise for ourselves."—The late continental convention having performed the arduous work of framing a constitution for these states, with an unanimity that is truly astonishing, from a full conviction that there is little or no probability that any *future* convention will so cordially agree and unite in any other plan that may be devised, have recommended their FOUR MONTHS LABOUR to the consideration of the respective states, for their *adoption* or *rejection*: a convention is accordingly to be chosen in this commonwealth for this

important purpose. The people at large appear to be as much *united* in favour of adopting the proposed constitution, as they were in their opposition to Britain during the late war.

The present object is of more consequence than our emancipation from tyranny—a sense of mutual danger kept alive the *union* that finally triumphed over our foreign and domestick enemies and gave us independence. But the present question is of a very different complexion, and although upon the continuance of that *union*, which at present happily exists, is founded all our hopes and expectations of deriving any lasting and solid advantages from independence; yet this spirit of unanimity and concord, is very liable to be interrupted, diminished and destroyed. The constitution for the states, is proposed to us, at a very critical period—although every rank of citizens is *united* in opinion, that an efficient federal government is the only *radical* cure for our difficulties—Yet it is the interest of too many individuals, to have our affairs continue in their present perplexed and embarrassed situation. Such persons, and such only, with very few exceptions, discover an anti-federal spirit. And by giving consequence to trifles, and by exciting, and fomenting jealousies, doubts, and fears, they may so far abate the ardour of the people in favour of the new constitution, as finally to effect its rejection.

As the *general approbation* of the federal system is founded upon the most rational and laudable motives, those persons who are attempting the publick confidence in those TRIED and APPROVED PATRIOTS, who formed the late continental convention, ought in all reason to be considered, if not as inveterate enemies to the country, at least as persons who do not seek the *honour* and *interest* of America—The period will very shortly arrive, when the free electors of this town will be called upon to choose members for the state convention—The GREAT OBJECT which is to be considered by this body, ought constantly to be kept in mind.

Let us seriously reflect, that upon our choice is suspended in some measure the fate of America—for it is *generally agreed*, that with the adoption of the proposed constitution, is interwoven the LIBERTIES, COMMERCE, CREDIT, and PEACE of our country.

This being the case, the MECHANICKS of this metropolis will not blindly throw away their votes upon any man who does not EXPLICITLY and OPENLY avow himself to be an advocate for this constitution; on the acceptance of which *their* hopes of business, employment and adequate pay are suspended. The MERCANTILE INTEREST will not give their suffrages to *equivocal characters*, who may, or may not, exert

themselves to the utmost, that this federal system may be adopted, on which every future plan of a commercial nature depends for its eligibility.

Characters ought to be strictly scrutinized, and let it be remembered that no *names*, however respectable, will sanction our suffrages, where the least possible doubt exists, of a hearty and zealous attachment to the proposed constitution: For certainly if we mean to pursue an object with ardour, every previous step ought to be founded on the fullest conviction that it is not retrograde to the point at which we aim, and to run any risk upon this occasion would be unnecessary and unpardonable: for when an object is within our reach, that shall crown our labours, our toils, and our most sanguine wishes, we shall execrate our remissness, if we forego the opportunity that heaven NOW presents us.

American Herald, 26 November

QUERIES.

1. Are there any individuals in the town of Boston (once so distinguished for their independence and patriotism) of so illiberal a cast as to refuse their custom to a man for impartially publishing the observations of his fellow citizens at a time when the happiness of posterity depends on the public decision?¹

2. What are the causes that have occasioned such a deviation in the Capital from the principles of 1775?

3. Is there not danger that the intelligent inhabitants of this town will not awake from their delirium till they have precipitately and blindly adopted measures that will sink them into inevitable insignificance and bondage?

1. For a discussion of the criticism of and the problems faced by printer Edward Eveleth Powars of the *American Herald* because he published Antifederalist material, see RCS:Mass., liii-liv.

An Elector

Massachusetts Centinel, 28 November

To the FREE ELECTORS of this TOWN.

GENTLEMEN, The present is the time of visitation—and happy for us “the things that belong to our” political “salvation,” are not “hidden from our eyes”¹—They are plain and obvious to every man; and it affords a comfortable prospect to the real friends of America, and the late revolution, that we appear to be sensible that Heaven *now* presents the golden opportunity of establishing such a government as will secure

to ourselves and posterity, in all succeeding generations, the blessings of that independence we so dearly purchased.^(a)

Let nothing, therefore, divert your attention from prosecuting the important business before you—be steady, be united and firm—The SAGES and PATRIOTS who were your political *guardians*, *pilots* and DEFENDERS in the late war, and under Providence brought us in the haven of “peace, liberty and safety,” have again been convened to form a Constitution of government for the States, that shall be the means of *perpetuating* these invaluable acquisitions—THIS CONSTITUTION is now proposed to our serious consideration—and it must afford the highest satisfaction to its ILLUSTRIOUS FRAMERS, to find it is received with so much attention, and general approbation.

The enemies to this system are more scarce than tories were at the meridian of our triumphs, during the war—It is an undoubted fact, that a *very small* number of persons are engaged in the opposition—it is true they are indefatigable in their labours—Confusion and disappointment reward them for their nefarious attempts!—They make a considerable bluster, but their *false alarms* will lose their effects—Some of them are *already* known—whose motives are fully discerned to be no better than those of a thief, who cries, fire! fire! that in the confusion he may plunder the more securely—others will be detected, and when the disclosure is made it will destroy the poisonous effects of their malevolent insinuations.

On the other hand, let us, my friends, attend to the *characters* of those who are uniformly in favour of the proposed Constitution—Among these you find the decided friends to the country, the *tried* patriots of those *trying* “times which *tried* men’s souls:”²—The friends of peace, good order and government—the men of property—the men of learning—the sage—the philosopher, and the divine—the forehanded mechanic—the industrious tradesman, and the unembarrassed yeomanry throughout the Commonwealth—in such GOOD COMPANY we are always safe.

Let us then cultivate a spirit of UNION and harmony—let us like men determined to be *wise*, to be *free* and *happy*, under the benign influences of a good government, go to our publick meetings and give our suffrages to such characters as are *competent* to defending and supporting our sentiments upon the proposed Constitution—such as are *inflexibly* determined to advocate this Constitution to the utmost—such as have given *unequivocal* proofs of possessing a NATIONAL spirit—and whose general conduct in *times past*, leaves no room to doubt of their *future* steadiness and consistency. On the present occasion *every* man either IN OFFICE, or OUT OF OFFICE is eligible—this gives us an

advantage—there are doubtless *some* in both predicaments who may be very suitable—this enlarges the sphere of our enquiry—it gives us the fairest opportunity to concenter the *wisdom*, the *firmness* and the *patriotism* of the Commonwealth, in the approaching Convention—And may the God of our fathers so direct us their posterity on this important occasion, as that we may not fall a prey to the arts of designing and unprincipled men—but may he, by diffusing a spirit of UNION and CANDOUR, PATIENCE and PERSEVERANCE, lead us into the adoption of a wise and efficient NATIONAL GOVERNMENT.

(a) *It would appear from the striking similiarity of expression in this, with the last sentence in the preceding piece,³ that they were the production of one and the same pen—But the contrary of this is the case—Neither of the writers knew that the other had written.*

EDITOR.

1. Luke 19:42. See also "An Elector," *Massachusetts Gazette*, 20 November (above).

2. Thomas Paine, *The American Crisis* I (1776).

3. The preceding article in the *Massachusetts Centinel*, 28 November, was "One of the Middling-Interest." The last sentence reads: "Every man who has property to protect, or children to make happy, or who, having neither property nor children, has only his own personal liberty to maintain or enlarge, will consider the present æra as a golden opportunity offered him by providence; an opportunity that never came before, and that may never arrive again!" (RCS:Mass., 332).

Massachusetts Centinel, 28 November¹

QUERE. Whose fault is it that a meeting for the choice of Delegates has not yet been called in a GREAT TOWN that formerly took the lead in all patriotick measures?

A CORRESPONDENT.

1. On the same day that this "quere" was published, the selectmen of Boston ordered the town clerk to issue a warrant calling for a meeting to elect convention delegates on 7 December. The selectmen also authorized the *Massachusetts Centinel* to print the notification of the meeting. See *Massachusetts Centinel*, 1 December (below).

Candor

Massachusetts Centinel, 28 November¹

Mr. RUSSELL, In a late paper were mentioned the names of three gentlemen pitched on for Delegates to represent this town in the State Convention:²—The list being now compleated, I send it to you—with these assurances, that it is now in circulation—and meets with general approbation.—The list is

His Excellency JOHN HANCOCK,
Hon. JAMES BOWDOIN,

Hon. *Samuel Adams*,
 Hon. *James Sullivan*,
 Hon. *Stephen Higginson*,
 Dr. *Charles Jarvis*,
 Rev. *Samuel Stillman*,
John Coffin Jones, Esquire,
Samuel Barrett, Esquire,
Thomas Dawes, jun. Esquire,³
Perez Morton, Esquire.

1. For alternatives to "Candor's" list, see "A Mechanick," *Massachusetts Centinel*, 1 December, and the *Boston Gazette*, 3 December (both below).

2. On 16 November the *Massachusetts Gazette* printed an item recommending that John Hancock, James Bowdoin, and the Reverend Samuel Stillman be elected delegates (above).

3. Thomas Dawes, Jr. (1758–1825), a lawyer, should not be confused with his father. For the elder Dawes, see "A Mechanick," *Massachusetts Centinel*, 1 December, note 2.

Independent Chronicle, 30 November¹

It is not doubted, says a correspondent, but the TRADESMEN and MECHANICKS of this town, will exercise that wisdom, prudence and caution, they have hitherto been remarked for, in their choice of members, for the ensuing convention;—As it must be supposed, they are sensible of the importance of a *free discussion*, of every paragraph of the proposed Constitution.—For this purpose it is necessary to chuse such men as are *nationally*, and not altogether *personally* interested, in its adoption.—The Supreme Judiciary Court, being so great an object with a certain "order,"² it is trusting too far to their *private virtues*, to risk the decision of a question, on which depend the future liberties of America.

1. Reprinted: *Boston Gazette*, 3 December; *New York Journal*, 6 December.

2. The "order" refers to the legal profession. See "A Bostonian," *American Herald*, 4 February 1788, note 1 (III above).

Massachusetts Centinel, 1 December

CONVENTION.

A notification is issued, appointing Friday next, 10 o'clock, A. M. for the inhabitants of this town to meet to choose delegates to the State Convention.¹—Let it be remembered that this town has a right to send 11 delegates.²

If the proceedings of the late *Continental Convention* are consonant to the wishes and expectations of the people, and from what *appears* to the contrary, this seems to be the case, it certainly follows as a dictate

of common sense, that in our elections for members to the State Convention, our suffrages ought not to be in favour of *antifederal* characters—"It is an ill bird that bewrays its own nest."

1. This sentence was reprinted in the *Worcester Magazine*, 6 December.
2. Boston had the right to send twelve delegates. See "Fair Play," *Massachusetts Centinel*, 5 December (below).

A Mechanick

Massachusetts Centinel, 1 December

Mr. RUSSELL, A list of Delegates for the State Convention having appeared in your last,¹ containing some names that would condemn the *whole* list, I beg leave to offer another more conformably, as I think, to the sentiments of the inhabitants of this town.—I would not however suggest that *all* the names which I have left out of the old list, would have the evil tendency just mentioned.

His Excellency, *John Hancock*, Esq.
 The Honourable *James Bowdoin*, Esq.
 The Honourable *Oliver Wendell*, Esq.
 The Honourable *Thomas Dawes*, Esq.²
 Major *William Bell*, (a mechanick)
 The Reverend *Samuel Stillman*,
John Coffin Jones, Esq.
Thomas Dawes, jun. Esq.
 Doctor *John Warren*,
 Doctor *Charles Jarvis*,
Perez Morton, Esq.

By comparing this list with the last Wednesday's, the reader will see who is left out to make room for Major *William Bell*, a worthy MECHANICK, and the other gentlemen, whose political characters need no illucidation.³

Nov. 30.

1. See "Candor," *Massachusetts Centinel*, 28 November (above).

2. Thomas Dawes, Sr. (1731–1809) should not be confused with his son, Thomas Dawes, Jr. The elder Dawes, a wealthy mason and architect, was a member of the Governor's Council. He was sometimes addressed as colonel, having achieved that rank in The Ancient and Honorable Artillery Company of Massachusetts. Although nominated on several lists, he was not elected to the Convention.

3. Samuel Adams, James Sullivan, Stephen Higginson, and Samuel Barrett were dropped in favor of Oliver Wendell, Thomas Dawes, Sr., William Bell, and John Warren. (None of these last four men was elected a Convention delegate.) "C," *Massachusetts Gazette*, 4 December, criticized "A Mechanick" for dropping Samuel Adams (below).

Thomas a Kempis

Massachusetts Centinel, 1 December

To the MECHANICKS of this METROPOLIS.

GENTLEMEN, The day of election approaches—Mechanicks mind the watch. You *must* wish for a Federal Government—the last session of the General-Court cost SEVENTEEN THOUSAND DOLLARS!¹—Don't knock away the foundation of your hopes—give your votes for none but federal men, who have given indisputable evidence of their determination to support the new Constitution! Names are nothing—one vote may loose the system.

Yours, in haste,

THOMAS A KEMPIS.

1. On 10 December a rhetorical response appeared in the *American Herald*: "If ONE Session of the General Court of this Commonwealth cost 'SEVENTEEN THOUSAND DOLLARS,' what will a Session of the Fœderal Congress amount to?" (RCS:Mass., 406).

American Herald, 3 December

To the MECHANICKS.

DESIGNING MEN have again called upon you to be careful to watch, with respect to the MEN necessary to be chosen for the Fœderal Convention.—Be assured, it is only intended to make TOOLS of you, who have once and again suffered by interfering in public matters.—You are the GLORY and PILLARS of the town; but those dogs who only bark to secure their own popularity, know, that it is your study to mind your own business. The blessed effects of your once appearing in the incorporating the town,¹ has been, that persons not belonging to this place have been employed, and are still employed, while your families have suffered, and you burthened with a heavy tax.²—You are the MEN from whom your Looking-Glass and Bed will be taken, while those CREATURES are passed by unnoticed.—Be always ready to support your Country, and defend it; but do not suffer yourselves to be at the BECK and CALL of time-serving men.

WILSON'S-LANE.³

Mr. POWARS, Having a peculiar taste for politicks, I request you to publish in your next Herald, the List following, as Candidates for our State Convention, viz.

His Excellency John Hancock, Esq;

Hon. James Bowdoin, Esq;

Hon. Samuel Adams, Esq;

Hon. James Sullivan, Esq;

Hon. R. T. Pain, Esq;
 Hon. Ben. Austin, jun. Esq;
 John Winthrop, Esq;
 John Sweetser, Esq;
 Dr. Charles Jarvis,
 Jonathan Mason, jun. Esq;
 Mr. Sarson Belcher. (a worthy Mechanick)

MR. POWARS, Amongst many other Lists of Candidates for the State Convention, a Customer wishes the following one may appear in your next.

His Excellency John Hancock, Esq;
 Hon. James Bowdoin, Esq;
 Hon. Samuel Adams, Esq;
 Hon. William Phillips, Esq;
 Hon. R. T. Pain, Esq;
 Hon. Thomas Dawes, Esq;
 Hon. Oliver Wendell, Esq;
 Ebenezer Storer, Esq;
 John Coffin Jones, Esq;
 Mr. John Winthrop,
 Dr. John Warren.

1. Probably a reference to the attempts in 1784 and 1785 by merchants and other prominent citizens to persuade the town meeting to seek incorporation of Boston, thereby abandoning town-meeting government in favor of city government. Samuel Adams, backed by Boston's mechanics, opposed incorporation.

2. "An American" in the *Massachusetts Centinel*, 26 May 1784, stated that incorporation of Boston would benefit the mechanics who were suffering from competition from country people. The latter could afford to manufacture goods more cheaply, and they paid lower taxes.

3. Wilson's Lane (later Devonshire Street), one of Boston's oldest streets, was situated between Fancuil Hall and the Town House in the government and business district of the town (Annie Haven Thwing, *The Crooked & Narrow Streets of the Town of Boston, 1630-1822* [Boston, 1920], map facing p. 78, and p. 144).

Candidus

Boston Gazette, 3 December

CAUCUSING BY DAY-LIGHT.

Messieurs EDES, Candor, in the *Centinel*, having offered a List of Candidates for Delegates to the State Convention,¹—I take the Liberty to send you the following, being of opinion it will more generally meet the approbation of the people.—

His Excellency John Hancock,
 Hon. James Bowdoin,
 Hon Samuel Adams,
 Hon James Sullivan,
 Hon Robert Treat Paine,
 Samuel Breck, Esq;
 Charles Jarvis, Esq;
 John Winthrop, Esq;
 Thomas Dawes, jun. Esq;
 Jonathan Loring Austin, Esq;
 Rev. Mr. Samuel Stillman.

Messieurs EDES, As Mr. Russel has published in last Wednesday's Centinel a list of Gentlemen "*pitched upon*" as his author says, "*to represent this town in the State Convention,*"²—I have sent you a list of *my choice*, which, when your paper goes from the press, I believe will be as much in "*circulation*" as *that* Mr. Candor has completed, though I cannot "*send it with assurance that it meets with general approbation.*" The TOWN perhaps, may think differently from us both, whatever may be our pretensions to Candour.—The list is as follows, viz.

Hon. William Phillips,	Excel. John Hancock,
John Winthrop, Esq.	Hon. James Bowdoin,
Dr. Charles Jarvis,	Hon. Thomas Cushing,
Thos. Dawes, jun. Esq.	Hon. Samuel Adams,
Dr. John Warren.	Hon Robert Treat Paine,
	Hon. Thomas Dawes,

Mess. EDES, As it is the rage of the times to give out Lists of Candidates—I herewith send you one that I presume will be very—agreeable.

Christopher Gore, Esq;	Stephen Higginson, Esq;
Rev. Mr. Samuel Parker,	Edward Payne, Esq;
William Parsons, Esq;	Henry Higginson, Esq;
Mr. Samuel Bradstreet,	Ebenezer Parsons, Esq;
Joseph Barrell, Esq;	Perez Morton, Esq;
	Benjamin Lincoln, jun. Esq.

1. See "Candor," *Massachusetts Centinel*, 28 November (above).

2. See note 1.

“C”

*Massachusetts Gazette, 4 December*¹

Mr. PRINTER, I observed in the *Centinel*, of Saturday last,² a list of candidates for the convention, proposed as a substitute for one in the paper of Wednesday.³ However deserving those gentlemen may be of the confidence of the people, I cannot, as a friend to my country, but highly disapprove of leaving out the name of that worthy and distinguished patriot, who stood third on the list first proposed.⁴

Is it possible, mr. Printer, that we should so soon have forgot the merits of a man who was so eminently instrumental in promoting the revolution? Shall we refuse to employ talents that have excited the admiration of our own and foreign countries, in their exertions for liberty and independence, upon an occasion of such infinite importance to ourselves and posterity? Do we owe nothing to his inflexible perseverance, to his integrity and political abilities? In fine, are we so regardless of our own interest, as to neglect a man, who from his perfect acquaintance with the police of his country,⁵ and who, from his having borne so conspicuous a part in the transactions which have led to this memorable era, must necessarily be qualified for council and advice, at so critical a period as the present? No, my fellow countrymen, let it never be said, that the names of a HANCOCK, a Bowdoin and an Adams, who, in emancipating their country from oppression, and in erecting her independence, were indissolubly united—in an act which is to give permanence and stability to the glorious fabrick, should be divided.

Let us hear the sentiments of this venerable sage, whatever they may be; if they are in favour of the federal constitution, they will strengthen and confirm it; if otherwise, they will give opportunity for confuting them.

1. The *Massachusetts Gazette* for 4 December is misdated “December 3.”

2. See “A Mechanick,” *Massachusetts Centinel*, 1 December (above).

3. See “Candor,” *Massachusetts Centinel*, 28 November (above).

4. Samuel Adams.

5. “Police” in this context refers to the “internal organization or regulation of a political unit”; “such control and regulation with respect to matters affecting the general comfort, health, morals, safety, or prosperity of the public” (*Webster 3rd International*).

An Elector

Massachusetts Gazette, 4 December

To the ELECTORS of this Town.

GENTLEMEN, Every sentence of the *great Franklin's* address to the president of Convention, on signing the proposed Constitution,¹ ought

to sink deep into our hearts—they are “the words of *truth* and *soberness*,”² as well as of *candour*, *sound reasoning*, and the *richest experience*. In the opinion of many, this address contains a *full* answer to every objection that has appeared against the proceedings of Convention. There cannot remain a doubt upon any disinterested mind, that if the plan proposed to the *free* acceptance of the *free* citizens of America, should be fatally rejected, we may say farewell—a long farewell “to all our fancied schemes of peace, liberty and safety.”—For it evidently appears to be the *decided* opinion of the majority of the members of Convention, and of all the friends to *peace*, *law*, *justice*, and a *federal* government, that if the proposed constitution should not be adopted *as it stands*, we *never* shall be favoured again with an opportunity of establishing a government in *peace*. To clog our acceptance with *conditions*, *objections*, or *proposed amendments*, is just equal to a *total rejection*. The enlightened citizens of this metropolis, appear to be so sensible of *this truth*, that there is no doubt that their suffrages will fall on such characters as are *determined* to support the constitution, and have *abilities* to do it—let their OCCUPATION or PROFESSION be what it will.

1. See “The Massachusetts Printing of Benjamin Franklin’s Last Speech in the Constitutional Convention,” 3–18 December (RCS:Mass., 369–80). The speech was first printed in the *Boston Gazette*, 3 December, and reprinted in the *Massachusetts Gazette*, 4 December, which also included “An Elector.”

2. Acts 26:25.

*Massachusetts Gazette, 4 December*¹

The male inhabitants of this town, of twenty-one years of age and upwards, are to meet, on Friday next, at Faneuil-hall, for the purpose of choosing “delegates to meet in Convention, at the State-house, in this town, on the second Wednesday in January next, for the purpose of assenting to, and ratifying the constitution agreed upon by the late Federal Convention, agreeably to the resolutions of Congress and the General Court of this commonwealth.”²

This town has a right to send eleven³ members to the ensuing Convention; and it is hoped, that an exertion in support of this privilege will influence our citizens to be punctual in their attendance.

1. Reprinted in the *Independent Chronicle*, 6 December, and in five other newspapers by 10 January 1788: Pa. (2), Va. (1), S.C. (2). The first paragraph alone was reprinted three times by 26 January: N.Y. (1), Pa. (2).

2. Quoted from the warrant, dated 30 November, calling the town meeting.

3. See *Massachusetts Centinel*, 1 December, note 2 (above).

*Many of Your Readers**Massachusetts Gazette, 4 December*

MR. ALLEN, Subjoined is a list of names, which indubitably will be agreeable to the majority of the town, for the Convention, which is to meet at the State-house—Please to insert it in your useful and entertaining Gazette, and oblige
Many of your Readers.

His excellency JOHN HANCOCK, esquire,
 His honour THOMAS CUSHING, esquire,
 Hon. James Bowdoin, esq. John C. Jones, esq.
 Hon. Samuel Adams, esq. Samuel Breck, esq.
 Hon. Thos. Dawes, sen. esq. Doctor Charles Jarvis,
 Hon. Rev. Mr. Stillman, Col. Samuel Bradford.
 Hon. James Sullivan, esq.

Massachusetts Gazette, 4 December

MR. ALLEN, As several lists of candidates for the proposed Convention are in circulation, I send you one which has met the approbation of many inhabitants of this town.

His excellency JOHN HANCOCK, esquire,
 Hon. James Bowdoin, esq. Hon. Step. Higginson, esq.
 Hon. William Phillips, esq. Rev. Samuel Stillman,
 Hon. Caleb Davis esq.¹ John C. Jones, esq.
 Thomas Walley, esq. Charles Jarvis, esq.
 Hon. James Sullivan, esq. Thomas Dawes, jun. esq.

1. When Samuel A. Otis, a delegate to Congress, saw Davis's name on this or one of the later lists, he wrote to Davis, a Boston merchant, that "With pleasure I see your name in the list of Candidates for convention and from ten years experience of integrity & abilities I presume they will be exerted to good effect upon the present occasion" (14 December, Davis Papers, MHi).

*A Bostonian**Massachusetts Gazette, 4 December*

MR. ALLEN, Having observed several lists in the different newspapers of proposed candidates for the ensuing Convention from this town, I have collected one, in which the different interests are represented, and will probably give the most satisfaction.

Yours,

A BOSTONIAN.

His Excellency JOHN HANCOCK, *the present governour.*Honourable James Bowdoin, esquire, *late governour, and president of the American academy of arts and sciences.*Honourable Samuel Adams, esq. *president of Senate.*Honourable Thomas Dawes, esq. *a counsellor.*

Honourable Oliver Wendell, esq. *judge of probate.*
 Honourable R. T. Paine, esq. *attorney general.*
 Reverend Samuel Stillman, *a clergyman.*
 Charles Jarvis, esq. *a physician.*
 Thomas Dawes, jun. esq. *a lawyer.*
 John C. Jones, esq. *a merchant.*
 Mr. Nathaniel Balch, *a mechanic.*

Mechanicks of the North-End
Massachusetts Centinel, 5 December¹

ATTENTION!

Convinced that our salvation—and the salvation of our families, depend upon the establishment of a government by which the commerce of our country may be put on a regular and advantageous footing—that so the sound of the hammer may be again heard in our land—and knowing that nothing will more conduce to the speedy accomplishment of this desirable end, than the adopting the new Constitution:—And it being our duty to appoint such men to represent us in the Convention, as are favourable thereto, we recommend to our fellow townsmen, that so we may be all united in this great object, the following list of Delegates to the Convention, as good federal men and true, viz.

His Excellency JOHN HANCOCK,	
His Honour <i>Thomas Cushing,</i>	<i>Rev. Mr. Stillman,</i>
Hon. <i>James Bowdoin,</i>	<i>Dr. Charles Jarvis,</i>
Hon. <i>William Phillips,</i>	<i>John C. Jones,</i>
Hon. <i>Oliver Wendell,</i>	<i>Caleb Davis, Esq's.</i>
Hon. <i>Thomas Dawes, Esq's.</i>	<i>Mr. Joseph Clarke.</i>

And we seriously caution our friends against mixed lists—for our enemies will gild their poisonous antifederal pill with some respectable names—in order to cheat our taste, and induce us to swallow what must prove a bane to our very existence—at least will actually starve the industrious ship-builders and other

MECHANICKS of the NORTH-END.

1. "Mechanicks of the North-End," *Independent Chronicle*, 6 December, indicated that Thomas Dawes, Jr., was included in this list but was mistakenly omitted by the printer. See also "Mechanicks of the North-End," *Massachusetts Gazette*, 7 December (below).

Fair Play
Massachusetts Centinel, 5 December

Mr. RUSSELL, By the notification issued by order of the Selectmen, it is suggested that this town have a right to choose *eleven* delegates to

the State Convention—Upon inquiry, I found that the Assessors gave the Selectmen the number of rateable polls, which were taxed last year, as a criterion; when they should have given them the rateable polls returned in the last valuation; and by which the town is taxed.—The present valuation is to govern until a new one is made. Application therefore should have been made to the Secretary's Office for the number of rateable polls which the town of Boston stands at in the valuation.

Suppose one of the most distant towns in the county of Lincoln had chosen three delegates, and it should be said in the Convention that it had a right to send only two—would the Convention send to the Assessors of that town to know the number of rateable polls in it?—Surely no—they would advert to the valuation.

The fact is, there were 2782 *rateable* polls returned. Now let any one take the constitution, and calculate for himself; and it will *clearly* appear that we have a right to choose TWELVE delegates to Convention.¹

1. The 25 October resolutions calling the state Convention provided that towns were entitled to "the same number of Delegates, as by law they are entitled to send Representatives to the General Court" (RCS:Mass., 144). Chapter I, Section III, Article II, of the state constitution of 1780 stipulated that if an incorporated town had 150 rateable polls, it was entitled to one representative in the General Court; if it had 375, it was entitled to two; and if it had 600, it was entitled to three. Above 600, it was entitled to one additional representative for every additional 225. Therefore, in order for Boston to be entitled to twelve Convention delegates, it needed 2,625 rateable polls, a number it exceeded.

Civis

Independent Chronicle, 6 December

CAUCUS.

I have search'd, Mess'rs Printers, the whole vocabulary of the English language, to find the *origin* of the word *Caucus*;¹ I have examined *Johnson*, have look'd into *Fenning*, and turn'd over the pages of *Dyche* and *Bailey*,² and am no wiser than I was when I began; I have also enquired of those who are vers'd in the science of letters, and can't find a mother's son of them that can give any information respecting its *etymology*.

How to account for its adoption into the American language, I am much at a loss, as I have search'd the various dialects of the ancient *Aborigines* of this country, and can find neither word or phrase that bears the least resemblance to it;³ the only probable derivation, Mess'rs Printers, that I can think of, is from the word *Caucasus*, being a Mountain in Asia, on which the ancient *Mythologists* inform us the Gods us'd to assemble to decide the fate of mankind.

Now, Mess'rs Printers, as it has become a relative term, and comprehends a transaction of vast importance to this town, I hope my fellow-townsmen, when conven'd for the purpose of nominating fit persons to represent them in the State Convention, will exercise their usual judgment and discretion, and *by no means* name such persons to that *important* business, as are of equivocal characters: for depend on it, such will disappoint their hopes, whether shining in the eloquence of blooming youth, or the persuasive argument of palsied age.

None but such as have given a *clear* and *decided* opinion in favour of the proposed Constitution, ought to be elected as delegates; for as the sacred book says, "*he that is not for us is against us*"⁴—for should the town (the welfare of which depends so much on the establishment of the Constitution) send a single member that is disposed to raise difficulties, they may not only have reason to repent of their ill-plac'd confidence, but to curse with bitterness of soul their own duplicity.⁵

1. For a discussion of the origins of this term, used in Boston since the 1740s, see Butterfield, *JA Diary*, I, 239–40. Butterfield wrote this note in reference to the meetings of the "Caucas Clubb" of Boston, which John Adams described in his diary in 1763. The club, stated Adams, met in Thomas Dawes's garret, where "they smoke tobacco till you cannot see from one End of the Garrett to the other. There they drink Philip I suppose, and there they choose a Moderator, who puts Questions to the Vote regularly, and select Men, Assessors, Collectors, Wardens, Fire Wards, and Representatives are Regularly chosen before they are chosen in the Town." Samuel Adams was a member of the club (*ibid.*, 238. "Philip" or "flip" was a drink made with beer, spirits, and sugar. For a detailed discussion of political caucuses in Boston during the colonial period, see Alan and Katherine Day, "Another Look at the Boston 'Caucus'," *Journal of American Studies*, 5 [1971], 19–42.).

2. See Samuel Johnson, *A Dictionary of the English Language* (1755); Daniel Fenning, *A New Grammar of the English Language* (1771); Thomas Dyche, *A New General English Dictionary* (1740); and Nathan Bailey, *An Universal Etymological English Dictionary* (1721). Each of these works went through other editions.

3. In 1872 historian and philologist J. Hammond Trumbull speculated that the word "caucus" was derived from an Algonkin word that was found in Captain John Smith's history of Virginia. The word meant to talk, to give counsel or advice, to urge, encourage, promote (*Oxford English Dictionary*).

4. A variation from two verses in Luke. Luke 9:49–50. "And John answered and said, Master, we saw one casting out devils in thy name; and we forbid him, because he followeth not with us. And Jesus said unto him, Forbid him not: for he that is not against us is for us." Luke 11:23. "He that is not with me is against me."

5. Perhaps a variation of Job 7:11, "Therefore I will not refrain my mouth; I will speak in the anguish of my spirit; I will complain in the bitterness of my soul," or Job 10:1, "My soul is weary of my life; I will leave my complaint upon myself; I will speak in the bitterness of my soul."

Mechanicks of the North-End
Independent Chronicle, 6 December

Mess'rs. ADAMS & NOURSE, We wish you to inform the public, thro' the channel of your useful paper, that in the list of Delegates, to the

State Convention, sent to be published in the last Centinel,¹ was included the name of Thomas Dawes, jun. Esq;—we are willing to believe that the Printer omitted him by mistake,—however, we take the liberty to declare, that we will not countenance a list, which does not contain the name of that Gentleman—for surely the federal sentiments which he breaths, and which are often announced by the Centinel, cannot, nor will not, be unnoticed by the MECHANICKS of the NORTH-END.

1. See "Mechanicks of the North-End," *Massachusetts Centinel*, 5 December (above).

Independent Chronicle, 6 December¹

The following is a list of proposed Delegates to represent the town of Boston in the State Convention.

His Excellency JOHN HANCOCK,
 Hon. JAMES BOWDOIN,
 Hon. SAMUEL ADAMS,
 Hon. WILLIAM PHILLIPS,
 Hon. OLIVER WENDELL,
 Hon. CALEB DAVIS, Esquires,
 Rev. SAMUEL STILLMAN,
 JOHN C. JONES, Esq.
 Dr. CHARLES JARVIS,
 THOMAS RUSSELL, Esq.
 THOMAS DAWES, jun. Esq.
 CHRISTOPHER GORE, Esq.

1. Reprinted: *New York Journal*, 14 December.

Weather on Election Day
Boston, 7 December

William Heath Diary, Roxbury, 7–8 December¹

7th. Wind Northeast. cloudy the morning light rain; afterwards Snowey during the day. between one and Two inches of Snow has fallen, the weather moderate—Stars appeared about nine oClock P.M. but it soon clouded again—

8th. Wind Southwest. fair moderate and pleasant, about two Inches of Snow fell yesterday,—part of which has gone off in the course of this day.—The Evening partly cloudy and partly clear.

Jeremy Belknap to Ebenezer Hazard, Boston, 8 December (excerpt)²

... The weather has been so fine all this Week till yesterday that I have spent an hour each Mornng before breakfast in the Mall³ & really

it was as pleasant a walk as in the Month of May—yesterday came snow & rain wch has deprived me of this enjoyment for the Winter I suppose. . . .

1. MS, Heath Diaries, MHi.

2. RC, Belknap Papers, MHi. For a longer excerpt of this letter, see RCS:Mass., 402–3. The entire letter is in *Belknap Correspondence*, Part I, 497–99.

3. About 1790 the Mall was described in this manner: “It is on the eastern side of the Common; in length 1410 feet; divided into two walks parallel to each other, separated by a row of trees. On the outside of each walk is also a row of trees which agreeably shade them” (Samuel G. Drake, *The History and Antiquities of the City of Boston* . . . [Boston, 1854], 813).

Massachusetts Gazette, 7 December

MR. ALLEN, It seems by the many *hints, cautions, exclamations, and directions*, which are daily circulated by the sticklers for federal government, that they are determined to force upon the publick only such men as are avowedly advocates for such a government. I would ask these unequivocal gentlemen, What are the Conventions in the several states to meet for? Do they meet to give their *assent*, only, to the proposed form of government? If so, why do we not hire a set of men on purpose? Or do they meet to discuss and analyse the proposed form, to consider it in all its parts, to admit those articles which may appear necessary, and to reject any which may appear equivocal or unnecessary? If so, as a candid and a *free people*, ought we not to place in *such a convention*, men of different sentiments, in order that every possible objection should be made and thoroughly canvassed.

I have heard no persons proposed as candidates for members of the Convention, but such as are in favour of the federal plan. But I hope that this town will send one, at least, who will be known to object to some parts of the constitution: and such a man should be a man of real knowledge and abilities: and being a man of sense, he will either have his objections satisfactorily answered, or will make them appear reasonable to the *world*. And where shall we find a better man than Jonathan, the lawyer, whose knowledge of law, and experience at the bar, makes him a fit man to guard against sophistry and rhetorick.¹

1. Probably a reference to Boston lawyer Jonathan Mason, Jr. Mason, a 1774 graduate of the College of New Jersey (Princeton), studied law with Josiah Quincy, John Adams, and Perez Morton. In 1786 he joined his father, a wealthy merchant, on the board of directors of the Massachusetts Bank, and he was elected to the state House of Representatives, beginning a long political career.

“A Federalist,” *Massachusetts Gazette*, 11 December, challenged the assertion that Mason opposed the Constitution. He stated: “If you [the printer] had addressed your correspondent’s remark upon *Jonathan, the lawyer*, to John De Witt, or, as I should say, *Jonathan*

depriv'd of his Wits, it would have been better understood by the respectable body of people who want no government at all, and are all insurgents—by whom he is well known for his anti-federal doctrines under that signature." Mason's stance on the Constitution is unknown, but in the 1790s he was a Federalist.

In a special election on 10 December the Boston town meeting elected Mason to the House of Representatives for the remainder of the term. For a newspaper item recommending his election, see *Massachusetts Centinel*, 8 December, and for a commentary on this item, see "L," *Massachusetts Gazette*, 11 December (both below). For an item perhaps anticipating Mason's nomination, see *Independent Chronicle*, 6 December (Mfm:Mass.).

Concord

Massachusetts Gazette, 7 December

MR. ALLEN, It is a subject of very agreeable reflection, that there appears to be so great a spirit of harmony diffused among the various professions in this town at the present important crisis—It augurs well—May it be a prelude to a perpetual union—that the artifices of our enemies, and selfish, unprincipled politicians may no more disturb our tranquillity.

The following is the list which is proposed to form the delegation of this metropolis for the ensuing Convention, viz.

His excellency JOHN HANCOCK, esquire.

Hon. James Bowdoin,

John C. Jones, esq.

Hon. Samuel Adams,

Thomas Dawes, jun. esq.

Hon. William Phillips,

Christopher Gore, esq.

John Winthrop, esq.

Hon. Caleb Davis,

Rev. Samuel Stillman,

Doctor Charles Jarvis,

Thomas Russell, esq.

The above list is formed upon the most liberal principles, which are ever the result of unprejudiced communications; and although every man has undoubtedly a right to act according to his own judgment in voting, yet it is presumed, that it *cannot* be the effect of the most *consummate modesty* in any person, to attempt defeating the views of the inhabitants by opposing this list, which a spirit of candour and mutual concessions have united them in adopting.

A Qualified Voter

Massachusetts Gazette, 7 December

MR. PRINTER, It is essential to the welfare of the town, that reason, judgment and eloquence should be collected, in the delegation of this day; and as these qualities are not confined to the aged only, nor always possessed by the young, you will please to insert the following list for the consideration of our fellow townsmen, viz.

His Excellency JOHN HANCOCK, Esquire.

Hon. James Bowdoin, esq.

Hon. Samuel Adams,

Hon. Oliver Wendell,

Hon. Caleb Davis, esq'rs.

Benjamin Austin, jun. esq.

John C. Jones, esq.

Charles Jarvis, esq.

Christopher Gore, esq.

John Warren, esq.

Rev. Samuel Stillman,

Mr. Abiel Smith,

—in whom, collectively, are to be found as much wisdom—to hear with *reason*, decide with *judgment*, and deliver their opinions with the force of *eloquence*—as in any list heretofore offered to the publick.

Mechanicks of the North-End: To the Tradesmen of Boston

Massachusetts Gazette, 7 December

BRETHREN MECHANICKS! Act circumspectly—Be united and firm.—Though the other interests wish you well, your own hands alone will work out your safety. The Caucusses have agreed upon a list—It is a pretty good one—but not so good as that we recommended to you in the Centinel of Wednesday last,¹ which is (with the name of a good man, accidentally left out, but was mentioned in the paper of yesterday)² composed of decided, warm, and intelligent federal men.—We will recommend it to your notice.

—Federal men, and them only, must be your object.—Beware of amphibious characters—they will prove crocodiles indeed. We repeat it—act circumspectly—and let it not be said, that inattention was ours—As on our choice is suspended the best interests of our country. That we shall act as men who feel the importance of the trust reposed in them, prays *The Mechanicks of the North-End*.

1. See *Massachusetts Centinel*, 5 December (above).

2. See *Independent Chronicle*, 6 December (above).

Town Meeting, 7 December¹

At a Meeting of the Freeholders & Other Inhabitants of the Town of Boston duly qualedified & legally warned in publick Town Meeting Assembled at Fanuel Hall on Fryday the 7th Day of December A.D. 1787—

Prayer was made by the Revd. Mr. Clark

Warrant for calling the Meeting read

The Resolves of Congress & the General Court of this Commonwealth read

The Town having determined to Choose twelve Persons [for the purpose] of Assenting to & ratifying the Constitution the Inhabitants were directed to withdraw & bring in their Votes, for Twelve Persons, for the purpose Aforesaid & that it was Declared by the Selectmen, that the Poll would be Closed at half past twelve O Clock

The Votes, being brought in for Twelve Persons the Number of the same were found to be 763 & upon sorting them it Appeared that the following Persons were Chosen by a Majority of Votes Vizt.

	Votes
His Excellcy. Honble. John Hancock Esqr.	751
Honble. James Bowdoin Esqr.	760
Honble. Samuel Adams Esqr.	628
Honble. William Phillips Esqr.	740
Honble. Caleb Davis Esqr.	603
Charles Jarvis Esqr.	714
John C. Jones Esqr.	635
John Winthrop Esqr.	661
Thomas Dawes Junr. Esqr.	749
Revd. Samuel Stillman	739
Thomas Russell Esqr.	610
Christopher Gore Esqr.	517

Adjourned to Monday next 10 OClock Forenoon

1. The Boston town meeting records are at the Boston Public Library.

Massachusetts Centinel, 8 December (excerpt)¹

DELEGATES to CONVENTION.

Yesterday, at 10 o'clock, agreeably to notification, came on at Fanueil-Hall the choice of Twelve Delegates, to meet in Convention at the State-House in this town, on the second Wednesday of January next, for the purpose of assenting to and ratifying the federal Constitution.—At half after 12 the poll closed—when the whole number of votes was 763—of which

His Excellency JOHN HANCOCK, had	751
Hon. JAMES BOWDOIN, Esq.	760
Thomas Dawes, jun. Esq.	749
Hon. <i>William Phillips</i> , Esq.	740
Rev. <i>Samuel Stillman</i> , Esq.	739
Dr. <i>Charles Jarvis</i> ,	714
Mr. <i>John Winthrop</i> ,	661
John Coffin Jones, Esq.	635

Hon. <i>Samuel Adams</i> , Esq.	628
Thomas Russell, Esq.	610
Hon. <i>Caleb Davis</i> , Esq.	603
Christopher Gore, Esq.	517

and were declared to be chosen.

It is not in our power to refer to a period, when such general unanimity pervaded all ranks of citizens, as on the above occasion. No clashing party interests appeared:—But the whole business exhibited such marks of urbanity—as, we hope, presage a happy issue of the deliberations of that great Areopagus,² which is to determine whether this State will assent to and ratify a constitution, which has for its object, the establishment of the dignity, freedom, and happiness of our “dear country.”

The meeting stands adjourned to Monday next, 10 o'clock, A. M. . . .

1. The *Centinel's* report was reprinted, sometimes with variations, in ten other Massachusetts newspapers and in thirty-two out-of-state newspapers. Reprinted in full in the *Boston Gazette*, 10 December, and *Worcester Magazine*, 13 December; and, minus the last two paragraphs, in the *American Herald*, 10 December, and *Essex Journal*, 12 December. The *Cumberland Gazette*, 13 December, reprinted this item from the *Massachusetts Centinel* without the vote totals and with only the first sentence and the first clause of the second sentence of the last paragraph. The *Salem Mercury*, 11 December, printed a much abbreviated version.

The *Massachusetts Gazette*, 11 December, reprinted the *Centinel's* item, but revised the last paragraph to read: “The general unanimity which pervaded all ranks of people in the choice of delegates for the state convention, presages, in some degree, a happy result to the deliberations of that body which is soon to determine, whether Massachusetts will accede to a measure which has for its object the establishment of the glory and happiness of America.” This version was reprinted in the *Independent Chronicle*, 13 December; *Hampshire Chronicle*, 18 December; and *Hampshire Gazette*, 19 December.

Outside Massachusetts, the *Massachusetts Centinel's* version was reprinted, in whole or in part, twenty-eight times by 9 February 1788: N.H. (2), R.I. (3), Conn. (7), N.Y. (5), N.J. (1), Pa. (6), Md. (1), S.C. (1), Ga. (2). The *Massachusetts Gazette's* version was reprinted in part in the *Litchfield Monitor*, 24 December, and *Pennsylvania Mercury*, 28 December. The names of the delegates only appeared in the *New Hampshire Spy*, 11 December; and *Albany Gazette*, 20 December.

2. A reference to the ancient Athenian Council of Areopagus, which among other things resembled a council of elders.

Massachusetts Centinel, 8 December¹

CANDIDATE for REPRESENTATIVE.

MR. RUSSELL, The good effects which have followed the publication of a list of Candidates for the Delegation to the Convention, have been acknowledged—The measure, if conducted with impartiality and propriety, cannot be dangerous—it certainly gives opportunity for enquiry

into and investigation of characters.—As the choice of a Representative is to be made on Monday, a number of citizens convened together this evening, beg leave to propose to their fellow-townsmen JONATHAN MASON, Esquire,² as the object of their choice. Dec. 7, 1787.

1. For a commentary on this item, see "L," *Massachusetts Gazette*, 11 December. (below).
2. For Mason, see *Massachusetts Gazette*, 7 December, note 1 (above).

Christopher Gore to Rufus King
Boston, 9 December¹

I receiv'd with great pleasure your information from Hartford²—thô you made a very great mistake in mentioning the numbers pro & con the new plan—you say 50 *against* & 19 in *favor* [of] the proposed form in the Convention of Pensylvania—I construed directly the reverse of this,³ and so communicated the information—this town as you perceive by the papers has elected—many are disappointed & some, such as Breck[,] Treat Payne, Sullivan⁴ are extremely mortified—the list, as it is, was the effect of a junction of the North & South caucusses—a thing often before attempted, but never, till this hour, with success—this list was strenuously oppos'd by Doctor Jarvis, Honestus⁵ Adam Collson, Joseph Shed, & Norton Brailsford,⁶ certain real & pretended leaders of the town—the end of their opposition was to erase my name from the list—and to attain it they severally exerted all their abilities—falsehoods of ev'ry Kind were boldly declared—& the lowest, meanest acts of deception made use of to effect their purposes—this being the case, & I being the only one they opposed, I feel as honourably elected as any one of the delegates—I really exerted myself to obtain an election of Sullivan, but to no purpose—even at the End he had but 3 votes—Treat Paine—none—

Most of those, whose elections we know of are favourably inclin'd to adopt the constitution—but, it is said, the delegates from the County of Worcester will generally oppose the plan—Adam Wheeler late ADC to Shays is elected to represent the town of Hubbardston⁷—When here, you mention'd owning Coxe's travels,⁸ & some french history of the different leagues of the ancient republics⁹—you will greatly oblige me by sending them to me by the very first opportunity—I wish to do all the good I can in this business, and to this end I really need those books—I must therefore pray you not to disappoint me—

Your own observations on the Constitution, & answers to Masons' & Gerry's objections will much oblige me¹⁰—

You certainly will be here the first week in January—if my prayers, & it is [—] the prayers of the righteous avail much, woud aid the birth

of your child, he, or she, or both, if you please will soon be happily introduc'd to the light—this I sincerely & ardently wish for, not only because the benefits the Commonwealth of M. may reap by your presence in Convention will be great, but I wish it for the quietude of your own mind, more especially for the quiet & comfort of Mrs K. both in body & mind—to whom present the affectionate regards of Mrs G & your friend

*NB Forget not to send your remarks & the books requested*¹¹—

1. RC, King Papers, NHi.
2. King apparently passed through Hartford, Conn., on his way back to New York City from Massachusetts. See *Essex Journal*, 28 November, Newburyport section, for King's movements.
3. Gore was correct. On 21 November the *Pennsylvania Gazette* printed an item declaring that two-thirds of the members of the Pennsylvania Convention (which convened on 20 November) supported the Constitution. Widely reprinted, this item appeared in Boston in the *Massachusetts Gazette* on 7 December (CC:Vol. 2, p. 456). On 12 December the Pennsylvania Convention ratified the Constitution, 46 to 23.
4. Samuel Breck, Robert Treat Paine, and James Sullivan.
5. Benjamin Austin, Jr.
6. Adam Colson was a leather dresser; Joseph Shed was a retailer; and Norton Brailsford was a plumber and glazier.
7. Captain John Woods, not Adam Wheeler (described here as Shays's aide-de-camp), was elected to represent Hubbardston in the state Convention, where he voted against ratification of the Constitution.
8. In 1784 William Coxe published in Dublin and London a multivolume work entitled *Travels into Poland, Russia, Sweden, and Denmark, Interspersed with Historical Relations and Political Inquiries*. A second edition appeared in 1785 and a third in 1787.
9. This French history has not been identified, but in compiling his notes on "Ancient & Modern Confederacies" James Madison of Virginia relied heavily, for his note taking on ancient confederacies, upon Fortuné Barthélemy de Felice, ed., *Code de l'Humanité, ou la Législation universelle, naturelle, civile et politique . . .* (13 vols., Yverdon, Switzerland, 1778). See Rutland, *Madison*, IX, 3–8.
10. For the published objections of Elbridge Gerry and George Mason to the Constitution, see RCS:Mass., 94–100, 287–91. For King and Gorham's unpublished response to Gerry, see RCS:Mass., 186–90.
11. Because of damage to the manuscript, the italicized words are illegible and conjectural readings have been supplied by the editors.

"L"

*Massachusetts Gazette, 11 December*¹

MR. ALLEN, The writer of a paragraph in Saturday's Centinel proposing a gentleman as candidate for representation of the town, appears to have a better opinion of the new method of caucusing than some of your correspondents. If an "investigation of characters," mr. Printer, is the object of these lists, surely they should be attended with a thorough scrutiny of individual characters, and each candidate should be

bro't to the bar of the publick, that every man might make his remarks in favour of or against him, for the information of the community. This method, however, it is believed would not generally be approved of; and if not, what valuable purpose can be answered by the lists? Certainly characters may be scrutinized in private as well *without* as *with* a publication of this kind. One great inconvenience attending it is, that the names of men may be handed to the publick, who have no inclination whatever to be considered as candidates; and who prefer private to publick stations. If I am not mistaken, this has, in some instances of late, been the case.

1. "L" comments upon a recommendation made in the *Massachusetts Centinel*, 8 December (above) that Jonathan Mason, Jr., be elected to represent Boston in the state House of Representatives.

Nathaniel Gorham to Rufus King
*Charlestown, 12 December (excerpt)*¹

. . . [P.S.] The Town of Boston committed a great mistake in not chusing Sullivan²

1. RC, King Papers, NH. Other excerpts from this letter appear in the Cambridge and Stockbridge sections and in "General Commentaries on the Election of Convention Delegates," 29 November 1787–8 March 1788, which immediately follows the town elections documents. The complete letter is in Mfm:Mass.

2. It was believed that this failure to elect Sullivan was one of the reasons he became an opponent of the Constitution. (See Christopher Gore to Rufus King, 23 December, below; and "Hampden," *Massachusetts Centinel*, 26 January, III, above.)

A Federalist
Boston Gazette, 17 December

To the honorable Delegates for the ensuing Convention—chosen by this town.

GENTLEMAN, The important delegation you have received from your constituents, must doubtless impress your minds with very serious contemplations—nor can it be thought a matter of inferior moment, that in the favourable interval between your election, and the meeting of the Convention, you should make the proposed Constitution, (the great object to be discussed and considered,) the constant theme of your studies. The peculiar advantages under which the Convention of this State will take up this great business, cannot have escaped your notice—the deliberations of our brethren of Philadelphia will throw great light upon the subject—both its advocates and opposers *there*, are men of no medium abilities; and perhaps the thorough investigation that the subject will receive in that respectable Convention, will, if duly

attended to by you, supersede in a great measure, those laboured researches which would otherwise be necessary—and the advantages that will result from fully possessing yourselves of *their sentiments*, must be obvious. Their deliberations however will not exhaust the subject—they will be in a great measure local, calculated for the meridian of that state, where the habits of thinking, education and manners of the people, may require different modes of address, from what are adapted to the genius of Massachusetts. The salutary effects of a recent discussion, and able defence of the proposed federal system, in producing the conviction and conversion of a certain honorable and very respectable character, are fully evincive of the intrinsic merit of the system, and show the powerful operation that sound reasoning will always have upon every honest and unprejudiced enquirer after truth¹—This instance should fire every friend to the Constitution who is a Member of Convention, with a noble emulation to distinguish himself, and do Honour to the Choice of his Fellow-Citizens, by calling into view every latent power of the soul, to support the *principles, design and operation* of the proposed Constitution—to satisfy the enquiring—to confirm the wavering—and to obviate, answer & refute the objecting mind—require a comprehensive view of the subject.

But perhaps the most difficult part of the business will be, to counteract and defeat the machinations of those, who will be influenced by selfish and contracted motives in their opposition:—such persons are always to be met with in every popular assembly: they never meet their opponents upon fair ground; their forte is a *party spirit*. This, if once excited, is a powerful engine in the hands of artful men:—*insinuations, suspicions and conjectures* are disseminated in *circles, corners and clubs*, and without the openness of candour and a free communication of sentiment, such a spirit has often defeated the best concerted plans and the stubborn arguments of solid reason.

May HE “who giveth wisdom to the wise, and understanding to the prudent,”² inspire you with all that CAUTION, MODERATION and SAGACITY, which shall enable the friends of a Federal Government to rise superior to the Craft of those who seek not the Glory, Peace and Prosperity of our “dear Country”!

1. A reference to the conversion of John Bacon of Stockbridge. See Stockbridge section.

2. Daniel 2:20–21. “Daniel answered and said, Blessed be the name of God for ever and ever: for wisdom and might are his: And he changeth the times and the seasons: he removeth kings, and setteth up kings: he giveth wisdom unto the wise, and knowledge to them that know understanding.”

Christopher Gore to Rufus King
*Boston, 23 December (excerpts)*¹

... Among those, who are elected, & are avowedly opposed to the form, none have yet appear'd of abilities, except Nat. Barrell from old York—Symmes a young lawyer of Andover, and Bishop—unless S. Adams may be consider'd as its enemy—wh I believe to be the case—Those who are in favor of the constitution feard the consequences of opposing S. A's election—they suppos'd he wou'd, in such mortification openly declare himself against it, and endeavor to make proselytes—Whereas, an election, by his townsmen, under an idea, that he was really its advocate, might damp his opposition, for he is too old not to know his dependence is more on the people, than theirs on him²—Further, it was said that his arguments cou'd be opposed, with greater probability of success, while he was a member—than, if he was absent, suggesting objections to small circles of the delegates—and that the rumour of his opposition woud weigh more, than any real objections he cou'd raise in Convention. . . .

... It was impossible to elect Sullivan in this town, I interested myself warmly in his favor—but the people will not confide in him and he may from this neglect be oppos'd—pray bring with you his letter in reply to yours wh. obviated his objections to the Constitution, it can do no hurt—& may answer a good purpose.³ . . .

1. RC, King Papers, NHi. The complete letter is printed in III above.

2. For an attempt to pressure Samuel Adams into voting for ratification of the Constitution, see "The Meeting of the Tradesmen of Boston on the Constitution," 7 January 1788 (III above).

3. See Sullivan to King, 23 and 28 September (RCS:Mass., 16-17, 21-22).

Many Citizens
*Massachusetts Centinel, 29 December*¹

A HINT.

As several towns have *instructed* their Delegates to *oppose* the Constitution—common prudence requires, that this town should also instruct theirs.

1. Reprinted: *Cumberland Gazette*, 3 January 1788; *New York Morning Post*, 7 January; *Maryland Journal*, 15 January.

Boxford, Essex County, 6 December
Aaron Wood (N)

Town Meeting, 6 December

At a Town Meeting held at the Meeting House in the first Parish in said Town on the aforesaid Day

Selectmen presideing the Honorable Aaron Wood Esqr. was chosen a Delegate to meet in Convention the second Wednesday of January next for rattification of the proposed Constitution.

Chose Majr. Asa Perley Moderator

Voted to chuse a Committee to give Instructions to the Delegate chosen to sit in Convention

Voted that this Meeting be adjourned to the thirteenth Day of December Instant at one O Clock afternoon

Town Meeting, 13 December

the Town met according to adjournment

Voted that Capt. Jonathan Foster, Mr. Nathan Andrews and Ensn. Daniel Nurse be a Committee to give Instructions to the Delegate chosen to meet in Convention the second Wednesday of January next.

Warrant Calling Town Meeting, 28 December

To Asa Peabody Constable of the Town of Boxford Greeting

You are hereby required in the Name of the Common Wealth of Massachusetts forthwith to warn all the Inhabitants of the Town of Boxford quallified to vote in Town Meeting to meet at the Meeting House in the first Parish in said Town on Thursday the third Day of January next at one O Clock in the afternoon on said Day to act on the following Articles

1ly. To chuse a Moderator to regulate said Meeting

2ly. To see if the Town will accept of the Instructions of the Committee given to the Delegate chosen to sit in the convention to be held at the State House in Boston on the Second Wednesday in January next.

3rdly. To see if the Town will vote to raise a suitable Sum of Money to defray Town Charges the present Year

Town Meeting, 3 January 1788

At Town Meeting held at the Meeting House in the first Parish in said Town, on the Day aforesaid

Mr. Nathan Andrews was chosen Moderator.

passing over the 2nd. Article in the Warrant; a Question was put; whether the Town will raise a suitable Sum of Money to defray Town charges the present year.

past in the negative.

Braintree, Suffolk County, 3 December
Richard Cranch (Y) Anthony Wibird (Y)

Town Meeting, 3 December

the Inhabitants of the town of Braintree Assembled at the meeting house in the Middle Precinct in Said town By Legal warrant the Particulars whereof are as follows

after a Morderator Chosen

First to Chuse a Delegate or Delegates to Represent them in a Convention which is to meet at the State house in Boston on the Second wednesday of January next according to a Resolve of the Legislature of this Common wealth the twenty fifth of october Last

2dly to See if the town will give to their Delegate or Delegates Instructions. . .

Voted that the Selectmen Should act as Morderators

Voted that the form of Government be Read at the opening of the meeting—

Voted to Pursued to the Choise of a Delegate or Delegates

Voted to Chuse two Persons to Represent them at the sd Convention then the Votes was given in Sorted & Counted and it appeared that Richard Cranch Esqr was Chosen for one of the Delegates then the Votes was given in Sorted & Counted & the Revd. Mr Anthony wiberd was Chosen for the other Delegate¹

Voted to Pass over the Second Artichel in the warrant

1. On 18 December Cotton Tufts wrote his niece Abigail Adams that "The Choice of Delegates (for our State Convention) in the County of Suffolk & Essex so far as they have proceeded, has in general fallen on the most respectable Characters The Town of Braintree, has done itself Honour in the Choice of Bro[the]r Cranch & the Revd. Mr Wibirt" (III above). Cranch was married to Abigail Adams's sister, Mary.

Bristol, Lincoln County, 17 December
William Jones (N)

Town Meeting, 17 December

agreeable to the foregoing warrent the following Votes ware Passed
 1ly. Voted Colonol Thos. Brackett moderator to Regulate Said meeting

2ly. after having the Representatives Report it was Satisfactory to the Town

3ly. Voted to Except the Constitution with ammdments Such as the Commy hereafter mentioned Shall make Voted Colonol Willm. Jones

Esqr. Bee a Delegate to attend the Convention at the Statehouse at Boston on the Second Wednesday of January Next Voted Lemuel Doe, Thos. McCluer, John Larmon, James Huston, Colonol Brackett, Capt. McIntyer, Thos. Johnston, Willm. McClain & Willm. Burns Bee a Comity to Scand the Constitution and make Such ammendments as they Shall think Proper and instruct our Deligate

Brookfield, Worcester County, 17 December
Daniel Forbes (N) Nathaniel Jenks (N)
James Nichols (A)

Dwight Foster: Minutes of an Address to the Town, 17 December¹

The Matter which now comes under the Consideration of the Inhabitants of the Town and is very soon to be attended to by a Convention formed by the free Suffrages of this and the other Towns within this State is a Subject of the greatest Magnitude as it involves the Welfare, the Prosperity and the political Happiness not only of the present Inhabitants of the United States, but the Welfare, the Peace, the Prosperity & political Happiness of our Posterity and Millions yet unborn—

It is not a Subject that ought to be passed upon without the most careful Attention, the most serious Consideration and the candid Discussion of the People in general, as well as those Gentlemen who are already & may yet be appointed & chosen to take it into Consideration and to determine the great, the important Question whether this State will ratify & confirm or whether they will reject the Constitution or Form of federal Government now proposed for the Subject of their Deliberation—

That something is absolutely necessary to be done “in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common Defence, promote the general Welfare and secure the Blessings of Liberty to Ourselves and our Posterity” is a Truth universally acknowledged & demands our most serious Consideration—

The distracted Situation of our federal Government, the Embarrassments on our Trade and Commerce, the Loss of publick Credit, the Contempt in which we begin to see Ourselves holden by Foreigners, the miserable Situation in which we should find Ourselves in Case of an Attack by a foreign Power & the Danger which the wise and good foresee we are in of a total Loss of our Liberties all evince the Necessity & Importance of doing something—What that something is or shall be is the great, the important Question.

The Question is not new—it has long been in Agitation and convinced of the Importance of the Measures to be taken twelve of the States sometime since made Choice of Delegates to represent them in a federal Convention which was holden at Philadelphia in the Course of the past Summer—

That Convention consisted of very respectable Characters from every State in the Union excepting Rhode Island—a remarkable Unanimity & Spirit of Condescension prevailed among them—they deliberated long—they have formed a Constitution which is now submitted to our Inspection—

I do not profess Myself a warm Advocate for it in its present Form—there are some things in it which as Individuals many of us perhaps may wish to have altered—whether it is best to adopt this or try for a new one is a Question of Importance which will undoubtedly come under the Consideration of the State Convention and be there discussed with Propriety & Candour and the Determination will doubtless be agreeable to sound Sense & rational Judgment & founded upon a firm Persuasion that the Measures they shall take will be most likely to promote the Peace, the Happiness & Prosperity of the People—

The Inhabitants of the Commonwealth of Massachusetts have peculiar Reasons to wish that some further Powers than what have heretofore been given may be delegated to Congress—In the Course of the late War this State brought into the Field a great Proportion of the continental Army;—at some Periods more than one half the whole Number of Troops were furnished by this State and brought into the Field at the Average Price of seventy pounds per Man—all that Money we raised & paid by Taxes upon our Polls & Estates—that Body of Men were in a great Measure fed and clothed at the Expence of this State and it is but reasonable that the other States should make us a Compensation—Congress in times past have been disposed to do it—But the States have withheld from them a Power to do us Justice—had they Authority to make a Navigation Act and to raise a Revenue by Imposts & Excises our Debts would not now remain uncanceled—Congress have from time to time made Requisitions upon the States—but it is a Fact that not one Individual of those Requisitions have been complied with—and consequently no Compensation has been made to Us—Our Seamen are out of Employment—our Trade is insulted—Our Vessels are seized & condemned in foreign Ports—foreigners reap the Advantages of the carrying Trade both of our Imports & Exports—Shipbuilding which might be exceedingly profitable to Us is almost at an End—but still, my Fellow-Citizens, our Situation is not desperate—we have it yet in our Power to save Ourselves—all that is requisite is a Spirit of

Unanimity & mutual Condescension—The Cup of Prosperity large and full is holden out to us—it remains with Us to determine whether we will adopt Measures for securing the Possession of it & transmit to our Posterity the Blessings of political Happiness or not—

We are now called upon, my Fellow-Citizens, to make Choice of Delegates to represent us in the Convention—I am glad to see so general an Assembly of the Inhabitants—It gives Me Pleasure to have an Opportunity to address so great a Number of worthy sensible Freemen who I am persuaded have the Interest of their Country at Heart—

It ought to be our Study to avoid Contention, divest Ourselves of Prejudice & Party-Spirit & to make Choice of worthy honest Men, Men of Integrity and sound Judgment, impartial & unprejudiced, who are capable of attending to the Force & Weight of Arguments as well against as in favour of the Constitution—and Men who will upon a due and serious Consideration act agreeably [to] the Dictates of sound Reason & a good Conscience—

We may then say with Cheerfulness we have done our Duty and may rest in humble Hope that we shall enjoy the Blessings of a Kind & indulgent Providence—

*Pelataiah Hitchcock to Enos Hitchcock
Brookfield, 30 December (excerpt)²*

. . . The Delegates to Convention are chosen in this Town—You may have the curiosity to know their Names, & if You are acquainted with their true Characters, they cannot fail to excite Your contempt—1st James Nichols, 2d Daniel Forbes 3d Mr — Jenkes;³ the latter is a Man of a better mind & superior abilities to either of the others; he will possibly do to use for upper Leather with other which is good & firm; but the two former were made to be kept under the foot—

It is the general sentiment among our politicians that the new System of Government will be accepted & ratified in this Commonwealth—I cant give You any information of a Public nature which You have not probably had already. . . .

1. MS, Foster Collection, MHi. Docketed: "Minutes of/an Address to/the Town/Decr. 1788 [i.e., 1787]." This item is probably a copy of a speech Foster delivered to the town meeting on 17 December 1787.

2. RC, Miscellaneous Manuscripts, Enos Hitchcock Papers, Rhode Island Historical Society. Pelataiah Hitchcock (1765–1851), a Harvard College graduate (1785), was a lawyer and the nephew of Enos Hitchcock, the pastor of the First or Benevolent Congregational Church in Providence, R.I.

3. Forbes, a wealthy farmer, represented Brookfield in the state House of Representatives, 1786–91. Nathaniel Jenks represented the town in 1787–88.

Brunswick, Cumberland County, 18 December
John Dunlap (Y)

Town Meeting, 18 December

At a Legal town meeting held in Brunswick on tuesday the 18 Day of Decr. 1787 Deacon Andw. Duning moderator it was put to vote whether or no the town would accept of the proposed form of Government for the United States as it now Stands and it appeard there was 23 for it and Seven against it then it was put to vote whether the town would Send a Delagate and it pasd in the affermative then the town made Choice of Capt John Dunlap as there Delagate to meet at the State house in Boston on the Second wednesday of Jany next

Cambridge, Middlesex County, 17 December*
Francis Dana (Y) Stephen Dana (Y)

Selectmen Meeting, 3 December

Voted That the Town Clerk issue the Warrants for warning the Town meeting on Monday next at 3 oClock in the Afternoon

1 For choosing Delegates to the State Convention

Selectmen Meeting, 10 December

The Town meeting for the choice of delegates which was to have been held this day, having failed by means of one of the Constables having neglected to return his Warrant

Voted That the Town Clerk issue Warrants for calling a meeting on Monday next at Two o'Clock in the Afternoon, & that he direct one Warrant to the Constable of the N.W parish & the other to the Constable of the first parish who is to warn for the first & third parishes

Nathaniel Gorham to Rufus King

Charlestown, 12 December (excerpt)¹

... The choice was to have been made at Cambridge on Monday last but the Constable never returned his warrant and though they sent three Messengers after him to Boston he was not to be found till 10 oClock at night—so the Meeting was lost & a New one is summoned for next Monday—Gerry would not have been chosen—I cannot tell how the people may change by the next Meeting. . . .

Massachusetts Gazette, 14 December

Anti-federal, says a correspondent, as *some* gentlemen are in a town little west of the metropolis, it is hoped, that their influence will *not* be so great, as that the choice of delegates to the ensuing Convention will fall on any of this unpopular stamp. The *falling through* of their town-meeting, our correspondent remarks, though similar to the fate of a late Rhode-Island assembly,² will not, it is presumed, be considered as ominous of the *falling through* of the new constitution.

Nathaniel Gorham to Henry Knox

*Charlestown, 16 December (excerpt)*³

... it is uncertain whether Mr. Gerry will be chosen tomorrow or not. . . .

A Federalist

*Massachusetts Centinel, 19 December*⁴

Cambridge, Dec. 18.

MR. RUSSELL, An inhabitant of this town wishes to inform the world, that yesterday the freeholders of the three parishes met at the Court-House for the purpose of choosing members to represent them at the approaching convention—when to the great joy of every real friend to America, Judge Dana and Col. Dana were chosen by a very great majority.—As a proof of the small effect produced either by Mr. Gerry's much read, and much condemned letter,⁵ or by Mr. *James Winthrop's* often repeated and unmeaning objections to the Federal Constitution⁶—those gentlemen had only one vote each, and these it is presumed were put in by every body guesses who.—In this instance this town has done itself immortal honour, and it is sincerely hoped it will continue to withhold its confidence from all those who at this all-important period are constantly endeavouring to prejudice the minds of the good people of this State against the plan which is now devised for our political salvation.

*Philadelphia Independent Gazetteer, 5 January 1788 (excerpts)*⁷

A CORRESPONDENT OBSERVES,

... The people of Cambridge, that seat of learning and general religion, have rejected the honorable Mr. Eldridge Gerry, and chosen in his stead the honorable Mr. Dana, one of their Supreme Judges, and late Envoy of the United States, in Russia.^(a) . . .

(a) *Quere*. What benefit has America derived from his Embassy?

*See also Christopher Gore to Rufus King, 23 December, and James Madison to Tench Coxe, 3 January 1788 (both III above).

1. RC, King Papers, NHi. For other excerpts from this letter, see the Boston and Stockbridge sections and the "General Commentaries on the Election of Convention Delegates," 29 November 1787–8 March 1788, which immediately follows the town elections documents. For the complete letter, see Mfm:Mass.

2. A reference to a short item in the *Newport Herald*, 4 October, which said that Rhode Island was "in a *falling* state." Credit, commerce, the state assembly, and supreme court had fallen through. It was reprinted eight times by the end of October, including the *Massachusetts Gazette*, 9 October; *Worcester Magazine*, 25 October; and *Essex Journal*, 31 October.

3. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York. For the complete letter, see RCS:Mass., 429–30.

4. Reprinted: *Pennsylvania Packet*, 1 January 1788; *Pennsylvania Journal*, 2 January.

5. For Elbridge Gerry's letter of 18 October to the General Court, see RCS:Mass., 94–100.

6. A reference to the essays written under the pseudonym "Agrippa."

7. On 8 January 1788 the *Independent Gazetteer* printed "verbatim" this item because the subscriber who submitted the piece "disapproved of" "some alterations" made by the *Gazetteer*. The second printing omitted the internal footnote. The revised version also appeared in the *Pennsylvania Packet*, 8 January, and *Pennsylvania Gazette*, 9 January. For other excerpts from this item, see the Stockbridge section and Appendix I.

Charlestown, Middlesex County, 3 December*
Nathaniel Gorham (Y)

Massachusetts Gazette, 7 December (excerpt)¹

... Charlestown, honourable Nathaniel Gorham, esquire 65 voters present, 56 of which were for mr. Gorham. . . .

*See also "Z," *American Herald*, 31 December (III above).

1. This excerpt was reprinted in the *American Herald*, 10 December.

Charlton, Worcester County, 10 December
Caleb Curtis (N) Ezra McIntire (N)

Town Meeting, 10 December

at a Legal Meeting of the Inhabitants of the Town of Charlton Regularly Assembled on ye. tenth Day of Decemr. 1787 to act on the Articles in ye. proseedng Warrant Did pass ye followng Votes (viz.)

Ily Voted and Chose Mr. Caleb Curtis and Mr. Ezra McIntier Deligates to Represent them in Convention also Voted and Chose a Committee to make a Draught of Instrucksons and three persons ware Chosen (viz) Nathl McIntier Major Ephraim, Capt. Wm. Tucker for that perpass

Voted and ajornd ye. meeting to Decemr. ye. 24th 1787 at one of the Clock after noon

Town Meeting, 24 December

Meet according to ajornment and Dismissed the above Commtee with ~~out giving~~ there Giving the affore Intended Instruksons and then voted and Dissolved the meeting of Decemr. the 10th 1787

Chatham, Barnstable County, 19 December

Town Meeting, 19 December

At a Town Meeting Leaguallly warned and attended at our Meeting House in Chatham on Wednesday the nineteenth day of December 1787 for the purpose hereafter Mentioned . . . after taking into Consideration the Constitution of the United States of America the Town chose not to send a member to the Convention of this State which is to sit at Boston

**Chelsea, Suffolk County, 3 December
Phillips Payson (Y)**

Town Meeting, 3 December

At a Town meeting Legally Assembled at the meeting House in Chelsea on monday the third day of Decembr. 1787 to act on the articles of the warrant Voted Capt. Saml. Sargeant Moderator; the new Constitution being Read the moderator Desired the Town to bring in their votes by yeas & nays to See if they would send a Delegate to meet the Convention at the State House in Boston on the Second wednesday of Janry. next to Confer upon the new Constitution, & it past in the Affirmative. Voted the Revd. Phillips Payson as a Delegate, which he accepted

Massachusetts Gazette, 7 December (excerpt)

Monday the town of Chelsea manifested their great desire for the establishment of the new federal constitution, by UNANIMOUSLY making choice of the reverend PHILLIPS PAYSON, for their representative in Convention. . . .

**Chesterfield, Hampshire County, 27 November
Benjamin Bonney (Y)**

Election Certificate, 3 January 1788¹

We the Subscribers do hereby Curtify that the town of Chesterfield at a Legal Meeting Made Choise of Colo Benjamin Bonney to Represent Said town in a State Convention which by a Resolve of the general Court is to Be holden or Convened at Boston on the Second wednesday of January Instant for the purpos of taking into thire Consideration the Constatution of the united states of america as agreed on by the Late Convention at Pholidelpha with full power on Behalf of Sd town to accept of Said Constatution or Reject the sam as He shall think most for the general good of the united states of america

1. MS, Constitutional Convention, 1788, M-Ar. The election certificate is subscribed by three selectmen. For a photographic copy of this election certificate, see Mfm:Mass.

**Cohasset, Suffolk County, 3 December
James Litchfield (A)**

Town Meeting, 3 December

At a Legal meeting held in the Town of Cohasset on the 3d. day of Decr AD 1787

James Litchfield was choosen moderator

Then the Constitution or frame of government of the united state[s] was read—Then Choose Thos Lothrop to represent them in convention who refused Serving then choose Ignatius Orcutt in his room he also refused Serving Then choose James Litchfield in his room

**Colrain, Hampshire County, 4 December
Samuel Eddy (N)**

Town Meeting, 4 December

at a Meeting of the Free holders & Other Inhabitants of the Town of Colrain Quallify'd by Law to vote for Representatives. The Select men Moderated,

Voted to Chuse a man to Attend the State Convention, at Boston in January next, Lieut. Samuel Eddy was chosen voted to chuse A Comtte. of Seven to give Lieut. Eddy Instructions, Revd. Mr. Taggart, Major Stevens, Colo. McClallen, Mr. Oren Smith, Mr. Jonathan McGee, Capt. David Willson & Deacon Hulbert were Chose—then Voted & Adjoun'd

this Meeting till Monday the Twenty fourth of this Instant at Ten O'Clock in the forenoon;

Town Meeting, 24 December

Met According to Adjournment, Voted & Accepted Unanimously the Report of the Committe to give Instructions to Lieut. Samuel Eddy by request of the Select men.

**Cummington and Plainfield, Hampshire County, 3 December
Edmund Lazell (Y)**

Town Meeting, 3 December

At a Legal Meeting of the Town of Cummington together with the District of Plainfield at the Publick Meeting House in Sd. Town on Monday the 3d Day of December 1787

Choose Mr. Edmund Lazell Delagate to Set in a Convention to be held at Boston the 2d Wednesday of January next. also Choose Nehemiah Richards, Deacon Packard, James Robinson, Noah Packard, Isaac Joy, Abijah Whitten, John Gloyd, Ebenezer Bisbee, Lemuel Spear to Give the Delegate Instructions

Dalton, Berkshire County, 27 December

The 25 October 1787 resolutions of the Massachusetts General Court provided that towns were entitled to elect the same number of delegates to the state ratifying convention as they were entitled to elect to the state House of Representatives. According to the Massachusetts constitution of 1780, towns incorporated after that date needed a minimum of 150 rateable polls to be qualified to send a delegate to the state House. (See note 1 to "Fair Play," *Massachusetts Centinel*, 5 December, in Boston section.) Because Dalton, incorporated in 1784, did not meet this standard, it was not eligible for representation in either the state House of Representatives or the ratifying convention. On 27 December 1787 Dalton's freeholders and other inhabitants qualified to vote in town meetings assembled and unanimously passed a resolution protesting the infringement of their natural rights to be represented in the ratifying convention.

*Town Meeting, 27 December*¹

At a legal Meeting of the Freeholders and other Inhabitants of the Town of Dalton, qualified by Law to vote in Town-meetings, held at the dwelling House of Mr. Chester Marsh on Thursday the 27th. of December 1787 at nine of the Clock in the morning

Lieut. Nathaniel Kellogg was chosen Moderator. . . .

... This meeting being called, among other things, to hear and consider the Constitution or frame of Government reported by the federal Convention begun and held at Philadelphia on the first Monday in May last, the said Constitution together with the Resolve of the General Court of this Commonwealth of the twentieth of October last, subjoined thereto, being read—in Order that posterity may be informed what Ideas this Town entertained of their natural Rights as Men, at this interesting Crisis of our federal Union, and may know that their Ancestors could feel an Injury, It was thereupon² resolved, nemine contradicente, First, that all Men, in certain Cases, are unequivocally and equally intitled to the Enjoyment of certain natural Rights—Secondly, that the forming themselves into Society and establishing a frame of Government is the common & equal Right of all Men, and therefore the Idea of any other Qualification than a Competency of Understanding and common Sense in Order to be intitled to a Voice in that Business is absurd—

Thirdly, that the Resolve of the General Court above mentioned, which excludes this Town from a Representation in the State Convention to be held at Boston on the second Wednesday of January next to whom the said Constitution is submitted for their Assent and Ratification, is partial and a manifest Infringement of our natural Rights as members of this Community:

Fourthly, that as it is agreeable to the clearest principles of natural Justice and true Liberty, that no people or person can be righteously bound by Laws to which there has been no Consent given in person or by Representation, therefore the Town of Dalton being thus separated from the privileges, ought in reason and Justice to be exempted from the Burthens & Obligations of that Government the Rest of the Community may see fit to establish, without us, for themselves—

1. The final version printed here is from the town record book, pp. 34–35, which is Dalton-Papers, Inventory Number 76a. An unsigned draft of that portion of the town meeting on the Constitution (on the back of a King George Tax Form for Hampshire County, 177-) is in the Dalton-Papers, Inventory Number 819b.

2. In the draft the next word “unanimously” is lined out and replaced with “nemine contradicente” interlined after the word “resolved.”

Danvers, Essex County, 11 December
Israel Hutchinson (N) Samuel Holten (A)

Town Meeting, 11 December

At a Legal Meeting of the Freeholders and other Inhabitants, of the Town of Danvers, Lawfully qualified to Vote, in the Election of Representatives, in the North Meeting-house in said Danvers Decr. 11th.

1787. at one o'Clock P.M. The question was put, to See if they would send any Delagates to the propos'd Convention, & it passd in the Affirmative. The Question was then put, to See if they wou'd send two Delagates to Said Convention. & it pass'd in the Affirmative.

Voted that one quarter of an hour, be allow'd the Electors to prepare & bring in their votes for Delagates

The time being out, and the votes all laid on the Table, the Selectmen, counted and Sorted the votes, the whole number of votes, was as follows.

Saml. Holten Esqr. had Sixty three

Israel Hutchinson Esqr. had fifty

William Shillaber Esqr. had fourteen

And the Selectmen Declar'd the Honl Saml Holten, & Israel Hutchinson, Esquires, duly Elected.

Voted not to give their Delagates any Instructions and left it with them, to assent to, and Ratify the same or otherways, as they think most Advisable.¹

Samuel Holten to David Prince
Danvers, 29 December²

(Saturday evē)

I have repeatedly been informed, that the Town of Danvers was pleased to honor me with their suffrages to represent them (with Colo Hutchinson) in the proposed convention which are to assemble on the 9th. of Jany next; but have recd̄ no official notice thereof from the Selectmen, therefore, I wish to know, if I may expect it, or whether the Selectmen intend to certify the election to the convention, so that I may govern myself accordingly. my intentions are to sit [i.e., set] out for Boston early on Tuesday mornng. the eighth.³

If you could make it convenient to call on me, in the course of next week, it wou'd give me pleasure.

1. The election certificate, dated 27 December 1787, contains an almost identical phrase: "... to Assent to, & Ratify the same, or otherwise, as they may think most Advisable" (Constitutional Convention, 1788, M-Ar). For a photographic copy of this election certificate, see Mfm:Mass.

2. FC, Holten Papers, DLC. In August Holten had returned from service in the Confederation Congress. Prince (1738–1797), a cordwainer, was a Danvers selectman, 1785–86, 1787–96.

3. Holten, who was expected to be one of the leaders against the Constitution, attended the Convention on 9 January 1788. According to the Convention payroll, he attended only eleven days, and he did not vote on ratification.

Dunstable, Middlesex County, 3 December
John Pitts (Y)

Nathaniel Gorham to Henry Knox
*Boston, 6 January 1788 (excerpt)*¹

... Mr Pitts of Dunstable being the only Man above Concord that can be depended on. . . .

1. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York. For the complete letter, see III above.

Easton, Bristol County, 14 December*
Ebenezer Tisdell (N)

Massachusetts Centinel, 5 December (excerpt)

DELEGATES TO STATE CONVENTION.

... Easton and Rehoboth, antifederal.

*According to the election certificate, the vote in favor of Ebenezer Tisdale was unanimous (Mfm:Mass.).

Falmouth, Cumberland County*
Daniel Ilsley (N) John K. Smith (Y)

*Cumberland Gazette, 30 November*¹

The town of Falmouth have made choice of Major Daniel Ilsley and General John K. Smith to represent them in the Convention to sit in Boston on the 2d Wednesday in January next.—The town consents to accept of the new constitution, with *amendments*.

Cumberland Gazette, 6 December

The information contained in our last, that the town of Falmouth consented to adopt the proposed constitution with amendments, was premature—the town passed no vote on the occasion.

Massachusetts Centinel, 19 December

The mention lately made in several of the papers (but not in the Centinel, as we doubted its authenticity) that the town of Falmouth had *voted to accept* the proposed Constitution, *with amendments*, was untrue. The town (*as was its duty*) passed no vote on the occasion.

*The town records from 1775 through 1849 are not extant.

1. Reprinted: *Massachusetts Gazette*, 7 December; *American Herald*, 10 December; *Hampshire Gazette*, 12 December; *New York Journal*, 14 December; *Hampshire Chronicle*, 18 December.

**Fitchburgh, Worcester County, 20 December
Daniel Putnam (N)**

Town Meeting, 20 December

Att a Legal Meeting of the Inhabitants of the Town of fitchburg Assembled Decmr. 20th 1787 To Elect some meet person to Represent them in the state house in Boston the second wedness in January Next a Greeable to a Resolve of Court 25 of october Last

1ly voted to have the Constitution Read before the Town befor any person be Choosen

2ly voted to Choose a person to Represent the Town in Convention at Boston as aforesaid

3ly voted & Choose Deacon Daniel Putnam to Represent said Town in Convention to be Convened at Boston the second wedness in January Next

4ly voted to Choose a Committee to instruct their Delagate or point out the Exposed Danger the people are Liable to in consequence the New Constitution should take place and Report before the Town their sentements

5ly Voted to Choose Eleven persons for a Committee for the above purpose

viz Phins Hartwell, Moses Hale, Elijah Willard, Oliver Stickney, David Mcintire, Robert Burnham, Luther Stone, Dr Jonas Marshall, Abraham Willard, Revernd John Payson, Dr Peter Snow

Voted this meeting to be adjourned to the Twentith fifth Day of this Instant December at one of the Clock in the after Noon in order to here the Report of the Committee

Town Meeting, 25 December

The Town meet according to Their adjournment ye meeting being opned then voted to adjourn this meeting to fryday ye 28th Day of this instant Decem. at three of the Clock in the after Noon the meeting is accordingly adjourned

Town Meeting, 28 December

The Town meett acording to their adjournment ye meeting being opned to hear the Report of their Committee Choosen to take into

Consideration the New Contitution or fraime of Government the Objections were Reported before said Town in Town meeting and Unanimously voted and Likewise voted that the Town Clerk Give a Tested Copy & vote of said Objections to their Delagate to present if Needfull in Convention to be Convened at ye state house in Boston ye second wednesday in January Next

**Foxborough, Suffolk County, 30 November
Ebenezer Warren (Y)**

Election Certificate, 30 November¹

At A Legal Meeting of the Inhabitants of the Town of Foxborough for the Purpose of Choosing some Person to Meet in A Convention to Be Holden in Boston the Second Wednesday in January Next Pursuant to A Recommendation of the Honl Genl Court For the Purpose of Revising and acting on A Constitution or Frame of Government For the United States of America. the Town haveing this Day Met and Choose Mr Ebenezer Warren For that Service

1. MS, Constitutional Convention, 1788, M-Ar. For a photographic copy of this election certificate, see Mfm:Mass.

**Fryeburg, York County, 6 December
Moses Ames (N)**

Town Meeting, 6 December

Agreeable to warrant for the choice of a Delegate to represent this Town in Convention to be held at Boston on the second wednesday of Jany. next,—the qualified voters assembled, and after reading the proposed Constitution for the united States by Paragraphs—

Mr. Moses Ames was then chosen Delegate

Voted to chuse a Committee of seven to prepare Instructions for the Delegate and report at the adjournment

Voted that Simon Frye Esqr., Mr. Paul Langdon, Captn. Joseph Frye, Lt. Stephen Farington, Lt. John Webster, Mr. Nathl. Merrill and Captn. John Evans be the Committee for the above purpose

the Meeting was then adjourned to the 20th Instant at 1 o'Clock P.M. then to meet at the same place

Town Meeting and Instructions, 20 December

Met according to adjournment and adjourned from Mr Abbot's house to the Meetinghouse, when the Committee reported the following Instructions to their Delegate Vizt.

To Mr. Moses Ames of Fryburg

Sir

As this Town have made choice of you to represent them in the proposed Convention; they have thereby reposed confidence in your Integrity and abilities to answer their Expectations on this important occasion; and as you will have opportunity of attending to every argument which probably can be adduced either in favor of, or in opposition to the proposed Constitution; this Town do not pretend critically to consider every objection that may be made to, or point out the merits of the same.—But the duty they owe themselves and posterity constrains them to express their disapprobation of some parts of the Constitution—

They conceive that the term and mode of appointment of the Senate, has a tendency to render that branch of the Congress perpetual—

That the Legislative power of Congress will supersede, and in its Consequences entirely vacate the Constitutions of the respective States— That the power of making treaties should have been vested in the Congress collectively—And it appears highly absurd to propose an Oath or Affirmation to the Officers of Government, of whom no religious test is required—The foregoing are the most material objections which you are instructed to make to the Constitution proposed—we would not wish that it should be entirely rejected, as we esteem it with proper amendments to be well calculated to promote the welfare of the Union

The above Instructions were read and accepted by the Town the Meeting was then dissolved

Gardner, Worcester County, 27 December

Town Meeting, 27 December

then meet agreeable to the above Warrant that the Selectman Gave for a meeting

Artical 1 Chose David Nichols modarator

Artical 2 Voted Not to Send a man to Convention

five Voted that they Did not Like the perposed Constitution Viz Capt Jackson, Capt Kilton, Samuel Stow, Joel Wheeler, David Conee

**Gorham, Cumberland County, 3 December
Stephen Longfellow, Jr. (N)**

Town Meeting, 3 December¹

At a Town Meeting duly warn'd, & held in the Meeting-house in Gorham, on Monday, the third Day of Decr. 1787, the following Votes were passd. vizt

Voted, To Send but one Delegate to the Convention who are to meet at Boston in Jany next.

Voted, That Mr. Stephen Longfellow Junr. Represent the Town of Gorham, as a Delegate in the Convention of Delegates who are to meet at the State House in Boston on the second Wednesday of January next, for the purpose of giving their Assent & Ratification to the Constitution lately agreed upon by the Convention who met at Philadelphia for the United States of America

Town Meeting, 24 December

At a Town Meeting, duly warn'd & held in the Meeting house in Gorham the 24th. Day of Decr. 1787, for the purpose of Choosing, an Additional Member for the Convention, who are [to] meet at Boston on the 2nd. Wednesday in Jany next.

Voted, Not to Choose an Additional Member for said Convention.

Cumberland Gazette, 3 January 1788

The town of Gorham has made choice of Mr. Stephen Longfellow, jun. to represent them in the State Convention. A motion was made to make choice of two delegates, but was over-ruled—least the Legislature, by this mean, should be induced to increase their taxes:—We mention this, however, in *confidence*.

1. According to "Oriental Junius," *Cumberland Gazette*, 13 December (Portland section), fifty-two voters attended this meeting.

Granby, Hampshire County, 3 December
Benjamin Eastman (N)

Town Meeting, 3 December

A Record of a Legal Town Meeting of the Inhabitants of the Town of Granby qualified as the Law Directs to Vote in the Choice of Representatives meet at the Meeting house in Granby on Monday the 3d. day of December 1787 for the purpose of Choosing a Deligate to attend the Convention to be held at Boston on the 2d. wednesday of January next for the purpose of ratifying the Constitution of the United States

1st Voted and made Choice of Phinehas Smith Moderator

2 Voted to move the Meeting to Jared Smiths

3 there assembled and made Choice of Lt John Moody Moderator in place of Phinehas Smith who was nessesary absent

- 4 Voted and made Choice of Mr Benjamin Eastman for Said Deligate
 5 Voted to Choose a Committee to give Instructions to their Deligate
 6 Voted and made Choice of Benjamin Eastman, Experience Smith,
 Deacon Nathan Smith, Capt Elijah Kent, Deacon Wm. Eastman, Reu-
 ben Moody, & Nathaniel Wait for Said Committee
 7 Voted to Adjurn this Meeting to thursday next at 2 of the Clock
 P:M:

Granville, Hampshire County, 3 December
Clark Cooley (N) John Hamilton (N)

Christopher Gore to Rufus King
*Boston, 30 December (excerpt)*¹

... Oliver Phelps, who has been much written to on the new constitution by Mr Osgood of the treasury board, wrote a friend of mine the last week,—that the people in his quarter, viz Berkshire, seeing the elections in this part of the state, had been convinc'd that opposition to the proposed system would be futile—that he had resign'd his seat in Convention, not intending to assume an active part in the opposition—that he really thought a majority of the delegates of Berkshire would be in favor of the Constitution—his refusing to become a member of the Convention is compleat evidence of his being satisfied, that opposition would be unsuccessful & unpopular. . . .

1. RC, King Papers, NHi. For the complete letter, see III above.

Great Barrington, Berkshire County, 3 December
Elijah Dwight (Y)

The animosity that divided Great Barrington during Shays's Rebellion persisted after the insurgency ended. Evidence of this ongoing hostility was the bitterness surrounding the election of the town's delegate to the state Convention. William Whiting and Elijah Dwight, the two opposing candidates, were on opposite sides during the rebellion.

Whiting (1730–1792), a native of Connecticut and a physician, moved to Great Barrington around 1765. He represented several Berkshire County towns, including Great Barrington, in the three provincial congresses, 1774–75; he represented Great Barrington in the state House of Representatives, 1775–76, 1781–82, and the state constitutional convention, 1779–80; and he represented Berkshire County in the state Senate, 1788–89. He served on the county court of common pleas, 1779–87 (chief judge, 1781–87). During the depression of the 1780s, he sympathized with debtors and was hostile to creditors and lawyers. As debtor discontent grew in 1786, Whiting wrote a series of essays signed "Gracchus." The first essay appeared the week before the scheduled

meeting of the county court of common pleas. Although Whiting later said the piece was intended to calm the debtors, his opponents charged that it had the opposite effect. The county court met on 12 September 1786, immediately adjourned *sine die*, and the judges went to Whiting's house. Whiting was one of the judges who signed a paper presented to them by a large mob, promising not to hold court again until the state constitution was revised or a new constitution was written. Opponents of the Shaysites accused Whiting of helping to draft the paper and speaking in its favor. In February 1787 Whiting was arrested and in April was convicted in the Supreme Judicial Court of writing seditious words and publishing inflammatory libel. He was fined £100 and sentenced to prison for seven months. Responding to petitions on Whiting's behalf, Governor James Bowdoin remitted the prison term but refused to waive the fine.

Elijah Dwight (1740–1794), a merchant, moved to Great Barrington in 1761, and the same year he was appointed clerk of the courts and register of probate for newly created Berkshire County. He was town clerk, 1764–70, and town treasurer, 1782–90. Dwight served in the state House of Representatives, 1784–85, state Senate, 1786–94, and on the county court of common pleas, 1787–94.

The freemen of Great Barrington assembled at the courthouse on 26 November 1787, and, despite the alleged partiality of the selectmen, the meeting elected William Whiting as the town's delegate to the state convention. Whiting, who received forty-three votes, was notified of his election, and he publicly accepted the appointment. The meeting appointed a five-man committee to draft instructions for Whiting and adjourned for half an hour. When it reconvened, the meeting considered other town matters. The five-man committee offered to make its report, but a motion was made to adjourn for a week. Despite the objection of several people, the moderator of the reconvened meeting (who was also a selectmen) called for a vote on adjournment and, without counting the votes, he declared the meeting adjourned.

The freemen met again on 3 December. As the first order of business, they considered the draft instructions, which stipulated (1) that the state legislature had no constitutional authority to appoint delegates to the Constitutional Convention that framed the Constitution, (2) that the Massachusetts delegates to the Constitutional Convention had violated their instructions to revise and amend the Articles of Confederation, (3) that the Constitution endangered liberty, and (4) that William Whiting should vote against the ratification of the Constitution. The meeting voted 55 to 51 to reject the draft instructions and then voted 57 to 48 to reconsider all previous votes. Someone protested that the previous meeting had not legally adjourned, thereby making the 3 December meeting illegal. He encouraged all those who agreed with him to leave the meeting. About half of those in attendance left; whereupon Elijah Dwight was elected as the town's convention delegate.

Whiting's supporters, many of whom had left before Dwight's election, sent remonstrances to the state Convention protesting the votes of six unqualified Dwight supporters and the disallowance of the votes of several qualified Whiting supporters. Petitioners asked the Convention to seat Whiting. Apparently hopeful of the success of these petitions, Whiting went to Boston.

On 11 January, the Convention appointed a seven-man committee to consider the disputed election. The next day the committee unanimously reported that the remonstrance "was not supported," and the Convention accepted the report.

Town Meeting, 26 November

At a Meeting of the freeholders and other Inhabitants of the Town of Great Barrington qualified to Vote in Town meeting Begun & held at the Court house in said Town on Monday the twenty Sixth Day of November 1787 to Chuse a Delegate to meet in Convention at the state house in Boston on the second Wednesday of January Next for the purposes of Mentioned in a Resolution of the General Court of the said Commonwealth passed on the 25th Day of October last Relative to a Constitution Reported to the Congress of the United States of America by the Continental Convention of Delegates Lately holden at Philadelphia . . .

And now the people being Assembled they Elected Doctr William Whiting to Represent them in Convention at Boston he had 43 Votes

Voted to Chuse a Committe to Give Instructions to the Delegate for the Convention which Instructions are to be laid Before the Town for their aprobaton

and Choose James Ray, John Vandusen, Elizer Deming, Daniel Chapman and Andrew Robbison for said Committe

Voted to ajourn this Meeting to Monday Next to Meet at the Court-house at one of the Clock afternoon

Draft Instructions, 26 November¹

To William Whiting Esq.

Whereas the Inhabitants of this Town of Grate Barrington have this Day elected you their Dellegate to meet in Convention on the Second tewsdays of January Next to take into consideration the new federal Constitution Lately proposed by a fedderial Convention holden at Philadelphia. We think it our Deuty to give you the following Instructions which you are to observe as the Rule of your conduct in s'd convention (viz)

First as the Constitution of this Commonwealth Invests the Legislature with no such Power as sending Delligates To a Convention for the purpose of framing a New System of Fedderal Government—we conceive that the Constitution now offered us is Destituce of any Constituental authority either states or fedderal.

2nd had the Delligates from this state been Constituentaly appointed yet their Commission extended no further than the Revising and

amending the former articles of Confederation—and therefore they could not pretend to the Least Colour of Right or authority from their Principles to Draw up a new form of Fedderial Government.

3d we think the Constitution Now offerd To our Exceptance and Ratification by no means Calculated to Secure to us and our Pos[t]erity those Estimable Liberties and Privileges which God and Nature have given us a Right to enjoy, Secure and defend; for we Do not find in the said Constitution any Security for the Election of the fedderial Representatives; nor for the Privilege of tryal by Jury in Civil Causses; neither is their Security for enjoying and Preserving Enestimable Privilege the freedom of the Press. You are herefore Directed Not to give your vote for the adopting the said Constituion; and you are Likewise to move in Convention when the grand Question is Put whether said Constituion be adopted or not that the Question be desided by Yeas or Nays and that the Names be Published that the world may know who are friends to the Liberties of this Commonwealth and who not.

*Theodore Sedgwick to Henry Van Schaack
Stockbridge, 28 November (excerpt)²*

You have doubtless heard that Whiting is elected in Greatbarrington. fortunately however the meeting stands adjourned till next Tuesday, when it is the intention of the friends of the constitution, (who are the friends of Government) to reconsider their former choice. This renders it indispensible that you should come prepared to go down there when you are here on friday; By the way all the dutch voted for Whiting and John Van Duisen brought forward one of his sons who is not 21. years of age till next march—W. has been as busy in that town as B.³ has in this. . . .

Town Meeting, 3 December

Met at time of ajournment and Voted not to accept of the Committes Instructions to the Delegate abovementioned 55 against Excepting said Instructions 51 for accepting them—Then Voted to Reconsider all the Votes passed at this meeting Previous to the present Day their was 57 for Reconsidering the former Votes 48 against it—It was then Motioned to see Whether the Town would proceed to the Choise of a Delegate to Represent them in Convention at Boston on the Second Wednesday of January Next and it passed in the afirmative—and the Town made Choise of Honle Elijah Dwight for their Delegate he had 53 Votes

*Henry Van Schaack to Theodore Sedgwick
Pittsfield, 4 December (excerpt)⁴*

... We are anxious to hear from G Barrington. We hope for the best but we are not without our fears—a line how things have been managed will gratify me exceedingly. . . .

*Theodore Sedgwick to Henry Van Schaack
Stockbridge, 5 December (excerpt)⁵*

... On sunday evening I went to G. B. I saw our friends, they were thoroughly awake and active. When the meeting opened I left the town. The contest was sharp and the victory on the side of truth and justice compleat. They rejected the instructions, reconsidered the election of Whiting & chose Dwight by a very handsome majority. . . .

*Town Clerk's Account of Election of a Delegate to the
Massachusetts Convention, December⁶*

At a Meeting of the Town of G Barrington Begun and held at the Court house in Said Town on Monday the Twenty sixth Day of Novr 1787

Doctr Wm. Whiting was Elected a Delegate for this Town to Represent them in Convention at Boston

he had 43 Votes

Voted to Chuse a Committe to Give Instructions to the Delegate for the Convention, which Instructions are to be Laid before the Town for their Approbation

and Chose—James Ray—John V: Duson—Elizer Deming—Danl. Chapman—& Andrew Robbison for Said Committe—

Voted to Ajourn this Meeting for half an hour—Met at Time of Ajournment—Voted to ajourn this Meeting to monday Next to meet at the Court house at one of the Clock afternoon

Met at Time of Ajournment and Voted not to Accept of the Committees Instructions to the Delegate Abovementioned, 55 against accepting Said Instructions, 51 for accepting them—

Then Voted to Reconsider all the Votes passed at this Meeting Previous to the present Day their was 57 for Reconsidering the former Votes 48 against it

it was then Motioned to See Whether the Town Would proceed to the Choice of a Delegate, to Represent them in Convention at Boston, on the Second Wednesday of January Next, and it passed in the Affirmative, and the Town made Choise of the Honbl. Elijah Dwight Esqr for their Delegate—

he had 53 Votes

A true Copy of the proceedings of the Town at their meeting from the Minutes

Att[est] Daniel Nash Town Clerk

Deposition of Fraudulent Voting, 3 January 1788⁷

The Testimony of Asel Martin of Colebrook in the County of Litchfield and State of Connecticut of Lawful age is as follows (Viz.)

This Deponant being Occasionally att Great Barrington in the County of Be[rk]shire on monday the Third Day of December Currant and Understanding that there was then an adjourned Town Meeting Convened in the Court House, which had been Called for the purpose of Chusing a Delegate to the State Convention, this Deponant went into the Courthouse and attended the Sd meeting for Some time as a Spectator, Whilst he was there he Saw two young men go Round Twice and put into the Hat Two Votes Each before the Hat was Turned Up of which he Did not observe that any Notice was taken by any persons: This Deponant has but Little Doubt in his own mind, that he Saw three persons Conduct in the Same Manner but He will not possitively Depose With Respect to but Two—as he Was a Stranger in that Town He Cannot name any one of them—further this Deponant Saith not

Asel Martin

Litchfield County ss Colebrook January 3d. 1788

Then personally apeared Asel Martin Subscriber to the foregoing Deposition, and after being Duly Sworn, and Carefully Cautioned to Testify the Truth and nothing But the truth, made Solemn Oath that the foregoing Deposition is the Truth the Whole Truth and nothing but the Truth, Before me

Elijah Rockwell Jus. peace

Deposition of Fraudulent Voting, 4 January⁸

The Testimony of Martine Remmelee, Henry McGonegal, Elizur Demon, William Patterson, Jonathan Pixley, Daniel Chapman, and Thomas Pier, all of Great Barrington in the County of Berkshire, of Lawful age is as follows (Viz) We attended a Town meeting In the Sd. town of Great Barrington on the Twenty sixth Day of November Last for the purpose of Chusing a Deligate To attend the State Convention to meet at Boston on the Second Wednesday in January Next for Considering the new federal Constitution. at this meeting there was a much Larger Collection of the Inhabitants of the Town than had been known to attend a Town meeting for Some a number of years; proclamation

being made by the Selectmen For the people to bring in their Votes for Delagate; it appeared that only two Persons were Voted for (viz) William Whiting and Elijah Dwight Esqrs—at this time there appeared an apparant Partiality in the Selectmen in favour of the Last mentioned Candidate Particulary in admiting Several Persons to Vote for Him whose Qualifications were to us Very Doubtful; and in Refusing the Votes of Several others of whose Constitutional Qualifications there Could be no Reasonable Doubt—however after Sorting and Counting the Votes the Selectmen Proclaimed to the meeting that they Had made Choice of Doctr William Whiting to be their Deligate and then Directed Him to be Called that it might be Known whether He accepted the office, Soon after which the Sd Deligate Publickly Declared his acceptance, a Committee was then Chosen to Draw up Instructions for the Said Deligate—a motion was then made by some of the Said Committee to have the meeting adjourned for Half an hour, and as there was some matters Inserted in the Warrant Respecting the Domestick affairs of the town: The Question was put and a Vote passed to adjourn the meeting for Chusing a Deligate for half an hour—The said Committee then withdrew and the town proceeded to Chuse a moderator in order to transact their ordinary Business and altho these Deponants Constantly attended the meeting from this Period untill it was Declared to be adjourned they never Heard any motion made or any thing Said With Respect to Opening the meeting for Chusing a Deligate, which had been adjourned for half an Hour, as these Deponants had through the Course of the meeting observed a Strong partiality in the Selectmen against the Election of Doctr. Whiting, and as one of the Sd Selectmen was Chosen moderator of the Second meeting, it was apparant to us that he Had a Design to Embarris the Town; and if Possible to Render the Election null and Void, particularly in Presuming to Determine Several Votes by His own authority, Declaring them to be Votes against the Voices of a number of the Voters Who objected to them, and Refusing to Have them made Certain. the Committee who had Withdrawn to Draw up Instructions now Returned and offered to Report their Draught they had made, and altho this motion Was Seconded and Strongly urged by Several members, Yet insted of puting the Question, a motion was made and Immediatly put by the moderator to adjourn the meeting for one Week, and altho upon the sd moderators Declaring it to be a Vote for an adjournment, Numbers of the People Cried out *No Vote*, and movd to have it made Certain, yet no Regard was paid thereto by Said moderator. But after Declaring the meeting to be adjourned for one week, He together with the other Select men and Town

Clerk Taking up the papers Immediately Left the House—these Deponants Could not but observe a Like partiality in the Conduct of the Selectmen at the said adjourned meeting particularly in admitting Voters, and we have not the Least Doubt that was the matter Impartially Inquired into Six persons at Least were permitted to Vote whose whole Estates put together would not be Sufficient to Qualify one Voter according to the Constitution; the Selectmen having Declared that there was a vote to Reconsider the doings of the former meeting, and having Calld. upon the people to bring in their Votes for a Deligate, one of the members arose and protested against the proceedings Declaring that as the former meeting was not Legally adjourned nothing which might be done at that meeting Could bind the Inhabitants, and Requested all those who were of His opinion to Leave the House, upon which about one half the members withdrew, and whereas there was Between Eighty and ninety Votes brought in for a Deligate at the former meeting, there was but Little upwards of fifty Brought in at this meeting and further Saith Not—

William Pattison

Jonathan Pixley

Elizer Deming

Thomas Pier

Martine Remmelee

Henry McGonegal

Berkshire County ss January 4th 1788

Then personally appeared Martine Remmelee, Elizer Deming, Hugh Umphry, Jonathan Pixley, Daniel Chapman, and Thomas Pier, Subscribers to the foregoing Deposition, and after being Duly Sworn, and Carefully Cautioned to Testify The Truth and Nothing But the Truth, made Solemn Oath that the foregoing Deposition is the Truth the whole Truth and Nothing But the Truth

Great Barrington January the 4—1788

Berkshire Ss. We the Subscribers Do Solemnly Affirm and Declare under the Pains and Penalties of Perjury, that the foregoing Deposition by us Subscribed is the Truth, the whole Truth, and nothing but the Truth; So help us God.

The reason of this Affirmation is this, to wit, We have applied to Two Justices of the Peace in this County (viz) Lemuell Barnard Esqr and Gyles Jackson Esqr both of Which have refused to Swear us upon the forgoing Deposition. The Select Men were notified—

William Pattison

Martine Remmelee

Elizer Deming
Jonathan Pixley
Henry McGonegal
Thomas Pier

Massachusetts Convention Journal, 11 January

A Remonstrance from certain inhabitants of Great Barrington against the election of the Hon. Elijah Dwight Esqr Read and committed to Mr Cabot, Mr. Nayson, General Whitney, Mr. Phelps, Mr. Fisher, Mr. Bourn and Mr. Cushing.

Massachusetts Convention Journal, 12 January

The Committee on the remonstrance of certain inhabitants of Great Barrington reported⁹ unanimously that it was not supported, and that the remonstrants have liberty to withdraw the same. Report accepted, and ordered accordingly.

1. Printed: Charles J. Taylor, *History of Great Barrington, (Berkshire County) Massachusetts* (Great Barrington, 1882), 317–18. According to Taylor the instructions were in the town files, and he printed them “verbatim et literatim, from the original.”

2. RC, Sedgwick Papers, MHi. For another excerpt from this letter, see the Stockbridge section.

3. John Bacon. (See the Stockbridge section.)

4. RC, Sedgwick Papers, MHi.

5. RC, Sedgwick Papers, MHi. The complete letter is printed in RCS:Mass., 384–85.

6. MS, Constitutional Convention, 1788, M-Ar. Docketed: “Proceedings at/Town Meeting/in G. Barrington/Nov. 1787.”

7. MS, *ibid.* Docketed: “Jan 3d. 1788/Deposition of/Asel Martin/As to Fraudulent/Voting in/Great Barrington.”

8. MS, *ibid.* Docketed: “Affirmation/G. Barrington/Jan. 1788.” Five similar “Remonstrances” with a total of 135 signatures are also located in this collection at the Massachusetts Archives. (See Mfm:Mass.) The “Remonstrances” end with an additional paragraph: “Therefore as the Said William Whiting Esqr. Was Regularly & Legally Ellected by a Considerable Majority in a very full Meeting Legally warned & assembled for that Express Purpose & was Declard So by the Selectmen of the Town, & as he their (being Called Upon by the Selectmen) publicly declared His acceptance & as no objections ever has or Could Be made, to the Legality of his Election & as the Pretended Election of his Competitor is the Reverse in allmost Every Circumstance, we appeal to your Honours who Doubtless have a Right to Determin The Legality of the Ellection of your own Members & Humbly Request that he may be admited to his Seate in the Convention, the Refusal of the Said Selectmen to give him a Certificate & the pretended Election of Elijah Dwight Esqr. not Withstanding.”

9. The committee’s manuscript report is in Constitutional Convention, 1788, M-Ar.

Hallowell, Lincoln County, 27 November
James Carr (N)

Town Meeting, 27 November

At a Meeting of the Inhabitants of the Town of Hallowell legally held in the Meeting-house, on tuesday the twenty Seventh day of November A.D. 1787.

1. Chose Capt. Enoch Page moderator
- 2 ——— Capt. Henry Sewall Clerk of the Meeting.
3. on Motion made, the Fœderal Constitution, with the Several Resolves accompanying it, were read in meeting; also the arguments of several writers for and against the said Fœderal Constitution.

The Vote being put to Choose a Deligate. the Votes were *Sixty two* for *Capt. James Carr*—*Eighteen* for *Mr. Brown Emerson*, and—*three*, for *Capt. Henry Sewall*—

Cumberland Gazette, 20 December

The Hon. David Mitchel, Esq. and John Merrill, Esq. are chosen to represent the town of North-Yarmouth in the approaching convention.—Mr. William Widgery, is chosen for the same purpose by the town of N. Gloucester. And Capt. Carr, for Hallowell.

The three towns above mentioned, we are informed, wish for alterations in the proposed national constitution.

Silas Lee to George Thatcher

*Biddeford, 23 January 1788 (excerpt)*¹

... At Hallowell only seven in favour of it [i.e., the Constitution]. . . .

1. RC, Chamberlain Collection, Thatcher Papers, MB. For the complete letter, see III above.

Harpswell, Cumberland County, 10 December
Isaac Snow (Y)

Town Meeting, 10 December

at a Legal Town meeting of the freeholders and other Inhabitants of the Town of Harpswell Legally warned according to Due Course of Law: and Regularly assembled on the Tenth Day of December AD 1787 for the purpose of Chousing a Delegate to attend the Convention at Boston on the Second Wednesday of January next—Deacon Andrew Duning

Choose Moderator: voted to Send a Delegate to attend at the Convention voted that the Revd Samuel Eaton, Deacon Andrew Duning, Benjamin Duning Esqr, Capt Nehemiah Curtis and Leutn John Rodick be a Committee to give Instructions to Capt Isaac Snow who was Choose a Delegate to attend on Said Convention—

Town Meeting, 28 December

at a Town meeting of the freeholders & other Inhabitants of the Town of Harpswell Legally warned according to Due Course of Law and Regularly assembled on the 28 Day of December 1787 for the Purpose of hearing the Instructions Read the above his [i.e., as] Drawn up to be given to the Delegate that is Chosen to Represent the Town at the Convention in Boston on the Second wednesday of January next at the State house in Boston Capt Nehemiah Curtis Choose moderator voted to Exsept the federal Constitution with Amendment &c

**Harvard, Worcester County, 17 December
Josiah Whitney (N)**

Town Meeting, 22 November

The Town being assembled agreeable to the foregoing Warrant proceeded to act on

Article 1st.¹ After hearing the Constitution Read, Voted to adjourn this article to monday the Tenth day of December next at one oClock afternoon.

Town Meeting, 10 December

The Town being assembled agreeable to the foregoing adjournment, Proceeded to act further on the first article, in the Warrant—The Vote was Called to see whether the Town would Send a Delagate, to represent this Town in a State Convention to be Convened at Boston on the Second Wensday in January next, and it passed in the affirmative; Then Voted to Chuse a Committee of Seven (viz Benj; Kimball, Thomas Park, John Munroe, Josiah Whitney, Joseph Stone, Richard Harris & Joseph Atherton) To prepare some Instructions for Said Delagate & make report to the Town at the adjournment of this article—Then Voted and adjourned this article to monday the Seventeenth of Decr. Instant at Nine oClock in the forenoon—

Town Meeting, 17 December

The Town being assembled agreeable to the foregoing adjournment, proceeded to act further on Said Warrant and the Town Clerk being

absent by Sickness, proceeded to, Chuse a Clerk Pro tempore & made Choice of John Munroe Therefor, a motion being made & Seconded to hear Report of the Towns Committee for preparing instructions for a Proposed delegate, Voted to hear Said Report & accordingly it was Read, Then proceeded to the Choice of a Delegate—then Voted & Chose Josiah Whitney Esqr. for that purpose—Then Voted & Excepted the Instructions drawn up by Towns Committee for their Delegate

Instructions, 17 December²

To JOSIAH WITNEY, Esq.

We, the inhabitants of Harvard, have chosen you to meet in Convention, to be convened at Boston, the 2d Wednesday of January next, for the purpose of considering the proposed Federal Constitution.—The question that will undoubtedly arise is, Whether the proposed Constitution shall be adopted or not.

We are constrained to INSTRUCT you, That, on this question, you give your negative vote; at the same time, convinced of the necessity of having a System of Government established for the United States, that shall be adequate for the support of the Union, and one, that will secure to the several States, not only a Republican Form of Government, but vested with such powers as are sufficient for the purpose of legislation. We are of opinion, that the proposed Constitution will, if adopted, effectually destroy the sovereignty of the States, and establish a National Government, that, in all probability, will soon bring the good people of the United States under Despotism.

Among the many objections, we have to the proposed Constitution, we would suggest to you a few of the most material ones:—And first, we conceive a Bill of Right[s] essentially necessary.

2dly. The Senators remaining in office 6 years, and being chosen by rotation.

3dly. Congress having power of altering the time and manner of holding elections for Senators and Representatives.

4thly. Congress having unlimited power of laying and collecting taxes, duties, imposts and excises.

5thly. The President and Vice President continuing in office the term of four years, and the President vested with power dangerous to a free people.

6thly. The Judicial power is or may be such as greatly to distress the subjects, and leave their property insecure.

7th. That no religious test shall be required as a qualification to any office or public trust, under the United States.

These, Sir, are objections you will attend to, and such others as may appear to you reasonable. We would however remind you of that part of the Constitution, where it is thus expressed "This Constitution, and the Laws of the United States, which shall be made in pursuance thereof; and all treaties made, or which shall be made under the authority of the United States, shall be the Supreme Law of the Land; and the Judges in every State, shall be bound thereby, any thing in the Constitution, or Laws of any State to the contrary notwithstanding." And finally, we are of opinion, that amendments may be made upon the Confederation of the United States, by vesting Congress with greater Powers, without so totally changing and altering the same, as the proposed Constitution has a tendency to.

By order of the Committee,
BENJAMIN KIMBALL, *Chairman.*

Voted, and accepted by said Town.

Attest. FRANCIS FARR, *Town-Clerk.*

1. On 16 November the selectmen issued a warrant calling for a town meeting to convene at 1:00 P.M. on 22 November at the meeting house in Harvard. Article 1 of the warrant called for the freemen to elect a convention delegate and to "pass any vote, or Votes as the Town may think proper on this article."

2. Printed: *American Herald*, 21 January 1788. The instructions are preceded by: "Mr. Powars, You are requested to publish the following in your next Herald."

Holden, Worcester County, 26 November
Joseph Davis (N)

Town Meeting, 26 November

Town Meeting opened

Article first Jason Gleazen Chosen Moderator

2dly Voted to chuse a Deligate to Set in Convention Rev'd Joseph Davis Chosen—

Voted to chuse a Committee to Instruct the afore Sd Deligate. 5 Men Chosen Viz.—Deacon David Fisk, Doctor Isaac Chenery, Capt. Ebenr. Estabrook, Jason Gleazen, Josiah Stratton . . .

Voted to adjourn this Meeting to the Second Monday in December at 12 O Clock noon at this Place—

Town Meeting, 10 December

Town Meeting opened according to Adjournment. The Instructions of the above Committee to their Deligate, was Read and accepted

Holliston, Middlesex County, 24 December
Staples Chamberlain (N)

Town Meeting, 10 December

At a Legal Meeting of the Inhabitants of the Town of Holliston held at the Public Meeting house in said Town on Monday December ye 10th. 1787—

1st. Voted to Chuse a Person to Represent said Inhabitants in a Convention to meet at the State House in Boston on the second Wednesday of January next agreeable to a Resolve of the General Court, Recommending that the Constitution or Frame of Government for the United States of America as reported by the late Convention held at Philadelphia be Submitted to the said Convention to meet at Boston as aforesaid for their assent and ratification—

2ly. Voted that Samuel Park Esqr., Capt. Samuel Bullard, Deacon Moses Hill, Thaddeus Lovering, Timothy Rockwood, Capt. Staples Chamberlin, Samuel Bullard Jur., Capt. Ezra Eames & Lt. Jonathan Wiswell be a Committee to take said Frame of Government into Consideration, as also to Consider what Instructions will be necessary to be given to their Delegate when Chosen—

The Meeting was then adjourned to Monday the twenty fourth Day of December Instant at twelve o'Clock at noon—

Town Meeting, 24 December

The Inhabitants of the Town of Holliston then met upon the Adjournment—

1st. Voted to reject the said Frame of Government as it now stands—

2ly. Capt. Staples Chamberlain was Chosen to represent said Inhabitants in said Convention to meet at Boston as aforesaid—

3ly. Voted that Samuel Park Esqr. and others the Committee Chosen the tenth Day of December Instant, Give such Instructions from time to time to said Chamberlin as may be necessary—

Hopkinton, Middlesex County, 10 December
Gilbert Dench (N)

Town Meeting, 10 December

The Inhabitants being Assembled according to warning it being for the purpose of Choosing a Deligate to Represent Said Town in a State

Convention agreeable to a Resolve of Congress and of the General Court of this Commonwealth

Chose Capt. Gilbert Dench to Represent them in Said Convention

Then Voted to Chuse A Committee to Instruct Sd Deligate Consisting [of] nine: Capt. McFarland, Matthew Metcalf, Isaac Clark, Isaac Burnass, Samuel Haven, Doctr. Wilson, Abel Fisk, Capt. Perry, Cap Homer

Town Meeting, 31 December

The Inhabitants of Sd Town being Assembled according to warning Passed the following Votes

1st. Chose Capt McFarland Moderator

2ly Voted to Exept of the Instructions that was read before the Town that was Drawn by a Committee Chosen for the purpose of Instructing their Deligate to the Late State Convention also voted that the said Deligate put them in the Publick News papers

Massachusetts Centinel, 24 May 1788 (excerpt)¹

. . . The town of *Hopkinton*, almost to a man were *once* against it [i.e., the Constitution]; but a few days since Capt. *Dench*, their delegate in Convention, declared publickly in this town [i.e., Boston], *that there were not ten men in that town, who would not now spend the last drop of their blood in its support.* . . .

1. Reprinted: *American Herald*, 26 May; *Salem Mercury*, 27 May; *Newport Herald*, 29 May; *Maryland Journal*, 17 June.

Ipswich, Essex County, 3 December*

John Choate (Y)
Michael Farley (Y)

Jonathan Cogswell (Y)
Daniel Noyes (Y)

Town Meeting, 20 November (morning)

At a Legal Meeting of the Freeholders and Others the Inhabitants of the Town of Ipswich Qualified According to law to Vote for Representatives Novr. 20th 1787 Selectmen Present—

The Vote being Put whither the Town would Choose any Persons as Deligates for to Represent them in Convention to be Holden at Boston on the second Wednesday of Jany. Next, it Passed in the Affirmative

The Vote being put whither the Town would Choose four Persons to Represent them in Convention to be holden at Boston on the second Wednesday of Jany. Next to take into Consideration the Constitution

or Frame of Government Proposed for the United States of America, it Passed in the Affirmative

The Vote being put whither the Town would bring in their Votes for the four Deligates all at one Time it Passed in the Negative

The Vote being put whither The Town would have the Constitution, or Frame of Government, Read Paragraft by Paragraft, Making Proper pauses that Persons may have Oppertunity to Make such Observation thereon as they may think Proper it Passed in the Affirmative

Voted, that this Meeting be Adjourn'd to two oClock this Afternoon to this Place

Town Meeting, 20 November (afternoon)

Two oClock the Meeting for the Purpose of Choosing Deligates, Met According to Adjournment

Selectmen Present

The Constitution having been read Agreeably to a former Vote, And the Question, being put whether the Town would Adjourn this Meeting to some future day, it Passed in the Affirmative

Voted that this Meeting be adjourn'd to Monday the third day of Decr. Next to Nine oClock in the forenoon

Samuel Adams Diary

Ipswich, 20 November (excerpt)¹

Cloudy but moderate—spent great part of the day in attending Town meeting, for the Choice of delegates to attend the Convention to be holden in Boston 2d. wednesday in Jany. next to consider the form of Goverment for the United States of America reported by the late federal Convention—the Town voted to send four delegates and then went upon the merits of the proposed form of goverment, in the debates upon which [neg?] Dr. M—g² took a very active part but not a very patriotic (as I think) nor a very sensible one—these debates took up the day, and the meeting was adjourned to the 3d. of Decr. without choosing the delegates. . . .

Town Meeting, 3 December (morning)

At a Legal Meeting of the Freeholders and Others the Inhabitants of the Town of Ipswich (Qualified According to Law to Vote for the Election of Representatives) Novr 20th 1787 And Continued by Adjournment to Decr. 3d 1787

Selectmen Present.

Voted, that this Meeting be adjourn'd to two oClock this Afternoon

Town Meeting, 3 December (afternoon)

Two oClock Meet according to adjournment.

Voted, that the Meeting be Adjourn'd to the Meeting House of the first Parrish

Attest Nathl. Wade Town Clerk

And Met at the Meeting House Agreeably to the Vote, of the Town

The Town then Proceeded to Choose their Deligates—the Votes being Brout. in and sorted & the following Gentn. were Elected by the Major part of the Electors Present (Viz)

Honble. Michael Farley Esqr. Whole Numbr Voters 252/Numbr Votes 157

John Choate Esqr Whole Number Voters 258/for Squire Choate 146

Daniel Noyes Esqr Number of Voters 252/for Squire Noyes 127

Colo. Jona. Cogswell No Voters 249/for Colo. Cogswell 133

Voted, that this Meeting be Disolved

Samuel Adams Diary

*Ipswich, 3 December (excerpt)*³

fair & pleasant for December, spent great part of the day at town Meeting—the Town made choice of Genl. Farley, Jno. Choate Esqr. D. Noyes Esqr. and Col. Jona. Cogswell for their delegates to the state convention to be holden at Boston on the 2d. wednesday in Jany. next. . . .

Warrant Calling Town Meeting, 19 December

To Mager Gould Constable of the Town of Ipswich in Sd. County—Greeting

You are hereby required in the Name of the Common Wealth of Massachusetts, to Notify and Warn the Freeholders & Others the Inhabitants of the Town of Ipswich Qualified to Vote in Town Affairs, to Assemble & Meet at the Town House in sd. Town on Tuesday the Twenty fifth of December Instant at one oClock in the afternoon in Order to take into Consideration the propos'd Constitution which the Honble. Continental Convention have recommended to the People of the United States of America; Also the Honble. Elbridge Gerrys Objections to the Same,⁴ and to Express their Minds thereon, And to Instruct the Several Gentlemen which were lately Elected to Represent this Town in the State Convention which is to Meet at Boston on the second Wednesday of Jany. Next, in such a Manner as to the Town then and there may seem Meet, And to pass any Vote or Votes Respecting Sd. Constitution, or Instructions respecting the same as may then and there

be thought proper. . . . hereof fail not and make Return to the Selectmen on or before sd. day

Town Meeting, 25 December

At a Legal Meeting of the Freeholders and Others the Inhabitants of the Town of Ipswich Decr. 25th 1787

Voted, That the Honble. General Farley be Moderator

Mov'd & seconded, that the mind of the Town be tried whither they will take into Consideration at this time the Constitution proposed for the United States of America

The Question being put, it Was Mov'd that the House be Divided and the Number of Voters for and against the Motion be Counted

Voted, that Daniel Noyes Esqr., John Manning Esqr., Deacon John Crocker & Capt. Daniel Rogers be appointed to Count the Voters. And there appeared to be for Motion 61 against the Motion 102

The Vote being put, whither the Town Would hear the Honble. Elbridge Gerry's Objections to the propos'd Constitution it passed in the Negative

The Vote being put whither the Town Would give Instructions to the Gentlemen Chosen to Represent them in Convention to meet at Boston on the second Wednesday of Jany. Next; it passed in the Negative.

Samuel Adams Diary

*Ipswich, 25 December (excerpts)*⁵

fair & very pleasant—Christmas . . . attended town Meeting p.m. called at the request of the opposers of the new federal constitution but they did not obtain their end all their motions being negated—& the meeting dissolved. . . .

*See also Christopher Gore to Rufus King, 6 January 1788 (Newbury section).

1. MS, Adams Diary, NN. Not to be confused with Samuel Adams of Boston, Samuel Adams of Ipswich (1745–1819), a Connecticut native, was a surgeon during the Revolution. He practiced in Truro and Ipswich before moving to Bath (Maine) in 1798.

2. Probably John Manning (1738–1824), an Ipswich physician, who served in the state House of Representatives, 1781–83, 1784–85, 1787–88, 1789–93, and 1794–95.

3. MS, Adams Diary, NN.

4. For Elbridge Gerry's objections, see his letter of 18 October to the General Court (RCS:Mass., 94–100).

5. MS, Adams Diary, NN.

Kittery, York County, 17 December
Mark Adams (N) James Neal (N)

Town Meeting, 10 December

at a Legal Town meeting held in Kittery December the 10th. 1787
 Voted to adjourn the meeting until ye 17th. of this instant December
 at this place

Town Meeting, 17 December

Met at ye adjournment December ye 17th. 1787
 Voted to send two Diligates to the Convention to be held in Boston
 Concerning ye federal Constitution. Misures Mark Adam and James
 Neal Were Chosen Deligates for the a fore sd service¹—
 Voted not to Except of the federal Constitution—

1. On 12 December Jeremiah Hill wrote that "Kittery I hear has Mr. Chauncey in nomination" (to George Thatcher, 12 December, Chamberlain Collection, Thatcher Papers, MB. Other excerpts from this letter are in the Berwick and Biddeford sections.). A week later, the *Massachusetts Centinel*, 19 December, reported that the Reverend Mr. Stevens had been elected for Kittery. In early January 1788 Jeremiah Hill and David Sewall each wrote to George Thatcher stating that Adams and Neal, a Quaker, had been elected.

Lancaster, Worcester County, 20 November*
John Sprague (Y)

Town Meeting, 20 November

The Freeholders and other Inhabitants of Said Town legally Quallified to Vote in Town Affairs, and also in the Choice of Repre[se]ntative to go to the Genl. Court being legally Assembled this day passed the following votes viz. 1st. Voted & Chose Mr. Peter Green Modr. of Sd. meeting . . .

5th. Voted & Chose the Honle. John Sprague Esqr. a delegate to represent the Town in the Convention to be holden at Boston on the 2d. Wednesday of January next agreeably to a late Resolve of the Genl Court

6 Voted to Choose a Committee of Seven to draw up instructions for the Said Delegate

7th. Voted & Chose Dr. Benja. Houghton, Saml Ward, Capt. Ephrm Carter, Capt. Timo[thy] Whiting Jur., Dr. Cyrus Fairbank, Dr. Josiah Ballard and Mr. Jona. Wilder as a Committee for the above purpose . . .

Voted to Adjourn this meeting to the 3d. Monday in December next at one oClock P.M.

*George Benson to Nicholas Brown
Boston, 3 February 1788¹*

... Mr. Sprague (Lancaster) a Gentleman of Ability & reputation inform'd the President that he was Chosen to Oppose the Constitution & for that Purpose was instructed & that his Constituents had specified their objections &c. but that in the Course of his attendance in Convention he had heard the respective articles of the Constitution so amply Discuss'd & the Propriety evinc'd with such Perspicuity & Candour, that he had obtain'd Leave of the Town to exercise his own Judgment &c. &c. . . .

*See also *Worcester Magazine*, 29 November ("General Commentaries on the Election of Convention Delegates," 29 November 1787–8 March 1788, which immediately follows the town elections documents).

1. RC, Brown Papers, John Carter Brown Library, Providence, R.I. The letter is also dated "sunday Evening." A longer excerpt from this letter is in V below.

**Lee, Berkshire County, 30 November
Jesse Bradley (N)**

Town Meeting, 30 November

At a Legal Town Meeting November 30th. 1787—Voted to send a Delegate to Attend the Convention to sit in Boston on the second Wednesday of January Next, to consider of the New Constitution, Made Choice of Deacon Jesse Bradley as a Delegate to attend the Convention as above.

Town Meeting, 2 January 1788

At a Legal Town Meeting

Chose Deacon Jesse Bradley Moderator—Voted to give our Delagate Chosen to attend the State Convention to take into consideration the New Constitution No Written Instructions—

**Lenox, Berkshire County, 17 December
Lemuel Collins (N)**

Town Meeting, 10 December

At a legal Town Meeting held agreeable to the fore going Warrant
1 Chose a Moderator which was Mr Andrew Hyde
2 Voted that the federal Constitution be read

3 Voted that this Meeting be adjourned to Monday the seventeenth instant at the meeting house that the Inhabitants of the Town may have sufficient opportunity to peruse and understand the same and it was accordingly adjourned by the moderator

Town Meeting, 17 December

met according to adjournment. meeting being opened by the moderator

Chose Lemuel Collins a Delegate to represent this town in a Convention to be holden in Boston at the state House for the purpose of giving their consent and ratification to the Constitution reported by a Convention of the United States of America on the second wednesday of January next

**Leverett, Hampshire County, 10 December
Jonathan Hubbard (N)**

Town Meeting, 10 December

At a Legal Meeting of the Inhabitants of Leverett on 10th. Decr. 1787 for the purpose of Chusing a Deligate to Set in Convention

1st. Voted Moses Graves Moderator to lead Sd. Meeting

2ly. Voted Jonathan Hubberd Deligate to Set in Convention at Boston the Second week in January Next

3ly. Voted we disapprove of ye. Federal Constitution

**Littleton, Middlesex County, 17 December
Samuel Reed (N)**

Town Meeting, 17 December

At a Legal Town Meeting of the Freeholders and other Inhabitants of Said Town Quallified to Vote for a Representative and also to Vote in Town affairs, The following Votes were passed (Viz.)

1st. Made Choice of Lieut. Samuel Reed as a Delegate to Represent Said Town in a State Convention

2dly. Voted to Chuse a Committee to Draught Instructions for Said Delegate, Made Choice of the following Persons Viz. Revd. Edmund Foster, Isaac Reed, Sampson Tuttle, Coll John Porter, Lieut Daniel Kimball, Jonathan Reed Esqr., James King

3ly. Voted to Adjourn the meeting for Two Weeks at one of the Clock afternoon

Town Meeting, 31 December

The Town meet according to the above Adjournment, and Voted to Reconsider the Vote that was pased in Regard to Instructing the Delegate

Loudon, Berkshire County, 24 December*
Joshua Lawton (N)

Town Meeting, 24 December

at a Legal Town Meeting of the freeholders and other Inhabitants of the Town of Loudon Qualified by Law to Vote in Town Meetings, proceeded to Business and Voted for Mr Joshua Lawton Moderator of said Meeting; 2nd Voted Joshua Lawton Delegate to attend the Convention to be holden at Boston on the 2nd Wednesday of January Next, 3rdly ordered him not to accept the New Constitution

*In 1810 the town of Loudon was renamed Otis.

Ludlow, Hampshire County, 11 December
John Jennings (N)

Town Meeting, 11 December

At a Lawfull meeting of the town of Ludlow Legally warned and lawfully assembled att the meeting hous in Said town on tuesday ye 11th Day of December 1787 at ten of the Clock in the forenoon

Joel Nash Moderator—

Voted that the meeting be ajorned at the house of Solomon L. Fullers—

Voted to Send John Jennings to the Convention at Boston—

Voted to Instruct ye Delegate to use his influence that the proposed Constitution be intirely Rejected

Lunenburg, Worcester County, 3 December
John Fuller (N)

Town Meeting, 3 December¹

At a Legal meeting of the inhabitants of the town [of] Lunenburg Decm. 3: 1787 Voted & Chose Capt John Fuller moderator: Voted to

adjorn the meeting to monday the tenth instant at three Oclock in the afternoon

Town Meeting, 10 December

the [town] met agreeable to adjournment . . . Voted further to adjorn the meeting to monday the twenty fourth instant at one oclock in the afternoon

Town Meeting, 24 December

the town met accordingly . . .

Voted that it be recorded on the town book that the town instructed their Deputy not to accept of the Proposed Constitution and that the instructions be put on file

1. The election of John Fuller, Lunenburgh's convention delegate, is not recorded in the town records. The election certificate indicates that Fuller was elected on 3 December.

Lynn and Lynnfield, Essex County, 10 December
John Burnham (Y) John Carnes (Y)

Town Meeting, 10 December¹

At a Legall meeting of the Inhabitants of the Town of Lynn and District of Lynnfield on monday the 10th day of December 1787

Voted to Choose two delegates to Represent the Sd Town and District in a Convention to be holden at Boston on the Second wedsnday in January next for the purpose of addopting or refusing the Constitution or frame of Government for the united States of America

Chose by Vote mr John Carnes & Cptn John Burnham for the above mentioned Delegates

John Carnes Esqr	38	} Votes
Cptn John Burnham	34	

1. The minutes printed here are from the Lynnfield town records. In the Lynn town records Carnes is listed as a resident of Lynn and Burnham as a resident of Lynnfield.

Machias, Lincoln County, 21 November
David Gardner (A)

Town Meeting, 21 November

Agreeable to the within Warrant the Inhabitants of the Town of Machias met at the time & place within mentioned & made Choice of Benjamin Foster Esqr. Moderator—

Voted that David Gardiner be and hereby is appointed to represent this Town in the Convention called by the Legislature of this Commonwealth for to take into consideration the constitution for the Government of the United States of America and that our said Representative give his Vote for Adopting the same—

Mansfield, Bristol County, 3 December
John Pratt (N)

Town Meeting, 3 December

Agreable to the foregoing warrant the inhabitants met the Selectmen Red the Warrant and then proseeded

Ily Called for the Votes to Be brought in for a person to Represent them in sd. Conventional and when brought in and Counted their apعاد [i.e., appeared] to be a majority for Capt John Pratt: Jonathan Newcomb Constable Summoned sd. Pratt to atten the business for which he was Chosen the Selectmen & town Clerk mad out a Certificat and Delivid it to sd. Pratt

Voted to Dismiss sd meeting and it was Dismisd acordingly

Medfield, Suffolk County, 25 December
John Baxter, Jr. (Y)

Warrant Calling Town Meeting, 10 December

To the Constable of the Town of Medfield Greeting

In the Name of the Commonwealth of Massachusetts You are Hereby required forthwith to warne the Freeholders and Other Inhabitants of Said Town, Such as are Qualified by Law To Vote for a Representative to meet att the Meeting House in Said town on Tusday the Twenty fifth Day of this Instant Decemb. Att Ten O Clock in the fore Noon to Act on the followin articals (Viz)

1st. To Choose a Moderator for Said Town Meeting

2dly. To Choose Some person as Delegate to Represent this Town in Convention to be Held att the State House in Boston on the Second Wednesday of January Next Agreable to a Resolve of the Genl. Court

3dly. To See if the Town will Give there Delegate any Instructions . . .

Here of fail not and make timely Returne of this Warrant and your Doings thereon—

Town Meeting, 25 December

Then the Freeholders and Other Inhabitants of the Town of Medfield Agreeable to a Warrant Assembled And proceeded to Business (Viz)

1st. Voted and Chose Daniel Perry Esqr. Moderator for Said Meeting

2dly. Voted and Chose John Baxter Junr. as a Delegate to Represent this Town in Convention to be Held att the State House in Boston on the Second wednesday of January Next agreeable To a Resolve of the General Court of October Last past—

3dly. Voted upon the theird artical in the Warrant and it past In the Negative

Medford, Middlesex County, 22 November
John Brooks (Y)

Massachusetts Gazette, 23 November¹

The respectable inhabitants of Medford, yesterday, P. M. unanimously made choice of the honourable JOHN BROOKS, esq, for their delegate in the ensuing state convention. The election of this gentleman evinces the federal disposition of his constituents, and must afford pleasure to those who wish a restoration of prosperity and happiness to this country.

1. The next day the *Massachusetts Centinel* also announced that Brooks was elected unanimously.

Medway, Suffolk County, 6 December
Moses Richardson, Jr. (N)

Warrant Calling Town Meeting, 26 November

To the Constable or Constables of the Town of Medway in sd. County Greeting

In the Name of the Common wealth of massachusetts, you are hereby Requird forthwith to Notify & warn all the freeholders & other Inhabitants of the sd. Town of medway who are Quallified to vote in the choise of a Representative to meet at the Publick meeting house in the East Parrish in this Town on Thursday the Sixth day of December Next at One o Clock after noon in Order to Act on the following Articles, viz

1. To Choose a moderator of the meeting

2. To Choose one man a Delegate to represent this Town in a State Convention to be holden at Boston on the Second wednesday in Janry. Next in Order to Confirm Or Disapprove of the Constitution Lately Recommended by the Convention of the United States, & to act any matter or thing relating to Instructions to the sd. Delegate as the Town may think Proper, & also to Act any matter or thing Relating to the pay to the sd. Delegate for Attending the Convention aforesd. as the Town Shall think Proper

Town Meeting, 6 December

Pursuant to the above Warrant the freeholders & Inhabitants of the Town of medway met at the Publick meeting house in the East Parrish in this Town on Thursday the 6th day of Decemr AD 1787. & Proceeded in the following manner viz

1. The Town Choose Mr. Daniel Pond Moderator of the meeting
2. Put to vote to See if the Town will Chuse one man a Delegate to represent this Town in a State Convention to be holden at Boston on the Second wednesday in Janry. Next in Order to Confirm or Disapprove of the Constitution lately Recommended by the Convention of the United States.

Resolved in the affirmative

Then the Town Proceeded & Choose Mr. Moses Richardson Junr. a Delegate for the Purposes aforesd.

Then a motion being made, the meeting was Adjourn'd. to Next munday at One o Clock after noon then to be held at this place

Town Meeting, 10 December

Pursuant to adjournment the Inhabitants of this Town met at the Publick meeting house in the East Parrish On munday the 10th day of Decemr AD 1787 & Proceeded in the following manner, viz

By Reason of the absence of Mr. Daniel Pond The Town Choose Lieut. Abner Morse Moderator of the Meeting

Then the Town Proceeded to the further Consideration of the 2d Article in the Warrant, & thereupon a motion being made

Put to vote to See if the Town will give Any Instructions to the Delegate to represent this Town in the State Convention to be holden at Boston on the 2d Wednesday in Janry. Next

Resolv'd. in the Negative

On a motion the Town voted to Dismiss that part of the 2d Article which Relates to the Delegates pay for Attending the Convention Aforesd.

**Methuen, Essex County, 20 December
Ebenezer Carlton (N)**

Town Meeting, 20 December

At a Legal Town meeting Decr ye 20 1787
Voted to Send Capt Ebenezer Carlton To Set with the Convntion at
Boston the Second Tuesday in January 1788
Voted not to Instruct our Delegate
at the Request of a p[er]t[i]tion [of] a Number to See if the Town
would Send two to the Convntion Voted in the Negative.

Middleborough, Plymouth County, 17 December

**Isaac Backus (Y) Isaac Soul (N)
Benjamin Thomas (N) Isaac Thomson (Y)**

Town Meeting, 17 December

for Choice of Deligates for State Convention

at a Meeting of the Inhabitants of the Town of Middleborough held
at the Easterly precinct Meeting House in said Town on the 17th day
of December 1787 for the Choice of Delegates to Represent the Town
at a Convention at Boston on the Second Wednesday of January next
Relative to the Federal Constitution
a Vote was called to See if the Town would accept of the new consti-
tution Voted in the negative
Voted to Chuse four Men for the state Convention
Chose the Revd. Mr. Isaac Backus, Deacon Benjamin Thomas, Isaac
Tomson Esqr. and Mr. Isaac Soul, for the abovesaid Delegates

Isaac Backus Diary, January 1788 (excerpt)¹

A journey to Boston.

A New Constitution for the United States of America, was finished
at Philadelphia, Sept. 17. 1787; and our town met on Dec. 17, and
chose four delegates to meet in Boston Jan. 9. 1788, with others in
Convention, to establish or reject it; of which delegates I was the first,
without the least motion of mine that way. When I was first informed
of it on Dec. 20, I thot. I should not go; but as religious liberty is
concerned in the affair, and many were earnest for my going, I con-
sented. . . .

1. MS, Backus Diary, Vol. 11, Brown University.

Milford, Worcester County, 17 December
David Stearns (N)

Warrant Calling Town Meeting, 3 December

To Either of the Constables of the Town of Milford in Said County—
 Greeting

In the name of the Commonwealth of Massachusetts you are hereby required forthwith to warn and give public notice to all the freeholders and other Inhabitants of the Town of Milford Qualified by Law to Vote in Town meetings that there is a meeting appointed on monday the Seventeenth Day of December Instant for the Inhabitants of Said Town and to meet at the Said Town meeting house at twelve oclock to act upon the following articles (Viz)

1st To Choose a moderator to regulate Said meeting

2ly To See if the Said Town will Choose a Delegate to Set in Convention at the State House in Boston on the Second wednesday in January Next agreeable to the resolve of the General Court.

3ly To See if Said Town will give their Delegate any Instruction if their be any Chosen.

Town Meeting, 17 December

At a meeting of the Inhabitants of the Town of Milford on the 17th. Day of December 1787 Voted and Choose Elder John Chapin moderator. Voted and Choose Mr. David Stearns a Delegate to Set in Convention at the State House in Boston on the Second Wednesday of January Next. Voted and Choose Daniel Wedge, James Sumner, Lt. Ephraim Chapin, Lt. Samuel Jones, Timothy Jones, Luke Kelly and Oliver Daniels as a Committee to Converse and Instruct the above named Delegate. Voted to adjourn to Lan[dlo]rd. Robinson at Six oclock This Day to hear the report of Said Committee which report was to reject the Constitution and when laid before the Town the Said Town Voted to Reject it

Milton, Suffolk County, 3 December
Nathaniel Robbins (Y)

Town Meeting, 3 December

At a Legal Town Meeting held in Milton December 3d 1787 For the Choice of a Delegate to Represent the Town in a Convention to be holden at Boston, on the Second Wednesday of January next. The Writ-

ten Votes of Such persons as are Qualified by the Constitution to Vote for Representatives having been Counted & Sorted the Whole Number was 62 Votes 50 of which, were for the Revd Mr Nathaniel Robbins and was Chosen

Samuel A. Otis to Caleb Davis
*New York, 14 December (excerpt)*¹

... I see brother W is not elected for Millton and hear his election for commissioner was nega[ted?].²...

1. RC, Davis Papers, MHi. For other excerpts from this letter, see sections on Stockbridge and on Boston (in note to *Massachusetts Gazette*, 4 December).

2. James Warren. See *Massachusetts Gazette*, 20 November, note 2 (RCS:Mass., 282).

Newbury, Essex County, 4 December*
Tristram Dalton (Y) Ebenezer March (Y)
Enoch Sawyer (Y)

Essex Journal, 2 January 1788¹

A few weeks since,² we informed the public of the worthy choice of delegates the town of Newbury had made to represent them in the ensuing Convention.—That choice highly disgusted the Anti-federal Junto, who, in order to prevent the good effects likely to be produced thereby, prevailed upon the select men to call a Town-meeting, for the purpose of *Instructing* their delegates—Accordingly, on Thursday last,³ the inhabitants met, and, to the no small mortification and confusion of the Junto, instead of instructing their delegates—*Voted*, That they would *not* choose a Moderator to govern the meeting—and that the meeting be dissolved—by a majority of nearly three to one—*says our informant*.

Essex Journal, 9 January⁴

Mr. Printer, Please to insert the following, and you will oblige many of your Customers.

Newbury, Jan. 1, 1788.

FEDERALISM Triumphant: Or, The JUNTO Defeated.

The Town-meeting—Interval, and Mock Town-meeting.
 Come Muse, for who but thee can tell,
 What dire mishap, last week befell
 Great *Polish-dust* the wou'd be squire,
 And sev'ral more, of note no higher,

Who in *his* cause had sworn to fight,
 If they cou'd gain promotion by't,
 As long as Sanco Panca fought,
 For his great master Don Quixote?

The subject intraduc'd—with speed
 To circumstances we proceed
 Not twice two weeks have roll'd away
 Since this town, on th' appointed day,
 Assembled with the good intention,
 To choose their members for Convention.
 But now, as erst, when sons of God
 Present themselves before the Lord,
 Lo! Satan, from his dark retreat,
 Obrudes himself, and takes a seat.
 But here, to obviate ev'ry doubt,
 And fairly make th' assertion out,
 We wou'd not have it understood
 That Dæmons sit on seats of wood,
 Or, bolt upright on end of breech,
 As women their young children teach;
 For, sp'rits infernal can assume,
 Or shape, or size, as suits the room
 Their de'ilships mean to occupy,
 Or strait, or spacious, low or high.
 Now, *Polish dust* of no renown,
 Had undertook to rule the town;
 For which no doubt he was design'd,
 Or, why so elevate a mind?
 For he, without one drachm of learning,
 Will prove that sun-rise is the morning:
 And is at argument, as able
 As quadruped, in his own stable.
 But, since it may be here oppos'd,
 That parts so great, are ne'er inclos'd
 In brainless head, like Polish-dust:
 We answer—that we firmly trust,
 That lack of brains gives no pretence
 For us to argue want of sense:
 Since Satan oft full leave obtains
 To fill that vacuum of brains—
 And who can call the fellow dull,
 That has the Devil in his skull?

Such requisities for lofty posts,
 As here describ'd, our Hero boasts;
 And who so hardy as to rise,
 Or, dare with him dispute the prize?

Now he, by old tartarean rule,
 Wrought to an antifed'ral tool,
 To meeting comes—with desp'rate rabble,
 To drown fair reasoning by babble.
 Wide opes his squealing throat to urge,
 His towns-men, one, & all, to purge
 Themselves from ev'ry fed'ral seed,
 By which, from debts they'l all be freed;
 Nor Priest, nor Levite, must support:
 If they dispute, he's M-nn-g for't.

*(Now M-nn-g is with him the same,
 As Holy Writ with other men.)*

But, as you see the stately horse,
 Pass undiverted in his course,
 Nor heeds the yell of village dogs
 Around his heels; but on he jogs,
 And in contempt with blast of wind,
 Leaves all the yelping curs behind.
 So th' advocates, for righteous laws,
 Push'd firmly on, the virtuous cause,
 Nor heeded the discordant notes,
 Belch'd out from antifed'ral throats;
 But wisely chose out men of parts,
 And *honesty*.

But why this break, the critic cries?
 I'll tell you snarler—Want of eyes:
 For here the Poet's light went out,
 As did the hopes of baffled rout.

The bus'ness of the day complete,
 Each fed'ral member quits his seat,
 And cheerfully explores his home,
 Anticipating joys to come.

Not so the rest.—When house dissolv'd,
 The Junto found themselves involv'd
 In circumstances more perplex'd,
 Than hunted hare, by sportmen vex'd.
 Nor did they yet forsake the place,
 Which prov'd the scene of their disgrace;

But kept their seats, nor stir'd from thence,
 Fast held by breech, in dumb suspence.
 What length of time we can't relate,
 But that's a point of no debate—
 Since we're assur'd one after spoke,
 In speech like this, and silence broke:
 I, sure, have read in Thomas Thumb,⁵
 Or, in some other bulky tome,
 The means by which to gain relief
 From disappointment and from grief:
 'Tis by exerting *active powers*—
 And that exertion must be ours,
 To counter act the dire effects
 Of this day's work. And who neglects
 To act his part in this attempt,
 May he forever be exempt
 From all the sweets of Anarchy—
 And, curst with *Congress* may he die.

This dread *anathema* went forth,
 With so much vehemence & wrath,
 That Polish dust, who all the while
 Had hung his head, now grinn'd a smile;
 And thus in fault'ring accents spake;
 Patience, my friends, let's patience take—
 Our case, I trust, is not so bad,
 But some relief may yet be had.
 I'm sure if M-nn-g did but know't
 He'd soon provide a rem'dy for't.
 I'm sure that M-nn-g soon shall know't
 If he'll provide a rem'dy for't,
 Re-eccho'd all, with dismal roar,
 And left their seats, to gain the door.

The next intelligence we heard,
 Was, that great M—g had appear'd;
 Charg'd with *prescription*, ready written,
 For such as were, at meeting smitten.
 As head-ach, the effect of grog,
 Is cur'd by hair of the same dog:
 So M-nn-g thought another dose
 Of meeting might their heads compose:

And, straightway draws out instrument,
 Which they must sign, and then present,
 To all in town, who Anarch's cause
 Preferr'd, to regulating laws.
 This instrument, Petition stil'd,
 Was soon from head to foot defil'd
 With paltry daubs; blots if you will,
 Vile prostitution of the quill,
 Which things to construe into names,
 Would rack a virtuoso's brains.
 Now M——g's work *in toto factum*,⁶
 What means to use no more distract'em.
 But short, like the illusive joys
 Of children dreaming of their toys,
 Was their repose: as story fames:
 For soon Petition cramm'd with names
 Such as they were, new meeting bro't,
 That delegates might now be taught,
 Not, how to cut their bread & cheese,
 Or, kiss their wives with greater ease,
 As was reported. These were strokes
 Of such as love to crack their jokes.
 But, things of more importance far;
 How they must wage determin'd war
 With ev'ry fed'ral inclination,
 On peril of the State's salvation—
 That *Union* is the source of evil—
 And *Constitution* is the Devil:—
 Therefore they should not ratify
 The Monster-Brat, but let it die.

And now in order they propose
 To have a Moderator chose—
 Up jumps the Clerk—If't be your minds
 To *chuse one*? manifest your signs.
 Erect, the arms of Junto stood,
 Like blighted trees in verdant wood;
 One here, one there, and yon some more,
 The whole not making up a score.
Contrary minds, anon was cry'd—
 Now was the cause of Virtue try'd,

Which clearly did predominate
 O'er that of Vice, as *one* to *eight*.
 As *one* to *eight*!—A Bull, I'm sure,
 Like Paddy, who surrounded four!
 Your pardon, reader—E'er I've done,
 I mean to tell you *eight* to *one*.

Mock-meeting now dissolv'd of course,
 Since neither fraud, nor guile, nor force
 Infernal or Terrestrial,
 Could 'stablish the first article.
 Now, had you seen defeated rout,
 With heads abas'd, fast sneaking out,
 Like Dog with tail between his legs,
 Or, Fox pursu'd for stealing eggs—
 I'm sure your risibles had mov'd,
 Unless you had their deeds approv'd.

*See also Christopher Gore to Rufus King, 6 January (III above).

1. Reprinted in the *Massachusetts Centinel*, 9 January, and in six out-of-state newspapers by 29 January: Conn. (1), Pa. (3), Md. (1), Va. (1). The *Centinel* and the *New Haven Gazette* reprints omitted the last clause.

2. The *Essex Journal* printed the results of the Newbury election on 5 December 1787 (Mfm:Mass.).

3. The minutes for the meeting on Thursday, 27 December, were not recorded.

4. Reprinted: *Massachusetts Centinel*, 26 January. On 2 January the *Essex Journal* announced that "A son of Parnassus has favored us with a Poetical account of the above transactions [i.e., the report of the Newbury election in the *Essex Journal*, 2 January], but coming too late for this day's Paper, it must be postponed until next week."

5. See *Massachusetts Gazette*, 27 November, note 1 (RCS:Mass., 326).

6. Latin: "is entirely done."

Newburyport, Essex County, 20 November

Benjamin Greenleaf (Y)

Rufus King (Y)

Theophilus Parsons (Y)

Jonathan Titcomb (Y)

John Quincy Adams Diary

*Newburyport, 20 November (excerpt)*¹

... dull weather. This afternoon there was a town-meeting for the purpose of choosing members to represent this Town in the State convention which is to meet in January & canvass the proposed federal Constitution. The persons chosen were Mr. King, judge Greenleaf, Mr. Parsons, and genl. Titcomb. they are all in favour of the constitution, & the town appears to be very unanimous for it.

Essex Journal, 21 November²

Yesterday, at 3 o'clock P. M. the inhabitants of this town convened in Town-meeting for the election of Delegates to represent them in the ensuing *Convention*, when the number of votes, For

<i>The Hon. B. Greenleaf, Esq. was</i>	141
<i>Theophilus Parsons, Esq.</i>	92
<i>The Hon. Jonathan Titcomb, Esq.</i>	87
<i>The Hon. Rufus King, Esq.</i>	80

and those Gentlemen were chosen.

We are happy to inform the public, that the town appeared to be unanimous in favour of the Constitution.

Massachusetts Centinel, 24 November (excerpts)

Returns already received, are—for

Newbury-Port.—Hon. B. Greenleaf, Theophilus Parsons, Hon. Jonathan Titcomb, and the Hon. Rufus King, Esquires. This town appeared unanimous in favour of the Constitution. . . .

Our brethren of Newbury-Port, have set us a good example in the choice of delegates to the convention—one of their members was ineligible as a representative *in the General Court*³—but is a most respectable and worthy character in himself.—Let us take a large survey in selecting members for this metropolis [i.e., Boston].

John Quincy Adams Diary

Newburyport, 25 November (excerpt)⁴

. . . Drank tea at Mrs. Hooper's, and pass'd the evening at Mr. J. Tracy's.⁵ Capt. Fletcher was there. Tracy was quite warm upon the subject of the late election. he is a militia officer, and possessed very strongly of the esprit de corps. he was offended that genl. Titcomb should come in the last of the four members for this town, and in the course of conversation went rather beyond the bounds of prudence.

Henry Jackson to Henry Knox

Boston, 25 November (excerpt)⁶

. . . Your friend Mr. King is not yet returned from Newbury. I have the pleas[ur]e to inform you, that Mr. K— is chosen one of the Delegates to the Convention for the town of Newbury, and the other three Gentlemen for that Town are high *Federal Men*. . . .

American Herald, 26 November

We have *every thing to hope* from the elections under the New Plan, if they are to be conducted in the manner the *late one* in *Newbury-Port* has been.—Surely Mr. — [i.e., King] must have some motives more than we are *assured* of—to induce him to take so long a tour, to *solicit* the votes of those who had become almost *strangers to him*.—And we cannot but admire his spirit of enterprize, in carrying into *execution his views*, by going down to a popular election, in *this country*, so much in the stile of a *British candidate* for a *seat* in the *House of Commons*.—Whether he went as a *British Nobleman* would have gone with *the most persuasive arguments in his pockets*, we are not to say; we can only lament, that it is infinitely more easy for an *oratorical* and *well-lined candidate* (as they are all to be in future) to impose on *thirty thousand* electors than on two hundred.

*Essex Journal, 28 November*⁷

A correspondent, who was present at the late town-meeting for the choice of delegates, to represent this town in *Convention*, observes “That inserting the names of the gentlemen who were elected, according to the number of votes, may lead the public into some mistakes—The fewness of the votes for the Honourable Gentleman lately returned from Congress was not owing to the want of the universal esteem of his townsmen, but to a mere accident—That part of the town which did not give him their first vote were determined to vote for him as the second Member—and there is no doubt, had there been a free communication before the vote was called for, his election would have been unanimous. As he was first chosen he will of course stand at the head of the delegation. Our correspondent congratulates his fellow-citizens, that in so full a town-meeting there appeared a general satisfaction at the elections which were made—all the delegates being known to be staunch Federalists.”

Last Saturday morning [24 November] the Hon. *Rufus King, Esq.* left this town on a journey to New-York—His fellow-citizens, to testify their perfect satisfaction in his conduct in Congress and in the Convention of the States for forming the Federal Constitution, cheerfully elected him their first delegate in the ensuing Convention; and had the delegates been jointly voted for, or had the electors previously agreed which of the candidates should be first voted for, there is no doubt but his election would have been unanimous—It must, we think, give great pleasure to every man interested in the glory and happiness of the

United States, that the good people of this Commonwealth will have the assistance of that Hon. Gentleman's great political knowledge, abilities and integrity in deciding upon the great national question to be laid before the Convention.

*Independent Chronicle, 6 December*⁸

We are informed from Newbury-Port, that at the late election of Delegates to the Convention, although the electors appeared unanimous in favour of the proposed Constitution, and very generally united in the gentlemen who were elected, a disagreement took place concerning the order, in which the Candidates should be chosen; the particular friends of Mr. *Greenleaf*, proposed to chuse the four together; this was refused, and it was voted to chuse one at a time: Mr. *Greenleaf* and Mr. *King*, were Competitors for the first choice; Mr. *King*, was first elected,—that majority then generously joined their votes, with those who voted for Mr. *Greenleaf* first—which is the reason, that the numbers, as put down in the Newbury-Port newspaper, were greater for Mr. *Greenleaf*, than for any one of the other Delegates;—for, had the electors agreed, which of the gentlemen should be first chosen, they both would undoubtedly have been unanimously chosen, as every person in the meeting, appeared to have the same sentiments, with this only exception, which of them should be first chosen.

*George R. Minot Journal, January–February 1788 (excerpt)*⁹

. . . Mr. King was chosen for Newbury Port, though he was not qualified in point of residence, as he had not seen that place for many years. But, he undoubtedly had the *animus invertendi*.¹⁰ . . .

1. MS, Adams Family Papers, MHi. Printed: Allen, *JQA Diary*, II, 319.
2. Reprinted: *Independent Chronicle*, 22 November; *New Hampshire Mercury*, 23 November; *Massachusetts Gazette*, 23 November; *Worcester Magazine*, 29 November (in part); *New York Journal*, 4 December (in part); *Hudson Weekly Gazette*, 6 December.
3. Probably a reference to Rufus King's alleged failure to meet the one-year residency requirement to represent the town in the state House of Representatives (Chapter I, Section III, Article III, of the state constitution [Thorpe, III, 1898]).
4. MS, Adams Family Papers, MHi. Printed: Allen, *JQA Diary*, II, 321.
5. John Tracy, a wealthy Newburyport merchant, was appointed deputy adjutant general of the Massachusetts militia in 1787.
6. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York. For a longer excerpt from this letter, see RCS:Mass., 317–18.
7. These two paragraphs (printed apart from each other) were reprinted in the *New Hampshire Spy*, 4 December; *New York Journal*, 11 December; and *Pennsylvania Journal*, 15

December (only the last sentence of the first paragraph). In addition, the second paragraph was reprinted in the *Massachusetts Centinel*, 1 December (excluding the last sentence) and in the *Pennsylvania Packet*, 13 December.

8. Reprinted: *American Herald*, 10 December.

9. MS, Minot Papers, MHi. (For the entire January–February 1788 portion of the journal, see Mfm:Mass.).

10. Latin: “intention of perverting” the state constitution.

Newcastle, Lincoln County, 27 December
David Murray (N)

Town Meeting, 27 December

According to the foregoing warrant the Freeholders and Other Inhabitants met together at the time and place mentioned and Voted and agreed as follows Vizt—

1st Samuel Waters is Chosen Moderator

2d Voted not to accept of the Federal Constitution as it now stands—

3d Voted to send a Delegate to represent this Town in State Convention to be held in the State-house in Boston on the second Wednesday of January next

4 Voted that Capt David Murray [be] said Deligate to Represent this Town in said State Convention on the said second wednesday of January next Voted Col[one]l James Cargill, Benjamin Woodbridge junr. and Saml Kennedy be a Committee to give said Deligate Instructions, and Said Committee gave him the following Instructions. That He Join said Convention and give his Vote against said Constitution as it now stands, and if his Brothers in Convention Assembled should think it proper to write to Congress the Objections they have against said Constitution to act his own judgment for this Towns objections—

New Gloucester, Cumberland County, 10 December*
William Widgery (N)

Town Meeting, 10 December

At a legal meeting of the freeholders and other inhabitants of New Gloucester in the County of Cumberland, qualified to vote for a representative, held at the meeting-house in said town on Monday ye tenth day of December, 1787.

Voted Col. Moses Merrill be moderator for said meeting.

Voted that Mr. William Widgery be the delegate to represent this town in the Convention to be holden at the State House in Boston on

the second Wednesday of January next for the purpose of taking into consideration the Constitution or frame of Government for the United States of America.

Voted not to accept the Federal Constitution without amendment.¹

Jeremiah Hill to George Thatcher

Biddeford, 1 January 1788 (excerpt)²

... the County of Cumberland has got a number of Respectable Charactors chosen for the Convention, Mr Widgery is also chosen & has waged war with it, the same as a *new light* fighting the *Devil*. . . .

*See also Christopher Gore to Rufus King, 6 January (III above).

1. See the *Cumberland Gazette*, 20 December (Hallowell section).

2. RC, Chamberlain Collection, Thatcher Papers, MB. For a longer excerpt from this letter, see III above.

**New Marlborough, Berkshire County, 10 December
Daniel Taylor (Y)**

Town Meeting, 10 December

the inhabitants of the Town of New Marlborough meet & proceeded to Business

1stly. Voted Deacon Caleb Wright Moderator for Said meeting

2dly. Voted Capt. Daniel Taylor Deligate to attend the State Convention to be held at Boston the 2d Wednesday in Janr. next. (by Ballot) The vote was put whether the Town Would Accept the foederal Constitution & pas'd in the negative:

**Northampton and Easthampton, Hampshire County, 22 November
Benjamin Sheldon (Y) Caleb Strong (Y)**

The instructions of Northampton and Easthampton are perhaps the most influential adopted during the election of delegates to the Massachusetts Convention. Several Massachusetts towns—Becket, Belchertown, Oakham, and Sherburne—adopted or adapted Northampton's instructions for their own delegates.

The instructions were first printed in the *Hampshire Gazette*, 28 November, and in the *Worcester Magazine* on 29 November. The capitalization and punctuation differ in these two printings and the *Worcester Magazine* added an additional word. (The extra word appears in the text below within angle brackets.) Both of these printings were attested by Elijah Hunt, Northampton's town clerk. The *Worcester Magazine* (and eleven other printings) added a dateline at the end: "*Northampton, Nov. 24th, 1787,*" perhaps the date on which Hunt made his copies. (The *Hampshire Gazette* did not include a dateline.)

Four other Massachusetts newspapers printed the instructions: *Hampshire Chronicle*, 4 December; *Salem Mercury*, 4 December; *Massachusetts Centinel*, 5 December; and *Massachusetts Gazette*, 7 December. Outside Massachusetts, the instructions were reprinted in the December issue of the nationally circulated Philadelphia *American Museum*, and in nine newspapers by 17 December: R.I. (1), Conn. (1), N.Y. (2), Pa. (4), Md. (1). A paragraph in the *New York Journal*, 6 December (reprinted in five newspapers in five states) favorably commented upon and quoted from the instructions.

Four manuscript versions of the instructions have been located. The one in the Isaiah Thomas Papers (Contributions to *Worcester Spy* and *Massachusetts Magazine*), at the American Antiquarian Society, is dated 24 November and appears to be the copy used for Thomas' *Worcester Magazine*. Another version is in the town record book and is dated 22 November and signed by order of the committee by Samuel Henshaw, chairman. (For Henshaw, see his letter to Henry Van Schaack, 18 October, RCS:Mass., 100-101.) This version has numerous transcription errors including the omission of one sentence and several words (see note 1). Negative photostats of two other manuscript versions, also dated 22 November and signed by Henshaw, are in the Forbes Library, Northampton. These two versions are perhaps a draft ("The foregoing Report") and a copy given to the delegates ("A True Copy Attest Elijah Hunt Town Clerk"). They are respectively endorsed: "Instructions/to Mess[ie]ur[s] Strong &/Sheldon relative/to federal Constitution/1787" and "Address to the Delegates/Recorded Page 130/1787." (The instructions are recorded on page 130 in the town record book.) The two versions in the Forbes Library also omit the sentence left out of the town record book (see note 1).

Town Meeting, 22 November

At a Meeting of the Inhabitants of the Town of Northampton Qualified to Vote in the choice of Representatives, being legally warned & Assembled at the Courthouse in said Town on Thursday the 22d day of November 1787—The Question being Put Whether the Town would Send any Delegates to the State Convention proposed to be held at Boston on the Second Wednesday in January next and it Passed in the Affirmative

The Town then Voted to send two Delegates to the said Convention and accordingly Chose the Honble. Caleb Strong & Mr. Benja Sheldon for that purpose.

The Town then Voted to Choose a Co[m]mittee to prepare an Address to the Delegates Expressive of the Sentiments of the Town touching the Important business for which they were appointed & accordingly Chose Samuel Henshaw Esqr, Robert Breck Esqr., Deacon Elijah Clark, Elijah Wright, Doctr Shephard & Mr. Jona. Clap for that purpose and the Sd. Committee Soon after Reported the following which being repeatedly read & Considered was Unanimously approved by the Town, (Excepting one Dissenting Vote)

*Instructions**Hampshire Gazette, 28 November*

On Thursday last, the inhabitants of this town and the district of Easthampton, in legal town-meeting assembled, made choice of the Hon. CALEB STRONG Esq. and Mr. BENJAMIN SHELDON, to represent them in Convention, for the purpose of ratifying the reported Federal Constitution.

A Committee was then appointed to prepare an address to their delegates, and they reported the following, which was unanimously voted (excepting one dissentient only)—viz.—

To the Hon. CALEB STRONG, Esq. and Mr. BENJAMIN SHELDON, *Gentlemen*, In conformity to a resolution of the General Court, passed the 25th of October last, We have delegated you to meet in State Convention on the second Wednesday of January next, for the purpose of adopting or rejecting the reported Constitution for the United States of America.

The object of your mission, Gentlemen, is of the highest magnitude in human affairs.—Every step we take in the progress of our examination, evinces, that it is too important, complicated and extensive, to be hastily decided upon.¹—Much time and unwearied application are requisite in order thoroughly to investigate it: The civil dignity and prosperity of this state; of the United States; and, perhaps, of humanity, are suspended on the decision of this momentous question: and we wish you, Gentlemen, patiently to hear, and attentively to examine every argument that shall be offered for and against its adoption—Be not unduly influenced by any local consideration—Let your minds be impressed with the necessity of having an equal, energetic, federal Government—'Tis the welfare and dignity of the union, as well as of Massachusetts that you are to consult.—And while you are tenacious of the rights and privileges of the PEOPLE, be not afraid to delegate [to] the federal government such powers as are absolutely necessary for advancing and maintaining our national honour and happiness.

But, Gentlemen, we mean not to give you positive instructions relative to your voting for or against the reported constitution. When assembled you will have the collected wisdom of the state before you—will hear all that can be said on the subject, and consequently be able to form a judicious opinion—And, having the fullest confidence in your political wisdom, integrity and patriotism, we cheerfully, on our part, submit the all-important question to your decision—And we beseech the all-wise Governor of the world to take the Convention under his

holy influence, that so the result may be THE BEST GOOD OF THE PEOPLE OF THE UNITED STATES OF AMERICA.

A true copy.—Attest.

ELIJAH HUNT, Town-Clerk.

*New York Journal, 6 December*²

We learn from Massachusetts, that several of the towns, after choosing their members in convention, formally addressed them by way of instruction. The instructions of the town of Northampton are written with calmness; they are not positive to adopt or reject the proposed constitution, but say, "every step we take in the progress of our examination evinces, that it is too important, complicated, and extensive to be hastily decided upon, &c."—That this cautious mode of proceeding is a trait of political wisdom, no one will deny; which, we are happy to announce, is adopted by many other towns in that extensive and populous branch of the union, the commonwealth of Massachusetts.

1. This sentence was omitted in the manuscript instructions in the Northampton town record book.

2. Reprinted: *Philadelphia Independent Gazetteer*, 10 December; *Hartford American Mercury*, 17 December; *Trenton Mercury*, 18 December; *Poughkeepsie Country Journal*, 19 December; *Charleston Columbian Herald*, 20 December. Nine days after it published this item, the *New York Journal* reprinted the complete text of the instructions. The *Philadelphia Independent Gazetteer*, one of the newspapers that reprinted this brief item from the *Journal*, reprinted the complete text of the instructions on 12 December.

Northborough, Worcester County, 24 December
Artemas Brigham (N)

Town Meeting, 10 December

At a meeting of the freeholders and other Inhabitants of the Town of Northboro, being duly warned and Legally Assembled at the Meeting house in said Town on monday the tenth day of December 1787. proceeded as follows:

1st. The Town made choice of Lt. Isaac Davis for a Delagate to meet in convention upon the Second Wednesday of January next at Boston for the purpose of taking under consideration the form of Government for the United States

2ly. Voted to give the Delagate Instructions, and that Capt Saml. Wood, Lt. Artemas Brigham, Mr Francis Eager, Lt. John Wyman and Deacon Seth Rice be a Committee to draw up the same

Then voted and Adjourned the Meeting to monday the 17th. of this Instant at one O Clock afternoon at the Meeting house—

Town Meeting, 17 December

the Town met according to Adjournment and Lt Isaac Davis who was chose a Delagate at the last meeting declined Serving—

Then Voted and Adjourned the meeting to monday the 24th. Instant at one O Clock afternoon at the Meeting house to chuse a Delagate in the room of Lt. Isaac Davis who declind Serving—

Town Meeting, 24 December

Then Voted and Chose Lt Artemas Brigham a Delagate in the room of Lt Isaac Davis—

It being then put to vote to see if the Town would Accept the Constitution for the United States as it now stands and it passed in the Negative

North Yarmouth, Cumberland County, 4 December*
Samuel Merrill (Y) David Mitchell (Y)

Town Meeting, 4 December

At a Meeting of the Male Inhabitants of the Town of North Yarmouth, of twenty one Years of Age, and upwards, qualified as by the Constitution of said Commonwealth is provided, to vote for Representatives, and duely notified, at the first Meeting House in said Town, Tuesday the 4th. Day of December A.D. 1787—

The Selectmen of said Town, presided as Moderators of said Meeting—

Voted That David Mitchell & Samuel Merrill Esquires, be the Delegates to represent this Town in a Convention of Delegates to be convened and held at the State House in Boston on the 2d. Wednesday of January next, agreeable to resolves of the General Court pass'd October 25. 1787. in Order to take into Consideration the Constitution for the united States of *America*, formed by a Convention of Delegates of said States, lately assembled at *Philadelphia*; and submitted to the several States, for their Assent & Ratification.

Voted That Mr. William Martin, Deacon Southworth, Mr. Paul Prince, John Lewis Esqr: & Colo Mitchell Be a Committee to consider of the Constitution proposed for the Inhabitants of the united States; make such Remarks upon it as they think proper; and also prepare Instructions for the Delegates, now chosen, and lay them before the Town at the Adjournment of this Meeting.

Voted That this Meeting be adjourned to Monday the 17th. Day of December current at Two of Clock P.M. then to meet at this place.

Town Meeting, 17 December

the Town met agreeable to Adjournment. And the Committee appointed at this Meeting to draw up instructions for the Delegates chosen to represent this Town in Convention, reported a Draft, which was read, and voted that the same be accepted, and that said Delegates conduct themselves Accordingly.

*See also the *Cumberland Gazette*, 20 December (Hallowell section).

Oakham, Worcester County, 3 December
Jonathan Bullard (N)

Town Meeting, 3 December

At a meeting of the Freeholders and other Inhabitants of the Town of Oakham that are Qualified by Law to Vote for a Deligate or Deligates Legally Warned on Monday the third day of December A.D. 1787—

Capt Jona. Bullard Chosen Deligate to Represent the said Town of Oakham in State Convention appointed to meet at the State House in Boston on the second Wednesday of Jany. next, for the purpose of Ratifying, or Rejecting, the reported Federal Constitution for ye. United States of America

Voted that Deacon Thomas White, Capt Jos Chaddock [i.e., Joseph Chadwick], Mr. Herman Basset, Lt. Ebenr. Nye, Mr. Saml. Davis be a Committee to form Instructions for their Town to give Capt. Jona. Bullard Deligate for the said Town of Oakham to the State Convention

Voted to Adjourn this meeting untill Monday the tenth day of December Instant at two oClock in the afternoon—

Town Meeting, 10 December

Met according to Adjournment—Voted to accept of the Instructions presented to the Town by their sd Committee—

Instructions, 10 December

The proceedings of the Town of Oakham respecting a State Convention—the Town of Oakham Assembled together on Monday and made Choice of Capt Jona. Bullard to Represent them in Convention, for ye. purpose of Considering the Reported Federal Constitution a Committee was appointed to prepare Instructions for their Delegate; and they Reported the following which was Voted—

Sir, according to the Resolutions of the Genl. Court pass'd twenty fifth of Octr. last, we have Delegated you to meet in State Convention

on the second Wednesday of Jany. next, for the purpose of considering ye. Reported Federal Constitution of ye. United States of America—and your Mission is of ye. greatest Importance of any thing that perhaps ever came before any Class of Men on this Earth; the decision of which depends ye. rising or falling of ye. American Empire; and as ye. sd Constitution appears to us deeply laid, fraught with many Inconveniences of ye. greatest Magnitude, we do not however arrogate to ourselves penetration sufficient to decide on a matter of so great Importance; but we recommend to you carefully to attend to all the arguments that may be made for and against, said Constitution with all that coolness and deliberation that such an Important Work calls for, and if convinc'd that it is well adapted to the Manners, dispositions, and Circumstances of a free People; you will give your Vote to Ratify the same;—but if not we trust you will reject it;—devoutly wishing that the Convention may be under the Divine Blessing, and that Wisdom (which is profitable to direct) be granted unto them, that so ye. Result may be for the Glory of the Supreme Governor of the Universe; and for the best good of the United States of America—

**Palmer, Hampshire County, 6 December
Aaron Merrick (N)**

Town Meeting, 6 December

At a Meeting of the Freeholders and other Inhabitants of the Town of Palmer Legally Warned and Conveaned at the Meetinghouse in Palmer on Thursday the Sixth day of Decmber Anno Dom 1787

The Meeting Being Opened at the time and P[la]ce aforesaid

1st Voted Lt Joshua Shaw Moderator to Regulate sd Meeting

2d Voted Mr Aaron Merrick to Reprisent the Town in the State Convention to be holden at Boston to Consider the Foederal Constitution

Voted to Instruct the Sd A[a]ron Merrick and Chose a Committee to Give him Instructions and to Report at the Next Meeting

then the Meeting Was ajourned till Decmber Current the thirteenth day then to meet at the Meeting house in Said Town at Two O Clock in the after noon of December

Town Meeting, 13 December

the Meeting Being Opened at the Time and Place above Said by ajournment

Voted to Accept of the Instructions of the Committee Appointed by the Town to Instruct their Delegate in ye State Convention

Partridgefield, Berkshire County, 10 December*
Ebenezer Peirce (N)

Town Meeting, 10 December

The Inhabitants met at Time and place mentiond in the warning and proceeded to business and passed the following votes—(viz.)

Voted & Chose Capt. Aaron Bingham Moderator to Govern Said Meeting

Voted & Chose Ebenr. Peirce Esqr. as a Delegate to Represent them in the Convention to take into Consideration the Doings of the Federal Convention.

Voted to Choose a Committee to give our Said Delegate Instructions Chose Lt. Nathl. Tracy, Capt. Aaron Bingham, Lt. Edwd. Kibbe, Francis Curtis, Andw. Belcher, Ebenr. Lealand, Deacon Daniel Kinne, Peter Thomson, Zech[aria]h Watkins Junr a Committee for sd. Purpose

Then voted to adjourn to the 25th. of Decr. Instant at 1:0Clock PM

Town Meeting, 25 December

the Town met agreeable to the adjournment to hear the Doings of the Committe[e] & after hearing the resolves of the Committee voted to Receive it as their Instructions to their Said Delegate Then the meeting was Dissolved—

*In 1806 the town of Partridgefield was renamed Peru.

Paxton, Worcester County, 17 December
Abraham Smith (N)

Town Meeting, 17 December

At a legal Meeting of the Inhabitants of Paxton Qualified to vote in the Choice of a Representative. Decr. 17. 1787

1 Mr. Abraham Washburn was chosen Moderator

2 Mr. Abraham Smith was Chosen a Delegate for the purpose mentioned in the Warrant

3 Voted to give Instructions to sd. Delegate also voted that Mr. Washburn, Mr. Biglow, Deacon Swan, Lieut Livermore & Mr. Willson be a Committee to prepare a draft of Instructions, accordingly to be laid before the Town for Consideration at the adjournment of this Meeting—Then Adjourned to the first Wednesday of Janr. next 1 O'clock P.M.—to hear the report of the sd. Committee.

Town Meeting, 2 January 1788

Met according to adjournment when the Committee reported a draft of Instructions To be given to Mr. Abraham Smith as Delegate for the Town—which Instructions the town Accepted & also voted that The town Clerk Serve Mr. Smith with a Copy of the Same—

Instructions, 2 January

(The Instructions above referred to are as follows viz.)

To Mr. Abraham Smith

Sir Your Constituents reposing the fullest Confidence in your integrity and abilities, have chosen you to represent them in Convention, for the purpose of Considering of a Constitution Proposed by the Federal Convention to be adopted by the united states of America—And Whereas we look upon sd Constitution, taken Collectively as Subversive of Liberty and Extremely dangerous to the Civil and Religious rights of the People, and that should it be ratified all the Blessings we hold dear and yet remain to us as a People might be inevitably lost; Altho' some clauses in the said Constitution abstractly Considered appear Plausible; Sufficiently So Perhaps, as to Induce many to adopt it—Yet Sir as you are appointed for the Sole purpose of acting on One Single Question, Viz a Ratification or Rejection of the whole, we deem it our Indispensible duty to give you the following Presemptry Instructions— That you use your utmost Influence that the only Question which can with Propriety be acted upon respecting the Said Constitution by the Convention, be brought to a decision with all Convenient Speed—we finally Instruct you that when the Question shall be put; Whether the Convention of this Common Wealth will ratify the Proposed Constitution that you give your vote in the negative—

Paxton Janr. 2d 1788

Signed by order of the Committee
Abraham Washburn Chairman

Pelham, Hampshire County, 26 November
Adam Clark (N)

Town Meeting, 26 November

Att a Meeting of the freeholders and other Inhabitants of the Town of Pelham Legaly Assembled on Monday the 26th Day of November 1787 Then Meet and first was Chosen Natthaniel Sampson Moderator Then Voted to Continue this meeting by Ajournment to the house of Landlord Bruces for a quarter of an hour then meet according to appointment the Same Moderator Continued 2d. Made Choice of Mr. Adam

Clark to Represent the Town in Convention to Retify or Reject the Constitution 3d Voted to Chuse a Committee of five to Instruct Sd Deligate Said Committee is Caleb Keith, John Conkey, Abiah Southworth, Doct Hynds and Joseph Packard . . . then Voted to Continue this Meeting by adjournment Tuesday ye 13 Day of December Next at one of the Clock in the afternoon at the first Parrish meeting house in sd Town

Town Meeting, 13 December

Then Meet according to apointment the Same Moderator Continued Then Voted to Continue this meeting by a Second adjournment for a quarter of an hour to the house of Landlord Bruces then Meet accordingly the Same Moderator Continued then Voted to except of the Instructions of the above Committee

Pittsfield, Berkshire County, 19 December*
Valentine Rathbun (N) David Bush (A)

Henry Van Schaack to Theodore Sedgwick
Pittsfield, 4 December (excerpts)¹

The friends to peace good order and good government I made extremely happy in detailing the business of the town meeting at Stockbridge—The Success of that day has revived the drooping spirits of many of our friends. . . . How the choice will be here cannot even be guessed at—I am not without hopes of a good termination though some of our friends dispond. . . .

Theodore Sedgwick to Henry Van Schaack
Stockbridge, 5 December (excerpt)²

. . . I hope in God you will succeed in Pittsfield. The people can be convinced that their most important interests will not only be promoted by adopting the constitution, but also that misery & slavery will in all human probability be the consequence of its rejection. . . .

Henry Van Schaack to Theodore Sedgwick
Pittsfield, 9 December³

There is a dawn of hope that the good people of this town may be united in the great question. I proposed last evening to one of my friends to the West end of the town that it would be agreeable to me to have a friendly meeting of opposites before the town meeting that, if possible, we might be united when the subject comes to be publicly

discussed. This evening I recived a Message from my old friend Mr Daniel Hubbard⁴ that the neighborhood wod meet at his house next Tuesday Evening for a discussion of the question. Several of our friends from town will accompany me. What it will produce time will discover I augre well from this seemingly rational disposition.

If I could hear from you upon the Subject what we are in advance to the General Government I should be glad, and if you could without too much trouble give me an Estimate how the other States stand it might be of great Service. If I am not mistaken Pennsylvania New York and we are almost the only States who have contributed to the General Weal⁵—Want of knowledge on this important Subject is to be lamented; for I consider our people as rational and will determine according to the best of their understanding.

Good night God bless you and yours

[P.S.] I could wish you to be with us; but I believe it is best not as ideas have gone abroad that the New System stands in ful need of men of abilities to smooth matters down.⁶ I believe upon the whole I shall not get B's letter⁷ published. At least not until I am better Satisfied that it will do good.

*Henry Van Schaack to Theodore Sedgwick
Pittsfield, 14 December (excerpts)⁸*

... We have had a friendly neighborly meeting last Tuesday evening at Mr. Hubbard's—There appeared a disposition for information and if I am not exceedingly mistaken our people wish to do that which is right—a similar meeting is to take place, at Captain Roots,⁹ next Monday evening. My mind is so absorpt upon the great question that I can neither think or talk of any thing else. This puts me in mind of Mr Locke in his chapter upon the association of Ideas, that a Man who had been fond of dancing in a room in which an old trunk stood could not stir a step when the trunk was removed.¹⁰ I sometimes fear that I shall not be able to talk upon any other subject than the one we are upon^(a) unless matters get in such a state of security as to leave room to unbend the mind to other objects. ... If the friends to the Constitution are unanimous I am led to believe we shall go right.

I did not mean that You should not come to see us—I intended to intimate that it would be best you should not give your attendence on Town meeting days for fear the idea should go abroad that the [supporters?] wanted advocates from abroad. Upon the whole I am inclined to believe that you had best put off your visit until we have got through—

Adieu Heaven bless you and yours and conduct us all safe in the political Haven of rest.

(a) I hope you are much in the same situation for misery likes company.

Town Meeting, 19 December

At a legal meeting of the freeholders & other Inhabitants of the Town of Pittsfield qualified by law to Vote for representatives.—

1. Voted and chose Capt. David Bush moderator of said meeting

2d Voted and chose Simon Larned Esq. clerk pro-tempore, vice Town clerk absent. . . .

Voted to send a representative to the State Convention

Voted To send two representatives to said Convention.

Voted, That the Town will not instruct their delegates to the Convention.

Voted and chose Capt. David Bush and Mr. Valentine Rathbun to represent the Town in Convention.

Henry Van Schaack to Oliver Wendell

*Pittsfield, 2 January 1788 (excerpt)*¹¹

. . . I could wish that I had it in my power to say that my friend the bearer [Valentine Rathbun]¹² was as politically right as he is morally good and then I am sure it would add a little to his merit in your estimation—Be that as it may I am certain you and I will never quarrel with a good man for an erroneous political opinion. . . .

*See also Samuel Henshaw to Henry Van Schaack, 7 November (Stockbridge section).

1. RC, Sedgwick Papers, MHi. Other excerpts from this letter are in the Becket and Great Barrington sections.

2. RC, Sedgwick Papers, MHi. For the complete letter, see RCS:Mass., 384–85.

3. RC, Sedgwick Papers, MHi. The letter is dated “Sunday Evening—/10 O’Clock./ 9th Decr. 1787.”

4. Hubbard, an early settler of Pittsfield, was a wealthy political leader in the western part of town.

5. According to a report by the Confederation Board of Treasury, by 31 March 1788 the states had paid the following percentages of their congressional requisitions from October 1781 to October 1787: New York (67%), Pennsylvania (57%), South Carolina (55%), Virginia (44%), Massachusetts (39%), Delaware (39%), Maryland (29%), Rhode Island (24%), Connecticut (20%), New Jersey (19%), New Hampshire (12%), and North Carolina (3%). Georgia had paid nothing. (See PCC, Item 141, Estimates and Statements of Receipts and Expenditures, 1780–88, Vol. I, p. 75, DNA.)

6. Sedgwick agreed on 13 December that “it will be prudent for me not to come to Pittsfield.” See RCS:Mass., 421.

7. For John Bacon's 1 December letter to Sedgwick, see Stockbridge section. See also Sedgwick to Van Schaack, 5 December (RCS:Mass., 384-85).

8. RC, Sedgwick Papers, MHi. Other excerpts from this letter are printed in the Adams, Richmond, Sheffield, and Washington sections. For the complete letter, see Mfm:Mass.

9. Justice of the Peace Eli Root was a militia captain during the invasion of Canada in 1775-76 and a political leader of the Wendell Square area of Pittsfield.

10. John Locke's *Essay Concerning Human Understanding* was first published in 1690. Chapter 33 of Book II, "Of the Association of Ideas," was added to the fourth edition in 1700.

11. RC, Hugh Upham Clark Collection, MHi. Wendell (1733-1818), a graduate of Harvard (BA 1753 and MA 1754) and a prominent Bostonian with mercantile, manufacturing, and financial interests, was a member of the second and third provincial congresses, 1774-75; the state House of Representatives, 1776-78; the state Council, 1778-79; and the state constitutional convention, 1779-80. He had been the judge of probate for Suffolk County since 1780.

12. Rathbun, a clothier, had founded a Baptist church in Pittsfield in 1772. After a brief joining with Shakers in 1780, Rathbun reestablished his Baptist congregation. He represented Pittsfield in the state House of Representatives, 1776-78. Van Schaack wrote Sedgwick on 12 March 1789 that "The Elder is now convinced the new Constitution is for the best" (Merrill Jensen *et al.*, eds., *The Documentary History of the First Federal Elections 1788-1790* [4 vols., Madison, Wis., 1976-1989], I, 698-99).

Portland, Cumberland County, 19 November and 31 December **John Fox (Y) Joseph McLellan (Y)**

On 9 November selectmen Nathaniel Deering and Peleg Wadsworth issued a warrant instructing one of Portland's constables to notify the inhabitants to meet at 10:00 A.M. on 19 November at the meeting house to elect one or more delegates to the state Convention. The inhabitants elected Samuel Freeman moderator, voted not to read the Constitution, and read the General Court's resolution calling the state Convention. The town then reversed its vote about reading the Constitution and adjourned until 2:00 P.M., at Freeman's office. (Freeman was clerk of the county court of common pleas, justice of the peace, register of probate, and postmaster.)

The meeting reconvened, the Constitution was read, and a motion was defeated that called for the reading of objections to the Constitution and answers to them. The town voted to send two delegates to the Convention and then elected the Reverend Samuel Deane and John Fox. Neither Fox, who was attending the state House of Representatives, nor Deane was present. After appointing a committee to notify Deane of his election, the meeting adjourned for half an hour, at which time the committee reported that Deane declined the appointment. After excusing Deane, the town elected General Peleg Wadsworth and adjourned to meet on 3 December. At this meeting, reportedly attended by only twelve people, the town was informed that Wadsworth declined appointment and he was excused. Captain Joseph McLellan, who received seven votes, was elected as a replacement.

On 29 December selectmen John Fox and Nathaniel Deering ordered a constable to notify the inhabitants of another meeting on 31 December to elect a delegate to replace Joseph McLellan, who "declined to attend." McLellan was chosen again.

Cumberland Gazette, 15 November¹

The inhabitants of Portland meet, on Monday next, for the purpose of choosing a Delegate for the Convention to be holden in Boston on the 2d Wednesday of January next. It is hoped that they will not make choice of men who are "*raving mad*," either for or against the Constitution on which they are to deliberate.

Town Meeting, 19 November

At a legal Meeting of the Inhabitants of the Town of Portland qualified to vote in the choice of Representatives, agreeably to the preceding warrant; Samuel Freeman Esqr. was chosen Moderator

Voted Not to read the Constitution for the United States; The Resolve of the Genl Court was read by the Moderator; Moved & seconded: That the vote not to read the Constitution be reconsidered, it passed in the affirmative; Then voted That the Constitution be read.

Voted That this Meeting be adjourned to 2 o'clock this afternoon at the office of Samuel Freeman Esqr.—

Afternoon The Town met at Mr Freeman's office as adjourned; after reading the Constitution, on Motion that The objections against the Constitution of the United States and the answers thereto be read in the Meeting, the Town were divided and the Moderator declined to give his voice,—

Voted To send two Delegates to the Convention to be holden at Boston on the 2d. wednesday in January next—Votes being brought in counted and sorted, Revd Mr Samuel Deane, and Mr John Fox were chosen—

Voted That a Committee be appointed to wait upon Mr Deane and inform him that the Town have chosen him a Delegate to attend the Convention to be holden at Boston in Jany next—

Voted Richard Codman, James Lunt and Benjamin Titcomb a Committee for that purpose who reported, after adjournment of the Meeting for half an hour, That Mr. Deane was obliged to the town for their partiality in choosing him a Delegate for the Convention, but that he could not attend that business, therefore voted To excuse him—

Votes being brought in, counted and sorted Peleg Wadsworth was chosen Delegate,

Voted that this Meeting be adjourned to this day fort'night (Decr. 3d) at ten o'clock AM at the Meeting-house;—

Town Meeting, 3 December

The Town met according to adjournment and Saml Freeman Esqr. being unable to attend thro' indisposition of body, John Waite Esqr.

was chosen Moderator in his room; Genl Wadsworth who was chosen Delegate for the Convention; declining to attend that business, the Town voted to excuse him—

Votes being bro't in counted and sorted, Capt Joseph McLellan was chosen, who accepted of the trust—

Oriental Junius

Cumberland Gazette, 13 December

MR. PRINTER, The town of which I am an inhabitant, labours under the disadvantage of being remotely situated, so that our principal public intelligence is through the medium of your paper; which, since the promulgation of the *Federal Constitution*, is read with the greatest avidity: and never was a more interesting subject submitted to the consideration of any people, or nation; and never were the sons of *America* more loudly called upon to attend to the things which concern their present, and future happiness, than at this day.—Deeply impressed with an idea of the *vast importance* of the matter in discussion, my fellow-townsmen (many of whom were formerly of *Portland*) have endeavoured to avail themselves as much as possible of the light thrown upon the subject in contemplation; and, still retaining a respect for the town of their former residence, were willing to defer their choice of delegates to represent them in the State convention, till the result of the deliberations of the town of *Portland* was known: but, judge our *astonishment* to learn that the last meeting in that town, for the choice of a delegate in the room of General *Wadsworth*, who had declined the office, was attended by TWELVE voters only SEVEN of whom gave their votes for *the gentleman*, who accepted! Thus one of the most important matters that ever was acted upon in any town, was managed by *less than a handful*.—At *Gorham*, a *country* town, the meeting for the choice of a delegate was attended by *fifty-two* voters; at *Portland*, the *metropolis* of the eastern counties, the meeting for this purpose consisted of *twelve*! O *Portland* (cries thy guardian genius) how often would I have gathered thee together, even as a hen gathereth her chickens under her wings, and thou wouldst not: but now the things which concern thy peace, are hidden from thy eyes!

A Freeholder

Cumberland Gazette, 20 December

MR. WAIT, *I think I have a right to see the following in your next—being a constant reader.*

I am well informed that you lately refused publishing a piece offered you, because you tho't it *pointed*. In your last I saw a piece doubly

pointed. The smallest shaft was aimed against the town of Portland, which I love and revere: the other against the gentleman *chosen*, who *well* supplied the place of General Wadsworth.

The piece you declined publishing applied as well to Mr. H. or Mr. F. or Mr. B. or Mr. M. or Mr. C.—as to Mr. D.—The liberty of the press is deemed, and really is, a darling privilege. But is the printer to be judge? I believe not. Youth and inexperience will apologize for him, if he thinks himself to be a *judge*.²

The town of Portland were fairly notified and warned to meet for the purpose of chusing delegates to attend the approaching Convention: but because of a thin meeting, and the absence of Mr. Fox, who was fully chosen, and who was then at the General Court, they adjourned to receive his answer. At the adjournment, such of the town as chose, and such as could with convenience attend, did attend, and made choice of a gentleman in whose ability and integrity they confided.

How illiberal then, the observations of *Oriental Junius!* and how ill-timed his ejaculation—"O Portland, how often would I have gathered thee together, even as a hen gathereth her chickens under her wings; and thou wouldest not"—When an hawk from above, with his greedy talons, threatened her innocent life; and the horse-leach from below, with her two daughters, was crying *give, give*. Chickens are not to be gathered in this manner; neither will any one attempt it without folly: for you will not easily catch *old birds* with chaff.

To Mr. FREEHOLDER.

If the Publisher of the Cumberland Gazette is not to judge what it ought, or ought not to contain, who shall? What man or set of men—what junto would you be pleased to recommend?—Or would you, kind Sir, become Inspector yourself?—Perhaps you would.—When we are unable to do without, your services shall be solicited—Till then, we shall only say—

Yours most respectfully.

Oriental Junius

Cumberland Gazette, 27 December

MR. PRINTER, A writer in your last, who subscribes himself *A Freeholder*, accuses me with writing a piece "doubly pointed: the smallest shaft" (says he) "is aimed against the town of *Portland*; the other against the gentleman *chosen*, who well supplied the place of General Wadsworth." In that short scrap which I published, my design was, to rouse the inhabitants of the town of *Portland* to their duty: to stimulate them to

attend to a matter, which I conceived to be of the greatest importance: fearing that, like the angel of the church of Laodicea, they were neither cold nor hot;³ and by their inattention I think I had reason to fear.

But, pray, Mr. Printer, what "illiberal observations" have I made? and in what manner was my ejaculation "ill-timed?" and where can be found this poisoned arrow, this venomous shaft, aimed against the gentleman chosen? Had I asserted one falshood—had I said that *three* or *four* voters, out of the SEVEN, were of *the gentleman's* OWN HOUSHOLD, or nearly connected by relationship, and the remaining number influenced by *them*—had I called him a "COACH-HORSE," this *liberal* Freeholder might justly have charged me with *illiberality*; but far from this, Mr. Printer, I spoke of the gentleman but with the *utmost* respect.

I am credibly informed that the meeting previous to the last was a pretty full one, and that Mr. Fox was chosen by a great majority. How then can the *Freeholder* call it "a thin meeting?" But this is *liberal*.

I do not know, Mr. Printer, who this same *Freeholder* is; but must do him the justice to acknowledge my admiration at the vastness of his abilities as a literary composer. His late publication speaks him a man of profound erudition; and by the soundness of his reasoning one must conclude that he is well acquainted with *Aristotle*, even in the original.—Mr. Fox, says he, was in Boston, at the General Court, at the time of the meeting: it was necessary the inhabitants should receive his answer; *therefore* they adjourned *because of a thin meeting*. This is very logical indeed! But now come the reasons why the meeting at the adjournment consisted of but *twelve*—"because a hawk from above" (it was a wonder it had not been a dragon) "with his greedy talons, threatened the innocent life of *Portland*: and the horse-leach from below" (thank God, it was not a crocodile) "with her two daughters," &c. In the name of common sense, what does all this mean, as applied to the subject in question! I confess it is not intelligible to me; and I doubt whether any one can understand the meaning.

Warrant Calling Town Meeting, 29 December

To John Bagley one of the Constables
of the Town of Portland Greeting—

In the name of the Commonwealth of Massachusetts you are hereby directed to notify the Inhabitants of Portland aforesaid qualified by law to vote in the election of Representatives to meet at the Meeting house on Monday the thirty first day of December current @ 10 o'clock in the Forenoon—To choose a Delegate to represent them in the Convention to be held at Boston on the second wednesday of January next

in the room of Capt Joseph McLellan who has declined to attend said Convention—

Town Meeting, 31 December

At a Legal Meeting of the Town of Portland Decr. 31st. 1787 John Waite Esqr. was chosen Moderator.

Votes being brought in counted and sorted Capt Joseph McLellan was chosen a Delegate to the Convention to be holden @ Boston on the 2d wednesday of January next—

1. Immediately preceding these two sentences, the *Cumberland Gazette*, 15 November, reprinted a paragraph from the *Worcester Magazine*, 8 November (RCS:Mass., 209) in which it was reported that throughout America “there are persons who appear to be *raving mad*, both for and against the plan.”

2. For more about the twenty-five-year old Thomas B. Wait, printer of the *Cumberland Gazette*, see Thomas B. Wait to George Thatcher, 22 November, RCS:Mass., 296, note 1.

3. Revelation 3:14–16. “And unto the angel of the church of the Laodiceans write; . . . I know thy works, that thou art neither cold nor hot: I would thou wert cold or hot. So then because thou art lukewarm, and neither cold nor hot, I will spue thee out of my mouth.”

Pownalborough, Lincoln County, 11 December*
Thomas Rice (Y) David Sylvester (Y)

Town Meeting, 11 December

At a Town Meeting holden in Pownalborough at the Meeting Hous in the east parrish on tuesday the eleventh day of December 1787 and adjurd to the hous of Ebenezer Whittier the following Votes ware pasd and persons ware Chosen Viz

Voted unanamus not to accept of the plan for a new Constitution

Voted that Thomas Rice Esqr be a Representative agreable to the Second article in the warrent

Voted that David Silvester be a representative agreable to the Second article in the warrent

*The town of Pownalborough is now named Wiscasset.

Princeton, Worcester County, 27 November
Timothy Fuller (N)

Town Meeting, 27 November

The Inhabitants being assembled at time and place, the meeting Opened, the Town made Choice of Mr. Timothy Fuller to represent

them in Convention at Boston agreeable to the Resolve of the General Court referred to in the warrant, who being present Declared his acceptance, and promised his attendance Accordingly—

Reading, Middlesex County, 17 December
Peter Emerson (N) William Flint (N)

Town Meeting, 11 December

At an Occasional Town-Meeting held in the First Parish in Reading Decr. 11. 1787—Voted to send 2 Delegates to Convention—Then Adjourn'd to Monday 17. Instant 9 oClock in the Morning

Town Meeting, 17 December

at the Adjournment were chosen Delegates Mr. Wm. Flint & Mr. Peter Emerson—Captn. Foster chosen Moderator—No Votes for instructing said Delegates. . . .

Then took up the Matter of Instructions & reconsider'd the Vote not to instruct

Then Voted to choose a Committee to form Instructions, the Committee to be 3 & chose the Revd. Mr. Stone, James Bancroft Esqr. & Doctr. Hart—Then Adjourn'd to 4 o'Clock this Afternoon at this Place—At the Adjournment Accepted the Committee's Report of Instructions which is kept on File

Rehoboth, Bristol County, 26 November*
Phanuel Bishop (N) Frederick Drown (N)
William Winsor (N)

On 26 November the town of Rehoboth elected three Convention delegates, all of them "antifederal" (*Massachusetts Centinel*, 5 December). Nine days later the selectmen issued a warrant calling another town meeting for 17 December. The fourth article of the warrant provided that the meeting should act "to Know the Towns mind Whether they will give their Deligates Instructions . . . or to act in that affair as the Town Shall think Proper." The town meeting convened on 17 December and "Voted to Dismiss the 4th article in sd warrant."

*See also Christopher Gore to Rufus King, 23 December (III above).

Richmond, Berkshire County, 17 December
Comstock Betts (N)

Town Meeting, 7 December

At a legal Town Meeting of the Inhabitants of the Town of Richmond on Friday Decr. 7th. 1787—at one OClock P.M.

Voted—That there be a Meeting at the School House by Mr. Tarbells on Monday Evening Tuesday Evening at the School by Mrs. Gastons, Wednesday Evening at the House of Mr. Daniel Rathbun's, Thursday Evening at the School House by Mr. Levi Austins to consider of, and examine the Federal Constitution

Voted—And adjourned this Meeting to Monday after next, at nine O'clock A.M.

*Henry Van Schaack to Theodore Sedgwick
Pittsfield, 14 December (excerpt)*¹

... The struggle at Richmond will be between Cap Raymond and Mr. Betts. . . .

Town Meeting, 17 December

Then opened said Meeting according to Adjournment

Voted—To choose a Delegate to attend the State Convention

Voted—And Choose Mr. Comstock Betts a Delegate to attend at the Convention at Boston on the second Wednesday of January next

Voted—And adjourned this Meeting to Monday next at ten O'clock A.M.—

Town Meeting, 24 December

Then opened sd Meeting according to Adjournment & upon a Motion made whether the Constit[ut]ion shall be read and considered in Meeting—Voted that it should not be read in said Meeting & attended to

Voted—That the Town think not proper to adopt the Constitution as it now stands

1. RC, Sedgwick Papers, MHi. Other excerpts from this letter are printed in the Adams, Pittsfield, Sheffield, and Washington sections. For the complete letter, see Mfm:Mass.

Roxbury, Suffolk County, 17 December
William Heath (Y) Increase Sumner (Y)

Roxbury

American Herald, 10 December

Mr. PRINTER, The motives of a CERTAIN Character, near the metropolis, in wishing to come to the approaching Convention must undoubtedly be the purest and most upright.—It was formerly a doctrine in the Romish Church, "No matter what means were made use of in obtaining

a good end.”—If this doctrine may be applied politically, even expensive and sumptuous ENTERTAINMENTS made to Electors immediately previous to the Election, is a most laudable means of establishing so excellent a System as the present and glorious New Plan.

One Among You

Independent Chronicle, 13 December

To the Electors in Roxbury.

You have among you a certain *military character*,¹ whose extraordinary exertions to procure an election as Delegate to the Convention, cannot fail to excite in your minds, the remembrance of the important services he rendered you at the close of the late war, by his representations to the Commissioner appointed by Congress, to ascertain and allow the *damages* you had sustained by the *cantonment* of *troops* among you: The widow and the fatherless can never have that transaction obliterated from their minds, but must feel as grateful as will every American who remembers the *heroism* and *danger* of this great man, as Major-General during the late war. Certainly he is a fit person to provide for the public safety, who has ever been distinguished by the *most prudent attention* to his own.

Henry Jackson to Henry Knox

*Boston, 16 December (excerpt)*²

. . . The proposed Federal Government has a better appearance every hour in this State, & at present it is much in favor of it's being addoptd with us, $\frac{4}{5}$ of the members already chosen are highly Federal—the Candidates for the Town of Roxbury are Judge Sumner, John Lowel, Genl. Heath & Mr. Bradford their Minister—as they can only send two—*Sumner & Lowel* it [is] said will be the men—they choose to morrow. . .

William Heath Diary

*Roxbury, 17 December*³

Wind Northwest fair cold and pleasant—This Day the Inhabitants of the Town of Roxbury met for the choice of Delegates for the Convention When the Honble. Wm. Heath and Increase Sumner Esquires were chosen

1. William Heath.

2. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York.

3. MS, Heath Diaries, MHi.

**Rutland, Worcester County, 3 December
Asaph Sherman (N)**

Town Meeting, 3 December

At a Town Meeting of the Inhabitants of Rutland, Legally warnd. & Assembled, on Monday the third day of December at one oClock afternoon, the following Votes were passd. (viz) . . .

After reading the Constitution and Some debate on the matter Lt. Asaph Sherman was Chosen to represent this Town in the State Convention

then Voted that John Frink Esqr., John Fessenden Esqr, David Henry, Capt Jno. McClanathan & Lt. Wm. Browning be a Committee to Draught Instructions for the delegate

Then Voted that the meeting be adjournd. to the 24th of Decr. Instant then to meet at this place at two oClock afternoon, the meeting is adjournd. accordingly

Town Meeting, 24 December

The Town being met according to adjournment

the Committee appointed to draught Instructions for the Delegate to Sit in Convention reported a draught which being read was accepted by the Town the number being 31 for & 28 against it. Then Voted that the Town Clerk Serve the delegate with a Copy of Said Instructions, then Voted that the meeting be Disolvd., the meeting is Disolvd. accordingly

Salem, Essex County, 5 December

Francis Cabot (Y)	William Gray, Jr. (Y)
Richard Manning (Y)	Edward Pulling (Y)

Salem Mercury, 4 December¹

To-morrow, the inhabitants of this town are to assemble, for the purpose of electing Delegates to represent them in the ensuing State Convention. The good sense of the people will naturally lead them to choose, to this most important office, men of cool heads, honest hearts, and independent sentiments—that they may be able to say, if we fall at last, that they are innocent.

The question, in the choice of Delegates, is not (says a correspondent) Whether the candidates will vote for or against the Constitution—but, Whether they have ability, and are honestly disposed, to examine it candidly and impartially, and to decide on it according as it shall be found calculated to affect the happiness of the people.

*William Bentley Diary**Salem, 5 December (excerpt)²*

At a meeting of the Town of Salem to choose members of the Convention to consider the federal Constitution, 208 voters, the following Gentlemen were chosen:

Richard Manning Esqr.
Edward Pullen Esqr.
Mr Francis Cabot &
Mr William Gray, junr. . . .

*William Pynchon Diary**Salem, 5 December (excerpts)³*

a fine clear day . . . To[wn] meeting for Conventn. men

1. The first paragraph was reprinted in the *Pennsylvania Packet*, 19 December.

2. MS, Bentley Papers, MWA. Printed: *The Diary of William Bentley* . . . (4 vols., Salem, 1905-1914), I, 84-85.

3. MS, Pynchon Papers, MHi. Printed: Fitch Edward Oliver, ed., *The Diary of William Pynchon of Salem* . . . (Boston and New York, 1890), 293.

Sandwich, Barnstable County, 11, 13 December**Thomas Nye (N) Thomas Smith (N)***Town Meeting, 11 December*

At a Legal Meeting of the Town of Sandwich on the 11th. Day of December AD 1787 The Select Men presiding as Moderators

voted that Thomas Bourn Esqr. & Doct. Thomas Smith Represent the Town at a Convention of Delegates to be holden at ye. state house in Boston on the Second Wednesday of January next

Then Doct. Thomas Smith was chose Moderator for the remaing part of this meeting

voted that Ebenezer Allen, Mr. Knowls, Stephen Chipman, Thomas Nye, John Dillingham Jr., Silvanus Jones & Joshua Tobey be a Co[m]tee. to give Instructions to ye. Delegates chosen & make report at this Meeting

the above Co[m]te. made their report & it was voted by ye. Town & it was desired it might be put to vote whether it should be recorded and it was declared to me by ye. moderator it was not to be recorded . . .

voted that this Meeting be adjourned to next thirdsday at 3:o'clock in the after noon

Town Meeting, 13 December

At a Legal Meeting of ye. Town of Sandwich on the 11th. Day of December AD 1787 the Select men presiding as moderators Continued by adjournment unto the 13th. Day of December Instant and then met voted that Thomas Bourn Esqr be excused from Serving [as a] Delegate at the Convention to be held at Boston on the Second Wednesday of January next

voted that Thomas Nye be [a] Delegate at ye. Convention of Delegates to be held at Boston on the Second Wednesday of Jany. next

*Massachusetts Centinel, 2 January 1788¹**Extract of a letter from Sandwich, Dec. 24.*

“This good town has instructed their delegates to Convention, to vote against the adoption of the new Constitution—let what will be said in its favour. *Pure antifederalism this, my friend.*”

*Jeremiah Hill to George Thatcher**Biddeford, 9 January (excerpt)²*

... Sandwich I see by the papers has instructed their delegates to vote against it, let what reasons might be offered in favor of it, this is antifederalism with a witness, this is neither policy nor natural Affection—

There is such a thing as overdoing in the best Causes, if Solomon was right, when he tells us not to be overmuch righteous,³ perhaps the whigs in Sandwich in former days over did whigism, or rather the politicians in that Town over reached their politicks, which has perhaps given the people there a distaste to what we call politicks in general. . . .

*Marcus**Massachusetts Centinel, 9 January*

Mr. RUSSELL, The information in your last, that Sandwich had instructed their delegates to the Convention to vote against the adoption of the new Constitution, although the eligibility of such a measure, were demonstrated by the strongest arguments, must afford matter of surprize and astonishment to the rational part of the community.

When an alteration in the federal system is confessedly a desideratum in American politicks;—when in fact, we are reduced to the alternative of adopting a government which has efficiency, and a national controul, coextensive with our national concerns; or, of dwindling into insignificance, and becoming the scorn, and the derision of nations; it certainly becomes us as a wise and virtuous people coolly to deliberate

upon the proposed plan of federal government. Conformably to this idea, our wise legislature called a Convention, to collect the wisdom and experience of the commonwealth, for cool deliberation, on a momentous subject, big with the fate of thirteen, independent, rising States. A convention was not called, it is presumed, blindly and absolutely to ratify, or to reject, instantly, the proposed Constitution; but previous to either, freely to discuss its merits, and the expediency, or inexpediency of adopting it. That the mode of instructing delegates absolutely to ratify, or to reject the Constitution, is repugnant to these sentiments, is extremely obvious: There can be no deliberation, or it can answer no valuable purpose, where the line of conduct is marked out by invincible predetermination. If a town decide upon the question, and their decision is binding upon their delegates, *they* can answer the purposes of carriers only, or be the mere mechanical echo of a party; and the design of the Convention, so far as respects them, is intirely frustrated. Were it the original intention of the legislature to submit the Constitution to the respective towns for their ratification, or rejection, the assembling a Convention would not only be needless, but absurd and injurious to the community. But as the design was evidently to collect a representation of the State, unshackled by particular, positive instructions, the proceedings of the town of Sandwich are highly reprehensible: They are insulting to their delegates, and injurious to the publick;—insulting to their delegates, because they suppose them incapable of acting alone, or unworthy of confidence;—injurious to the publick, because they load the Commonwealth with the expense of paying two men travel and attendance, when it can derive no benefit from their deliberation. As a majority of the electors were antifederal, they undoubtedly elected antifederal men. The only reason then for instructing them, must have arisen from their fears; their fears, that, as some men are open to conviction, the political creed of their delegates, might be shaken by the triumph of reason and truth over sophistry and error. We sincerely regret this procedure of the good people of Sandwich, as it must, with their celebrated instructions to their representatives in the present court, remain an indelible stigma upon the character of the town.⁴

Boston, Jan. 4, 1788.

*Massachusetts Centinel, 12 January*⁵

GENUINE INDEPENDENCE OF MIND.
An authentick and recent ANECDOTE.

When the town of Sandwich had elected Thomas Bourn, Esq. for one of their delegates in Convention, and by a subsequent resolve,

instructed him to vote against the federal Constitution, let what would be said in its favour, he addressed his electors as follows:

“FELLOW TOWNSMEN, The line of conduct which appeared to me right, I have ever wished to pursue. In the decline of life, when a few revolving suns at most, will bring me to the bar of impartial justice, I am unwilling to adopt a different, and a less honest, mode of acting. It is true my sentiments at present, are not in favour of the Constitution. Open to conviction however, they may be very different when the subject is fairly discussed by able and upright men. To place myself in a situation where conviction could be followed only by bigotted persistence in error, would be extremely disagreeable to me. Under the restrictions with which your delegates are fettered, the greatest idiot might answer your purpose as well, as the greatest man. The suffrages of our fellow men, when they neither repose confidence in our integrity, nor pay a tribute of respect to our abilities, can never be agreeable. I am therefore induced positively to decline accepting a seat in Convention; whilst I sincerely wish you, Gentlemen, and my Countrymen, every blessing which a wise and virtuous administration of a free government can secure.”

His resignation was accepted with reluctance, and a Mr. Nye, elected in his stead.

American Herald, 14 January

A Correspondent observes, ^(a)Mr. Bourn of Sandwich, proved himself to be the “*Idiot*”—He was chosen by that town to the *Convention* to oppose the *Constitution*. Would not then the Man of the greatest ability have answered their purpose better than an ‘*IDIOT*’?—Mr. Bourn thinks himself the ‘*greatest Man*,’ and would not accept the suffrages of his citizens—“and a Mr. NYE was elected in his stead.”

*‘He that exalteth himself shall be abased,
And he that humbleth himself shall be exalted.’⁶*

(a) See Saturday’s Centinel.

Boston Gazette, 14 January⁷

If, says a correspondent, the delegates of the town of Boston to the present Convention had felt the same *laudable indignity* in being *pin’d* up to a ratification of the Constitution only.—Whether they would not have acted the same *noble* part of the SANDWICH MEMBER, by declining their acceptance to a seat in that respectable assembly?

A correspondent wishes to know if the people have a right to read and approve, or disapprove of the Constitution for themselves? and if so, why so much said against the town of Sandwich for instructing their representative?

A Lover of Truth

Massachusetts Centinel, 22 March

MR. RUSSELL, When aged vice is crowned with the laurels of applause, which ought to be entwined around the brow of virtue only, it operates a discouragement to laudable emulation. This observation was suggested by an anecdote in your paper, said to contain an account of the resignation of T. B. Esq. elected a delegate to the late Convention, for the town of S——h. Those who know the gentleman must be convinced of his incapacity to express, or to conceive, the sentiments contained in what was said to be his address to his fellow-townsmen. I wish not to derogate from the *real* merit of the gentleman: I wish, however, that he may not plume himself upon undeserved praise, or impose upon the publick by a spurious show of magnanimity. I am an inhabitant of the town for which he was elected. I was present at the meeting for the choice of delegates; and I feel hurt when I see such a glaring falsehood ushered to the publick eye. I am solicitous that real facts should be known, that he may still be watched as an enemy to the present government of his country, and that the poison of his lips may be avoided as the breath of contagion. I, therefore, request of your impartiality to hand to the publick the following statement of facts, which can be verified by every gentleman present at the meeting:

When T. B. was elected and declared one of the delegates for this town to Convention, he returned his unfeigned thanks to his electors for the honour they did him in their suffrages. He observed, that if any inducement could prevail on him in his advanced age, and in this inclement season, to attend Convention, it would be such *positive instructions* as would enable him to act the minds of his constituents. He wished, however, time for consideration as he was infirm, and did not think his health would permit him to attend. The meeting was then adjourned. Two or three days after the adjournment he sent his resignation to the selectmen, without offering any reason for his non-acceptance. B. was an early, a stedfast, and a rancorous opposer of the late revolution—men and measures. He meditates nothing but a re-union with G. B. and has frequently said (and since the glorious issue of our Convention) that nothing but such an event would make us a happy people. He is opposed to every thing which would insure us

respectability as an independent nation. He reprobates the federal Constitution in secret junctos, in publick companies, and on every occasion where there is a probability of his infesting the sentiments of the people. And notwithstanding the pompous display of honesty and independence in his pretended speech, he is one of those characters who very readily consented to represent this town under the most infamous instructions that ever appeared to the publick, or disgraced a free people.⁸—It is but justice, however, to the federal minority of S—, to observe, that the instructions to their delegates were obtained by a majority of two only.

Giles Hickory (Noah Webster): Government

New York American Magazine, March (excerpt)⁹

... How noble was the conduct of that gentleman in Sandwich (Mass.) who, being chosen to represent the town in the late Convention, and instructed to vote against the constitution, *at all events; notwithstanding any thing that might be said in favor of it*; rather than submit to be fettered in this manner, resigned his appointment. The name of this gentleman, THOMAS BOURN, Esq. ought to be held in veneration by every true friend to his country, and his address to the electors on that occasion, ought to be written in letters of gold. It is recorded in these words: [For Bourn's alleged address, see the *Massachusetts Centinel*, 12 January (Sandwich section, at note 5).]

Such a bold and honest independence of mind are the marks of a good Legislator. With such men as Mr. Bourn, in the legislative department, our lives, liberties and properties are safe. Such a genius, rising amidst the obscurity of errors and false maxims, like a star emerging from chaos, spreads the rays of truth and illuminates the surrounding hemisphere. Considering the circumstances in which this gentleman was then placed, I had rather be the author of that short address, than of all the labored dissertations which have been written upon the proposed constitution. . . .

1. Reprinted: *Independent Chronicle*, 3 January; *New Hampshire Gazette*, 9 January; *Cumberland Gazette*, 10 January; Exeter, N.H., *Freeman's Oracle*, 11 January; *New York Journal*, 15 January; *Gazette of the State of Georgia*, 14 February.

2. RC, Chamberlain Collection, Thatcher Papers, MB. For a longer excerpt from this letter, see III above.

3. Ecclesiastes 7:16. "Be not righteous over much; neither make thyself over wise: why shouldest thou destroy thyself?"

4. On 23 May 1787 the town of Sandwich instructed Thomas Bourne and Thomas Smith, its representatives to the state House of Representatives, to move the General Court out of Boston, revise the state constitution, restore peace to the state, lower the salaries of state officials, reduce the value of public securities to the discounted price paid

for them by speculators, and tax them as other assets in estates, reduce certain taxes, lay large excises and duties on luxuries, tax the estates of ministers equal to that of other men, repeal the suspension of the writ of habeas corpus, prohibit poll taxes, and prevent grants to Harvard College. The instructions, with a satirical introduction, were printed in the *Massachusetts Centinel* on 2 June 1787.

5. Reprinted in the *Salem Mercury*, 15 January; *Hampshire Gazette*, 23 January; *Worcester Magazine*, 14 February; and in thirteen other newspapers by 20 March: R.I. (1), Conn. (1), N.Y. (2), N.J. (1), Pa. (3), Md. (1), Va. (2), S.C. (2). Samuel P. Savage copied this newspaper item into his diary because "the followg authentick and recent Anecdote contains so much good Sense and greatness of Mind" (Savage Diary, MHi).

6. Matthew 23:12, Luke 14:11, or Luke 18:14.

7. The first paragraph was reprinted in the *Cumberland Gazette*, 17 January.

8. See note 4 above.

9. Also printed in Noah Webster, *A Collection of Essays and Fugitiv Writings* . . . (Boston, 1790), 72–80 (Evans 23053). The excerpt is on pages 77–78.

Sanford, York County, 10 December Samuel Nasson (N)

Town Meeting, 19 November

At a legal Town meeting held in Sanford Nov. 19, 1787

1 Mr. Henry Smith chosen moderator

2 Voted not to send any Delegate to Boston

Town Meeting, 10 December

At a legal Town meeting held in Sanford December 10. 1787

1 Mr. William Parson Chosen moderator.

2 Agreed upon and voted and reconsidered a vote that was past last November Ye 19 that was not to send any Delegate

3 Agreed upon and voted to send a Delegate to Boston.

5 [i.e., 4] Voted and chose Capt. Samuel Nasson Delegate to Set at Boston.

David Sewall to George Thatcher

York, 5 January 1788 (excerpt)¹

. . . Sanford had one meeting and Voted not to Send any—But Mr S. come down full charged with Gass and Stirred up a 2nd Meeting and procured himself Elected, and I presume will go up charged like a Baloon. . . .

1. Printed: Goodwin, "Thatcher Papers," 261. For other excerpts from this letter, see the Wells and York sections.

**Sheffield and Mount Washington, Berkshire County, 17 December
John Ashley, Jr. (Y)**

Town Meeting, 10 December

At a legal Town meeting at the Meeting house in Sheffield on the tenth Day of December 1787 at one of the Clock in the Afternoon of the Inhabitants of sd Sheffield & Mt. Washington—said Meeting was opened by sd Selectmen & the foregoing Warrants were read & also the Returns of the several Constables on the back of sd Warrants were read.

Put to vote—To see if it is the Minds of the present Voters to adopt the Constitution mentioned in the foregoing Warrants

on a Division of the House eighty six appeared for adopting said Constitution—86 for

And seventy eight appeared against adopting said Constitution—78 against which makes a majority of eight for sd. Constitution.—

Voted to send one or two Deligates to represent sd Inhabitants of Sheffield & Mt. Washington in a Convention of Deligates to be convened at the State House in Boston on the second Wednesday of January 1788

Voted to send but one Deligate to Represent sd. Inhabitants in the Convention which may assemble at Boston as aforesaid—

Then the Voters present bro't in their Votes for one Delegate

John Ashley Junr Esq. had	79 Votes.
Lieut John Hubbard had	78 Votes.
John Fellows Esq had	78 Votes.
Lieut Anthony Austin had	1 Vote.

No Choice made.

Voted to adjourn sd Meeting to Monday the 17th. Day of December current at ten of the Clock in the forenoon—

said Meeting was accordingly adjourned to sd 17th Day of December current at ten of the Clock in the forenoon—

*Theodore Sedgwick to Henry Van Schaack
Stockbridge, 13 December (excerpt)¹*

I arrived from Sheffield only yesterday morning. The meeting there was very full, the subject could not be said to be debated, because nobody spoke agt. the constitution, it was however pretty ably discussed on the other Side, the question was then put whether the town approved of the constitution & it passed in the affirmative by a majority

of eight. They then determined to send but one delegate. As the friends of the constitution had previously determined to send two & had determined on General Fellows & Col. Ashley some little confusion took place and on the balloting Ashly wanted one of a majority. After voting many of the friends of justice went to the houses in the neighbourhood to warm and it was generally apprehended that confident of success they had gone home. This induced a motion for adjournment till monday next, with which the insurgents instantly closed. so stands the matter there. . . .

*Henry Van Schaack to Theodore Sedgwick
Pittsfield, 14 December (excerpt)²*

I was home when yours of yesterday arrived here or I should, most probably, have wrote you before. The account you give of the proceedings at Sheffield are more flattering than I could have expected. They would have been still more so if you had given an opinion that the adjournment was likely to be attended with Success. I will endeavor to suppress my anxiety if possible. . . .

Town Meeting, 17 December

At a legal Meeting at the Meeting house in Sheffield of the Inhabitants of sd Sheffield & Mt. Washington on the tenth Day of December at one of the Clock in the Afternoon Anno Domini 1787 & from thence continued by adjournment to Monday the seventeenth Day of December 1787 at ten of the Clock in the forenoon.

said Meeting was again opened by sd. Selectmen.—

The Voters present gave in their Votes to the said Selectmen for one Delegate for the purpose aforesaid.—

The whole number of Votes given in was 263

Therefore 132 makes a Choice

John Ashley Junr. Esq. had 133 Votes.

Lieut John Hubbard had 129 Votes.

Lieut. Anthony Austin had 1 Vote.

263 Whole No of Votes

Majr. Ezra Fellows one of sd. Selectmen then made Declaration in sd Meeting that John Ashley Junr Esq. was chosen Delegate for the purpose aforesaid.

John Ashley Junr Esq one of sd. Selectmen then by Proclamation dissolved sd. Meeting.—

*Remonstrance of the Inhabitants to the
Massachusetts Convention, 4 January 1788³*

To the Honourable Convention of Dellegates to Be Convened at Boston on the Second Wednesday in January 1788—for the purpose of Taking into Consideration the new fedderal Constitution. We the Subscribers Inhabitants of the Town of Sheffield in the County of Berkshire Being freeholders, Think it our Indispensable Duty to Remonstrate against John ashley Junr Esqr Being admited to a Seat in your Honorable Convention as he has not been Elected by the Said Town of Sheffield for that Purpose; Your Remonstrants have applied to Lemuel Barnard Esqr in Sheffield, a Justice of Peace for Said County Who obstinately Refuses To take our Depositions Respecting the Illegal Conduct of the Selectmen Who presided at the Said Election, We therefore Severally & Solemnly Declare as follows (viz) I David Clark and I Augustin Austin Saw Elias Ransom & Stephen Stevens put in their Votes for a Dellegate at a Meeting of the Inhabitants of Said Town on the Seventeenth Day of December Last for the purpose of Chusing a Dellegate; Neither of Which persons had Resided in Said Town more Than Seven months. I Zadock Loomise Do Solemnly affirm and Declare, that I Saw clearly and plainly, a Certain person put Two Votes into the Hat at the meeting beforementioned. I Isack Vausburgh Saw a Certain other person than that which Zadock Loomise Saw, put Two Votes into the hat at the Said Meeting. And I Antony Austin Saw Jacob Johnson put a Vote into the hat at the Said Meeting, which Said Jacob Johnson had not been an Inhabitant of the Town of Sheffield more than Eight Months.

And furthermore, We the Subscribers Solemnly affirm and Declare that there were Nine other persons which voted at the forementioned Meeting for a Delegate to the Said Convention, which Said Several persons we for Several Years, have been Well acquainted with and their Several Circumstances, and, that they were not Qualified to Vote in Said Meeting, unless they were Put into possession of property fraudulently with a view Solely to Qualify them to vote in the Said Meeting

We think it our Duty farther to Inform your Honours that the Said John Ashley Junr Esqr Being one of the Selectmen, presided in the meeting and held the hat for Receiving the Votes But Insted of Seting it fair & open on the Table as Usual, held it in his Left hand Pressed Close to his breast, Receiving the Votes From the Voters In general, in his Right hand and puting (or pretending to put them) into The hat himself, at the Same time Suffering Others to put their hands, *Shut*, into the Crown of the hat So that it Could not be known Whether they put in one Vote or Ten—

Your Remonstrants Can truly Say that we wish for nothing more than to have a firm Stable energetick Government both Federal and State and that these are heartily willing to invest Congress with all those Powers which are necessary to enable them to order direct protect Secure and defend the United States, but when we See a certain Set of Men among us not only ravenusly greedy to Swallow the new Fedderal Constitution them Selves but making the greatest exertions to ram it down the Throats of others without giving them time to taste it men too who we have reason to immagin expect to have a Share in Administering the new Federal Government when we See Such Men fraudulintly and basely depriveing the People of their Right of Election thretning awing deceiving Cheating & defrauding the Majority in the manner above mentioned it is to us truly alarming we therefore beg leave to protest against the pretended Election of John Ashley Jr. Esqr. as a deligate for the town of Sheffield as he has not been Elected by the Sd. Town for that purpose and we humbly trust he will not be permitted to a Seat

We the Subscribers Inhabitants and Freeholders of Said Sheffield, do Solemnly affirm and Declare under the pains and penalties of Perjury that the Several Matters and Facts Stated in the foregoing Remonstrance, are the Truth the whole Truth and Nothing but the Truth, So help us God

David Clark, Augustin Austin, Zadok Loomis, Isaac Vosburgh, Anthony Austin, John Hubbard, Timothy Hubbard

Massachusetts Convention Journal, 11–12 January

[11 January, A.M.] Met according to adjournment

A Remonstrance from certain inhabitants of Sheffield against the election of Colo. John Ashley Junr. as a Delegate to this convention Read and committed to Dr. Taylor, Mr. Sumner, Mr. Strong, Mr. Tufts, Mr. Rice, General Brooks of Lincoln and Mr. Adams.

[11 January, P.M.] . . . The Committee on the ~~petition~~ remonstrance of certain inhabitants of Sheffield made report that there was no evidence to support the said remonstrance Ordered that the same lie on file.⁴

[12 January] . . . A paper called a remonstrance of seven inhabitants of the town of Sheffield, having been read and committed, and there appearing no evidence, nor any person in support of the allegations therein contained, Ordered that the said remonstrance be dismissed.

1. RC, Sedgwick Papers, MHi. For other excerpts from this letter, see RCS:Mass., 421–22 and the Pittsfield section (note 6). Sedgwick had moved from Sheffield to Stockbridge in 1785.

2. RC, Sedgwick Papers, MHi. Other excerpts from this letter are printed in the Adams, Pittsfield, Richmond, and Washington sections. For the complete letter, see Mfm:Mass.

3. MS, Constitutional Convention, 1788, M-Ar. Docketed: "Sheffield Remonstrance/(7)." Also listed on this page were the names of a committee of the Convention and its decision on the remonstrance: "Dr. Taylor/Mr. Sumner/Mr. Strong/Dr Tufts/Mr. Rice/Mr. Brooks Lin[coln]/Mr. Adams/Janry. 11. 1788/to lie/Janry. 12. 1788./Dismissed."

4. Two newspapers reported that the motion to dismiss the remonstrance "passed in the negative" and "was ordered to lie on the table" (*Massachusetts Centinel*, 12 January; and *Independent Chronicle*, 17 January).

**Shelburne, Hampshire County, 11 December
Robert Wilson (N)**

Town Meeting, 11 December

At a Town Meeting Legally Warn'd and held at the Meeting House in Shelburn on Tuesday the Eleventh Day of December A;dom 1787

The Select Men as Moderator for Sd. Meeting

Voted not to Read the Constitution before Chooseing a Delegate

Then voted to Reconsider the Last Vote

Then Voted to have the Constitution Read without making any Remarks thereon

Then Voted in Lieut. Robt. Wilson a Delegate to Attend the State Convention to be held at the State House in Boston to hear & Determin upon the Federal Constitution

Then Voted to Choose a Comtee. to Give Instructions to the above Delegate

Then Voted to Choose five men for the above Comtee.

Then Voted in Capt. Nash; Capt. Wells; Aaron Skinner; Majr. Long & Mr. John Burdick to be the above Comtee.

Then Voted to Ajourn this Meeting to Tuesday ye. 25th. Day of this Instant December at ten O Clock in the forenoon to meet at this Place and hear the Report of the above Comtee.

Town Meeting, 25 December

Then met and Opened this Meeting according to Ajournment

Then Voted to Ajourn this Meeting for half an Hour Then to Meet at this Place

Then Met and Opened this Meeting according to Ajournment

Then Voted to take up the Constitution and Consider it Sexion by Sexion

Put to Vote to See if the Town will Excep the Report of the Comtee.

Chose to Give Instructions to the Delegate and it past in the Negative

Warrant Calling Town Meeting, 31 December

To Mr. Thomas Wilson Constable of the Town of Shelburn in the County aforesaid; Greeting—In the Name of the Common Wealth you are Required to Notify and warn all the Inhabitants of the Town of Shelburn that are Quallified by Law to Vote for a Representative to Convene at the Meeting House in Shelburn aforesaid on Thursday the Third Day of January Next at one O Clock in the afternoon to act on the following Articles Viz

First to Choose a Moderator to Govern Said Meeting

2nd. to See if the Town will agree that Lieut. Wilson Shall use his own Discession in Voteing for or against the Proposed Constitution and act thereon as they think Proper

Town Meeting, 3 January 1788

At a Town Meeting Legally warn'd and held at the Meeting House in Shelburn on Thursday the third day of January A:domini 1788

First Voted in Capt. Benjm. Nash Moderator for Said Meeting

2nd. Put to Vote to See if the Town are of Opinion that Liut Robt. Wilson Delegate for the State Convention; After he has heard the Reasons for And Objections against the federal Constitution Shall act his own judgment and Discession in Excepting or Rejecting Said Constitution and it past in the Affirmative

Sherburne, Middlesex County, 10 December
Daniel Whitney (Y)

Town Meeting, 10 December

At a meeting of the male Inhabitants of Sherburn Qualified by the Constitution of this Commonwealth to Vote for a Representative, being warned by a Constable and Assembled on monday the tenth day of December A.D. 1787

Daniel Whitney Esqr. was chosen a delegate to Represent the Town in Convention to be holden in Boston on the second Wednesday of Jany. next for the purpose of Approving or disapproving the Constitution or frame of Government for the United States of America

At said meeting a vote was asked, whether the Town would give their Delegate any Instructions?, and it passed in the Affirmative

Voted to Instruct him as follows¹

To Daniel Whitney Esqr.

Sir In Conformity to a Resolution of the General Court, passed the 25th. of Octo. Last, we have delegated you to meet in State Convention,

on the Second Wednesday of Jany. next for the purpose of adopting, amending or rejecting the Reported constitution for the united States of America

The object of your Mission, Sir, is of the highest magnitude in human Affairs—every step we take in the progress of our examination evinces, that it is too important, complicated and extensive, to be hastily decided upon—much time, and unwearied application, are requisite in Order thoroughly to Investigate it; the civil dignity and prosperity of this State, of the united States, and perhaps of humanity are Suspended on the decision of this momentous Quest; and we wish you Sir, patiently to hear, and Attentively to Examine, every Argument that shall be offered for and against its Adoption—be not unduly influenced by any Local consideration—let your mind be impressed with the nescissity of having an equal energetic federal Government—it is the welfare and dignity of the Union as well as of Massachusetts, that you are to eonsult consider—and while you are tenatious of the rights of the people, be not affraid to delegate to the federal Government such powers as are Absolutely Necessary for Advanceing and maintaining our National honor & happiness But, Sir, we mean not to give you positive Instructions relative to your voting for or against the reported constitution—when Assembled, you will have the collected wisdom of the State before you—will hear all that can be said on the Subject, and consequently be able to form a Judicious opinion—and having the fullest confidence in your political wisdom, integrity and patriotism, we chearfully on our part, submit the All important question to your decision—and we beseech the All wise Governor of the world to take the Convention under his holy influence, that so the result may be, the best good of the people of the United States of America

1. Sherburne's instructions are based upon those adopted by Northampton on 22 November (see above).

Sherburne, Nantucket County, 22 December

Town Meeting, 22 December

At a Town Meeting at Sherborn Decemr. 22d. 1787

Micajah Coffin is Chosen Moderator for this Meeting

It being put to vote whether the Town will Choose Delegates to attend the Convention in Boston the Second Wednesday of January next it passed in the Negative—

*Nathaniel Gorham to Henry Knox
Boston, 6 January 1788 (excerpt)¹*

. . . Nantucket from their foolish religious whims will not send to the establishment of a Government which has a right to raise armies, either in Peace or War²—so five votes are lost—when they will be needed enough. . . .

1. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York. The complete letter is printed in III above.

2. Sherburne was the only town and port of entry on the island of Nantucket. Most of the inhabitants were Quakers.

**Shirley, Middlesex County, 17 December
Obadiah Sawtell (N)**

Town Meeting, 3 December

The Town Meet agrable To The above Warrant Thay Voted To Pass over the first artichel for a fuler meeting Then Proseaded To The Next artichel and made Choyce of Lt. Obadiah Sawtell as modderator . . .

Then The meeting Respecting The Town affairs Was disolved

Voted To agirn The other meeting Respeting The Chusing a diligate To meet in Convention at Boston on The Second wednesday of January Next To Joshua Longley's House Thare The Constitution Was Red and Then Voted To Chuse a diligate and Chose a Committee To give him instructions Lt. obadiah Sawtell, Lt. John Kelsey, Capt Asa Holdin, Joshua Longley, John Longley, Jr. Than Thay Voted To make an addition To The Commt. Chose the Rev. Phineas Whitney, James Parker and Stephen Stimpson in addition Than Voted To agirn The Meeting To monday the 17 instant at one of The Clock afternoon at The meeting house

Town Meeting, 17 December

The Town meet according To agirment and made Choyce of Lt. Obadiah Sawtell as a diligate To meet in Convention at boston on The Second wednesday of January Next Then Voted That he folow and obey his instructions drafted by The above Committee which instructions was To Reject The Constitution and proper amendments should be made Than The meeting was dismist

**Southborough, Worcester County, 24 December
Seth Newton (Y)**

Town Meeting, 17 December

The Town being met according to the foregoing Warrant, Proceeded to act as follows Viz

on Art. 1st.¹ The Town after hearing the Constitution or Frame of Government for the United States, Voted to Chuse a Committee of Nine persons to peruse the Constitution & report to the Town, at a future meeting.

Then Chose Colo. Ward, Elijah Brigham, Jonas Ball, Doctr Parker, Capt. Newton, Doctr. Montague, Ezra Taylor, Mark Collins Jur., & Solomon Newton.

Colo. Ward, & Capt Newton being Excused, the Town made choice of Jona. Champney & Nathan Bridges in their Room

Then Voted to adjourn the Meeting, to Monday next at 1 oClock P.M. then to meet at this place

Committee Report, 21 December

To the Inhabitants of the Town of Southborough in Town Meeting assembled,

We your Committee chosen for the purpose of taking into Consideration, the Federal Constitution, do Report as follows Viz.

It is our opinion that the Federal Constitution, as it now Stands ought not to be Ratified, but that under Certain Limitations and Amendments it may be a Salutary form of Government, which Limitations & Amendments we think best to Submit to the wise Deliberations of the Convention, fully confiding in their Wisdom and Integrity that they will, at the Same time Guard the Liberties of the people, and Secure to Congress all those powers which are necessary to Secure and maintain the federal Union.

In order of the Committee. Elijah Brigham Chair

Decr. 21st. 1787

Town Meeting, 24 December

The Town being met according to Adjourn't proceeded to act as followeth. Viz. . . .

on Art. 1st The Committee for perusing the Constitution or Frame of Government, Reported as followeth Viz

That the Constitution by no means be Set up as it now Stands, without Amendments, which Report was accepted by the Town.

on Art. 2d Chose Capt. Seth Newton as a Delegate, to set in the State Convention at Boston on the 2d. Wednesday in Janry. Next

1. On 30 November the selectmen issued a warrant calling a town meeting for 17 December. The first article of the warrant provided "For the Town to hear the Constitution" and the state legislature's resolutions calling the state Convention.

Spencer, Worcester County, 12 December
James Hathaway (N)

Town Meeting, 12 December

At a Meeting of the Freeholders and Other Inhabitants of the Town of Spencer Legally Assembled on the Twelfth Day of December 1787—

Made choise of Ensn. John Sumner Moderator

Made choise of Lt. James Hathway, to Represent the Town of Spencer At a State Convention to be held at the State House in Boston the Second Wednesday January 1788

Voted to Give the Sd. Hathway Instructions

Voted to chuse a Committee to Draft Sd. Instructions

Voted to have five of a Committee

Mad choise of John Sumner, Deacon Oliver Watson, Elijah How, Joshua Barton, Luke Convers to be said Committee

Voted to Adjourn this Meeting

Voted to Adjourn till the first Monday of January Next at one Oclock Afternoon

Town Meeting, 7 January 1788

Meet According to Adjournment and proseded to buisness

The Committee Reported and Presented the Instructions

Voted to Except of the Draught in Gross

Voted that the Town Clerk Sign the Instructions in Behalf of sd. Town

Standish, Cumberland County, 13 December

Town Meeting, 13 December

At a Meeting of the inhabitants of the Town of Standish Qualified to vote for Representatives on the 13 day of Decr. 1787

Voted to send a Delegate—

Voted to reconsider the above vote

Stockbridge, Berkshire County, 30 November*
Theodore Sedgwick (Y)

The new Constitution divided Stockbridge. Some Federalists feared that John Bacon, the town's former delegate to the state House of Representatives and "a bitter enemy to the proposed Constitution," would seek election to the state Convention, where his influence on former Shaysites would be great. Theodore Sedgwick, Bacon's successor in the House, felt that Bacon's "influence must if possible be counteracted" and that "much mischief would be produced by his being in the convention" (28 October, RCS: Mass., 156). Another Federalist (Henry Van Schaack) wanted Bacon elected to the Convention, believing that he would do less damage inside that body than outside.

The town met on 30 November. Sedgwick asked that the Constitution be read and then defended it. His arguments were so convincing that he received two-thirds of the ninety votes cast for Convention delegate. Even Bacon, admitting the soundness of Sedgwick's arguments, wrote Sedgwick a letter on 1 December acknowledging the Constitution's merits and giving it his support. For two months newspapers printed reports either praising or satirizing Bacon's conversion.

John Bacon (1738–1820), a native of Canterbury, Conn., graduated from the College of New Jersey (Princeton) in 1765. He was ordained by the Presbytery of Lewes, Delaware, and he served churches in Maryland. He was installed as pastor of Boston's Old South Church in 1771, but theological disagreements led to his dismissal in 1775. Bacon moved to Stockbridge and became a farmer. Not a lawyer, he was a judge of the Berkshire County Court of Common Pleas from 1789 to 1811. From 1777 to 1798, Bacon was elected eleven times to the state House of Representatives and six times to the state Senate. He served in the U.S. House of Representatives, 1801–3, after which he was returned to the state Senate.

Henry Van Schaack to Caleb Strong
Pittsfield, 10 October (excerpt)¹

... I hear J. B. of Stockbridge is opposed to the New Constitution, for that reason I should be glad he was appointed a member of Convention. If you should consider this strange reasoning at first upon a little reflection it will not appear to you to be absurd. . . .

Samuel Henshaw to Henry Van Schaack
Northampton, 7 November (excerpt)²

I have just returned from Boston—saw a number of your Friends who enquired very affectionately after you, & were very sorry that you did not attend your Duty as a Rep^y, and afford them the pleasure of your Company as a Friend—

You have learned, before this, that we are to have a Convention on the 2d Wednesday of Jany. next. For Heaven's sake, my dear Sir, I beseech you to be a Delegate if in your power—And if you have any

influence with People in Stockbridge, exert it in favour of our Friend Sedgwick—Bacon I am told is a bitter enemy to the proposed Constitution—He intends to be chosen a Delegate, which God forbid,—I shall write to some Friends there to be up & doing—He must not be in Convention. He would poison a Host of Insurgents—and his Meta-physicks would give the Colic to all the Friends of Government and of Common Sense!

I know not when I shall send this—The other I left before I went to Boston, to be sent you; but no opportunity—However I will inclose it, & send all together,—We are in usual Health—and love you as much as ever. . . .

*Theodore Sedgwick to Henry Van Schaack
Stockbridge, 28 November (excerpts)³*

. . . W[hiting] has been as busy in that town [i.e., Great Barrington] as B. has in this. The latter is making every possible exertion & by the meanest and basest arts stimulating pub[l]ick passions. He says that it will be a government for great men & law[y]ers. That the people will be disarmed. That a standing army will be immediately formed &ca. &ca. &ca. With these suggestions & insinuations he goes from house to house.—For God sake come down—I think at present that the friends of the Government are gaining ground but appearances may be deceitful. . . .

[P.S.] As I have become an extempory preacher I have not leisure to write in Newspapers.

To Isaiah Thomas, 30 November⁴

Mr. Printer

By inserting the following You will oblige, perhaps a Majority of your Correspondents & at least Your Humble Servant a Spectator—

—Huzza for the Constitution—

Berkshire ss. Novr. 30th AD 1787.

At a legal Town meeting of the Inhabitants [of] Stockbridge the Honble. Theodore Sedgwick Esqr. was by a very large Majority of Suffrages elected Deligate to represent that Town in State Convention—Followed by which was a publick Concession from the Honabl. John Bacon Esqr. (notorious for having violently opposed the Constitution) that upon more mature Deliberation he was convinced of the merits of the Constitution & should in future be an Advocate for its Adoption—

—“Let the People see it & rejoice,”—

Fiat, fiat, fiat⁵—

John Bacon to Theodore Sedgwick
*Stockbridge, 1 December*⁶

I mean to convince you that you have not perfectly known your friend. Since the debates of Yesterday, I have been very intensely considering the Subject, and all circumstances considered, I believe I have been under a mistake, which, if you please you may term a great one. I am fully convinced that the objections against the constitution are not of sufficient weight to justify a rejection of it. Of these objections I had previously begun to grow, in some measure diffident; however my mind still preponderated in favor of them. You see I am not wholly incapable of conviction. The above is not said in confidence of secrecy.

Yours affectionately

Saturday mornng.—

Theodore Sedgwick to Henry Van Schaack
*Stockbridge, 5 December (excerpt)*⁷

I have the pleasure to inclose for your perusal a letter from Mr. Bacon—Those whose opinions are founded on the authority of *his* will be confounded. Whether, had the election been different, such a retraction would have ensued is wholly immaterial. it must now be received as proceeding from a thorough conviction of the conclusiveness of the arguments, produced in support of the adoption of the constitution, unless it should be believed as some Great Barrington politicians have falsely & weakly suggested, that Mr. B & myself were acting in concert, he to maintain one side of the question & your friend the other, that thence the excellencies of the proposed system contrasted with its imagined defects might be the more obvious. This suggestion I solemnly and on my honor declare to be without the least foundation in truth, and all who know the feelings of the man will without hesitation pronounce that he would not consent to act an under part to any man on earth. . . .

*New Haven Gazette, 6 December*⁸

We hear from good authority, that on Friday last at Stockbridge, in the Commonwealth of Massachusetts, the Hon. Theodore Sedgwick, a known and able federalist, was elected by a great majority to a seat in the convention of that commonwealth. The hon. John Bacon, who on that occasion undertook the argument against the constitution, and was the gentleman voted for by those who were against it, has, in consequence of the discussion at that time, professed himself a convert to the constitution.

Nathaniel Gorham to Rufus King
*Charlestown, 12 December (excerpt)*⁹

... Sedgwick has beaten Bacon—& after a Long dispute before the Town—Bacon has signed a recantation of his errors. . . .

*Worcester Magazine, 13 December*¹⁰

By a gentleman from the county of Berkshire we are informed, that the Hon. John Bacon, whose abilities as a statesman are well known, and whose character as a worthy citizen is so well established, having misconceived some parts of the federal constitution, was in consequence thereof much opposed to it; as were for the same reason a large majority of the inhabitants of Stockbridge; but on the day of their choice for a Delegate to the State Convention, the Hon. Mr. Sedgwick begged the Federal Constitution might be read, and then spoke largely on its tendency and design, and so thoroughly convinced the Hon. Mr. Bacon and his adherents of their mistake, that they immediately chose him their delegate; and Mr. Bacon is now said to be as great an advocate for the federal system as he was before his conviction, an opposer.

Samuel A. Otis to Caleb Davis
*New York, 14 December (excerpt)*¹¹

... Mr Sed[g]wick & Bacon were pitted against each other upon electing of deligates, Went largely into the merits, to the edification, & conviction of many, who had assembled for [i.e., from] all parts of the County, and Sedgwick prevailed 60 to 30. . . .

*Massachusetts Centinel, 15 December*¹²

Extract of a letter from a gentleman in Berkshire county,
dated Dec. 2, 1787.

“Our friend Sedgwick has done wonders—he has convinced the people of Stockbridge of their erroneous ideas entertained of the federal Constitution.—Among the proselytes, is Mr. Bacon, who has long been ‘blowing the trumpet’ against the new system.—Sedgwick kept them at the town meeting, in which the plan was discussed, until 10 o’clock, at night—and by his honest, forcible, just and nervous¹³ reasonings, brought tears into the eyes of a great number present. In short he so amply explained to them the excellencies of the proposed constitution—its genuine republican principles—the security it gives for life, liberty and property, and the prospect it holds out, if adopted, of promoting our national happiness, dignity and wealth; that he was elected

by a great majority to represent that town in the State Convention—that the good effects of his knowledge on the subject, may be extended as far as possible.”

Jeremiah Wadsworth to Rufus King
*Hartford, Conn., 16 December (excerpt)*¹⁴

... I have not yet heard who are elected in Hampshire and Berkshire except at N Hampton where they are on the side of ye constitution—Berkshire are turning about—Sedgewick and Bacon debated the Subject publicly when Bacon declared him selfe convinced Sedgewick asked him to give him a written certificate which he did & Sedgewick is using it to advantage—this I have from such authority that I cant doubt it. . . .

*Massachusetts Centinel, 19 December*¹⁵

A correspondent was sorry to observe in our paper of Saturday last, an extract of a letter from the county of Berkshire, mentioning in the manner as therein, the conduct of the Hon. Mr. Bacon of Stockbridge.—Every person, to whom Mr. Bacon is known, knows him to be an *honest* man; if he had taken up an opinion which he thought was right, he was certainly *honest* in communicating it to those it concerned; if he was afterwards convinced that he was mistaken, he evidences yet *greater honesty* in candidly confessing it—But that he ever was engaged in “blowing the trumpet” against the Constitution, our correspondent cannot believe—that he has doubted with respect to it may be true—for in a letter to a gentleman in this town so long as Oct. 10, 1787, after making some queries respecting it, he says, “you will not determine from these hints that I am decidedly against the Constitution.” So that Mr. Sedgewick may have answered Mr. Bacon’s queries, and thus led him to a decided opinion—But Mr. Bacon does not hastily decide, nor does he hastily change.

Noah
*Massachusetts Gazette, 21 December*¹⁶

ANTI-FEDERALISM.

MR. ALLEN, *Please to publish what follows, and evince your impartiality.*
Your’s, NOAH.

*Alas, for poor BACON! What a falling off!*¹⁷—

There must be some wonderful fascination in the argumentation of T—d—re to induce a sensible man to renounce reason, truth and liberty, and subscribe to the creed of error and despotism. But as this

appears to be the only proselyte the party have gained, either by the arts of intrigue or the subterfuge of misrepresentation, the Stockbridge orator ought to have the full merit of such a conversion.—But it must be observed, that as his nervous diction extorted tears, and the audience were kept till a very late hour to hear the genuine *principles of republicism* explained by one who had long since publicly renounced all such chimerical ideas, it is probable they had wept themselves asleep before they gave their suffrages to a man to represent them in the ensuing Convention, whose arbitrary disposition has been long known to the inhabitants of Berkshire and its environs. But it is probable the apathy which for a moment pervaded his constituents, will not be very contagious: and it is hoped, that the bold and hardy inhabitants of the western counties will have chosen such to represent them, as will not be lulled, by the requiems of plausible oratory, to sell the liberties of posterity, or barter their own freedom for the caresses, compliments, and splendid entertainments, which are preparing for their reception, by the enthusiastick majority of the town of Boston.

Boston, Dec. 18.

*American Herald, 24 December*¹⁸

SEDGWICK's converting BACON,¹⁹ says a Correspondent, brings to mind the story of a certain Clergyman of athletic memory, who, in the course of his sonorous argumentations, used to strike his tremendous fist on the pulpit cushion at every new assertion, crying out to his astonished auditory—DENY THIS WHO DARE! The parishioners, suitably affected by this new species of eloquence, hung their dejected heads in silence, and received the truth with such a degree of assent, as such strokes of rhetorick will not fail to produce.

“Z”

American Herald, 24 December

Mr. POWERS, The story of Mr. Bacon's conversion is a noble affair.—The New Constitution triumphant, and its opponents in the dust. The unbelieving Priest miraculously restored to his political eye-sight by the believing Lawyer. Who says the age of prodigies is over! What a fine strain of oratory must have been displayed!—How noble this Prophet at the West!—How miserable the Proselyte!—To have been blowing the brazen trumpet of sedition, till his brains were absolutely burst by his efforts to spread doubts and suspicions through the country!—A most notorious Insurgent—this same Bacon!—He was with Shays all the last winter! Privy-Counsellor to this Rebel, or he certainly would not have

come out against this New, excellent and unexceptionable Plan of Government! which the late *infallible* Convention has given to the people.—Since this event, we hear, the hon. Mr. Sedgwick intends to make his tour thro' the three upper counties, to convert all the rest.—Nobody better calculated for the business.—So mild, gentle and conciliating!—But, is this true?—Not a word of it.—Mr. Bacon is still opposed to the New Constitution. The “nervous eloquence” of the honorable Member of a “learned order,” is to be reserved to be discharged in THUNDER upon the devoted Members of the Convention.

Your's

Z.

An Anti-Federal Scribbler

Massachusetts Centinel, 26 December

The DISCONSOLATE WIGHT.

A LITTLE FABLE.

Addressed to the STOCKBRIDGE CONVERT,

on his turning Federalist.

WHAT!—my good friend—again to change!
 These great men's principles, how strange!
 Does truth support the publick roar,
 That you are *Federal*—once more?—
Once you were steady as a clock,
Now, why so like a weather-cock,
 Twisted and whirl'd both to and fro
 As fed'ral breath may chance to blow?
 O, sir, some *steady* footing take—
 Think how *our* honour is at stake!
 But lest my arguments may fail—
 Clap on your specs, and read a tale—
 ONCE on a time—a sorry wight
 By fortune's strokes disgusted quite,
 Determin'd, like a silly elf,
 On the next tree to hang himself,
 “'Tis fitting that I should be hang'd,
 By every party bruis'd and bang'd—
 To Death, (which proves or soon or late,
 A refuge from the storms of fate)
 Despairing now for ease I fly—
 Forgetting, as forgot, I'll die.”
 “Hold—not so fast”—exclaims a wight,
 [“]Oh! never kill yourself for *spite*,

Consider what you've undertook,
 And never leap before you look;
 Were you to kill you in a trice,
 Pray who'd maintain your stock of lice—
 They'd share a fate they don't deserve,
 For should you hang—'tis they must starve."

Thus on the great *we* keep alive
 "And in their sunshine bask and thrive:
 But when those suns no longer shine,
 The helpless insects droop and pine."
 So B—— while you shift—'tis I,
 And all our junto droop and die.
 Let not the *Federalists* revile,
 And scornful, in derision smile—
 Because our party is not plenty,
 Think on the *virtuous two-and-twenty*—
 Be not a *girl* in all you do,
 But *think* what *numbers* live in you.

*George R. Minot Journal, January–February 1788 (excerpt)*²⁰

... *John Bacon* the real advocate for the rights of the people was excluded by Mr. Sedgwick. It happened that a dispute had arisen in Stockbridge about the place of fixing their meeting house. Mr. Bacon became unpopular there from the side which he took in this dispute. Mr. Sedgwick who had lately moved into the Town, availed himself of this disaffection of the people of that place, to this real patriot, & carried his own election. If by chance an anti constitutionalist was chosen, no stone was left unturned, to bring him to a renunciation of his principles. . . .

*Philadelphia Independent Gazetteer, 5 January (excerpt)*²¹

A CORRESPONDENT OBSERVES,

The election of so honest and judicious a man as Mr. Sedgwick by the people of Stockbridge, in Massachusetts, and one, who is so openly and so much in favor of the adoption of the new federal constitution, is a proof that even the late deluded insurgents in that state are pleased with the proceedings of the federal Convention. . . .

*Massachusetts Centinel, 12 January*²²

Mr. RUSSELL, Through the medium of the Centinel, Mr. BACON desires to inform the federal and "*Antifederal Scribblers*," who have given

themselves the trouble of mentioning his name in the publick papers, that soon after the new Constitution made its appearance, it was his prevailing opinion, that the said Constitution was predicated on principles subversive of some of those rights, of which men in civil society ought never to be divested: And that the government proposed would have an unequal operation, and prove too burdensome to the body of the people.—That afterwards, on observing the disposition that seemed to predominate in this, and the other States, especially among that class of gentlemen, for whom he has always entertained a particular respect, he was at a certain time, induced to give up his opinion to that of his friends, and what he took to be, the sense of the publick.—That on more mature deliberation, he has been constrained to resume his former opinion, which has brought him back upon the same ground which he has once given up. And although his opinion is of very little importance to the publick, he further informs all whom it may concern, that the *right* of forming an opinion, and of altering the same, as often as he may see or think that he sees sufficient reason for so doing, is one of the last of which he will suffer himself to be divested.

Massachusetts Gazette, 22 January

From a correspondent.

The hon. mr. B—— having failed of his election, immediately *changed* his sentiments respecting the constitution, and found himself exactly at the *point* he set out from; and we are informed that he is now in the metropolis, as a *missionary*, making proselytes to anti-federalism: but the enemies to the proposed system, place no great dependence upon him as an ally, as he reserves to himself the right of *changing* sides as often as he pleases.

*Massachusetts Centinel, 30 January*²³

We are told—and seriously too—that Mr. Bacon, has changed his political sentiments once more, and that he now believes the Constitution must go down.

*See also From Theodore Sedgwick, 28 October (RCS:Mass., 156); Henry Van Schaack to Theodore Sedgwick, 4 December (Pittsfield section); "A Federalist," *Boston Gazette*, 7 December (Boston section); and "Centinel" IX, *Philadelphia Independent Gazetteer*, 8 January 1788 (CC:427, at note 4).

1. FC, Henry Van Schaack Scrapbook, Newberry Library, Chicago. For a longer excerpt from this letter, see RCS:Mass. 63–64.

2. RC, Henry Van Schaack Scrapbook, Newberry Library, Chicago.

3. RC, Sedgwick Papers, MHi. For another excerpt from this letter, see the Great Barrington section.

4. RC, United States Revolution, Vol. IV, MWA.
5. Latin: "Let it be done, let it be done, let it be done."
6. Copy, Sedgwick Papers, MHi. This copy, in Theodore Sedgwick's handwriting, was enclosed in Sedgwick's letter to Henry Van Schaack, 5 December.
7. RC, Sedgwick Papers, MHi. For the complete letter, see RCS:Mass., 384-85.
8. Reprinted: *Massachusetts Gazette*, 14 December; *Boston Gazette*, 17 December; *Cumberland Gazette*, 20 December; Providence *United States Chronicle*, 20 December; *Providence Gazette*, 22 December.
9. RC, King Papers, NHi. For other excerpts from this letter, see the Boston and Cambridge sections, and the "General Commentaries on the Election of Convention Delegates," 29 November 1787-8 March 1788, which immediately follows the town elections documents. The complete letter is in Mfm:Mass.
10. Reprinted: *American Herald*, 17 December; *Hampshire Chronicle*, 18 December; *Massachusetts Gazette*, 18 December; *Hampshire Gazette*, 19 December; *Independent Chronicle*, 20 December; and twice in both New York and Pennsylvania by 1 January 1788.
11. RC, Davis Papers, MHi. For other excerpts from this letter, see the Milton section and note 1 to a nomination ticket in the *Massachusetts Gazette*, 4 December, in the Boston section.
12. Reprinted in the *Boston Gazette*, 17 December, and in nine out-of-state newspapers by 25 January 1788: Conn. (3), N.J. (1), Pa. (3), Md. (1), Va. (1). For "blowing the trumpet," see Joel 2:1. For two responses, see *Massachusetts Centinel*, 19 December, and "Noah," *Massachusetts Gazette*, 21 December (both below).
13. The word "nervous" meant strong, vigorous, or robust.
14. RC, King Papers, NHi. For a longer excerpt from this letter, see RCS:Conn., 496-97.
15. Reprinted: *Cumberland Gazette*, 3 January 1788. This item responds to the "Extract of a letter . . ." in the *Massachusetts Centinel*, 15 December (above).
16. See note 15.
17. A variant of two lines from *Hamlet*: "Alas, poor Yorick!" (Act V, scene 1, line 184). "O Hamlet, what a falling-off was there" (Act I, scene 5, line 47).
18. Reprinted: *New York Journal*, 1 January 1788.
19. An asterisk appears at this point in the *New York Journal*, 1 January 1788, reprinting. The accompanying note states: "Alluding to his late political conversion from Anti-Fœderal to Fœderalism."
20. MS, Minot Papers, MHi. (For the entire January-February 1788 portion of the journal, see Mfm:Mass.)
21. For other excerpts from this item, see the Cambridge section and Appendix I.
22. Reprinted: *Hampshire Chronicle*, 23 January; *Cumberland Gazette*, 24 January; Hartford *American Mercury*, 28 January.
23. Reprinted: *Hampshire Chronicle*, 6 February; *Cumberland Gazette*, 7 February.

Stoughton, Suffolk County, 3 December
Elijah Dunbar (Y) Jedidiah Southworth (N)

Town Meeting, 3 December

At a Town Meeting of the Freeholders & other Inhabitants legally qualified to vote in the Choice of Representatives legally assembled & held in Stoughton (1st. Prec.) on Monday the Third Day of Decr. 1787

for the Choice of Delegates to Represent them in Convention at the State House in Boston on the Second Wednesday of January next, for the purpose of assenting to, or rejecting the Federal Constitution—

Voted that the Honle. Elijah Dunbar Esqr & Capt Jedediah Southworth Be Delegates for the above purpose. . . .

Voted to choose a Committee of Eleven to prepare Instructions, for their Delegates, which they are to lay before the Town for their acceptance at the adjournment of this meeting.

Voted that Col. Benjn. Gill, Capt A[bner] Crane, Capt James Pope, Capt. Saml. Talbot, Nathl. Fisher, Samuel Capen, Peter Crane, Col. Pope, Elijah Crane, Wm. Wheeler & Capt Joseph Richards be the Committee for ye above purpose

Voted to adjourn this meeting to the first day of January next at two oClock in the afternoon at this place.

Town Meeting, 1 January 1788

At a Town Meeting of the Freeholders & other Inhabitants of the Town of Stoughton, by Adjournment on the First Day of January AD 1788. . . .

Voted to accept the report of the Committee (viz) The Committee that was chosen the third of Decr. 1787 to prepare Instructions for their Delegates who were chosen by the Town of Stoughton as Members of the State Convention to take under consideration the new proposed Federal Constitution—Report as follows (viz)

That it is our opinion after a mature & Deliberat consideration on the Subject that it be left descressinary with Said Delegates

Benjn. Gill, Abner Crane, James Pope, Saml. Talbot, Nathl. Fisher, Saml. Capen 2d, Peter Crane, Frederick Pope, Elijah Crane, Wm. Wheeler, Joseph Richards Junr., Committee

**Stow and Boxborough, Middlesex County, 30 November
Charles Whitman (Y)**

Town Meeting, 30 November

At a Legal meetting of the Inhabitants duly warned and held at the meeting hous in Stow on friday the thirtieth day of November 1787 for the purpos of Choosing a deligate for to Represent the town of Stow and the district of Boxborough in Convention to be holden at the State hous in Boston on the Second wednesday in January Next and the town being met at time and place Proceeded to the work of the meetting and after hearing the Constitution Read Proceeded and

Chose doctor Charles Whitman a Deligate for to Represent the town of Stow and the district of Boxborough in the Convention to be holden at the State Hous in Boston on the Second wednesday in January Next then voted to Chuse a Committee for to give their deligate instructions and Chose the Rev mr Nowell, Jonathan Wood Esqr, Leut Nehemiah Batcheldor, Capt Ephraim Russell, Capt Thomas Whitman a Committee for that purpos then ajorned the meeting till the Last monday in December Next at one o Clock in the after noon

Town Meeting, 31 December

The town of Stow and the district of Boxborough being meet at time and place on ajornment on the thirty first day of december 1787 and after hearing the Instructions Read which being drawed up by their Committee voted and carried the same the instructions Being as follows¹

1. The instructions were not recorded in the town record book.

**Sturbridge, Worcester County, 3 December
Timothy Parker (N)**

Town Meeting, 3 December

At a Town meeting in Sturbridge Decemr. 3d. 1787 agreeable to a resolution of the General Court passed Octor. 1787 for the purpose of choosing a deligate to meet the State Convention to be holden At Boston on the Second wednesday of January next to Consider the reported Constitution for the United States of America Legally Assembled—the meeting being Opend. and the Select men haveing Collected Counted and sorted the votes declared that Capt Timothy Parker had a majority of Votes and was Chosen—

Then by vote of the Town a Committee Consisting of Josiah Walker, Doctr Babbit, Joshua Harding Jr, Joseph Benson, Capt. Ellis was Chosen to prepare and report Instructions for Capt. Parker [at] the next Town meeting

Then by vote of the Town the meeting was Adjourned to monday the 17th Instant 3 OClock Afternoon—

Town Meeting, 17 December

the Town meet According to Adjournment
the Committee Appointed to report Instructions for Capt Parker hav-
ing Reported a draft the Town by their Vote Accepted the Same—

Sudbury, Middlesex County, 17 December
Asahel Wheeler (Y)

Town Meeting, 10 December

The Town, by their Vote, Accepted the Warning of this Meeting.

At a Legal Meeting, of the Inhabitants, of Sudbury, Qualified According to Law:—Conven'd, for the Purpose, of choosing a Delegate, to the State Convention, for Ratifying the Federal Constitution:—After hearing the Same Read, & Deliberating on the Subject:—Voted to Adjourn, for a further Discussion:—to Monday the 17th. instant, 1 oClock, Afternoon.—

then to Meet, at the Same place—

Town Meeting, 17 December

The Town being Mett, according to the foregoing Adjournment, again took up, the 1st. Article, & after further Considering, & Discussing the same, Proceeded, and 1st. Voted, to Choose a Delegate:—to the sd. Convention, and Capt. Asahel Wheeler, was chosen to the Said Trust.

The Question, being called, to See, whether the Town, would adopt, the propos'd Constitution, as it now Stands, or Not,—it Passed, in the Negative.

Then the Town, Voted a Reconsideration, of the Question, immediately Preceeding.—

A Vote, being called, to See, if the Town, would instruct, their Delegate, it pas'd in the Negative.

Sunderland, Hampshire County, 3 December
Zaccheus Crocker (N)

Town Meeting, 3 December

At a Legal Meeting of the Inhabitants of the Town of Sunderland Decr. 3d. 1787

1 Voted Majr. Leonard Moderator to lead said Meeting . . .

12 Voted that we will choose a delegate to represent us in the State Convention to be holden at Boston the second Wednesday of January next—Capt. Zaccheus Crocker being chosen

13 Voted that Jedidiah Clark, Daniel Montague, Phieneas Graves, Giles Hubbard & Elisha Smith be a Comtee. to draw up instructions for

the aforesaid Delegate to be presented to the meeting for their approbation . . .

19 Voted that this meeting be adjourned till monday the 17 inst. to meet at Five OClock in the afternoon at the School house

Instructions, 17 December¹

To Captain ZACHEUS CROCKER.

SIR, Agreeable to a resolution of the General Court, you are elected to one of the most important trusts that we are capable of reposing in you; in whom is delegated a power, by your constituents, to act a part of the highest importance that ever engaged the attention of this State, and on which depends the existence of the United States. You are to take into your unprejudiced consideration the proposed Federal Constitution. For us you are to approve or reject what hath been the production of those wise and patriotic Worthies, who with unwearied diligence and industry have employed their wisdom to render illustrious and permanent the growing liberties of America.

We are sensible the part you are to take is not only interesting but arduous, and in some instances, perhaps, intricate and perplexing; but a steady and inflexible regard to the importance of your trust—a determinate resolve for the general good, with the prospect of future prosperity under a wise and equal Federal Government, may inspire you with that wisdom and firmness which may enable you to surmount the present seeming inconveniencies. Be not hasty in your decision, on a subject of such importance—a plan on which depends the fate of America. Much time will be found necessary for your investigation and decision. Precipitancy in the discharge of your mission, might not only involve this State, but the whole in the union in calamities too shocking to relate, which may not be of short duration, but may descend from this to the latest generation, by rejecting the proposed Constitution in this critical and interesting moment. Anarchy might succeed, with its concomitant horrors. We wish you, therefore, carefully and candidly to attend to every argument that shall be produced for or against the Constitution, and by consulting the interest of the whole, impartial reason will dictate which will be the most eligible and salutary to a people proud of their liberties, and who will sensibly feel the least diminution of them. You are likewise to consult the dignity of government—that a restraint may be laid on the restless and lawless passions of men, who would seek to subvert all order through avarice and ambition, whose ill-tamed spirits will bear subjection to no power, but their own sovereign will. Under these considerations, therefore, fear not to

delegate the Federal Government with all that power necessary to secure the lives, the liberties and the property of each individual subject—that the good agreement of the Federal Union may be rendered honourable and permanent, and the happiness of this State in particular subserved.

We cannot give you positive instructions on a subject of such magnitude—a subject replete with the future happiness or misery of this new world. But by collecting the wisdom of the State, and centering in one august and venerable body, whereby a candid reflection and impartial reasoning, ever bearing in mind the good of the whole, you will be enabled to enrich your mind sufficiently to form a wise and salutary judgment, in order to pronounce a positive decision.—Thus relying on your abilities and worthy intentions, we submit the all interesting subject—beseeching the Governor of the Universe to inspire you with all that wisdom requisite in a matter of such importance.

1. The instructions do not appear in the town record book and are not dated. The date 17 December is assigned because that is the date to which the 3 December meeting adjourned. The instructions were printed in the *Hampshire Gazette*, 5 March 1788, and reprinted in the *Pennsylvania Packet*, 19 March. The *Gazette's* printing was prefaced: "Mr. BUTLER, Please to insert in your Gazette, the following INSTRUCTIONS to a Delegate to the late Convention, and you will oblige many of your readers in Sunderland." Sunderland's instructions are based upon those adopted by Northampton on 22 November (see above).

Sutton, Worcester County, 10 December
David Harwood (N) Amos Singletary (N)

Town Meeting, 10 December

at a Legal Town meeting of the town of Sutton at the meeting house in the Second parrish In Sutton on monday the Tenth Day of Decer. 1787 the following Votes pased (viz)

First Chose Colo Barthw. Woodbery moderator

2ly Chose Deacon David Harwood and Amos Singlterrey Esqr. Delegates to Seet In a State Convention to be holden at the State house in Boston the ninth Day of Janueary next

3ly Chose the Revd. Mr. Ebenr. Chapline, Deacon Willis Hall, Doctr. James Freeland, Colo. Timothy Sibley, Doctr. Stephen munro, Liet. Nathaniel Whitmore, Elder Daniel Greenwood, Capt. Jonathan Woodbery, Capt. John Holland a Committ to Draw up Sum Instructions for the Delegates That was Chosen to Seet in a State Convention to be holden at the State house in Boston The ninth Day of Janueary next

Then voted to adjouern this meeting to monday the 24th Day of this Instant December at the meeting house in the Second parrish In Sutton at one o clock in the afternoon

Taunton, Bristol County, 26 November and 7 January 1788
Nathaniel Leonard (N) Aaron Pratt (N)
James Williams (Y)

On 10 November four selectmen issued a warrant instructing Taunton's constables to give legal notice of a town meeting to be held on 26 November at the public meeting house to elect one or more Convention delegates. The meeting elected town clerk James Williams a delegate and voted not to choose any others. About 130 freemen petitioned the selectmen, asking that another town meeting be called to elect one or two additional delegates and to choose a committee to give the delegates instructions. On 25 December the selectmen called another town meeting for 7 January 1788 at the old public meeting house. By a vote of 156 to 140 the meeting agreed to elect one or more additional delegates. Nathaniel Leonard and Aaron Pratt were chosen, but, because the selectmen had withdrawn from the meeting before the election, the moderator James Tisdale and town clerk Williams provided Leonard and Pratt with an election certificate.

Five Taunton selectmen and 178 others petitioned the state Convention, requesting that Leonard and Pratt not be seated. On 11 January the Convention appointed a five-man committee which reported the following day that both elections were legal, that Taunton had enough rateable polls to entitle it to three delegates, and that all three men be seated. On 12 January the Convention approved the committee report and all three delegates, who had attended the Convention since 9 January, served on all subsequent days.

Taunton's town records were destroyed in a fire in 1838. The only extant records of the election of delegates are the attested copies sent to the Convention.

Election Certificate, 26 November¹

At a Town Meeting legally warned & held at Taunton on Monday November 26th. 1787,

For the purpose of Choosing one or more Deligates² to meet the Deligates from the Several Towns in ye Commonwealth of Massachusetts, in a Convention to be held at Boston on the Second Wednesday of January next, for ye purpose of Accepting and ratifying³ the proposed Constitution of the United States of America. The person then Chosen for that purpose⁴ was James Williams Esqr.

Attest James Williams T[own] Cler[k].

Warrant Calling Town Meeting, 25 December

To Either of the Constables of the Town of Taunton Within the County of Bristol & Commonwealth of Massachusetts Greeting whereas a Large Number of Inhabitants of sd. Town of Taunton Consisting of more than ten persons have made aplication to us the Subscribers Selectmen of sd. Town for the year Ensuing, that a meeting of the Inhabitants thereof be assembled, as Soon as may be for the purpose of

Electing one or more Delegate or Delegates to meet in Convention on the Second Wednesday of January Next, these are therefore in the name of the Commonwealth to Will & Require you or Each of you on Sight hereof to post up a Notification as the Law Directs, that the Qualified Inhabitants to vote as the Constitution Directs in Town affairs assemble & meet together on Monday the Seventh Day of January Next at one of the Clock afternoon at the old publick meeting house in sd. Town then & there to act on the following articles if sd. Town Judge proper

[1]st Make Choice of a Moderator to Govern sd. meeting.

2dly. To hear the Request of Capt Ichabod Leonard & more than one hundred other persons, Respecting make Choise of one or more Delegates to Join with the one already Chosen to meet in said Convention the time aforesd.

3dly. To make Choice of one or more person or persons as a Committee to give Instructions to Such Deligate or Deligates as is or may be Chosen for the purpose aforesd.

Town Meeting, 7 January 1788

At a Town Meeting warned & held at Taunton on Monday the 7th. Day of January AD 1788,

First Mr James Tisdale Chosen Moderator,

2d. Colo. Nathaniel Leonard, and Mr Aaron Pratt were Chosen Delegates (to Join with one already Chosen) to meet in the Convention to be held at Boston on ye Second Wednesday of January Currant, for ye purpose mentioned in ye foregoing Warrant.

Memorial to the Massachusetts Convention, 7 January⁵

To the Honorable the Convention of the Commonwealth of Massachusetts to be holden at Boston on the second Wednesday of January A.D. 1788—

The Memorial of the Subscribers, Selectmen, Freeholders and Inhabitants of the Town of Taunton in the County of Bristol

Humbly represents—

That at a meeting of the Inhabitants of said Town of Taunton qualified to vote for Representatives to the General Court on the Twenty sixth day of Novr. last past duly warn'd & assembled agreeably to a Resolve of the Legislature passed on the Twenty fifth day of October last past, for the purpose of choosing a Convention to consider of the proposed federal Constitution, the said Inhabitants made choice of James Williams Esqr. to represent them in said Convention agreeably to the copy

No 1⁶—hereto annex'd, and also voted they would choose no other person for that purpose, and thereupon the said Meeting was dissolved—That afterwards a number of the Inhabitants of the Town aforesaid, petitioned the Selectmen thereof, to call a meeting of the Inhabitants of the same Town, qualified to vote in Town affairs, for the purpose of choosing one or more persons in addition to the one already chosen to represent them in said Convention—That in compliance with said request the Selectmen aforesaid call'd a meeting of the said Inhabitants qualified to vote in Town affairs, to be held on the day of the date hereof—that the same Inhabitants have on this day assembled and upon the question whether they would proceed to choose one or more members agreeably to the request aforesaid, there appeared in favor of the question 156, against it 140, and thereupon Col. Nathaniel Leonard and Mr. Aaron Pratt were chosen to Join with the said James Williams Esqr. to represent the Inhabitants of said Town in the Convention aforesaid—The Subscribers part of the 140 aforesaid, and who are fully convinced that the rest of them are clearly of the same opinion, humbly conceive, that the elections aforesaid of the said Leonard & Pratt were wholly illegal and not supported by the Resolve of the Legislature aforesaid—

Wherefore they pray that they may not be admitted as Members of said Convention being not properly authorized for that purpose—

And as in duty bound will pray—


Taunton Jan'y 7th. 1788

Massachusetts Convention Journal, 11 January

There being two returns from the town of Taunton, Voted that the return of the last date which was not attested by the selectmen, be committed to a Committee of five. Mr. Davis, Mr. Nason, Mr. Tompson of Topsham, Dr. Taylor, and Mr. Winthrop were appointed on the committee.

*Massachusetts Convention Committee Report on
Taunton Election Returns, 12 January⁷*

The Committee to whom was Committed the Two Returns from the Town of Taunton Report the following State of Facts which is humbly Submitted

Caleb Davis  order

That the first return dated on ye. 26th. November is Certified by the Select Men agreeable to the order of the Genl. Court & is Legal—

That on the 17th. Decr. about one hundred & thirty of the Inhabitants of Said Town Petition'd the Select Men for another Meeting to Make a further Choise, which Meeting was Call'd on the 7th. Jany. Inst. & appears to have been Legal, but befor they proceeded to the Election the Select Men withdrew saying they had done their duty in Certifying the person Chose at the first Meeting and Should Not Certify any More—the Town then proceeded to the Election of Two More delegates in addition to the first person Chosen, which Two persons last Chosen are Certified by the Moderator & Town Clerk—it further appears to your Committee that the Town of Taunton have Suficent Number of poles to Intitle them to three delegates

1. The first four documents in this section are located in the volume labeled "Constitutional Convention, 1788" at the Massachusetts Archives. The election certificate issued to James Williams, which was signed by five Taunton selectmen, has several significant differences from this attested copy. For the differences, see notes 2-4. Photographic facsimiles of the original certificates for both elections are on Mfm:Mass.

2. Instead of "Choosing one or more Deligates," the original election certificate has "Electing a Deligate."

3. Instead of "Accepting and ratifying," the original election certificate has "accepting or rejecting." The certificate for the second election says that the convention was to meet "for the purpose of considering ratifying or otherwise the proposed plan. . . ."

4. At this point, the original certificate added: "by the Major part of the Electors then present."

5. Two manuscript memorials are among the Convention papers. Only minor differences in spelling, abbreviations, punctuation, and paragraphing exist between them. A total of 183 signatures (including all five selectmen) are attached to the two memorials.

6. See Election Certificate, 26 November (above).

7. MS, Constitutional Convention, 1788, M-Ar. Docketed "Report of the/Committee on the/return from Taunton/(5)."

**Tewksbury, Middlesex County, 24 December
Newman Scarlett (N)**

Town Meeting, 17 December

at a general town meeting Duly warned of the freeholders and other Inhabitation Legalley assembled Entered into the following Votes (viz)
Voted to Chuse a moderator by Vote of hand

Voted and chose Mr. Wm. Brown moderator for Said meeting

Voted to chuse a committee to Draw Instructions for the Dilagate that shall be chose to sit in convention to act upon the constitution for the united States

Voted that the committe consist of five Nathan Bayley, Lt. Mitchel Davies, Jacob Low, Aaron Beard, Ebenezer Wood

Voted to adjourn the meeting to next monday at one o Clock afternoon then to meet again at this place

Town Meeting, 24 December

having met according to adjournment Entered into the following Votes (viz) . . .

Voted and Elected Newman Scarlett a Delagate to meet in convention at Boston at the State house on the Second Wednesday of January next to take under consideration the constitution for the united States

Voted to continue the remainder of the articals in the warrant to the next meeting

The fore said Votes Entered—

Topsfield, Essex County, 13 December
Israel Clarke (Y)

Town Meeting, 10 December

At a meeting of the Freeholders and Other inhabitants of Topsfield of twenty one years of age and qualified to vote in the Choise of representatives held on Monday the 10th. Day of December 1787—

at which meeting the Selectmen did preside—

After reading the proposed federal Constitution for the united States, the Town proceeded to bring in their votes for a Delegate to meet in Convention, and the votes being Counted and Sorted it appeared there was no Choise, Then the Town voted to adjourn the meeting to Thursday the 13th. Day of December instant to one of the Clock after noon—

Town Meeting, 13 December

At a meeting of the Freeholders and Other inhabitants of Topsfield of twenty one years of age and qualified to vote in the Choice of representatives held by adjournment on Thursday the 13th. Day of December 1787

at which meeting the Selectmen did preside—

The Town proseeded to bring in their Votes for a Delegate to represent the Town in a State Convention to meet at the State House in Boston on the Second Wednesday of January next to take into Consideration the proposed federal Constitution for the united States, and on Counting and Sorting the votes it appeared that Mr. Israel Clarke Junr. was Chosen—

The Town Voted to Choose a Committee of five to Draught instructions for the Town to give their Delegate, and make report to the Town for their acceptance, and, Mr. Daniel Bixby, Nehemiah Cleaveland Esq, messrs. Moses Perkins, Benjamin Perley, and Deacon Joseph Gould were Chosen for Said Service—

The Town voted to adjourn this meeting to Thursday the 20th Day of December instant to one of the Clock after noon—

Town Meeting, 20 December

At a meeting of the Freeholders and Other inhabitants of Topsfield of twenty one years of age and qualified to vote in the Choice of representatives held by adjournment on Thursday the 20th. Day of December 1787

The Committee Chosen to prepair instructions for the Town to give their Delegate Chosen to represent the Town in the State Convention informed the Town that they were not ready to report—Then the Town voted to adjourn the meeting to monday the 31st. Day of December instant to one of the Clock after noon—

Town Meeting, 31 December

At a meeting of the Freeholders and other inhabitants of Topsfield held by adjournment on monday the 31st. Day of December 1787

The Committee Chosen to prepair instructions for the Town to give their Delegate Chosen to represent the Town in State Convention, made report by laying a Draft of instructions before the Town, and they were Several times read, and it was put to vote to See if the Town would accept of them, and it passed in the negative—The Town Voted to Desolve this meeting

Topsham, Lincoln County, 31 December
Samuel Thompson (N)

*Town Meeting, 31 December*¹

“At a meeting held the last day of the year, the town voted ‘against the constitution,’ and Samuel Thompson was chosen a delegate to a convention to be held at Boston.”

Speech of Samuel Thompson

Massachusetts Convention, 24 January 1788 (excerpt)

... My town, says he, considered it [the Constitution] seven hours, and after this, there was not one in favour of it. . . .

1. Printed: George A. Wheeler and Henry W. Wheeler, *History of Brunswick, Topsham, and Harpswell, Maine . . .* (Boston, 1878), 187.

Townshend, Middlesex County, 24 December
Daniel Adams (N)

Town Meeting, 7 December

The Town of Townshend being assembled according to the fore going Warrent on Friday the 7 Day of Decmr. 1787

Chosen Capt. Daniel Adams Moderator for said Meeting.

Voted to ajourn this Meeting to Monday the 24 Day of Decm. Instent at one aClock in the after Noon,

Town Meeting, 24 December

Met at the ajournment.—Voted to Send a man to the Convention as is Described in the above Warrent.

Chosen Capt Daniel Adams for Sd. Man.

Voted not to Except the Proposed Constetution as it Now Stands

Voted to Chuse a Committey of Nine men to State the objections to the Said Constitution.—Chosen for said Committee Revd. Saml. Dix, Ensin. Jona. Wallis, Mr David Spafford jur., Daniel Adams jur., Lit. Leml. Petts, Deacon Richard Wyer, Lit. Jacob Blodget, Capt Benja. Ball & Abner Adams—

Voted to ajourn this Meeting to Monday the 31 Day of this Instent at three aclock after Noon to this Place.

Town Meeting, 31 December

Met at the ajournment—Voted to ajourn this meeting to Lit. Conants for a Quarter of an Hougher—met at the ajournment—Voted to Except of the Report of the Committee above Described

Instructions, 31 December¹

—To Capt. Daniel Adams—

Sir The business, in which you are chosen to act for us, in the State Convention, appointed to consider the pro[po]sed Federal Constitution, being very interesting; & you chusing to act under our direction; or at least to have our minds clearly express'd on the occasion; We therefore observe, That we are sensible of the necessity of amendments in the Confederation of the United States; and approve of the method

which has been adopted for Such amendments, (viz), by a Continental-Convention; & we doubt not but the Membors of the said Convention were in general Wise Politicians, & readily acknowledge that Some & perhaps all of them, have prov'd themselves true patriots in our late Struggle for Liberty, whose eminent Services we Still remembr with gratitude, Yet we presume they wou'd not esteem it an honour to be consider'd as infallible; & it would be a Dishonour to us to yield an implicit faith to the opinions of any men Altho' the Said Convention was call'd for the Sole purpos of revising the Articles of Confederation, yet if instead of that, they had Sent out a fraim of government, which we Could Judge adequate to the exigences of the States & Consistent with there Constitutions, we would cherefully have adopted it. ~~But we cant avoid a suspicion, that those who would deviate from the business assigned them, & attempt something quite different & unexpected, would also recommend a government unfavorable to our Liberties at Least in sum important respects; and this Suspicion is increased by but we find sum Things Contained, others omitted in the Constitution proposed which we are bound in Duty both to our selves and our Postarity to object to & Shall now point out as the foundation of our objections to the Same them out~~

1 the Said Constitution does not Contain a clear declaration of the Rights of the people, or of the Powers of the Several State governments, which we view as a matter of unspeakable importance

2 the Right of Election is not Sufficiently Secured to the People as appears, from the latter part of the fourth Section in the first Article of Said Constitution, and as Representation depends upon Election, we fear if the proposed Plan Should take Place, these two main Pillars of a free Government will be much weakned, which are rights of the greatest magnitude & absolutely necessary to the Safty of the people

3 The Ligislative power is blended with the Executive, the Presidant being vested with both & having no other Council than the Senate

4 the powers of the proposed congress we conceive would be too Extensive & dangerous, both as to our property & even our lives

5 the Judicial Powers also would be dangerous as well as very Expensive

6 The Time for which the members of this Congress are to be chosen is in our opinion too Long especially the Senate

7 In the proposed Constitution it is Containd, that all civil officers both of the United States & of the Several States Shall be bound by oath or affirmation to Support this Constitution, but that no Religious Test Shall Ever be required as a qualifycation to office or public Trust

under the United States, But we think it necessary that our Civil rulers be professors of the true religion and apparent friends to it; & this has been the opinion of all wise & good men among us from the first Settlement of this Country; if therefore any who have been chosen into public trust Should afterwards appear to be destitute of this essential qualification, the People must have a Right to Remove them, Nor can we on any consideration agree to a Constitution which will admit into govert., Atheists Deists Papists or abettors of any false religion; tho we would not Exclude any Denomination of Protestants who hold the fundamentals of our religion, True religion distinguish'd from Infidelity & Idolatry & heresy, is the foundation of good government, as well as of morality & happiness. To be Secur'd in the free enjoyment of this our ancestors emigrated into this Country and Settled here in Such dangors & destresses as Should never be forgotten—This priviledge then has been Purchesed at too dear a rate, to be view'd with indifferency—it Should be dearer to us than property or life itself: Nor can we Consent to Support any in authority who are not bound to defend this our greatest priviledge.—In the Bill of rights for this Commonwealth it is declar'd that the happiness of the people, & the Preservation of civil government depend upon piety religion & morality; & that the people have a right to invest their Legislature with Power to require that provision be made for the public worship of God & the Support of protestant teachers; & require the attendance of People upon Such worship & instructions²—And is it not of as much consequence that a continental Legislature be vested with Such authority as a State Legislature but what Purpose will it answer if they are not abettors of the Protestant Religion—Will they Employ there power & influence this way—upon the whole whether a religious Test be agreed to or not—we must insist that the Continental Constitution Contain a Bill of Rights which by Express declaration will Secure to us our priviledgs especially our religion and Such rulators to Support it as we can put Confidence in & while we view them as fri[e]nds to the great Author of our religion, may expect his Presence with them, that so they may be ministers of God for the Good of his people for the interest of his religion & for the honour of his Name

—Townshend Decm. 31 Day 1787—

by Order of the Town—Daniel Adams Jur. Town Clerk

1. MS, GLC 799, The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York.

2. See Article III of the Massachusetts Declaration of Rights (RCS:Mass., 441).

Truro, Barnstable County, 8 December

Town Meeting, 8 December

at a Legal meeting of the Inhabitants of Truro held at the meeting house in Truro on the 8 Day of December 1787 to See If the town will Send a member to the Convention for the ratification or Nullification of the federal Constitution . . . and at the same meeting the town voted Not to Send a member to Said Convention

**Upton, Worcester County, 17 December
Thomas Marshall Baker (N)**

Town Meeting, 27 November

At a Legal meeting of the freeholders and other Inhabitants of the Town of Upton Assembled at the meeting House in Said Town the Twenty Seventh Day of November 1787

first made choice of Mr. John Taft Moderator . . .

4ly. voted to take the Constitution into Consideration and voted to choose a Committee to take it into consideration and made choice of Nine for a Committee—Deacon James Bradish, Colo. Ezra Wood, Captn. Thos. Mar. Baker, Majr. Benjn. Farmer, Jona. Batchelor, Abiel Sadler, Lt. Elisha Taft, Matthew Taft, Captn. Stephen Sadler

Then Said meeting was Desolved—

Town Meeting, 27 November

At a Legal Meeting of the freeholders and other inhabitants of the Town of Upton assembled at the Meeting House in Sd. Town on Tuesday the Twenty Seventh Day of November 1787 on purpose to make choice of a Deligate to Represent them in Convention to be holden at the State House in Boston the Second wednesday in January Next—then Said meeting was ajourned to the third monday in December Next at one O'clock in the afternoon

Town Meeting, 17 December

Then Said Town meet on ajournment and made Choice of Capt. Thos. Mar. Baker the Deligate to Represent them to Convention

Then Said meeting was Desolved

**Vassalborough, Lincoln County, 1 January 1788
Samuel Grant (Y)**

On 26 November the selectmen of Vassalborough ordered Constable Samuel Grant to give warning of a town meeting on 30 November at Grant's dwelling. (Grant was a farmer and innkeeper.) The meeting elected Abiel Lovejoy as the town's state Convention delegate. Within a week twelve freeholders petitioned the selectmen to call another town meeting to reconsider Lovejoy's election and to consider whether or not the town should send a delegate. On 7 December the selectmen ordered Constable Grant to give notice of a meeting on 11 December, again to be held at Grant's dwelling, to reconsider the action taken on 30 November. On 11 December the town voted to reconsider Lovejoy's election and then voted not to send a delegate to the Convention.

On 15 December, twenty-one Vassalborough inhabitants petitioned the selectmen to call a town meeting on 1 January 1788 to elect a Convention delegate and to "order" the inhabitants to give the delegate instructions. Five days later the selectmen called a town meeting for 1 January to elect a Convention delegate. The meeting chose Captain Samuel Grant. According to Silas Lee, Vassalborough voted to unseat Lovejoy, a wealthy landowner, shipowner, trader, and saw mill proprietor, when it was discovered that he supported the Constitution.

Town Meeting, 30 November

At a Meeting of the Inhabitants of the Town of Vassalborh. qualified by Law to Vote in Town affairs and for a Representative duly warned and met at the House of Capt. Saml. Grant in said Town

1st. Chose Abial Lovejoy Esqr. Moderator—

2nd. Chose Abial Lovejoy Esqr. as Delegate to sit in General Convention to be holden at Boston on 9th. Jany. 1788 for the purpose of ratifying the proceedings of the Federal Convention—

Warrant Calling Town Meeting, 7 December

Whereas a Petition signed by twelve of the Freeholders of said Vassalborough to the Selectmen hath been presented praying in said Petition that a Meeting of the Inhabitants of said Town qualified by Law to Vote for a Representative may without delay be convened for the purpose of reconsidering a Vote to send Abial Lovejoy Esqr. as Delegate to meet in General Convention at Boston and likewise to have the privelidge to send a Delegate or not

Consequently to Samuel Grant Constable of said Vassalborh. In the Name of the Commonwealth of Massachusetts you are hereby required to Notify and warn the Inhabitants of said Town qualified by Law to choose a Representative to meet at the dwelling House of Capt Samuel

Grant Innholder in sd. Town on Tuesday 11th. Decr. Inst at 11 oclock A M—

1st. To choose a Moderator to govern said Meeting—

2nd. To see if the Town will Vote to reconsider a Vote in their last Public Meeting choosing Abial Lovejoy Esqr. to represent them in General Convention at Boston—And also to see if the Town will Vote to choose any person to represent them in said Convention or not—

Town Meeting, 11 December

At a Meeting of the Freeholders and other Inhabitants of said Town qualified by Law to Vote for a Representative duly warned and met at the dwelling house of Capt. Samuel Grant Innholder in said Town

1st. Chose Doctr. Obadiah Williamson Moderator—

2nd. Voted to reconsider a Vote passed at a Public Meeting of the Inhabitants of said Town on the 30th. Novr. 1787 making choice of Abial Lovejoy Esqr. as Delegate to represent them at a convention to be holden at Boston on 9th. Jany. 1788—

and also Voted not to send a Delegate to said Convention—

Petition to Selectmen, 15 December

To the Selectmen of the Town of Vassalborh. aforesaid—
The Subscribers Inhabitants of the said Town of Vassalborh. humbly Sheweth—

That being deeply impress'd with the Imbarresments under which this State and consequently the Inhabitants of said Town in general labour under with respect to their trade and Commerce and being desirous that every probable method for their relief may be pursued—among which we are of opinion that the sending a Delegate to the Convention to meet at Boston on the second Wednesday of Jany. next will prove a very assential one—

Do pray that you Gentn. will issue a warrant for calling a Meeting of the Inhabitants of said Town qualified to Vote for such Delegate to assemble at the House of Dudley Doe in said Town on Tuesday the first day of Jany. next at ten oclock AM for the choice of a Delegate as aforementioned—And that you would in said Warrant order the said Inhabitants to give Instructions to the person they shall choose for the purpose aforesaid—Your compliance herewith will be a fresh proof of the regard you have for the best interest of your constituents and induce your Petrs. as in duty bound ever to pray &c.—

Charles Webber
Rueben Moore

Isaac Farwell
Hugh Smiley

Levi Moore
Thos. Smiley

Mathew Hastings	David Reynolds	Jonathan Reynolds
Benjn. Dyer	Samuel I. Branch	Shubal Bragg
Jonn. Burges	David Smiley	William Smiley
Ebenr. Smiley	Dudley Doe	Moses Hastings
John Ward	Nathl Lovejoy	Thomas Lovejoy—

Warrant Calling Town Meeting, 20 December

To the Constable of the Town of Vassalborouh. in said County—
Greeting—

In the Name of the Commonwealth of Massachusetts you are required to Notify and warn the Inhabitants of said Town qualified by Law to Vote for a Representative in the General Court to assemble and meet together at the dwelling house of Mr. Daniel Fairfield in said Town on Tuesday the first day of Jany. next at ten oclock AM then and there to act on the following articles—Viz—

1st. To choose a Moderator to regulate said Meeting—

2nd. To choose a meet person to represent them in a Convention to be holden at Boston on the second Wednesday of Jany. next for the purpose of taking into consideration the continental Constitution

Town Meeting, 1 January 1788

At a Meeting of the Inhabitants of the Town of Vassalbh. qualified by Law to Vote for a Representative duly warned and met at the House of Mr. Daniel Fairfield in said Town—

1st. Chose Doctr. Obadiah Williams Moderator—

2nd. Voted that Capt. Samuel Grant be the Delegate to set in General Convention to be holden at Boston on the second Wednesday of Jany. Inst.

Silas Lee to George Thatcher

*Biddeford, 23 January (excerpt)*¹

... Vassalborough chose *King Lovejoy* to represent them in State Convention—but they afterwards found out that he was in favour of it's adoption, & called another Meeting, turnd him out & chose another in his room who was desidedly against it—The most reputable characters in that County [Lincoln], are, I believe, on what *you will call the right side* of the question—but the middling & common sort are on the opposite. . . .

1. RC, Chamberlain Collection, Thatcher Papers, MB. For the complete letter, see III above.

Waldoborough, Lincoln County, 10 December

Town Meeting, 10 December

Ad a Meeting Legally Cowled the following Votes where Passed
Voted Mr Peter Cramer Moderator
Voted nod to Sent a Deligate to Convention

Ware, Hampshire County, 31 December
Isaac Pepper (N)

Town Meeting, 31 December

the meting being opened Chose Lieut Cumming moderator—for Sd meting—Voted to Send a man to the Convention
Made Choice of Mr Isaac Pepper to attend the Sd Convention
Voted not [to] approve of the Confederal Constitution and that to be Sd Peppers Instructions

Washington, Berkshire County, 24 December
Zenos Noble (N)

Henry Van Schaack to Theodore Sedgwick
Pittsfield, 14 December (excerpt)¹

. . . A Man from Washington, not friendly to Ashley,² thinks, notwithstanding, that he will be elected. . . .

Town Meeting, 24 December

At a Meeting of the Freeholders and other Inhabitants of Said town Legally warnd & met for to transact the following Business as Set forth in the warrant—

1ly Votd. and Chose Jesse Ladd Moderator—
2d. article Votd. to Pass over for the Present. . . .
2d article to be Considerd and it was—

Voted to Chuse a Delligate to attend the State Convention to be held at Boston on the Second Wednesday of January Next—Voted and Chose Mr. Zenas Noble for that Purpose—

Voted to Chuse a Committee of five men to Peruse the Constitution and State ther objections against the Sd. Constitution—

Votd. & Chose Jesse Ladd, Lt. James McKnight, James Matthews, Anthony Eames and Nathan Ingraham for the above Said Business

1. RC, Sedgwick Papers, MHi. Other excerpts from this letter are printed in the Adams, Pittsfield, Richmond, and Sheffield sections. For the complete letter, see Mfm:Mass.
2. Perhaps Azariah Ashley, Washington's town clerk.

Wellfleet, Barnstable County, 26 December
Levi Whitman (Y)

Town Meeting, 12 December

The Inhabitants of Wellfleet Legally warnd assembled and met and chose Capt. Winslow Lewis Clark [i.e., clerk] for the Day and Hezekiah Doane Esqr Moderator and then made choice of Hezekiah Doane Esqr. as a Member to represent this Town at the State Convention; the Meeting was then adjournd till the 26th. Decr. instant at 1 O'Clock P.M

Town Meeting, 26 December

The Inhabitants of Wellfleet met agreeable to Adjournment Hezekiah Doane Esqr Moderator; and voted to release Hezekiah Doane from going to the Convention, and Chose the Revd. Levi Whitman to go in his Stead

Wells, York County, 3 December
Moses Hemmenway (Y) Nathaniel Wells (Y)

Town Meeting, 3 December

At a Meeting of the freeholders and other Inhabitants of the Town of Wells qualified according to the Constitution to Vote in the Election of Representatives held at the Meeting house in the first Parish in Wells on Monday the 3rd day of december 1787

Capt Joshua Bragdon was chosen Moderator

Revd Dr Moses Hemenway and Nathaniel Wells Esqr were chosen Delegates to represent the said Town in a Convention of Delegates to meet at the State House in Boston upon the second Wednesday in January next pursuant to a Resolve of the General Court passed the 25th day of October last for the purpose of considering & acting upon the proposed federal Constitution mentioned in said Resolve

Town Meeting, 31 December

At a meeting of the freeholders and other Inhabitants of the Town of Wells qualified according to Law to Vote in Town affairs held at the meeting house in the second Parish in said Town on monday the 31st day of december 1787

Voted Capt Joshua Bragdon Moderator

John Storer Esqr Town Clerk pro Tempore

The Question was put whether the Town will choose another Delegate to represent them in the State Convention to be held at the State house in Boston on the second Wednesday in January next and it passed in the negative

Then the Question was put whether the Town will give Instructions to their Delegates and it passed in the negative

David Sewall to George Thatcher

York, 5 January 1788 (excerpt)¹

. . . The Repr for Wells² found himself greatly disappointed in the appointment of Mr Wells & Doctr Hemmingway—and has Stirred up with great dilligence a 2nd meeting in order to get himself elected I hear they declined choosing a third member, but appointed him & Somebody else to draw up instructions. . . .

1. Printed: Goodwin, "Thatcher Papers," 261. For other excerpts from this letter, see the Sanford and York sections.

2. Joseph Hubbard represented Wells in the state House of Representatives.

Wendell, Hampshire County, 31 December

Town Meeting, 31 December

At a Legal meeting of the Freholders and other Inhabitance of the Town of Wendell at the meeting House on monday the 31 Day of December 1787

Art 1 Voted and Chose Capt Josiah Osgood moderator to Govern Sd meeting

Voted to adjourn this meeting to Larnlord Needham for half a hour
Josiah Osgood Moderator

The meeting opened according to the adjournment

Ar 2 Put to Vote to See if the Town will Send a Dellagate to the State Convention Past in the Negative

Westborough, Worcester County, 24 December Stephen Maynard (N)

Town Meeting, 3 December

A Greable to ye fore going Warrant the Inhabitants meet and proceeded on Read ye Constitution—then Voted to Chuse a Committee of nine persons to Peruse the Constitution and make report to ye Town

at ye Adjournment—they are as follows Mr. Abijah Gale—Capt. Stephen Maynard—Mr. Joseph Harrington—Mr. Elijah Brigham—Mr. Phinehas Gleason—Mr Joseph Green &—Mr. Eli Whitney—Capt. Seth Morse—Colo. Wheelock—Voted to Adjorn this meeting for three weeks at this place @ Nine OClock AM—

Town Meeting, 24 December

A greable to the Adjournment the Town meet—and the Committee made Report to the Town of ther procedgs—then Chose Capt. Stephen Maynard for our Deligate to Represent ye Town—then Voted to Dissolve this meeting

**Westminster, Worcester County, 30 November
Stephen Holden (N)**

Town Meeting, 30 November

The meeting being open'd agreable to the Warrant then Voted to adjourn this meeting for one hour the meeting being open'd agreable to adjournment Voted and Chose Mr. Stephen Holden to Represent this Town in Convention to be held att Boston the Second Wednesday of Jany. 1788 to Ratify or Disapprove the Constitution Recommended by the Convention of the united States then Voted not to Give him any Instructions¹

1. According to William S. Heywood, the town voted on 30 November “ ‘not to give him any instructions, but to allow him full liberty to act upon his own discretion and judgment’ ” (*History of Westminster . . .* [Lowell, Mass., 1893], 189).

**West Stockbridge, Berkshire County, 22 November
Thomas Lusk (N)**

Town Meeting, 22 November

At Town Meeting agreable to Warrant on file, for the purpose of Chousing a Delagate to Meet in State Convention for the Consideration of the Federal Constitution

Col. [Elijah] Williams Moderator.

Votes being taken a Majority was found for Col. Williams. upon his Refusing to except of the Choice, Votes were Called again when Choice was mad of Maj Lusk

2d Voted that a Committe be Chosen to give Instructions to Maj Lusk the Deligate

3d That the Comittee consist of Seven.

4th John Newel, Lieut Deming, Col Williams, John Row, Christ. French, Benj Lewis, and Stephen Chatfield were chosen Committe

Williamsburgh, Hampshire County, 3 December
William Bodman (N)

Town Meeting, 3 December

At A Legal Town meeting held in Williamsburgh Decembr. 3d 1787—
Voted Doctr Elijah Paine be moderator. . . .

5th. Voted that William Bodman be delegate to attend the Convention to be held at Boston the 6th Jany. Next

Voted Jonah Dwight, Dr. Elisha Allis, Asa Ludden, Wm Bodman, Elisha Nash, Be a Committee to peruse the Constitution & make Report to the Town

Williamstown, Berkshire County, 24 December
Thompson J. Skinner (Y)

On 17 December a town meeting, legally called and warned, elected William Young by "a grate majority" as a state Convention delegate. Believing the meeting dissolved, many people left. But that evening, with "but few people" present, the meeting adjourned to 24 December. On that date, at the start of the meeting, before many freeholders arrived, the moderator called for another election and declared Colonel Thompson J. Skinner elected. Selectmen Daniel Stratton and Matthew Dunning certified Skinner's election. When more freeholders arrived, the freeholders voted that Skinner's election was illegal. A sufficient number of them requested that the selectmen call another meeting, which was legally called and warned. On 1 January 1788 William Young was elected by a majority of ninety-one votes.

Remonstrances signed by sixty-nine freeholders were submitted to the Convention, requesting that Skinner not be seated. Selectmen Stratton and Dunning certified the results of the 1 January election of Young. Town Clerk William Horsford certified what occurred at the three meetings, pointing out that the selectmen, in their capacity as moderators, had certified Young's election.

On 11 January the Convention assigned the Williamstown election documents to a seven-man committee. The next day the Convention accepted the committee's report that there was no evidence to support the remonstrants' charge that Skinner's election was illegal. Skinner attended the Convention every day.

Election Certificate, 24 December¹

Pursuant to a Resolution of the General Court of Octor. 20th 1787 the Inhabitants of Williamstown Qualified as provided in Said Resolve met

together on the 24th of December being Duly warned. And then Did Elect Tompson J Skinner Esqr. to Represent them in the State Convention to meet at the State house in Boston on the Second wednesday of January next to Consider the propriety of Adopting the Constitution Agreed on by the Convention of the United States in Sepr. last.

witness our hands at Williamstown Decr. 24th 1787

Daniel Stratton
Matthew Dunning } Selectmen Wms Town

Moderators' Certificate, 1 January 1788²

Pursuant to a request to us made by a Sufficient Number of freholders to call a town meeting for the following purposes viz

1st to Chuse a moderator

2nd to Chuse a Deligate to go to Boston to act on the federal Constitution

the inhabitants of this town were Convend accordingly on tuesday ye first day of January instant when Mr William Young was elected for the formentioned purpose

Daniel Stratton
Matthew Dunning } moderators

Town Clerk's Version of Town Meeting as Submitted to the Massachusetts Convention, 3 January³

Williamstown January 3d AD 1788

This May Certify that the Inhabitance of Williamstown, att a Meating warned for that purpus of Choosing a Deligate to represent them in the State Convention att Boston on the Second Wennesday of January Instant after the Votes ware Counted the Moderator Declcard that Mr William Young was Chosen the town then proceeded to Busines of a nother Meeting which Last meeting was not Comp[le]ated on that day and the people being a considerable part of them withdrawn, they adjurnd Both Meetings Early in the Day on which they were adjurnd to they opened the first meeting and in a Confused manner the Votes Came in after which the Select men Declcard that Colo. Tomson J Skinner⁴ was Chosen the people Immediately Came in and took a Vote that the Meeting was Illegal after which another Meeting was Called and the moderator Declcard after the Votes ware Counted that Mr William Young was Chosen as will appear from their Certificate wheare in they Signed themselves Modorators⁵

Attest William Horsford Town Clerk

*Residents' Version of Town Meeting as Submitted to the
Massachusetts Convention, 3 January⁶*

To the Chairman and Convention to be Convened at Boston on the 2d Wensday of Jany. Instant your Petitioners beg leave to inform that on the 17 day of Decr. last past this Town met by leagal warning for the purpose of Choosing a deligate to attend your assembly and accordingly Chose Mr. Wilm. Yong by a grate majority. the Select men then Proceeded to open an other meeting with out Adjurning the first in the Close of which they Pretended to adjorn both for one week when a Small Number met and went on to Elect a deligate and Chose the Hon: Tomson J: Skinner[.] the Town Dissatisfied Caled a New meeting and Chose Mr. Willm. Yong a Second time by a majority of 91 Votes these are therefore to desire that you will not Permit the afore Sd. Skinner to hold a Seat in your Convention as a Deligate of this Town

The Subscribers stand redy to prove the above facts when Cald for

Alexr. Sloan
Samuel Clark
Ezekiel Blair
Joseph Hand

Remonstrance to the Massachusetts Convention, 3 January⁷

To the Honorable Chairman & Convention of the Commonwealth of Massachusetts assembled on the Second Wednesday in Jany. 1788 for the purpose of Rattifying or Rejecting the Federal Constitution

May it Please your Honors

We whose names are hereunder Writen, Freeholders of Williamstown in the County of Berkshire, beg leave to represent to your Honors, the hinted partial Election of Capt. Tomn. J Skinner, as a member of your Honorable Body.—

Agreeable to the order or recommendation of the Legislature in their last Session a meeting was Warned and the Inhabitants qualified to vote elected Mr. William Young to be their Delegate by a great Majority. It was then motioned to desolve the meeting. the Moderator then replied that the meeting was desolv'd. the people then began to draw off and in the evening when but few people were present they proceeded to adjourn the meeting to a future day, and on the day of the adjournment, precisely at the time a Small Number only being present the meeting was opened ~~and without reconsidering any Vote before passed and~~ a Number of persons present put in their Votes, and the Moderator turned the Hatt, before the people from the remote parts

of the Town Could come in and the moderator declared Colo. Thomn J Skinner to be Elected—

the Town generally being dissatisfied with the proceedings, they Voted the adjourned meeting was Illegal, and Immediately proceeded as the Law directs, to Call a new meeting which was held on the first day of Jany. Instant when Mr William Young was elected by a majority of Ninety One Votes—We have therefore thought proper to State to your Honors the particular Circumstances attending the Choice of Capt. Skinner and Remonstrate against Such Illegal Proceedings, judging the adoption or Rejection of the Federal Constitution to be a matter of too much Consequence to be thus trifled with

Massachusetts Convention Journal, 11 January

A remonstrance from certain inhabitants of Williamstown against the election of the Hon. Tompson J. Skinner Esqr. Read & committed to Mr. Varnum, Mr. Wales, Mr. West, Mr. Wedgery, Mr. Sylvester, Mr. Dunbar and Mr. Sprague.

Ordered that the Committees be enjoined to sit.

*Massachusetts Convention: Committee Report on Remonstrance from Williamstown, 12 January*⁸

The Committee of Convention to whom was referred the Remonstrance of a Number of the Inhabitants of the Town of Williamstown, against the Election of the Honble. Thompson J. Skinner Esq. as member of the Convention, beg leave to report—

That they have attended the service assigned them, have considered the objections on the part of the Remonstrants with all the evidence that they could avail themselves of, on the Subject—and do not find any evidence to Support the facts Stated by the Remonstrants or that the said election was illegal

J. B. Varnum Per Order

Massachusetts Convention Journal, 12 January

The Committee on the Remonstrance from certain inhabitants of Williamstown reported that they did not find any evidence to support the facts stated by the Remonstrants, or that the election of the Hon. Thompson J. Skinner Esqr. was illegal. Which report was accepted.

1. MS, Constitutional Convention, 1788, M-Ar.

2. MS, *ibid.* Docketed: "Williamstown/Jan 1. 1788/Certificate."

3. MS, *ibid.* Docketed: "Town Clerk/Sertificate/Williamstown/Jan. 3. 1788."

4. Thompson J. Skinner (1752–1809) moved to Williamstown from Colchester, Conn., in 1773. Apprenticed as a carpenter and builder, Skinner and his brother started a construction partnership. Skinner rose to the rank of captain during the Revolution in the Berkshire County militia; he later attained the rank of major general. He regularly served in one house or the other of the General Court from 1781 until 1803. Skinner was a judge of the Berkshire County Court of Common Pleas from 1788 to 1807, presiding as chief judge from 1796. At the time of his election to the state convention, Skinner was a state senator and justice of the peace and quorum.

5. See Moderators' Certificate, 1 January (immediately above).

6. MS, Constitutional Convention, 1788, M-Ar. Endorsed: "To Vallentine/Boing of Adams/Jan 3d. 1788/Williamstown." The four subscribers of this petition also signed the remonstrance that immediately follows.

7. MS, *ibid.* Forty-four people signed this remonstrance. A similar remonstrance from Williamstown, signed by twenty-five men, is also in the same collection at the Massachusetts Archives. For both remonstrances, see Mfm:Mass.

8. MS, Constitutional Convention, 1788, M-Ar. Docketed: "Remonstrance of/certain Inhabitants of/Williamstown./Report accepted/Janry. 12. 1787[8]."

Windham, Cumberland County, 13 December

Town Meeting, 13 December

Att a Town meeting being Legaly warned the freeholders and other Inhabitants of the Town of windham met together on Tuesday the 13 of Decemr 1787 Instant at the School house in Sd Town at the Time mentioned and acted on the articles following Viz

1 Voted Capt David Barker moderator for Sd meeting

2 Put to vote to Se if the Town will Send a man to Boston to meet with the Convention and it was a Tie but after Polling the house it appeared not to Send a man to joyn the Convention a[t] Boston

Winslow, Lincoln County, 17 December Jonah Crosby (N)

On 3 December the town selectmen issued a warrant calling a town meeting to convene at Fort Hallifax on 17 December. The town elected Jonah Crosby, one of the selectmen, as its delegate to the state Convention. Nine days later, on 26 December, the selectmen (not including Crosby) called another town meeting "To See if the Town Will Chuse a Committy to give Instructions" to its delegate. The town voted not to chose a committee to give instructions.

Town Meeting, 26 December

A[t] a Legal meeting of the Freeholders and other Inhabitints of the Town of Winslow

Voted Ezekiel Pattee Esqr Moderator . . .

Voted Not to Chuse a Comitty to give Instructions to the Dillegate Chosen to attend the Convention to be holden at Boston the Second Wedensday in January Next

Worcester, Worcester County, 3 December
David Bigelow (N) Samuel Curtis (A)

Worcester Magazine, 6 December

On Monday last the inhabitants of this town met for the purpose of choosing Delegates to the State Convention, for considering the proposed Federal Constitution; it was voted to send two delegates, and to choose them separately; in the first choice Samuel Curtis, Esq; had 93 votes, and the Hon. Timothy Paine, Esq; 71; in the second choice the Hon. Timothy Paine, Esq; had 81 votes, and Mr. David Bigelow 76, Capt. Samuel Brooks 7 or 8 and Mr. Daniel Beard 3 or 4; consequently there was no choice; the town then proceeded to vote again, when Mr. David Bigelow had 88, and the Hon. Timothy Paine, Esq; 87 votes. Samuel Curtis, Esq; and Mr. David Bigelow, were declared chosen.

Wrentham, Suffolk County, 17 December
Nathan Comstock (N) Thomas Mann (Y)

Town Meeting, 17 December

At a General town meeting of the freeholders and other inhabitants of this town, being Warned, Quallified, and Assembled as the law directs at the publick meeting house in this town—

Voted to pospone the first article untill the town be more full and taken up again when the town think proper, and proceed to the other Articles—

Article 2d, Lemuel Kollock Esqr. chosen Moderator for said meeting . . .

Voted this meeting be adjourned for half an hour—

met again according to adjournment. & Voted (pursuant to ye first Article) to chuse two delegates to meet with the delegates that are or may be chosen by the Several towns in this State at the State house in Boston on the Second Wednesday of January next, to Assent to and Ratify the Federal Constitution reported to Congress for the United states of America and Deacon Thomas Mann & Mr. Nathan Comstock were chosen for that purpose

York, York County, 3 December*
Nathaniel Barrell (Y) Esaias Preble (N)

Town Meeting, 3 December

At a Legal Town Meeting of the Inhabitants of the Town of York Qualified to Vote in the Election of Representatives. Meet the 3d Day of December 1787. Pursuant to a Resolve of the General Court to the Selectmen Directed, Did then by Ballot Elect Capt Esaias Preble & Nathl Barrell Esqr. Agreeably to said Resolve, as Delegates to Meet in Convention at the State-House in Boston on the Second Wedensday in January Next—to take into Consideration the proposed Constitution for the United States, and act thereon as they See fit—

Jonathan Sayward Diary

York, 3 December¹

I paid Barnard the post for my News papers till the 15th of october Last: Same Day, Nathl. Barrell Esqr was Chosen to represent this Town respecting their [adopting?] the Constitution—Esaias Preble Chosen also for the Same Purpose both Diclaring against it:

Christopher Gore to Rufus King

Boston, 23 December (excerpt)²

... Among those, who are elected, & are avowedly opposed to the form, none have yet appear'd of abilities, except Nat. Barrell from old York. . . .

David Sewall to George Thatcher

York, 5 January 1788 (excerpt)³

... The federal Constitution has been the general Topick of Conversation The choices in this County are in general made with intention to Oppose the Business. . . . the Persons appointed for York are Anti-federal in an Especial manner Mr B. Whose great Zeal for the Liberties of the Country procured him an Election from the lower class of Citizens—I find you sent him a pamphlet the last mail intended to answer BRUTUS.⁴ . . .

Samuel P. Savage to George Thatcher

Weston, 11 January (excerpt)⁵

... It is said your friend N. Barrell, who is One of the two chosen for York, behaved so indecently before the Choice, as extorted a severe

Reprimand from Judge Sewall, and when chosen modestly told his Constituents, he would sooner loose his Arm than put his Assent to the new proposed Constitution.⁶ it is to be feared many of his Breth[r]en are of his mind. . . .

Joseph Tucker to George Thatcher
York, 28 January (excerpt)⁷

. . . you have the proceedings (doubtless) every Week of the Convention, therefore can give you nothing new on that head, the Delegates from York, are Violently opposed to it,—Mr B. gained his Election entirely by crying out great is Dianna, of Judge Sewall, and he was Compettitors, but Mr. B. told the Assembly when they had convened for the choice, that Judge S; would sell there liberties—the General Run of the people thinks it will pass as they say there is a Large Majority in its favour. . . .

*See also Joseph Barrell to Nathaniel Barrell, 20 December (III above) and Samuel Nasson to George Thatcher, 26 February 1788 (VI below).

1. MS, Sayward Diaries, MWA.
2. RC, King Papers, NHi. For the entire letter, see III above.
3. Printed: Goodwin, "Thatcher Papers," 261. For other excerpts from this letter, see the Sanford and Wells sections.
4. See Nathaniel Barrell to George Thatcher, 15 January (III above, note 2) for a reference to Thatcher's transmittal to Barrell of "A Citizen of Philadelphia" (Pelatiah Webster), *The Weaknesses of Brutus Exposed* (CC:244).
5. RC, Washburn Papers, MHi. For a longer excerpt, see III above.
6. Joseph Barrell wrote his brother Nathaniel that he was surprised "that my brother is the most decided *Antifederalest*, in the Eastern Country, and that he had declared in the Town Meeting, he would loose his right hand before he would accede to the proposed Constitution" (20 December, III above).
7. RC, Chamberlain Collection, Thatcher Papers, MB. Postmarked: "Portsmouth February 1."

General Commentaries on the Election of Convention Delegates **29 November 1787–8 March 1788***

Worcester Magazine, 29 November (excerpt)¹

. . . We sincerely hope that every town will choose cool, sensible men—men who are acquainted with the nature of political government, and who regard the happiness of the people. There never was a time when we wanted the assistance of men of the greatest abilities more than the present—let us then look for such, and such whose political abilities are dignified by the noble principles of justice and honour.

Nathaniel Gorham to Rufus King
Charlestown, 12 December (excerpts)²

... the Elections in this part of the Country have generally been favourable—but a black cloud will come down from the three Western Counties. . . . On the whole I think the prospect has mended since you left us³ & looks rather encourageing than other ways—Bristol County which was supposed to be wholly wrong—is by a great majority right. . . .

Propriety
Worcester Magazine, 13 December⁴

On INSTRUCTIONS to DELEGATES to the STATE CONVENTION.

Mr. EDITOR, I am informed that some few towns are so strenuous for the federal constitution, that they have instructed their representatives to vote for it at all hazards—this is certainly wrong—no delegate ought by any means to be tied by instructions, and he that will go to Convention thus manacled, is by no means fit for the purpose. The business he has to do is not like a common representation, and I believe those delegates who may go to Convention tied down to instructions will make but a ridiculous figure, if they should not be permitted to vote, when they get there, as possibly may be the case. The design of the Convention, Mr. Editor, I am told, is for the Members to *Give all the Information they can*, to each other, respecting the proposed federal government—to HEAR all that can be said *for* and *against* it—then to CONSIDER what is best; and *finally*, to *determine* according to the best information they shall have received from hearing this weighty and important business thoroughly debated. How absurd would it be in a Court of Justice, to determine a cause first, and hear the merits of it afterwards?—Are not jurymen asked, before causes are committed to them, if they have made up their opinion; and if they have, are they not justly put aside?—

These few hints, I hope, will be sufficient for all such towns as may inconsiderately think of instructing their delegates, either *for* or *against* the proposed federal government, to desist; and such as have already instructed their delegates, to withdraw such instructions.

American Centinel, 1 January 1788⁵

Extract of a letter from a gentleman in Boston, to his
 friend in this town.

“The new constitution is now nearly certain. The people in every county, except the three western counties, have reassumed their best

reflections—and have appointed their best men universally: even the county of Bristol has a majority, and Worcester has chosen several good characters.⁶—We are all here in high spirits—things have taken a most unexpected turn within this month, and we think that we shall not want more than 28 members in convention from the two western counties in favour of the constitution, and calculate all the others they can send to be against it.”

William Cranch to John Quincy Adams
*Boston, 27 January (excerpt)*⁷

... Several who had instructions from their towns, convinced of the Goodness of the Constitution, have returned home⁸ & have resolved that if the town will not withdraw their Restrictions & allow them to vote according to the dictates of their Consciences, they will not return to the Convention. . . .

*Philadelphia Federal Gazette, 8 March (excerpt)*⁹

Another correspondent expresses his happiness on finding the people of America so generally agreed in adopting the Federal constitution. The false alarms which were so industriously raised by the friends of anarchy can no longer withstand the resistless force of patriotic truth. Many of the people of Massachusetts were so frightened by the clamours against the constitution, that they sent their delegates to convention with instructions firmly to oppose its adoption; but when these members had heard the real merits, and supposed demerits of the system, tried by the unerring touch-stone of truth, they changed their opinions, went home to their constituents, were released from their obligations,¹⁰ returned to the convention, and joined hands with their federal brethren. . . .

*See *Worcester Magazine*, 8 November; *Massachusetts Centinel*, 24 November; “A Federalist,” *Boston Gazette*, 26 November; and Nathaniel Gorham to Henry Knox, 16 December (RCS:Mass., 209–10, 316, 320–22, 429–30); and Nathan Dane to Henry Knox, 27, 30 December (III above).

1. Reprinted: *Cumberland Gazette*, 6 December; *New York Journal*, 7 December; *Albany Gazette*, 20 December.

2. RC, King Papers, NHi. Other excerpts from this letter are in the Boston, Cambridge, and Stockbridge sections. The complete letter is in Mfm:Mass.

3. King had been in Newburyport, where on 20 November he was elected as one of the town’s four state Convention delegates. On 24 November he left Newburyport to return to New York City.

4. Reprinted: *Hampshire Chronicle*, 25 December; *Philadelphia Independent Gazetteer*, 12 January 1788.

5. The text of this item is taken from the Hartford *American Mercury*, 14 January. The *Mercury* reprint appeared under the dateline "Pittsfield, January 1," indicating that the original printing occurred in the no longer extant Pittsfield *American Centinel* of 1 January.

6. The three western counties of Berkshire, Hampshire, and Worcester, respectively voted 15 to 7, 33 to 19, and 43 to 7, against ratification of the Constitution. Bristol County voted 12 to 10 against ratification.

7. RC, Adams Family Papers, MHi. The entire letter, which was written on 22 and 27 January, is printed in V below.

8. For the release of John Sprague from his instructions, see George Benson to Nicholas Brown, 3 February (Lancaster section). For the release of other delegates from their instructions, see also an extract of a 30 January letter by a Boston gentleman that appeared in the New York *Daily Advertiser* on 8 February (III above).

9. Printed: Mfm:Pa. 499. This item was reprinted in the *Virginia Gazette and Weekly Advertiser* on 3 April.

10. See note 8.

Appendix I
Speculation About the Prospects for
the Ratification of the Constitution in Massachusetts
23 September 1787–7 March 1788

The adjournment of the Constitutional Convention on 17 September 1787 touched off widespread public and private speculation about the prospects for ratification. As one of the three “large” states, Massachusetts would have considerable influence, especially on neighboring New Hampshire, Connecticut (which ratified on 9 January 1788), Rhode Island, and New York. Scheduled for June 1788, the convention of Virginia, a second “large” state, would also feel Massachusetts’ impact.

Massachusetts, the sixth state to meet in convention, was the first state in which the vote on ratifying the Constitution was uncertain. (The five ratifying states, including the third “large” state of Pennsylvania, had voted overwhelmingly for the Constitution.) From mid-1786 to early 1787, Shays’s Rebellion had produced turmoil in Massachusetts, causing considerable concern about the rebellion’s effect on ratification. Commentators also suspected that Maine separatists would oppose ratification because of their fears that separate statehood for the three Maine counties would be impeded by the Constitution. (Both Shaysites and Maine separatists were well-represented in the Massachusetts Convention.) Massachusetts Federalists also worried that Samuel Adams, the president of the state Senate, would oppose ratification, and they were uncertain about Governor John Hancock’s position on the Constitution.

Until the first meeting of the Massachusetts Convention on 9 January 1788 and shortly thereafter, most observers speculated that Massachusetts would ratify the Constitution, often emphasizing that the bulk of the Convention’s most prominent delegates were Federalists. Some people even thought that a decided majority of the Convention delegates favored ratification. Only a few Federalists, such as Virginian James Madison, and some Antifederalists expressed doubt. After the Convention convened, it was apparent that the delegates were divided, and that opposition to the Constitution was substantial. By late January and early February, however, reports circulated that ratification would be achieved if some Antifederalist delegates were assuaged by the proposal of recommendatory amendments to the Constitution. These amendments would then be submitted to the first federal Congress.

Jeremiah Wadsworth to Henry Knox
Hartford, Conn., 23 September (excerpt)¹

... their is a strong party forming against the Convention and much reason to fear the new Government will not go down—if the Massachusetts rebellion had continued we might hope their is many of our Leading Men who dread the lessening [of] their own power & they will jo[i]ned with the little Polliticians form a great Majority in this State—but if Massachusetts adopt it I shall still hope for its adoption here—in time—

1. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York.

Maryland Journal, 28 September (excerpts)¹

Mr. GODDARD, You'll please to insert in your Paper, the following Extract of a Letter from a Gentleman of New-York, to his Friend in this Town.

A. B.

Baltimore, September 28, 1787.

“I have the Happiness to assure you from good Authority, that the New System of Federal Government will be unquestionably adopted by New-Hampshire, Massachusetts, Connecticut, New-York and Jersey. . . .

“There is one Person in the State of Massachusetts, of respectable popular Talents, who was *originally* opposed to the Convention at Philadelphia, and who, it is well known, though he does not avow it, will oppose the proposed Federal Government.² This Person's Politicks, however, will beyond a Doubt prevent his being in the Legislature. His Opposition to the New Government is attributed to a Wish to throw our Political Affairs in the utmost possible Confusion. . . .”

1. Printed: CC:108. This item was reprinted in the *Independent Chronicle*, 11 October; *Massachusetts Gazette*, 12 October; *Essex Journal*, 17 October; *Hampshire Gazette*, 17 October; and in nine other newspapers by 25 October: N.H. (2), R.I. (1), N.Y. (1), N. J. (1), Pa. (2), S.C. (1), Ga. (1).

2. Possibly Samuel Adams. For his opposition to the Constitutional Convention, see RCS:Mass., 462, note 13.

James Madison to George Washington
New York, 30 September (excerpt)¹

... As far as Boston & Connecticut has been heard from, the first impression seems to be auspicious. . . .

1. RC, Washington Papers, DLC. Printed: CC:114.

Lambert Cadwalader to George Mitchell
New York, 8 October (excerpt)¹

... N England from the Accounts recd. from thence will readily adopt it—even the Insurgents in Massachusetts are for it and all Parties there are pleased with it. . . .

1. RC, Emmet Collection, NN. Printed: CC:140 (for a longer excerpt); Smith, *Letters*, XXIV, 472–74. Cadwalader (1743–1823), a wealthy landowner and a New Jersey delegate to Congress, served in the U.S. House of Representatives from 1789 to 1791 and from 1793 to 1795. Mitchell (d. 1799), a large landowner, represented Sussex County in the Delaware House of Assembly.

James Madison to George Washington
New York, 14 October (excerpt)¹

... Boston is certainly friendly. . . .

1. RC, Washington Papers, DLC. Printed: CC:159 (for a longer excerpt); Rutland, *Madison*, X, 194–95.

William Ellery to Ebenezer Hazard
Newport, R.I., 16 October (excerpt)¹

... Massachusetts from the best information I can obtain will assent to the Conventional Constitution, and New-Hampshire will follow Massachusetts. . . .

1. FC, Ellery Letterbook, 1786–1794, Newport Historical Society. Printed: CC:163 (for a longer excerpt). Ellery (1727–1820), a Newport lawyer and a signer of the Declaration of Independence, was commissioner of the Continental Loan Office for Rhode Island.

Miers Fisher to Robert Barclay
Philadelphia, 20 October (excerpt)¹

... There appears to be little Doubt of it [being?] imediately adopted, as Nine States are Sufficient for that Purpose, & the People from Massachusetts to Virginia, which is as far each Way as [I?] have advices, are instructing their Representatives to forward it as fast as possible. . . .

1. Copy, Foreign Office, Class 4, America, Vol. 5, ff. 329–34, Public Record Office, London (Mfm:Pa. 146). Fisher (1748–1819), a Philadelphia lawyer, was a city councillor, 1789–91; a member of the state House of Representatives, 1791–92, 1800; and a director of the Bank of North America, 1792–1800. Barclay (1751–1830) was a London merchant and brewer.

James Madison to Edmund Randolph
New York, 21 October (excerpt)¹

... All the information from Massts. denotes a favorable impression there. . . .

1. RC, Madison Papers, DLC. Printed: CC:182 (for a longer excerpt); Rutland, *Madison*, X, 199–200.

Lambert Cadwalader to Edward Lloyd
New York, 23 October (excerpt)¹

... N Hampshire & Massachusetts have as far as private Conversation goes, discovered a Disposition to adopt it. ...

1. RC, Lloyd Papers, Maryland Historical Society. Printed: CC:184 (for a longer excerpt); Smith, *Letters*, XXIV, 491–92. Lloyd (1744–1796), a planter, represented Talbot County in the Maryland Senate. In April 1788 he voted to ratify the Constitution in the Maryland Convention.

James Madison to Thomas Jefferson
New York, 24 October, 1 November (excerpts)¹

... Boston is warm and almost unanimous in embracing it. The impression on the Country is not yet known. No symptoms of disapprobation have appeared. The Legislature of that State is now sitting, through which the sense of the people at large will soon be promulgated with tolerable certainty. ...

Novr. 1. ... The Legislature of Massts. has it seems taken up the Act of the Convention, and have appointed or probably will appoint an early day for its State Convention. ...

1. RC, Jefferson Papers, DLC. Printed: CC:187 (for longer excerpts); Rutland, *Madison*, X, 205–20.

John Stevens, Jr., to John Stevens, Sr.
New York, 27 October (excerpt)¹

... I find by the late papers Massachusetts and Connecticut have appointed some time in decr. for the meeting of a convention, to take the new constitution under consideration—And there seems to be no doubt of its being adopted by both these states. ...

1. RC, Stevens Family Papers, New Jersey Historical Society. Printed: CC:200 (for a longer excerpt). John Stevens, Jr. (1749–1838), a wealthy landowner and inventor, was New Jersey state treasurer from 1776 to 1783. He was admitted to the bar in 1771 but never practiced law. His pamphlet *Observations on Government* . . . , signed “A Farmer, of New-Jersey,” was published in New York City on 3 November (CC:229). His father, John Stevens, Sr. (1716–1792), a wealthy landowner and merchant, was president of the New Jersey Convention, where he voted to ratify the Constitution in December 1787.

James Madison to Edmund Pendleton
New York, 28 October (excerpt)¹

... The Legislature of Massts. is now sitting, and letters from good authority, say that every thing goes well. ...

1. RC, Madison Papers, DLC. Printed: CC:205. Pendleton (1721–1803), a lawyer, was a judge on Virginia's High Court of Chancery, 1778–88. In June 1788, he was president of the Virginia Convention, where he voted to ratify the Constitution.

Henry Knox to James Swan
New York, 30 October (excerpt)¹

... The new Constitution engages the attention of all ranks—I hope in God it may be adopted—indeed I am persuaded that it will be received ultimately but it is to be apprehended some serious difficulty may arise in its progress—

Should Massachusetts & the other eastern States embrace it eagerly much evil would be avoided². . .

1. FC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York. Swan (1754–1830), a native of Scotland, came to Boston in 1765, participated in the revolutionary movement against Great Britain, and speculated in land and securities after the war. Heavily indebted, he went to France in 1787 and engaged in commerce and international finance.

2. This sentence is written in the margin.

John Brown Cutting to William Short
London, 3 November (excerpt)¹

... By very late letters likewise from Massachusetts it appears that the system proposed by twelve States was not only popular in that Commonwealth, but wondrous to relate, in the Rhode-Island also. . . .

1. RC, Short Papers, DLC. Printed: CC: Vol. 2, pp. 461–62 (for a longer excerpt). Cutting (c. 1755–1831), an apothecary during the Revolution, studied law with John Lowell of Boston in 1783 and was in England to complete his legal studies. Short (1759–1849), a lawyer, was ambassador Thomas Jefferson's private secretary in Paris.

Curtius III
New York Daily Advertiser, 3 November (Supplement) (excerpt)¹

... The numbers of that enlightened order in society, the *mercantile*, are too sensible of the importance of national respectability, of public credit abroad, and of just commercial regulations at home, to hesitate long as to its adoption. They perceive that, under it, the most excellent provisions will be instituted, with respect to such objects; while they know, that, notwithstanding every real or pretended defect, it surpasses any system of Government, that has ever as yet regulated an extensive empire. Hence it is that the cities of Boston, New-York, Philadelphia, Annapolis, and our other trading towns, are so undivided in sentiment. Boston warmly espouses the opinion of her worthy Governor;² but it is

to be hoped she has not burnt in effigy a seceding member of the Convention.³ . . .

1. On 2 November the *Daily Advertiser* announced "CURTIUS is received." "Curtius" III is headed: "An ADDRESS to FEDERALISTS."

2. See Governor John Hancock's address to the General Court, 18 October (RCS:Mass., 126-27).

3. A reference to Elbridge Gerry who had refused to sign the Constitution.

Charleston City Gazette, 10 November (excerpt)¹

The new Constitution is so very popular in the states of Massachusetts and Maryland, a gentleman informs us, that Mr. Geary has been burnt in effigy in Massachusetts. . . .

1. Reprinted: *Gazette of the State of Georgia*, 15 November; *Pennsylvania Herald*, 24 November; *Georgia State Gazette*, 8 December. Because the *City Gazette* for 10 November is not extant, the text is taken from the *Gazette of the State of Georgia* reprinting.

Nicholas Gilman to William Irvine New York, 20 November (excerpt)¹

. . . it will go a little harder in Massachusetts but will finally succeed. . . .

1. RC, Irvine Papers, PHi. Printed: CC:273 (for a longer excerpt); Smith, *Letters*, XXIV, 561-62. Gilman (1755-1814), a New Hampshire delegate to Congress and a former merchant, had been a delegate to the Constitutional Convention, where he signed the Constitution. Irvine (1741-1804), a physician before the war and a former brigadier general in the Continental Army, was a Pennsylvania delegate to Congress in 1787 and 1788.

Henry Knox to Nathan Dane New York, 21 November (excerpt)¹

. . . Massachusetts and New Hampshire are presumed to be decidedly in favor. . . .

1. RC, Dane Papers, Beverly Historical Society. Printed: CC:275 (for a longer excerpt).

Samuel A. Otis to James Warren New York, 27 November (excerpt)¹

. . . But I have no expectation of a speedy adoption of the *New System*. New hamshr I can give no acct of, Massachusetts & R Island No. . . .

1. RC, Mercy Warren Papers, MHi. Printed: CC:296 (for longer excerpts); Smith, *Letters*, XXIV, 566-68. Warren was married to Otis's sister, Mercy.

Hugh Ledlie to William Samuel Johnson
Hartford, Conn., 3 December (excerpt)¹

... N:B ... Phelps: Esqr. of Granveill Says it Wonnt take place in boston.² this I have from good autherety

1. RC, Johnson Papers, CtHi. Printed: RCS:Conn., 485–86 (for longer excerpts). The entire letter was written over a three-day period, 1–3 December. Ledlie (c. 1720–1798), a Hartford shopkeeper, was a militia captain in the Seven Years War and a leader of the Windham Sons of Liberty during the Stamp Act crisis. About 1770, he moved to Hartford. William Samuel Johnson (1727–1819), president of Columbia College, represented Connecticut in Congress, 1784–87, and in the Constitutional Convention, where he signed the Constitution. He voted to ratify the Constitution in the Connecticut Convention on 9 January 1788. From 1789 to 1791, Johnson was a U.S. Senator from Connecticut.

2. Oliver Phelps had reportedly been elected to the Massachusetts Convention, but declined to serve when he became convinced that the Constitution would be ratified. See IV above, Granville section.

Peter Allaire: Journal of Occurrences
New York, 6 December 1787–2 January 1788 (excerpt)¹

... The Federal Constitution is at present under Consideration of the States of New Hampshire, Boston (by the Choice of their Members there is not the least doubt but they will Acced). . . .

1. RC, Foreign Office, Class 4, America, Vol. 6, ff. 95–110, Public Record Office, London. This journal, signed “P A,” was endorsed “Intelligence/R: 6th: Feby 1788/From Sir G. Yonge.” Entitled “Occurrences from 6 December to the 2d January 1788” and dated “New York 3 January 1787 [sic],” this journal was written by Peter Allaire (1740–1820), a New York City merchant, who was employed by the British Foreign Office as a spy, having begun that service during the Revolution. The journal was turned over to the British Foreign Office by Allaire’s friend, British Secretary for War Sir George Yonge, through whose influence Allaire had been hired to report on “Intelligence” from America. Allaire sometimes boarded members of Congress. For more on Allaire and his activities as writer of “Occurrences,” see Boyd, XVII, 91n.

James Madison to George Washington
New York, 7 December (excerpt)¹

... There will be more opposition in Massachusetts [than in Connecticut], but its friends there continue to be very sanguine of victory. . . .

1. RC, Gratz Collection, PHi. Printed: CC:327.

James Madison to Thomas Jefferson
New York, 9 December (excerpt)¹

... The event in Massachusetts lies in greater uncertainty [than in Connecticut]. The friends of the New Govt. continue to be sanguine. . . .

1. RC (unsigned), Madison Papers, DLC. Printed: CC:334 (for longer excerpts); Rutland, *Madison*, X, 310–15.

**Oliver Wolcott, Sr., to Oliver Wolcott, Jr.
Litchfield, Conn., 9 December (excerpt)¹**

... What will be the ultimate decision in Regard to the New Constitution is an interesting Inquiry, it is said that the Massachusetts so farr as it can be known will be in favour of it. . . .

1. RC, Wolcott Papers, CtHi. Dated: "Sunday Eveng." Printed: RCS:Conn., 486–87 (for longer excerpts). Wolcott, Sr. (1726–1797), a signer of the Declaration of Independence and the Articles of Confederation, was the lieutenant governor of Connecticut. He represented Litchfield in the state Convention and voted to ratify the Constitution in January 1788. His son (1760–1833) was a Hartford lawyer.

**Henry Knox to George Washington
New York, 11 December (excerpt)¹**

... Notwithstanding the opposition and writings of the enemies of the new constitution it is now pretty apparent that it will be received by considerable majorities in New Hampshire, Massachusetts Connecticut New Jersey, Pennsylvania and Delaware. . . .

1. RC, Washington Papers, DLC. Printed: CC:337 (for a longer excerpt); Abbot, *Washington*, V, 485–86. The next day Knox wrote Adam Stephen of Virginia suggesting that the six states he named in his letter to Washington "will probably adopt it [i.e., the Constitution] before the [expiration?] of the month of Jany." (GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York.).

**Samuel Powel to George Washington
Philadelphia, 12 December (excerpt)¹**

... New Jersey will probably adopt the Constitution this Week, & Massachusetts next Month. I think & hope it will be generally accepted. . . .

1. RC, Washington Papers, DLC. Printed: RCS:Pa., 601 (for a longer excerpt); Abbot, *Washington*, V, 488–89. Powel (1738–1793), one of the wealthiest men in Philadelphia, was the city's last prewar mayor in 1775 and the first mayor after the city received a new charter in 1789.

**Henry Knox to the Marquis de Lafayette
New York, 14 December (excerpts)¹**

... I wrote you by the last packet and mentioned some thing respecting the proposed Constitution for the United States—Since then Conventions to approve or reject it have been called by Massachusetts Connecticut New Jersey Pennsylvania Delaware Virginia and Georgia. . . .

Massachusetts & Connecticut conventions will sit in the course of the next month and will probably adopt it. . . .

1. FC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York. Lafayette (1757–1834) was a major general in the Continental Army from 1777 to 1781. After the Revolution, he became one of France's leading reformers and worked for improved commercial relations between the United States and France.

Antoine de la Forest to Comte de Montmorin
New York, 15 December (excerpt)¹

. . . There is reason to believe, from reports which leave little doubt, that the Special assemblies of New Hampshire, Massachusetts, Connecticut, South Carolina and Georgia will be decidedly in favor of the new constitution. . . .

1. RC (Tr), Affaires Étrangères, Correspondance Consulaires, BI 909, New York, ff. 294–97, Archives Nationales, Paris. Printed: CC:349. Forest (b. 1756) was the French vice consul stationed in New York City. Montmorin (1745–1792) was France's Minister of Foreign Affairs.

Timothy Pickering to Charles Tillinghast
Philadelphia, 24 December (excerpt)¹

. . . If it meets any opposition in the N. England states, it will be chiefly from the Shayites & Paper-Money-men: but their numbers & characters are alike contemptible. . . .

1. FC, Pickering Papers, MHi. Printed: CC:288. Colonel Pickering (1745–1829), a native of Salem, Mass., was adjutant general of the Continental Army, 1777–78; a member of the Board of War, 1777–80; and quartermaster general, 1780–85. In 1787 he moved his family from Philadelphia to Pennsylvania's Luzerne County, where he was a farmer and large landowner. He voted to ratify the Constitution in the Pennsylvania Convention in December 1787.

Timothy Pickering to John Pickering
Philadelphia, 29 December (excerpt)¹

. . . We here entertain no doubt of Connecticut, Massachusetts & New-Hampshire. One thing I will say, because so far as my knowledge and information reaches it is true—that the most enlightened and the worthiest characters, are patrons of the new constitution. . . .

1. RC, Timothy Pickering Papers, MHi. Printed: CC:393 (for a longer excerpt). John Pickering (1740–1811), a Salem, Mass., farmer and elder brother of Timothy, was register of deeds for Essex County and a justice of the peace and quorum and justice of the court of common pleas of that county.

**Roger Alden to Samuel William Johnson
New York, 31 December (excerpt)¹**

... Massachusetts assemble the wednesday following—the event there is very uncertain—but appearances from the eastern & southern part of the state are favorable—the western counties feel the effects of the late insurrection—& tho they have been treated with uncommon lenity, they are not disposed to hear law and reason—New Hampshire meet in Feby—there is not a doubt but they will adopt it, if it is accepted by Massachusetts. . . .

1. RC, William Samuel Johnson Papers, DLC. Printed: CC:396. Alden (1754–1836), from Stratford, Conn., was deputy secretary of Congress. Johnson (1761–1846), the son of William Samuel Johnson of Connecticut and Alden's brother-in-law, was a graduate of Yale College (1779) and a lawyer. At this time, he was living in St. George's, Bermuda.

**Peter Allaire: Journal of Occurrences
New York, 2 January–27 February 1788 (excerpt)¹**

... The Conventions of Boston, New Hampshire, and Virginia, are now seting; by the Resolves of Several of their Town meetings of Boston, they appear to be greatly in favour of the Consolidated Government, should Massachusetts agree to the Adopting of the New federal Constitution, nothing can prevent its taking place by July next. . . .

1. MS, Foreign Office, Class 4, America, Vol. 6, ff. 155–70, Public Record Office, London. This unsigned and undated journal was endorsed "Intelligence/R. 19th. March 1788./From Sir Geo. Yonge." Entitled "Occurrences from 2d January to 27th February 1788," the journal was written by Peter Allaire. For more on Allaire and Sir George Yonge, see Peter Allaire: Journal of Occurrences, 6 December 1787–2 January 1788 (above).

Philadelphia Independent Gazetteer, 5 January (excerpts)¹

A CORRESPONDENT OBSERVES,

... It appears by the returns received at Boston, that three fourths of the numbers² of their state convention, are gentlemen who have given reason to believe them federal.

1. Printed again in the *Gazetteer* on 8 January; reprinted in the *Pennsylvania Packet*, 8 January, and the *Pennsylvania Gazette*, 9 January. For other excerpts from this item, see the Cambridge and Stockbridge sections, IV above.

2. The word "numbers" was changed to "members" in all subsequent printings.

Pennsylvania Gazette, 9 January¹

*Extract of a letter from a Member of Congress, dated
New-York, Dec. 28, 1787.*

"Gentlemen here who have pretty good information of what is doing in the eastern states say, that Connecticut will be three to one in con-

vention for the constitution—In New-Hampshire almost, if not quite, unanimous; and Massachusetts two to one; however a short time will decide—should this be actually the case, it will have great influence in New-York. I cannot think they will remain long opposed, with three states on each hand who have already decided.”

1. Reprinted: *Pennsylvania Mercury*, 10 January; *New York Journal*, 12 January; *Baltimore Maryland Gazette* and *Maryland Journal*, 15 January.

From Thomas Hutchins

New York, 10 January (excerpt)¹

... Massachusetts, Connecticut New Hampshire, North & South Carolina and Georgia are hourly expected to adopt it. . . .

1. FC, Hutchins Papers, PHi. Printed: CC:431 (for a longer excerpt); *Pennsylvania Magazine of History and Biography*, XXXI (1907), 116–18. The addressee is unknown, but the contents of the complete letter reveal that it was sent to someone in England. Hutchins (1730–1789), a native of New Jersey, was geographer to the United States, 1781–89.

Samuel Blachley Webb to Joseph Barrell

New York, 13 January (excerpts)¹

... we were made Joyfull by last evenings Post on the news of Connecticut haveing adopted the new Constitution, but a dampness is thrown on our spirits by information that the Convention of Massachusetts are much divided, should that state reject it we are ruined, on them depends every thing, every Fedral Man in this City looks up to your State for our political salvation—for say they if Massachusetts Connecticut and New Hampshire accept it, tolerably unanimous, this State dare not refuse, but on the Contrary should they reject, the antifederal Junto here will increase and come forward. . . . as I said before, almost every thing depends on your State—I wish in your next you would dip a little into this subject, let me know how the convention proceeds & what the prospects are,—God forbid that Adams² should have much influence among you. . . .

1. RC, Webb Papers, CtY. Printed: CC:444 (for a longer excerpt). Webb was Barrell's mercantile agent in New York City.

2. Samuel Adams.

Albany Gazette, 17 January (excerpts)

By the last evening's stage, the Printer received a letter from his correspondent in Hartford (Connecticut) bearing date the 9th current—of which the following is an extract. . . .

“Massachusetts Convention are in session.—It is now almost reduced to a certainty, that they also will adopt this Constitution. . . .”

James Wilson to Samuel Wallis

Philadelphia, 22 January (excerpt)¹

. . . It is more than probable that, by this Time, it is adopted by the Convention of Massachusetts. It met on the 9th. inst. and Things wore then a favourable Aspect. Mr Hancock was chosen President. . . .

1. RC, Emmet Collection, NN. Printed: CC:465. Wilson (1742–1798), a lawyer in Philadelphia and a signer of the Declaration of Independence, served in Congress, 1775–77, 1783, and 1785–86. He served in the Constitutional Convention, where he signed the Constitution. Wilson voted to ratify the Constitution in the Pennsylvania Convention in December 1787. Wallis (1736–1798), a large landowner in Northumberland County, Pa., and Wilson engaged in land speculation together.

Melancton Smith to Abraham Yates, Jr.

New York, 23 January (excerpt)¹

. . . I cannot give you any news of importance to be relied upon—We have nothing authentic from the Convention of Massachusetts, Reports on all hands say, that the division in that body will be great—but on which side the majority will be time must discover—The friends to the new government in this City, appear for a few days past, to despond with respect to Massachusetts. The decision of that State will certainly have great influence on the final issue of the business—If they reject it I think it cannot go down, if they accept, every effort will be used to carry it through. . . .

1. RC, Yates Papers, NN. Smith (1744–1798), a wealthy New York City merchant-lawyer, served in Congress, 1785–87. He represented his home county of Dutchess in the New York Convention, where, in July 1788, despite being an Antifederalist leader, he voted to ratify the Constitution with recommendatory amendments. Yates (1724–1796), a native of Albany, was a delegate to Congress, 1787–88; a New York senator, 1777–90; and mayor of Albany, 1790–96. A fiercely partisan Antifederalist, he wrote several serialized essays attacking the Constitution.

Pennsylvania Gazette, 23 January (excerpts)¹

Extract of a letter from a gentleman at Newport, Rhode-Island, dated 29th Dec. 1787, to his correspondent in this city.

“ . . . Connecticut will have a very great majority—Boston near three to one. . . .”

1. Printed: CC: Vol. 3, pp. 571–72. Reprinted: *New York Morning Post*, 28 January; *Richmond Virginia Gazette*, 7 February.

John Quincy Adams Diary
Newburyport, 24 January (excerpt)¹

... The convention are now proceeding in the examination of the proposed constitution by sections: but we cannot yet presume how the scale will turn.

1. MS, Adams Family Papers, MHi. Printed: Allen, *JQA Diary*, II, 350.

Tobias Lear to John Langdon
Mount Vernon, Va., 25 January (excerpt)¹

... Last Evening's mail brot us the result of the Connecticut convention.—That of Massachusetts we suppose to be still in session, and the concurrent accounts from that quarter leaves little or no doubt, with us, of their acting properly. . . .

1. RC, Langdon/Elwyn Papers, New Hampshire Historical Society. Printed: RCS:Va., 321–22 (for a longer excerpt). Lear (1762–1816), a graduate of Harvard College (1783), was George Washington's private secretary, 1786–93.

James Madison to George Washington
New York, 25 January (excerpt)¹

... The information from Boston by the mail on the evening before last, has not removed our suspence. The following is an extract of a letter from Mr. King dated on the 16th. inst:² . . .

1. RC, Washington Papers, DLC. Printed: RCS:Va., 323 (for a longer excerpt); Rutland, *Madison*, X, 419–20.
 2. See Rufus King to Madison, 16 January (V below).

Tench Coxe to John Barry
Philadelphia, 26 January (excerpt)¹

... We are impatiently waiting the Event of the Convention at Boston. Mr. Madison writes me from New York,² that the representatives of the insurgents give opposition & that those from the province of Maine aid them on the Occasion being fearful that they may not be permitted to separate. I am however sanguine in hoping there will be 2 to 1. . . .

1. FC, Coxe Papers, Series II, Correspondence and General Papers, PHi. Printed: CC:477 (for a longer excerpt). Captain Barry (1745–1803), a native of Ireland, was a naval hero of the Revolution. On 29 September 1787 he led a mob that forcibly returned two Pennsylvania assemblymen to the legislature in order to attain the quorum needed to pass resolutions calling a state convention. Early in December a warrant was issued for

Barry's arrest, but on 14 December he left for the Far East in command of the *Asia*. The case against him was dropped in February 1788. The *Asia* returned to America in 1789.

2. See Madison to Coxe, 20 January (III above).

William Samuel Johnson to Samuel William Johnson
New York, 26 January (excerpt)¹

... The Massachusetts Convention are now sitting, & from the tumultuous state of their affairs for some time past we are in fear what may be the Fate of the new Constitution in that Assembly, for the rest the Papers will inform you of our general situation. . . .

1. RC, Gratz Collection, PHi.

John Delafield to Nicholas Low
New York, 27 January (excerpt)¹

... [P.S.] The Eastern Post is just arrived and from Mr. King we learn that the business of Convention proceeds slowly, and that each party are confident of success He does not give an Opinion.—

1. RC, Low Papers, Box 82 (New York, 1780–89), DLC. Delafield (1748–1824), born in England, emigrated to British-occupied New York City in April 1783. A merchant and a director of an insurance company, he became one of the wealthiest men in New York.

John Eager Howard to William Smallwood
New York, 27 January (excerpt)¹

... the Convention of the Massachusetts are now sitting, but as there is great opposition it is not certain that they will adopt it.—

1. RC, Howard Papers, Maryland Historical Society. Printed: Smith, *Letters*, XXIV, 621–22. Howard (1752–1827), a Baltimore planter and land developer, represented Maryland in Congress. In November 1788 he was elected governor, serving until November 1791. Smallwood (1732–1792), a Continental Army officer who rose to the rank of major general during the Revolution, was governor of Maryland, 1785–88.

John Brown to James Breckinridge
New York, 28 January (excerpt)¹

... the Convention of Massachusetts is now sitting but the event of their deliberations is extremely doubtful—such warmth has already prevailed as had well nigh ended in total confusion—both parties are equally confident of Success—should it be rejected in that state I fear the consequences will be fatal to the Plan. . . .

1. RC, Breckinridge Family Papers, University of Virginia. Printed: RCS:Va., 329–31. Brown (1757–1837), a native of Augusta Co., Va., read law with Thomas Jefferson. He

moved to Kentucky in 1783. Brown served in the Virginia Senate, 1784–87; the Confederation Congress, 1787–88; and the U.S. House of Representatives, 1789–92. Breckinridge (1763–1833), a surveyor, became a lawyer in 1789. Between 1789 and 1824 he represented Botetourt County in the Virginia House of Delegates for thirteen terms. Brown and Breckinridge were cousins.

James Madison to George Washington
New York, 28 January (excerpts)¹

The information which I have by the Eastern mail rather increases than removes the anxiety produced by the last. I give it to you as I have recd. it in the words of Mr. King.² . . .

There are other letters of the same date from other gentlemen on the spot which exhibit rather a more favorable prospect. Some of them I am told are even flattering. Accounts will always vary in such cases, because they must be founded on different opportunities of remarking the general complexion; where they take no tincture from the opinions or temper of the writer.

1. RC, Washington Papers, DLC. Printed: Rutland, *Madison*, X, 437–38.
2. See Rufus King to Madison, 20 January (V below).

Melancton Smith to Abraham Yates, Jr.
New York, 28 January (excerpt)¹

. . . All sides are waiting here with anxious expectation for the determination of the Convention of Massachusetts. Both the favourers and opposers say, that they have a majority. Each party speak as they would have it, and I believe the information received from Massachusetts differs according to the sentiments of the Men who give it. In this however both sides agree that there is very great division of sentiment in the Convention, and the advocates do not pretend to hope for more than a small majority—Letters from our Friends there state that the numbers stand in the convention, 201 against the Constitution to 119 that are for it²—on the other hand those who are for it say that there will be a majority in its favour and that the opposition is lessening. It is impossible in this variety of reports to form an opinion that may be relied upon. I am not sanguine. I think it best always to reckon the strength of your adversaries as much as it is. The *better sort* have means of *convincing* those who differ from them, with which I am unacquainted—And how prevalent these kind of means may be, I cannot pretend to say. I confess I fear their power. . . .

1. RC, Yates Papers, NN.

2. On 28 January the *New York Journal* quoted a private letter from Boston stating that "the opponents to the constitution have made out their list, and say, they have 201, out of 320; the supporters say, they have a majority. On the whole, there is no ascertaining facts. Many are for adjourning several months, &c. &c." This item was reprinted five times by 13 February: N.J. (1), Pa. (2), Md. (1), Va. (1).

Staats Morris to Lewis Morris, Jr.
New York, 29 January (excerpt)¹

... The Convention of the State of Massachusetts are now in Session & from the large number of vile Insurgents who compose a part of that Body of People, it is feared it will not go down. ...

1. RC, Lewis Morris Collection, The South Caroliniana Library, University of South Carolina. Lewis Morris, Jr. (1752–1824) served as aide-de-camp to Generals John Sullivan and Nathanael Greene. After the Revolution, he moved to Charleston, South Carolina. He and Staats were the sons of the manor lord of Morrisania and the nephews of Gouverneur Morris, a Pennsylvania signer of the Constitution.

Benjamin Rush to Timothy Pickering
Philadelphia, 29 January (excerpt)¹

... The papers will give you an Acct of the progress of foederal principles & events.—Massachussets is much divided—owing to the province of maine uniting with the insurgent Counties. The opposition it is said is conducted by S: Adams. King & Gorham write desponding letters to their friends in the middle States. But all will I have no doubt yet end well. ...

1. RC, Pickering Papers, MHi. Printed: L. H. Butterfield, ed., *Letters of Benjamin Rush* (2 vols., Princeton, N.J., 1951), I, 449–50. Rush (1745–1813), a Philadelphia physician, was a prolific writer on medical subjects, social reforms, and state and national politics in which, beginning in 1776, he argued for a stronger national government. In December 1787 he voted to ratify the Constitution in the Pennsylvania Convention.

Connecticut Fairfield Gazette, 30 January

A correspondent observes that there is no Doubt but the Constitution will be adopted by Massachusetts.

Philadelphia Freeman's Journal, 30 January¹

Although, says a correspondent, the members of the Massachusetts Convention were chosen by express from Boston,² in the first moments of blind enthusiasm, and many of the friends of the *well born* introduced into that body; yet, by the last accounts from Boston, it appears rather doubtful whether the proposed constitution will even be adopted *on paper* by that state: it is said, the convention consists of near 400 members.

1. Reprinted: Philadelphia *Independent Gazetteer*, 31 January; *Maryland Journal*, 5 February.
2. See Philadelphia *Independent Gazetteer*, 11 January, note 3 (III above).

**Abraham G. Lansing to Abraham Yates, Jr.
Albany, N.Y., 31 January (excerpt)¹**

We have nothing here worth communicating Politics are still at a stand—a report has been circulated here for some days informing that the Convention of Massachusetts had rejected the Constitution by a Majority of three—and this Account has been inserted in the Albany paper² but is not believed—I have inclosed a Boston paper of the 21st concerning some of the proceedings of their Convention—It would be of no avail to publish them here—with you the sentiments may be of use—when the Business comes to be taken up by you. . . .

1. RC, Yates Papers, NN. Lansing (1756–1834), an Albany lawyer, was surrogate of Albany County, 1787–1808.
2. Probably the *Albany Journal*, 28 January, which is not extant.

Albany Gazette, 31 January

The report in the Journal of Monday,¹ that the Convention of Massachusetts had rejected the Federal Constitution, wants confirmation.

1. See Lansing to Yates, 31 January, note 2 (immediately above).

New York Journal, 31 January¹

Our intelligence from Boston is no later than last Monday week, the last evening eastern post not arriving soon enough for this day's paper. By the last post the convention of that state had not got over *biennial election* (the 2d sect. of the new proposed constitution) the propriety of which was warmly contested.² And as no decided question is to be taken until the whole constitution has been amply discussed, it is presumed, that those who are over anxious to know its fate, will be necessitated to replenish their stock of patience by a fortnight or three weeks ration.

1. Reprinted: *Pennsylvania Packet*, 5 February.
2. For the debate over biennial elections, see Convention Debates, 14, 15, 16, and 17 January (V below).

**James Madison to George Washington
New York, 1 February (excerpt)¹**

The Eastern Mail which arrived yesterday brought me a letter from Mr. King of which a copy follows. "Our prospects are gloomy, but hope

is not entirely extinguished. Gerry has not returned to the Convention, and I think will not again be invited. We are now thinking of amendments to be submitted not as a condition of our assent & ratification, but as the opinion of the Convention subjoined to their ratification. This scheme may gain a few members but the issue is doubtful.”²

In this case as in the last³ Mr. King’s information is accompanied with letters from other persons on the spot which dwell more on the favorable side of the prospect. His anxiety on the subject may give a greater activity to his fears than to his hopes; and he would naturally lean to the cautious side. These circumstances encourage me to put as favorable a construction on his letter as it will bear.⁴ . . .

1. RC, Washington Papers, DLC. Printed: CC:491.

2. Madison quotes Rufus King’s 23 January letter in toto. For Gerry, see “Elbridge Gerry and the Massachusetts Convention,” 23–28 January (III above).

3. See King to Madison, 20 January (V below).

4. On 3 February Madison wrote Washington, quoting a letter of 27 January from King and a letter of the same date from Nathaniel Gorham. According to Madison, neither of these two letters had the effect of “terminating the conflict between our hopes and fears” (V below).

Exeter, N.H., Freeman’s Oracle, 1 February

Extract of a letter from a gentleman in Boston, to his friend in Portsmouth, dated January 27, 1788.

“The Federal Constitution gains ground, its opposers diminish—some of the most sensible of them, begin to be ashamed of their company.—I enclose you a specimen of the debates on Friday.”¹

1. In this same issue the *Freeman’s Oracle* printed, under the heading “An Honest FARMER’S SPEECH,” a speech delivered on 25 January by Jonathan Smith of Lanesborough, a colonel in the Berkshire County militia and a member of the state House of Representatives, in reply to some remarks made by Antifederalist Amos Singletary of Sutton. The *Oracle* was the first newspaper to publish Smith’s speech and a brief description of Singletary’s remarks. The first Massachusetts newspaper to print their speeches was the *Massachusetts Centinel* on 13 February. The texts of Smith’s speech printed in the *Oracle* and the *Centinel* are similar, though not identical. See *Convention Debates*, 25 January (V below). See also Ebenezer Hazard to Jeremy Belknap, 3 February, at note 4 (III above).

New York Daily Advertiser, 2 February¹

By advices from undoubted authority in Poughkeepsie, received last evening, we are informed it remains no longer a doubt, that in the Convention of Massachusetts there is a large majority in favor of the new Constitution; occasioned by a coalition of the Members from the province of Maine with the Federal party.

1. Reprinted by 12 February (9): N.Y. (2), N. J. (2), Pa. (4), Md. (1).

New York Independent Journal, 2 February¹

The advices from Massachusetts continue to be flattering to the friends of the New Constitution;—the latest accounts encourage them to expect that upon a decision of the grand question a respectable majority will appear in favour of it.

1. Reprinted: *New Jersey Journal*, 6 February.

**Jared Ingersoll to John Lowell
Philadelphia, 3 February (excerpt)¹**

... Men of all parties among us are waiting with extreme solicitude the event of your State Convention, judging from our information we are much at a loss to conjecture what may be the Result; I think Massachusetts holds the Balance, and whichever Scale you please must preponderate; New York, and Virginia perhaps Maryland will follow your Example, whatever it may be. . . .

1. RC, Lowell Papers, MHi. Ingersoll (1749–1822), a lawyer in Philadelphia, served in Congress in 1780 and in the Constitutional Convention, where he signed the Constitution. Lowell (1743–1802), a Boston lawyer, was a member of the state House of Representatives, 1778–79, 1780–83; the state constitutional convention, 1779–80; Congress, 1782; and the state Senate, 1784–86.

**John Jay to George Washington
New York, 3 February (excerpts)¹**

... our accounts, or rather Calculations from Massachusetts are favorable, but not decisive. . . .

The Influence of Massachusetts on the one Hand, and of Virginia on the other, renders their Conduct on the present occasion, very interesting—I am happy that we have as yet no Reason to despair of either. . . .

1. RC, Washington Papers, DLC. Printed: CC:496 (for a longer excerpt). Jay (1745–1829), a New York City lawyer, was a delegate to Congress, 1774–76, 1778–79, and 1784, serving as President in 1778 and 1779. He was a principal draftsman of the New York state constitution of 1777 and New York's chief justice, 1777–79. He was one of the negotiators of the peace treaty with Great Britain and was Confederation Secretary for Foreign Affairs, 1784–89. Along with Alexander Hamilton and James Madison, he was an author of *The Federalist*. Jay and Hamilton led the Federalist forces in the New York Convention in June and July 1788. He became the first Chief Justice of the United States in 1790.

New York Journal, 4 February

Extract of a letter from Boston, January 27, 1788.

“Parties run very high, here, upon the new constitution, but I think

there is a decided majority, in convention, against it;¹ and should it ever be ratified, it can never be administered.

“I was informed by a candid federalist, who has lately been at New-Hampshire, that there will be two thirds of that state against it, and that it will be rejected even if adopted by this state.”

1. On 5 February, the *New York Packet* contradicted this report, declaring that “We are informed, from good authority, that the anti-federal interest is declining in the Massachusetts Convention” (CC: Vol. 4, p. 510).

Sampson Fleming to Thomas Randall
New York, 5 February (excerpt)¹

... Every State that has set on the New Constitution have decided in it's favor; they are now five in number. By the last letters from the Massachusetts convention, which is now sitting, the federal party had formed a coalition with the Members of the Province of Maine and they then formed a grand Majority in favor of the Constitution. . . .

1. FC, Sampson Fleming Letterbook, 1782–1790, NN. This letter was addressed to Captain Randall of the ship *Jay* at Canton. During the Revolution Fleming (d. 1791), a British commissary who made a fortune trading with the western posts, resided in New York City after the war. He was a large stockholder in the Bank of North America. Randall (d. 1811) served in the American artillery, 1775–79, and then became involved in privateering in the West Indies. He was second supercargo of the *Empress of China*, 1784–85, and was appointed by Congress vice-consul at Canton in 1786.

Walter Rutherford to John Stevens, Sr.
New York, 5 February (excerpt)¹

... The Accts. from Boston rather favorable. . . .

1. RC, Stevens Family Papers, New Jersey Historical Society. The name of the addressee does not appear on the letter, but it was probably written to John Stevens, Sr. Rutherford (1723–1804), born in Scotland, came to America as an officer in the British army during the French and Indian War. During the Revolution, he refused to take the oath of allegiance to New Jersey and remained on his large estate. After the war he returned to New York and was a prosperous importer.

George Washington to James Madison
Mount Vernon, Va., 5 February (excerpt)¹

... I am sorry to find by yours,² and other accts. from Massachusetts, that the decision of its Convention (at the time of their dates) remained problematical.—A rejection of the New form by that State will envigorate the opposition, not only in New York, but in all those which are

to follow;—at the same time that it will afford materials for the Minority in such as have adopted it to blow the Trumpet of discord more loudly.—The acceptance by a *bare* majority, tho' preferable to rejection, is also to be deprecated. . . .

1. RC, Special Collections, Signers of the Declaration of Independence, Amherst College Library. Printed: CC:499.

2. One of the letters to which Washington was responding was Madison's letter of 20 January (III above). See also Madison to Washington, 25 and 28 January (both above).

George Washington to Jonathan Trumbull, Jr. Mount Vernon, Va., 5 February (excerpt)¹

I thank you for your obliging favor of the 9th. Ulto² which came duly to hand, & congratulate with you on the adoption of the new Constitution in your State by so decided a Majority and so many respectable Characters.—I wish for the same good tidings from Massachusetts but the accts. from thence are not so favourable—The decision, it is even said, is problematical; arising, as I believe $\frac{9}{10}$ th of the opposition does, from local circumstances and sinister views,—The result of the deliberations in that State will have Considerable influence on those which are to follow—especially in that of New York where I fancy the opposition to the form will be greatest. . . .

1. FC, Washington Papers, DLC. Fitzpatrick, XXIX, 399–400. Trumbull (1740–1809), Washington's aide-de-camp from 1781 to 1783, was a farmer in Lebanon, Conn. He served in the Connecticut House of Representatives, 1774–75, 1779–81, 1788–89 (speaker), and the U.S. House of Representatives, 1789–94 (speaker, 1791–93).

2. See RCS:Conn., 568. Trumbull hoped that Connecticut ratification would "have a happy influence on the Minds of our Brethren in the Massachusetts—their Convention is now collecting & will be favored with this Information Tomorrow." See also "Massachusetts and the Ratification of the Constitution by Connecticut," 6–15 January (III above).

Pennsylvania Germantauer Zeitung, 5 February¹

Extract of a letter from Boston.

"The meeting of the Convention has shown, that it is not quite certain, whether the New Constitution will be accepted. There is much debate for and against it. The biennial elections are most hotly debated.² It is therefore difficult to determine what the Constitution's fate will be. It is obvious that the members of the Convention are very divided, but it is uncertain that the majority will be for it."

1. Translated from the German.

2. See Convention Debates, 14, 15, 16, and 17 January (V below).

Poughkeepsie Country Journal, 5 February

Nothing new from Boston when this paper went to press, tho' we hourly expect to hear of that State's adopting or rejecting the proposed Constitution.

Carlisle Gazette, 6 February (excerpts)¹

From a Society in Philadelphia, to a Society in Eastpennsbro' Cumberland County.

Philadelphia, 11th January, 1788.

... The opposers of it are gaining strength every day both here and in other states; we are very happy to hear that Mr. Samuel Adams of Boston is against it, and he is chosen into their state convention; he is a very popular man and hope will have great weight in that body, &c. . . .

1. Mfm:Pa. 403.

Philadelphiensis IX

Philadelphia Freeman's Journal, 6 February (excerpt)¹

... If the State of Massachusetts should reject the proposed constitution, of which there is a strong probability, what a contemptible figure must its advocates make, who, after it made its appearance from the *dark conclave*, affirmed that there was but *five men* opposed to it in the United States.² The convention of that state was chosen in the moment of blind enthusiasm, and yet we find it so much divided that the issue is doubtful. The sentiments of the people are changing every day, and were that convention to be elected now, I doubt not but four fifths would be against it. . . .

1. Printed: CC: 507. Reprinted: Philadelphia *Independent Gazetteer*, 7 February. "Philadelphiensis" was probably Benjamin Workman (CC:237).

2. A satirical Federalist letter, allegedly written by Daniel Shays to the Antifederal junto of Philadelphia, asserted that the opposition to the Constitution in Pennsylvania was composed of "five gentlemen" (Philadelphia *Independent Gazetteer*, 25 September, CC:94).

George Washington to the Marquis de Lafayette Mount Vernon, Va., 7 February (excerpt)¹

... Massachusetts, which is perhaps thought to be rather more doubtful than when I last addressed you, is now in Convention.² . . .

1. FC, Washington Papers, DLC. Printed: CC:509.

2. On 10 January Washington had written Lafayette that New England, with the exception of Rhode Island, "will cheerfully and fully accept" the Constitution (CC:435).

New Haven Gazette, 7 February

The convention of Massachusetts were to determine the important question on Tuesday last, and from some well authenticated circumstances it is probable there will be as large a majority in favour of the excellent constitution under their consideration, as could be expected by those who reflect that Massachusetts, like Pennsylvania, has long been rent into two parties, and that the principal question in each state has been, not the merit or the demerit of the CONSTITUTION, but, shall the Constitutionists or the Republicans, the Shayites or the Enemies to Anarchy prevail?

Pennsylvania Packet, 7 February (excerpt)¹

Extract of a letter from a Member of Congress at New-York, Feb. 4.

“By letters from Massachusetts, the delegates from that state are in hopes that there is little danger of that state’s acceding to the constitution, though at first setting of their convention the contrary was apprehended. . . .”

1. Reprinted: *Pennsylvania Mercury*, 9 February.

Virginia Gazette and Weekly Advertiser, 7 February

A letter received in this city [Richmond] from New York, says, that the state of Massachusetts Bay, had rejected the proposed Fœderal Government, by a small majority.

Abraham Baldwin to Noble Wimberley Jones

New York, 8 February (excerpt)¹

. . . The last accounts from Massachusetts are, that by introducing amendments, though not as absolute conditions of their ratification, they expect to obtain a majority of 8 or 10.

1. RC, Baldwin Papers, NN. Jones received the letter on 12 February. Baldwin (1754–1807), a graduate of Yale College (1772), was a Yale tutor, 1775–79, and a brigade chaplain in the Continental Army, 1779–83. He was admitted to the bar in Connecticut in 1783, but the following year he moved to Georgia and practiced law. He was a member of Congress, 1785, 1787–88; the Constitutional Convention, where he signed the Constitution, 1787; the U.S. House of Representatives, 1789–99; and the U.S. Senate, 1799–1807. Jones (c. 1724–1805), born in London but raised in Savannah, was a physician. He often served in the colonial assembly and espoused the Patriot cause. Jones represented Georgia in Congress in 1781–82. He practiced medicine in Charleston, S.C., from 1783 to 1788, after which he returned to Savannah.

**Charles Carroll of Carrollton to Wallace, Johnson, and Muir
Annapolis, 8 February (excerpt)¹**

... It is said to be very doubtful whether Virga. & Massachusetts will Ratify the New federal Govt. . . .

1. FC, Carroll Letterbook, 1771–1833, Arents Tobacco Collection, NN. Printed: RCS:Va., 1780–81. Carroll (1737–1832), a wealthy Maryland planter, was a member of Congress, 1776 to 1778, and a signer of the Declaration of Independence. He served in the state Senate from 1777 to 1800. In 1787, he declined an appointment to the Constitutional Convention. Carroll was elected to the U.S. Senate in December 1788, serving until 1792. Wallace, Johnson, and Muir was a London mercantile firm.

**James Madison to George Washington
New York, 8 February (excerpts)¹**

The prospect in Massts. seems to brighten, if I view in the true light the following representation of it. "This day, (Jany. 30) for the first our President Mr. Hancock took his seat in Convention, and we shall probably terminate our business on saturday or tuesday next. I cannot predict the issue, but our hopes are increasing. If Mr. Hancock does not disappoint our present expectations, our wishes will be gratified."² Several reflections are suggested by this paragraph which countenance a favorable inference from it. I hope from the rapid advance towards a conclusion of the business, that even the project of recommendatory alterations has been dispensed with. . . .

I am just informed by a gentleman who has seen another letter from Boston of the same date with mine, that the plan of recommendatory alterations has not been abandoned, but that they will be put into a harmless form, and will be the means of saving the Constitution from all risk in Massts.³

1. RC, Washington Papers, DLC. Printed: CC:512.

2. See Rufus King to James Madison, 30 January (V below).

3. See Nathaniel Gorham to Henry Knox, 30 January (V below).

**Comte de Moustier to Comte de Montmorin
New York, 8 February (excerpt)¹**

... Massachusetts is presently deliberating. The first appearances there were against its adoption; it seems now that its supporters will carry it. The decision of that State is infinitely important because it seems that it should influence the determination of Newhampshire and Rhodeisland and probably that of some other States. Consequently it should determine the fate of the new Constitution, since nine states are sufficient for its adoption. . . .

1. RC (Tr), Correspondance Politique, États-Unis, Vol. 33, ff. 16–21, Archives du Ministère des Affaires Étrangères, Paris. Printed: CC:513 (for a longer excerpt). Moustier (1751–1817) arrived in New York City on 18 January 1788 as France's minister plenipotentiary, serving until October 1789.

**Philip Schuyler to Stephen Van Rensselaer
Poughkeepsie, 8 February (excerpt)¹**

... Colo Hamilton writes me that the prospects from the Massachusetts convention are more favorable, that indeed they preponderate in favor of an Adoption of the new constitution—If that event takes place there, I believe we shall have little contest here. . . .

1. RC, Miscellaneous Manuscripts, Philip [John] Schuyler Folder, DLC. Schuyler (1733–1804), a manor lord in Albany County, N.Y., and a major general during the Revolution, served in the state Senate, 1780–84, 1786–90, 1792–97. He was elected a U.S. Senator in 1789, but was defeated for reelection in 1791. Van Rensselaer (1764–1839), known as “The Patroon,” was a hugely wealthy landowner in New York's Rensselaer and Albany counties. He served in the New York Assembly, 1789–90, in the state Senate, 1791–95, and as lieutenant governor, 1795–1801. Van Rensselaer and Alexander Hamilton were Schuyler's sons-in-law.

**Alexander Hamilton to Philip Schuyler
New York, 9 February (excerpt)¹**

... The mail of this Evening I am informed brings the most favourable accounts from Massachusetts. I am inclined to consider the favourable issue of things there as reduced to a certainty.

1. Printed: Syrett, IV, 507–8. Hamilton (1757–1804), Schuyler's son-in-law and a New York City lawyer, served as Washington's aide-de-camp, 1777–81. He was a delegate to Congress, 1782, 1783, and 1788, the Annapolis and Constitutional conventions, and the New York Convention, where he voted to ratify the Constitution in July 1788. Along with James Madison and John Jay, he wrote *The Federalist*. From 1789 to 1795, he was the first U.S. Secretary of the Treasury.

Pennsylvania Herald, 9 February (excerpts)

A letter from New York, dated February 7, says, . . .

“Massachusetts is going on very well; the federal party (it is said with confidence) have made converts of the members from the province of Maine, which makes a decided majority in favour of the constitution. . . .”

Pennsylvania Mercury, 9 February¹

The *antifederal junto*, in this city [Philadelphia], hoped that they had found *one* convention, whose sentiments were congenial to their own—

but alas! the latest accounts from Massachusetts have brought them *heavy* tidings; it appears that they have no *real* friends in that convention, except about *sixty*, who were, last winter, enrolled under the banners of SHAYS.

1. Reprinted: Hartford, Conn., *American Mercury*, 25 February; *Essex Journal* and *Virginia Independent Chronicle*, 27 February; Exeter, N.H., *Freeman's Oracle* and *Winchester Virginia Gazette*, 29 February.

Edward Carrington to Henry Knox
Manchester, Va., 10 February (excerpts)¹

... the appearances in Massachusetts, as communicated by Mr. Madison & yourself alarm me exceedingly ... Massachusetts is one of the Nine to be calculated on by the month of June, her Assent is therefore important in point of Numbers, with a view to the adoption here, but, joined with Virginia it would be in her power to suspend the operation of the constitution longer than the state of our affairs will admit, indeed it might, probably, be practicable, for two such important states, to frustrate the measure altogether—I am the more alarmed for the event in Massachusetts when I reflect on the Numbers in the Convention—so great a body must be made up of many weak Men, who are subjects of artifice and Management, which will be addressed to their passions and prejudices. . . .

1. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York. Printed: CC:520. Replying to a James Madison letter, Carrington made similar comments to Madison on the same day (RCS:Va., 360). Carrington (1749–1810), a Virginia planter, was a member of the House of Delegates, 1784–86, 1788–90, and Congress, 1786–88. He was U.S. marshal for Virginia, 1789–95.

New York Daily Advertiser, 11 February¹

Extract of a letter from a gentleman in Boston, dated, Feb. 3, 1788

“Our Convention will pass the Federal Government by a considerable Majority. The more it is examined, the more Converts are made for its adoption.—This you may rely on.”

1. Reprinted: *New York Packet*, 12 February; *Pennsylvania Packet*, 13 February; *Pennsylvania Mercury*, 14 February; *Annapolis Maryland Gazette*, 21 February.

William Samuel Johnson to Ralph Izard
New York, 12 February (excerpt)¹

[P.S.] I congratulate you on the flatterg prospects we have that the New Constn. will be adopted. We have favr. Accts. from Boston, & there is

little Doubt of its Acceptc. there tho' not by a very great Majy owing to the Parties into which that State has been lately divided. . . .

1. FC, Johnson Correspondence, NNC. Izard (1742–1804), perhaps the wealthiest planter in South Carolina, was appointed U.S. commissioner to Tuscany by Congress in 1777. He was a member of Congress, 1782–83; the state House of Representatives, 1782–89; and the U.S. Senate, 1789–95.

Philadelphische Correspondenz, 12 February¹

According to letters from Boston it will presumably take some weeks before the Convention which is currently studying the proposed Federal Constitution will come to a conclusion.

1. Translated from the German.

Maryland Journal, 12 February

*Extract of a Letter from a Gentleman in Boston, to his Friend
in this Town [Baltimore], dated the 27th of last Month.*

“Our Convention is now sitting, and I am in hopes the grand Question will come on the last of this Week, and I think we shall carry it, (in favour of the new Constitution) by a large Majority.—I hope your State will follow the Example.”

William North to Henry Knox

Albany, N.Y., 13 February (excerpt)¹

. . . last Sunday an express² arrived here with the intelligence that Massachusetts had adopted the constitution with a majority of 19, I confess I had greater hopes. . . .

1. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York. During the Revolution, North (1755–1836) was an officer in the Massachusetts Continental Line and aide-de-camp to Baron von Steuben. After the war, he was inspector general of the army with the rank of major.

2. Perhaps a reference to the express between Boston and Albany that was established by Henry Van Schaack of Pittsfield at the request of Stephen Van Rensselaer of Albany County. See Henry Van Schaack to Theodore Sedgwick, 4 February (V below).

Joseph Jones to James Madison

Richmond, Va., 14 February (excerpts)¹

. . . Your two last favors I have received that of the 25th. since my arrival here and am much obliged to you for the communications they contain. S. Adams's silence as to the N. plan of Government, if not calculated to secure him a seat in the Convention, proceeded very

probably from his desire of discovering the temper of the people in General before he took a decided part—this with the admission of Gerry to a seat in the Convention when not a member and the great number that compose the Body are unfavourable circumstances, and authorise a conjecture that the new system will not be adopted by Massts.—Should that State give it a negative and not proceed to offer some amendments and propose another convention, I fear it will produce disagreeable consequences, as it will not only confirm N. York in her opposition but will contribute greatly to strengthen the opposition in the States that are yet to consider the measure. . . . what change may be produced shod. Mass. reject cannot well be foreseen; I think however in that event Virga. will propose amendments, and another Convention, and I trust such will be the conduct of Mass. rather than hazard the loss of the System, and the mischevous consequences that may result from disagreement and delay. . . .

1. RC, Madison Papers, DLC. Printed: CC:527 (for a longer excerpt); Rutland, *Madison*, X, 509–10. Jones (1727–1805), a Fredericksburg, Va., lawyer, served almost continuously in the Virginia legislature, 1772–85. He was a delegate to Congress, 1777, 1780–83; a judge of the Virginia General Court, 1778–79, 1789–1805; and a member of the Council of State, 1785–89.

**Gouverneur Morris to James LaCaze
Williamsburg, Va., 21 February (excerpt)¹**

. . . We wait impatiently the Result of their Deliberations in Massachusetts. Should that State also adopt it which I hope and beleive there will then be little Doubt of a general Acquiescence but otherwise it may be a tedious and Difficult Business. . . .

1. FC, Morris Collection, NNC. Printed: CC:550 (for a longer excerpt). The letter is signed "G.M." and endorsed "Dr[afit] Letter 21 feby. 1788 to/James LaCaze." The first four pages of this eight-page letter are missing. The letter was written from Virginia, where Gouverneur and Robert Morris had been since November 1787. Gouverneur Morris (1752–1816), a lawyer in Philadelphia, had been a Pennsylvania delegate to the Constitutional Convention, where he delivered more speeches than any other delegate. As a member of the Committee of Style, Morris was most responsible for putting the Constitution into its final form. During the Revolution James LaCaze and a partner established a Philadelphia branch of Mercy and LaCaze and Fils of Cadiz. LaCaze befriended Gouverneur Morris and had business dealings with both Morris from at least 1783 to 1790.

Winchester Virginia Gazette, 22 February (excerpt)¹

. . . by a gentleman lately from Boston, we are informed, that there was a very violent opposition to Federal Measures in that State, principally by those concerned in Shays's insurrection.

1. Printed: RCS:Va., 572.

Carlisle Gazette, 27 February (excerpts)¹

Extract of a letter from a merchant in Philadelphia, to his friend in this town. . . .

“There is some reason to doubt of the adoption of the constitution, yet there is accounts that Massachusetts hath adopted it with amendments, which is but a decent way of rejecting it. . . .”

1. Mfm:Pa. 453.

Pittsburgh Gazette, 1 March

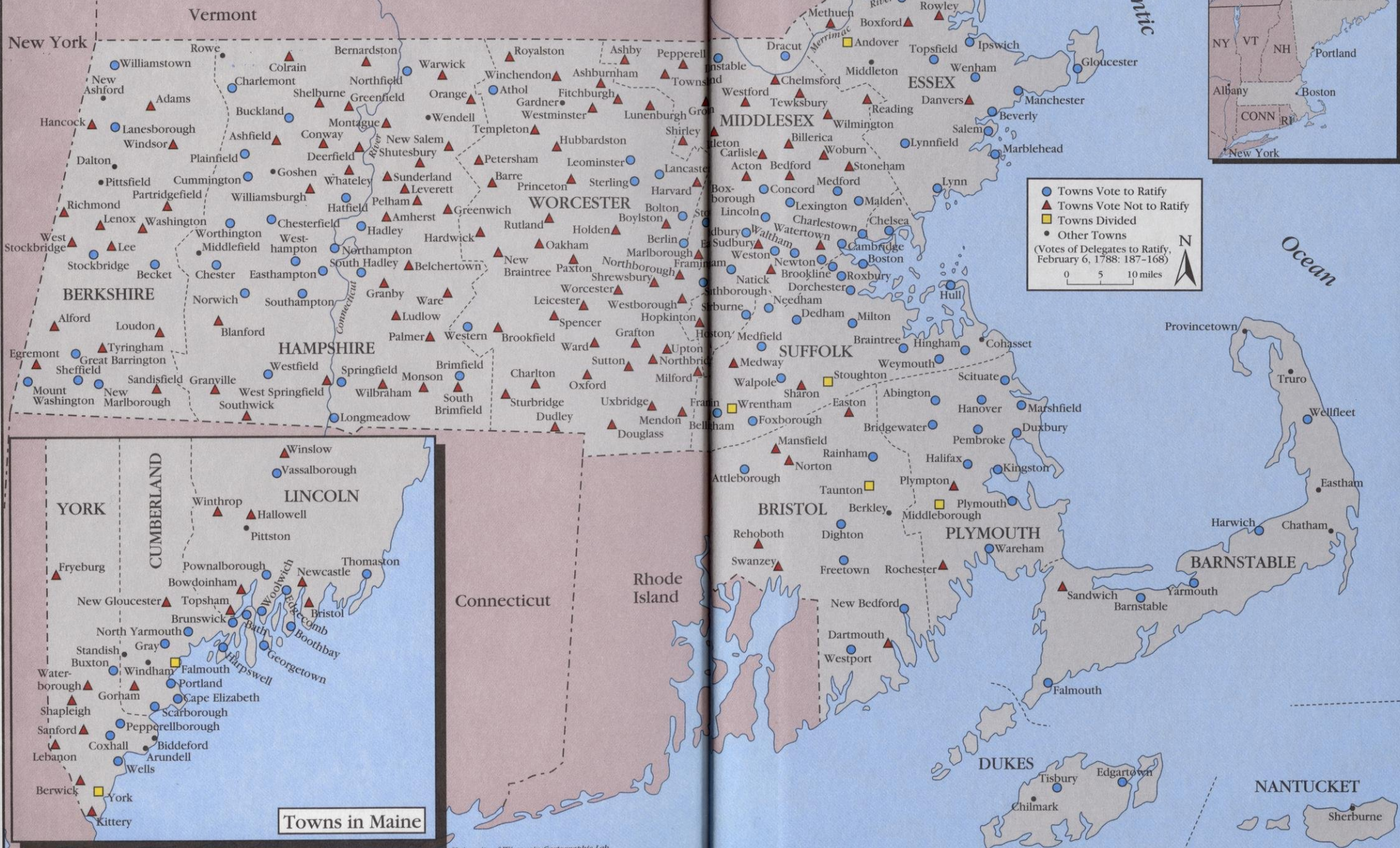
A late Philadelphia paper mentions,¹ that there was not any doubt but that the state of Massachusetts would adopt the proposed federal constitution; on several questions that had been taken in their convention, a great majority appeared favorable to the adoption of it.

1. Possibly the *Pennsylvania Herald*, 9 February, or the *Pennsylvania Mercury*, 9 February (both above).

Winchester Virginia Gazette, 7 March

We expected this day to have communicated the final determination of the Convention of Massachusetts on the proposed Federal Constitution, but the post not having arrived with the northern papers when this Gazette went to press, we have no later accounts from that quarter, than those contained in our last.

Massachusetts Towns Vote on the Constitution



● Towns Vote to Ratify
▲ Towns Vote Not to Ratify
■ Towns Divided
● Other Towns
(Votes of Delegates to Ratify, February 6, 1788: 187-168)

0 5 10 miles

N

Towns in Maine

York
 Cumberland
 Lincoln
 Winslow
 Vassalborough
 Winthrop
 Hallowell
 Pittston
 Fryeburg
 Pownalborough
 Bowdoinham
 Topsham
 Brunswick
 North Yarmouth
 Standish
 Buxton
 Windham
 Falmouth
 Portland
 Cape Elizabeth
 Waterborough
 Gorham
 Scarborough
 Shapleigh
 Sanford
 Pepperellborough
 Lebaion
 Coxhall
 Biddeford
 Arundell
 Wells
 Berwick
 York
 Kittery

mation are published in this section. Documents that merely report the calling of town meetings or election results without vote totals are placed in the microfiche supplement. Of the 133 towns (out of 307 eligible towns) represented in this volume, eight voted not to send delegates to the Convention. The town of Dalton protested its ineligibility to send a delegate as a violation of its inhabitants' natural rights. The elections in Great Barrington, Sheffield and Mount Washington, Taunton, and Williamstown were disputed, with disgruntled voters submitting remonstrances and memorials to the Convention.

Although many towns voted to appoint committees to draft instructions for their delegates, most town records do not indicate the nature of these instructions. Forty-five towns in this volume instructed their delegates to vote against ratification, three to vote for ratification, and seven to vote according to their best judgments. Full texts of instructions exist for eleven towns, two-thirds of them complaining that the Constitution's lack of a bill of rights endangered liberties and one-third authorizing their delegates to determine for themselves how to vote. Some delegates instructed to vote against ratification eventually voted to ratify. A few, such as Lancaster's John Sprague, obtained their towns' permission to alter their votes; others, who became convinced that the Constitution posed no legitimate threat to liberties, changed their votes on their own volition.

This volume sets the stage for the assembling and deliberations of the Massachusetts Convention. Without the Bay State's ratification, the Constitution probably would not have been adopted by the required nine states.

THE EDITORS

JOHN P. KAMINSKI, GASPARE J. SALADINO, and RICHARD LEFFLER have been editing *The Documentary History of the Ratification of the Constitution* since 1970. CHARLES H. SCHOENLEBER joined the staff in 1987. Dr. Kaminski is also the author of *George Clinton: Yeoman Politician of the New Republic* (1993); editor of *A Necessary Evil? Slavery and the Debate over the Constitution* (1995); and co-editor of *The Constitution and the States* (1988), *A Great and Good Man: George Washington in the Eyes of His Contemporaries* (1989), and *The Bill of Rights and the States* (1992). He and Richard Leffler have co-edited *Federalists and Antifederalists: The Debate over the Ratification of the Constitution* (1989; 2nd ed. 1998).

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