



LIBRARIES
UNIVERSITY OF WISCONSIN - MADISON

Vol. 4. Ratification of the Constitution by the states: Massachusetts (1).

Madison, Wisconsin: The State Historical Society of Wisconsin, 1997

<https://digital.library.wisc.edu/1711.dl/TR2WPX6L3UFLH8I>

<http://rightsstatements.org/vocab/InC/1.0/>

The libraries provide public access to a wide range of material, including online exhibits, digitized collections, archival finding aids, our catalog, online articles, and a growing range of materials in many media.

When possible, we provide rights information in catalog records, finding aids, and other metadata that accompanies collections or items. However, it is always the user's obligation to evaluate copyright and rights issues in light of their own use.

THE DOCUMENTARY HISTORY OF THE
RATIFICATION OF THE CONSTITUTION

Volume IV

Ratification of the Constitution
by the States

MASSACHUSETTS

[1]

Editors

JOHN P. KAMINSKI

GASPARE J. SALADINO

Senior Associate Editor

RICHARD LEFFLER

Associate Editor

CHARLES H. SCHOENLEBER

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

ARTICLE 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, the dominant force in New England, was one of the most powerful states in the Union. No other colony did more to foment and win the imperial struggle with Great Britain. After the War for Independence, however, Massachusetts exerted less influence nationally as it concentrated on its own internal problems and acquiesced (sometimes reluctantly) in granting additional powers to Congress. The state's political leadership split over the wisdom of calling a constitutional convention to amend the Articles of Confederation. Not until Shays's Rebellion did most Massachusetts leaders agree that Congress needed to be strengthened.

The Massachusetts delegates to the Constitutional Convention of 1787 played an important role. Elbridge Gerry, Rufus King, and Nathaniel Gorham spoke often and made substantial contributions to the final outcome. King and Gorham signed the Constitution; Gerry refused. His opposition became a central theme in the five-month ratification debate in Massachusetts. Other key personalities in this drama included Samuel Adams and James Warren (Antifederalists); King, Gorham, and Theodore Sedgwick (Federalists); and Governor John Hancock (fence-straddler). Revolutionary leader John Adams, U.S. minister to Great Britain, hoped that the Constitution would be ratified even though he had serious misgivings about some of its provisions. His son, a youthful John Quincy Adams, argued against the Constitution in an interesting exchange of letters with his cousin William Cranch.

This first of three Massachusetts volumes contains the public and private debate over the Constitution from 5 September through 17 December 1787 and the action of the state legislature from 18 to 25 October 1787 in calling the state ratifying convention. Included in the volume are more than 200 newspaper items, 60 letters, many speeches, eight diary entries, a broadside, and instructions from a town meeting. The volume also includes a three-color endpaper map of Massachusetts ratification, general and Massachusetts ratification chronologies, lists of Massachusetts officeholders, and a biographical gazetteer of 32 important figures. Three appendices are printed at the end of the volume—the Declaration of Rights and the preamble to the Massachusetts constitution of 1780; the appointment of Massachusetts delegates to the Constitutional Convention; and the U.S. Constitution.

The public debate over the Constitution in Massachusetts had national and local components. The debate that originated within the state took a local slant. Unlike newspapers in other

(continued on back endflap)

THE DOCUMENTARY HISTORY OF THE
RATIFICATION OF THE CONSTITUTION

VOLUME IV

Ratification of the Constitution by the States

MASSACHUSETTS

[1]

THE DOCUMENTARY HISTORY OF THE
RATIFICATION OF THE CONSTITUTION

Volume IV

Ratification of the Constitution
by the States

MASSACHUSETTS

[1]

Editors

JOHN P. KAMINSKI

GASPARE J. SALADINO

Senior Associate Editor

RICHARD LEFFLER

Associate Editor

CHARLES H. SCHOENLEBER

Editorial Assistant

CHARLES D. HAGERMANN

MADISON

STATE HISTORICAL SOCIETY OF WISCONSIN

1 9 9 7

The Documentary History of the Ratification of the Constitution is sponsored by the National Historical Publications and Records Commission and the University of Wisconsin-Madison. Preparation of this volume was made possible by grants from the National Historical Publications and Records Commission; the Program for Editions of the National Endowment for the Humanities, an independent federal agency; the Lynde and Harry Bradley Foundation; the E. Gordon Fox Fund; and the Hamilton Roddis Foundation. Publication was made possible in part by a grant from the National Historical Publications and Records Commission.

Copyright © 1997 by
THE STATE HISTORICAL SOCIETY OF WISCONSIN
All rights reserved

Manufactured in the United States of America

LIBRARY OF CONGRESS CATALOGING IN PUBLICATION DATA [REVISED]

Main entry under title:

The Documentary history of the ratification
of the Constitution.

Editors for v. 4: John P. Kaminski, Gaspare J. Saladino.

CONTENTS: v. 1. Constitutional documents and records, 1776–1787.—v. 2. Ratification of the Constitution by the States: Pennsylvania.—v. 3. Ratification of the Constitution by the States: Delaware, New Jersey, Georgia, Connecticut.—v. 4. Ratification of the Constitution by the States: Massachusetts (1).—v. 8. Ratification of the Constitution by the States: Virginia (1).—v. 9. Ratification of the Constitution by the States: Virginia (2).—v. 10. Ratification of the Constitution by the States: Virginia (3).—v. 13. Commentaries on the Constitution, public and private (1).—v. 14. Commentaries on the Constitution, public and private (2).—v. 15. Commentaries on the Constitution, public and private (3).—v. 16. Commentaries on the Constitution, public and private (4).—v. 17. Commentaries on the Constitution, public and private (5).—v. 18. Commentaries on the Constitution, public and private (6).

1. United States—Constitutional history—Sources.

I. Jensen, Merrill. II. Kaminski, John P. III. Saladino, Gaspare J.

KF4502.D63 342'.73'029 75-14149
ISBN 0-87020-292-8 347.30229 AACR2

To

ARTHUR O. HOVE

**Dedicated Citizen of
the University of Wisconsin**



**Advocate and Patron
of the Ratification of the Constitution Project**

EDITORIAL ADVISORY COMMITTEE

Whitfield J. Bell, Jr.
Charlene N. Bickford
Justice William J. Brennan, Jr.
Edward Dumbauld
David S. Lovejoy
Jackson Turner Main
H. Nicholas Muller III
Leonard Rapport
Norman K. Risjord
James Morton Smith
Robert J. Taylor
Dorothy Twohig

Contents

Acknowledgments	xv
Organization	xvii
Editorial Procedures	xix
General Ratification Chronology, 1786–1791	xx
Calendar for the Years 1787–1788	xxiii
Introduction	xxiv
Note on Sources	xlix
Symbols	lxvi
Massachusetts Chronology, 1776–1790	lxx
Officers of the Commonwealth of Massachusetts, 1787–1788	lxxiv

I. The Debate over the Constitution in Massachusetts 5 September–25 October 1787

Introduction	3
Numa: Political and Moral Entertainment VII, Hampshire Gazette, 5 September	7
Elbridge Gerry in the Constitutional Convention, 12–17 September	13
Speech in the Constitutional Convention, Saturday, 15 September	14
Speech in the Constitutional Convention, Monday, 17 September	15
Elbridge Gerry to John Adams, New York, 20 September	16
Mercy Warren to Abigail Adams, Milton, 22 September	16
James Sullivan to Rufus King, Boston, 23 September	16
Thomas Dwight to Nathan Dane, Springfield, 25 September	17
§ Editors' Note: The Publication of the Constitution in Massachusetts 25 September 1787–9 January 1788	18
James Sullivan to Rufus King, Boston, 28 September	21
Mercy Warren to Catherine Macaulay Graham, Milton, 28 September	22
Jeremy Belknap to Ebenezer Hazard, Boston, 29 September	23
Massachusetts Centinel, 29 September	24
A True American, Massachusetts Centinel, 29 September	24
Nathaniel Ames Diary, Dedham, 30 September	25
Thomas L. Winthrop to Joseph Winthrop, Boston, 30 September	26
From Henry Knox, New York, September	26
American Herald, 1 October	28
Cassius, Massachusetts Gazette, 2 October	30
William Bentley Diary, Salem, 3 October	32
Massachusetts Centinel, 3 October	33
Essex Journal, 3, 17, and 24 October	33
A Correspondent, 3 October	34
Another, 17 October	34
A Parody, 24 October	35
Worcester Magazine, 4 October	35
Cumberland Gazette, 4 October	36
David, Independent Chronicle, 4 October	36
Observator, Independent Chronicle, 4 October	38

The Boston Press and the Constitution, 4 October–22 December	41
Independent Chronicle, 4 October	44
Massachusetts Centinel, 10 October	44
American Herald, 15 October	45
A Citizen, Massachusetts Gazette, 16 October	45
Massachusetts Gazette, 16 October	46
Benjamin Russell to Eleazer Oswald	
Philadelphia Independent Gazetteer, 4 December	46
American Herald, 17 December	48
Massachusetts Centinel, 22 December	49
William Cranch to John Quincy Adams, Boston, 5 October	50
Massachusetts Gazette, 5 October	52
Massachusetts Centinel, 6 October	52
The Grand Constitution, Massachusetts Centinel, 6 October	56
Christopher Gore to Rufus King, Boston, 7 October	57
James Madison to Edmund Randolph, New York, 7 October	58
Joshua B. Osgood to George Thatcher, Brownfield, 8 October	58
Hartford American Mercury, 8 October	59
Chesterfield Town Meeting: Instructions to Representative, 9 October	59
Massachusetts Gazette, 9 October	61
Nathan Dane to Caleb Strong, New York, 10 October	62
Henry Van Schaack to Caleb Strong, Pittsfield, 10 October	63
Jonathan Williams, Sr., to Benjamin Franklin, Boston, 10 October	65
“A,” Essex Journal, 10 October	65
William Heath Diary, Roxbury, 11 October	67
John Quincy Adams Diary, Newburyport, 12 October	67
John Quincy Adams Diary, Newburyport, 13 October	68
Francis Dana to Rufus King, Cambridge, 13 October	68
Massachusetts Centinel, 13 October	68
Massachusetts Centinel, 13 October	71
John Quincy Adams to William Cranch, Newburyport, 14 October	72
American Herald, 15 October	75
Harrington, American Herald, 15 October	76
Boston Gazette, 15 October	80
Boston Gazette, 15 October	80
John Quincy Adams Diary, Haverhill, 17 October	81
Massachusetts Centinel, 17 October	81
One of the People, Massachusetts Centinel, 17 October	82
Ship News, 17 October–24 November	86
Massachusetts Centinel, 17 October	86
Massachusetts Gazette, 19 October	86
Massachusetts Centinel, 20 October	88
Independent Chronicle, 25 October	89
Massachusetts Gazette, 30 October	89
Independent Chronicle, 1 November	90
Massachusetts Gazette, 9 November	91
Massachusetts Centinel, 24 November	92
Elbridge Gerry to James Warren, New York, 18 October	93
Elbridge Gerry to the General Court, New York, 18 October	94
Samuel Henshaw to Henry Van Schaack, Northampton, 18 October	100

Cumberland Gazette, 18 October	101
Solon, Independent Chronicle, 18 October	102
The Worcester Speculator V, Worcester Magazine, 18 October	104
Elisha May to David Daggett, Attleborough, 19 October	107
Henry Jackson to Henry Knox, Boston, 21 October	109
John De Witt I, American Herald, 22 October	109
William Lyman to Joseph Clarke, Boston, 23 October	113
Lycurgus, Massachusetts Gazette, 23 October	114
§ Editors' Note: The Massachusetts Reprinting of the Address of the Seceding Assemlblmen of the Pennsylvania Assembly, 23 October–8 November	115
Monitor, Hampshire Gazette, 24 October	116
Massachusetts Centinel, 24 October	119
"W. X.," Massachusetts Centinel, 24 October	120
§ Editors' Note: The Massachusetts Reprinting of James Wilson's Speech of 6 October Before a Philadelphia Public Meeting, 24 October–15 November	120
Ezekiel, Independent Chronicle, 25 October	122
Cumberland Gazette, 25 October	123

II. Massachusetts Calls a State Convention 18–25 October 1787

Introduction	124
Senate Proceedings, Thursday, 18 October	126
House Proceedings, Thursday, 18 October	126
Governor John Hancock to the General Court, 18 October	126
Newspaper Commentaries on Governor John Hancock's Speech of 18 October	127
Massachusetts Centinel, 20 October	127
American Herald, 22 October	127
Pennsylvania Herald, 31 October	128
Examiner, Hampshire Gazette, 21 November	128
Senate Proceedings, Friday, 19 October	129
House Proceedings, Friday, 19 October	130
Report of the Joint Committee with Senate and House Amendments 19–25 October	130
Senate Proceedings, Saturday, 20 October	133
Newspaper Reports of the Senate Proceedings of 19–20 October	133
Boston Gazette, 22 October	133
American Herald, 22 October	134
House Proceedings, Wednesday, 24 October	134
Newspaper Reports of the House Proceedings and Debates of 24 October	135
Massachusetts Centinel, 27 October	135
Independent Chronicle, 25 October	139
Private Commentaries on the House Proceedings and Debates of 24 October	142
Nathaniel Gorham to Henry Knox, Boston, 25 October	142
Henry Jackson to Henry Knox, Boston, 28 October	142
Senate Proceedings, Thursday, 25 October	143
House Proceedings, Thursday, 25 October	143
Senate Proceedings, Thursday, 25 October	143
Resolutions Calling the State Convention, 25 October	143

Governor John Hancock: Proclamation for a Day of Public Thanksgiving Boston, 25 October	146
The General Court Receives Elbridge Gerry's Letter, 31 October–2 November	148
Senate Proceedings, Wednesday, 31 October	148
House Proceedings, Thursday, 1 November	148
House Proceedings, Friday, 2 November	148

III. The Debate over the Constitution in Massachusetts 28 October 1787–12 February 1788

Introduction	149
Rufus King to Henry Knox, Boston, 28 October	155
From Theodore Sedgwick, Boston, 28 October	156
John De Witt II, American Herald, 29 October	156
Lycurgus, American Herald, 29 October	161
A Dialogue Between Mr. Schism and Mr. Cutbrush, Boston Gazette, 29 October	162
Boston Gazette, 29 October	166
William Frost to George Thatcher, York, 30 October	167
§ Editors' Note: Nathaniel Gorham to Benjamin Franklin, Boston, 30 October	168
Nathaniel Gorham to Henry Knox, Boston, 30 October	168
Vox Populi, Massachusetts Gazette, 30 October	168
Massachusetts Gazette, 30 October	171
Salem Mercury, 30 October	173
Henry Gibbs to Simeon Baldwin, Salem, 31 October	174
Cotton Tufts to Abigail Adams, Boston, 31 October	174
Essex Journal, 31 October	174
Hampshire Gazette, 31 October	175
A Dialogue Between Mr. Z and Mr. &, Massachusetts Centinel, 31 October	176
Responses to An Old Whig I, Massachusetts Centinel, 31 October	179
Poplicola	179
Examiner	182
A Correspondent	183
Response to a Late Writer	183
Massachusetts Centinel, 31 October	184
Massachusetts Centinel, 31 October	184
Henry Van Schaack to David Van Schaack, Pittsfield, c. 31 October	185
Rufus King and Nathaniel Gorham: Response to Elbridge Gerry's Objections post-31 October	186
Isaiah, Independent Chronicle, 1 November	190
Henry Warren to Henry Van Schaack, Plymouth, 2 November	191
Examiner, Massachusetts Gazette, 2 November	192
Massachusetts Centinel, 3 November	192
Henry Jackson to Henry Knox, Boston, 5 November	193
John De Witt III, American Herald, 5 November	194
A Federalist, Boston Gazette, 5 November	199
Vox Populi, Massachusetts Gazette, 6 November	200
Essex Journal, 7 November	202
A Dialogue Between Mr. Z and Mr. &, Massachusetts Centinel, 7 November	202
Massachusetts Centinel, 7 November	204
"A. B.," Massachusetts Centinel, 7 November	205

Observer, Independent Chronicle, 8 November	206
Independent Chronicle, 8 November	208
Independent Chronicle, 8 November	208
Worcester Magazine, 8 November	209
Cumberland Gazette, 9 November	210
Examiner, Massachusetts Gazette, 9 November	211
John Adams to Thomas Jefferson, London, 10 November	212
Thomas a Kempis, Massachusetts Centinel, 10 November	212
Massachusetts Centinel, 10 November	212
Massachusetts Centinel, 10 November	213
Massachusetts Centinel, 10 November	214
Henry Jackson to Henry Knox, Boston, 11 November	215
Portius, American Herald, 12 November	216
Union, Boston Gazette, 12 November	220
Boston Gazette, 12 November	221
Vox Populi, Massachusetts Gazette, 13 November	222
Hanno, Massachusetts Gazette, 13 November	225
Massachusetts Gazette, 13 November	227
"A. B." to Elbridge Gerry, Massachusetts Centinel, 14 November	227
A Friend for Liberty, Massachusetts Centinel, 14 November	231
Massachusetts Centinel, 14 November	231
Truth: Disadvantages of Federalism, Upon the New Plan, Boston, 14–24 November	232
Truth, Boston, 14 November	233
Thomas a Kempis, Massachusetts Centinel, 21 November	233
Massachusetts Centinel, 21 November	233
A Bostonian, Massachusetts Gazette, 23 November	234
Truth, Massachusetts Centinel, 24 November	234
Thomas Smith to John Dolbeare, 15 November	235
William Symmes, Jr., to Peter Osgood, Jr., Andover, 15 November	236
Cumberland Gazette, 15 November	245
Consideration, Independent Chronicle, 15 November	247
Worcester Speculator VII, Worcester Magazine, 15 November	248
Elbridge Gerry to John Wendell, Cambridge, 16 November	251
Vox Populi, Massachusetts Gazette, 16 November	251
Cato's Soliloquy Parodied, Massachusetts Gazette, 16 November	254
Cassius I, Massachusetts Gazette, 16 November	256
One of the People, Massachusetts Centinel, 17 November	259
Federalist, Massachusetts Centinel, 17 November	262
An American: The Crisis, Massachusetts Centinel, 17 November	263
Henry Jackson to Henry Knox, Boston, 18 November	264
John De Witt IV, American Herald, 19 November	265
George Washington and Benjamin Franklin in the Constitutional Convention	
Boston, 19–21 November	271
American Herald, 19 November	272
American Herald, 19 November	272
American Herald, 19 November	273
Massachusetts Gazette, 20 November	273
Massachusetts Gazette, 20 November	273
Massachusetts Centinel, 21 November	273
Boston Gazette, 19 November	274

Public Creditors and the Constitution, Boston, 19 November	276
Lycurgus, Boston Gazette, 19 November	276
American Herald, 19 November	277
“A. B.”: Lessons from the Book of Samuel, Massachusetts Gazette, 20 November	278
Examiner, Massachusetts Gazette, 20 November	279
Candor, Massachusetts Gazette, 20 November	280
Massachusetts Gazette, 20 November	281
George Mason and the Constitution, 20 November–3 December	282
Massachusetts Gazette, 20 November	283
Massachusetts Centinel, 21 November	284
Massachusetts Gazette, 23 November	284
Massachusetts Centinel, 24 November	284
Massachusetts Centinel, 28 November	284
Candor, American Herald, 3 December	284
Prudential, American Herald, 3 December	285
George Mason’s Objections to the Constitution, 21 November–19 December	287
Massachusetts Centinel, 21 November	288
Massachusetts Centinel, 19 December	290
Joseph Savage to Samuel P. Savage, Springfield, 21 November	291
Massachusetts Centinel, 21 November	291
Essex Journal, 21 November	292
Monitor, Hampshire Gazette, 21 November	293
Thomas B. Wait to George Thatcher, Portland, 22 November	295
Cumberland Gazette, 22 November	296
Cumberland Gazette, 22 November	296
Atticus III, Independent Chronicle, 22 November	296
The Worcester Speculator VIII, Worcester Magazine, 22 November	300
§ Editors’ Note: The Massachusetts Reprinting of the Brutus Essays	
22 November 1787–8 May 1788	301
Agrippa I, Massachusetts Gazette, 23 November	303
Cassius II, Massachusetts Gazette, 23 November	306
Vox Populi, Massachusetts Gazette, 23 November	309
Massachusetts Gazette, 23 November	312
Massachusetts Centinel, 24 November	315
Massachusetts Centinel, 24 November	316
Propriety, Massachusetts Centinel, 24 November	316
Christopher Gore to George Thatcher, Boston, 25 November	317
Henry Jackson to Henry Knox, Boston, 25 November	317
William Cranch to John Quincy Adams, Braintree, 26 November	318
A Federalist, Boston Gazette, 26 November	320
Agrippa II, Massachusetts Gazette, 27 November	322
Cassius III, Massachusetts Gazette, 27 November	325
Massachusetts Gazette, 27 November	326
Cotton Tufts to John Adams, Weymouth, 28 November	326
Cato, Essex Journal, 28 November	327
One of the Middling-Interest, Massachusetts Centinel, 28 November	328
Valérius, Massachusetts Centinel, 28 November	333
Jonathan Sayward Diary, York, 29 November	335
Virginia Journal, 29 November	335
Cumberland Gazette, 30 November	335

An American, Independent Chronicle, 30 November	337
Cassius IV, Massachusetts Gazette, 30 November	338
Cassius V, Massachusetts Gazette, 30 November	339
Agrippa III, Massachusetts Gazette, 30 November	342
John Quincy Adams Diary, Newburyport, 1 December	344
Mentor, Massachusetts Centinel, 1 December	344
Massachusetts Centinel, 1 December	346
Cincinnatus, Massachusetts Centinel, 1 December	347
Benjamin Lincoln to François de Fleury, Boston, 2 December	348
Samuel Adams to Richard Henry Lee, Boston, 3 December	349
John De Witt V, American Herald, 3 December	351
The Monitor, American Herald, 3 December	358
American Herald, 3 December	359
A Federalist, Boston Gazette, 3 December	360
Boston Gazette, 3 December	362
One of the Common People, Boston Gazette, 3 December	367
The Massachusetts Printing of Benjamin Franklin's Last Speech in the Constitutional Convention, 3–18 December	369
Nathaniel Gorham to Benjamin Franklin, Boston, 30 October	371
Benjamin Franklin to Nathaniel Gorham, Philadelphia, 14 November	371
Benjamin Franklin's Speech, Boston Gazette, 3 December	372
"Z," Independent Chronicle, 6 December	373
Cumberland Gazette, 6 December	375
A Federalist, Boston Gazette, 10 December	375
Massachusetts Gazette, 14 December	376
Nathaniel Gorham to Benjamin Franklin, Charlestown, 15 December	377
Massachusetts Gazette, 18 December	378
Clito, Massachusetts Gazette, 18 December	378
Boston Gazette, 3 December	380
Nathaniel Gorham to Henry Knox, Charlestown, 4 December	380
Agrippa IV, Massachusetts Gazette, 4 December	381
Massachusetts Gazette, 4 December	383
Theodore Sedgwick to Henry Van Schaack, Stockbridge, 5 December	384
One of the Middle-Interest, Massachusetts Centinel, 5 December	385
John Adams to Thomas Jefferson, London, 6 December	389
Oliver Phelps to Elbridge Gerry, Granville, 6 December	390
Cumberland Gazette, 6 December	391
Candidus I, Independent Chronicle, 6 December	392
An American, Independent Chronicle, 6 December	399
Massachusetts Gazette, 7 December	400
John Quincy Adams to William Cranch, Newburyport, 8 December	400
Jeremy Belknap to Ebenezer Hazard, Boston, 8 December	402
Philo Publius, Massachusetts Centinel, 8 December	403
"O," Massachusetts Centinel, 8 December	404
Thomas a Kempis, Massachusetts Centinel, 8 December	405
American Herald, 10 December	405
Definitions	405
A Correspondent	406
Question	406
Legion	406

Agrippa V, Massachusetts Gazette, 11 December	406
Massachusetts Gazette, 11 December	409
Cornelius, Hampshire Chronicle, 11, 18 December	410
Thomas a Kempis, Massachusetts Centinel, 12 December	418
Massachusetts Centinel, 12 December	418
§ Editors' Note: The Massachusetts Reprinting of James Wilson's 24 November Speech to the Pennsylvania Convention, 12–27 December	419
Theodore Sedgwick to Henry Van Schaack, Stockbridge, 13 December	421
James Madison to Archibald Stuart, New York, 14 December	422
Cassius VI, Massachusetts Gazette, 14 December	423
Agrippa VI, Massachusetts Gazette, 14 December	426
Thomas a Kempis, Massachusetts Centinel, 15 December	428
Massachusetts Centinel, 15 December	429
Nathaniel Gorham to Henry Knox, Charlestown, 16 December	429
American Herald, 17 December	430
"B," Boston Gazette, 17 December	431
Biographical Gazetteer	432
Appendices	
I. The Massachusetts Constitution: Preamble and Declaration of Rights	440
II. Massachusetts Appoints Delegates to the Constitutional Convention 2 October 1786–9 April 1787	446
III. The Constitution of the United States	463

Acknowledgments

This volume was supported principally by grants from the National Historical Publications and Records Commission, the National Endowment for the Humanities, and the E. Gordon Fox Fund. Substantial aid was provided by the Lynde and Harry Bradley Foundation, the Evjue Foundation, and the Hamilton Roddis Foundation. Financial support has also been received from Professor Steven R. Boyd, Frederick H. Campbell, Handy Bruce Fant, the Honorable Paul C. Gartzke, Professor Jürgen Heideking, Mrs. Peter D. Humleker, Jr., Emeritus Professor Arthur L. Jensen, Henry Mayer, Jack McManus, and Frederick B. Wade.

We extend our thanks and appreciation to Gerald W. George of the NHPRC; Roger A. Bruns, Nancy Sahli, and Richard N. Sheldon, formerly of the NHPRC; Margaret Scrymser and Daniel P. Jones of the NEH; Michael S. Joyce and Hillel G. Fradkin of the Bradley Foundation; and Frederick W. Miller and David A. Zweifel of the Evjue Foundation.

A continuing debt of gratitude is owed to the administration, faculty, and staff of the University of Wisconsin-Madison, especially Chancellor David Ward; Provost and Vice Chancellor for Academic Affairs John D. Wiley; and former Acting Dean W. Charles Read and Associate Deans Fannie J. LeMoine and Mareda R. Weiss of the Graduate School; Dean Phillip R. Certain and Assistant Deans Donna C. Jahnke and Margaret M. Sullivan of the College of Letters and Science; Arthur O. Hove of the office of the vice chancellor for academic affairs; Chair of the Department of History James S. Donnelly, Jr., former Chair Kenneth S. Sacks, Associate Chair David M. McDonald, former Associate Chair Colleen A. Dunlavy, Sabrina L. Braaten, Sandra J. Heitzkey, Patricia L. Hepner, Danny C. Struebing, and Kris Ann Ward; and Robert W. Erickson, Cheryl E. Gest, August P. Hackbart, Barbara M. Henn, Robert H. Perkl, LaVon E. Flynn, and Joanne M. Schultz of Research Administration. For aid in fund raising, we are indebted to the University of Wisconsin Foundation, especially President Andrew A. Wilcox, Vice Presidents John W. Feldt and Martha A. Taylor, Director of Development Robert G. Lange, and Jennifer Kidon-DeKrey; and to Angela Lieurance formerly of the Foundation.

The staff of the State Historical Society of Wisconsin, our primary research library and our publisher, continues its invaluable and splendid support. We thank former Director H. Nicholas Muller III, Associate Director Robert B. Thomasgard, Jr., Loraine P. Adkins, Lori Bess-

ler, James D. Buckett, James P. Danky, Susan J. Dorst, Michael Edmonds, Gerald R. Eggleston, J. Kevin Graffagnino, James L. Hansen, Laura Hemming, Harold L. Miller, Sue Mueller, John A. Peters, Keith Rabiola, Geraldine E. Strey, and Lloyd F. Velicer. The staffs of the Reference, Catalog, and Interlibrary Loan departments of the Memorial Library and Mary Jo Koranda, Eric E. Taylor, and William J. Ebbott of the Law Library of the University of Wisconsin-Madison have also been most obliging. Others who have provided essential information or copies of documents are Professors John W. Barker (emeritus), Michael Chamberlain, Frank M. Clover, and Johann P. Sommerville of the Department of History, University of Wisconsin-Madison; Elmer N. Feltskog and Howard D. Weinbrot of the Department of English, University of Wisconsin-Madison; George Athan Billias, professor emeritus of History, Clark University; the late Lyman H. Butterfield, former Editor-in-Chief of *The Adams Papers*; William F. Carroll, Acting Director, Emily Williston Memorial Library, Easthampton, Mass.; Martha Clark and Michael Comeau, Massachusetts State Archives; Douglas E. Clanin, Indiana Historical Society; Barbara DeWolfe, Department of History, Harvard University; Van Beck Hall, Department of History, University of Pittsburgh; Peter Drummey, Brenda M. Lawson, and Virginia Smith, Massachusetts Historical Society; Paul Romaine, Gilder Lehrman Library, New York City; Lori E. Gilbert, The Pierpont Morgan Library; and Richard A. Ryerson and Anne M. Decker of *The Adams Papers*. Charles E. Pierce, Jr., Director of The Pierpont Morgan Library, has granted permission to publish documents from the Gilder Lehrman Collection; while Dr. Ryerson of *The Adams Papers* and the Harvard University Press have done the same for Adams documents.

In addition we gratefully acknowledge the contributions of Kimberly Scott Little and Adam Parker, former editorial assistants on this project. Lastly, we sincerely thank Scott Wiand, who, under the direction of Onno Brouwer of the University of Wisconsin-Madison Cartographic Laboratory, prepared the Massachusetts map found on the end papers.

Art Hove has served the University of Wisconsin-Madison for more than thirty-five years in many capacities. As advisor to several chancellors, he has helped to guide this university through difficult times, from the days of campus turmoil in the 1960s to times of fiscal constraints in the 1990s. Always he has sought to make this a better place for students and scholars. He has been a particular friend to the Ratification of the Constitution project. For his help over the years, we thank him and we dedicate this volume to him.

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 25 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 dockets 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.
 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

- 7 February New York requests Congress under Constitution to call a second constitutional convention.
- 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.

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	17 18 19 20 21 22 23	18 19 20 21 22 23 24	16 17 18 19 20 21 22
23 24 25 26 27 28 29	21 22 23 24 25 26 27	25 26 27 28 29 30	23 24 25 26 27 28 29
30	28 29 30 31		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	2 3 4 5 6 7 8	6 7 8 9 10 11 12
13 14 15 16 17 18 19	10 11 12 13 14 15 16	9 10 11 12 13 14 15	13 14 15 16 17 18 19
20 21 22 23 24 25 26	17 18 19 20 21 22 23	16 17 18 19 20 21 22	20 21 22 23 24 25 26
27 28 29 30 31	24 25 26 27 28 29	23 24 25 26 27 28 29	27 28 29 30
		30 31	
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
			31
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	2 3 4 5 6 7 8	7 8 9 10 11 12 13
14 15 16 17 18 19 20	12 13 14 15 16 17 18	9 10 11 12 13 14 15	14 15 16 17 18 19 20
21 22 23 24 25 26 27	19 20 21 22 23 24 25	16 17 18 19 20 21 22	21 22 23 24 25 26 27
28 29 30	26 27 28 29 30 31	23 24 25 26 27 28 29	28 29 30 31
		30	

Introduction

Under the royal charter of 1691, Massachusetts enjoyed considerable control over its government. As in other royal colonies, the governor was appointed by the Crown. A Council of twenty-eight was elected annually by the House of Representatives and the outgoing Council, although each councillor had to be approved by the governor. The Council served as the upper house of the legislature (i.e., the General Court) and as an advisory body to the governor. The governor had an absolute veto over legislation. With the advice and consent of the Council, he appointed all military and judicial officers whose commissions were issued in the name of the Crown. The General Court appointed all other officials. Dual officeholding was rife. The power to tax was controlled by the General Court which used its authority over the governor's salary to excellent political advantage for much of the colonial period. Beginning in 1770, however, the governor received his salary from money raised by Parliament and under the Crown's control.

According to law, each town with forty freeholders was obliged to send one delegate to the House of Representatives. Towns with 120 freeholders could send two, Boston was permitted four. A town that had between 30 and 40 freeholders might send a delegate or not, if it pleased. A town with fewer than 30 freeholders might have a delegate, or join with the next town in sending one. Because towns were required to pay the expenses of their own representatives, many of them did not send delegates, preferring instead to pay a fine levied by the House of Representatives. As the lower house grew in size, Britain prohibited new towns (called districts) from having representation. (In August 1775, however, the General Court passed an act granting the right of representation to every district.)

As in the seventeenth century, the town meeting continued to be the fulcrum of political power where freeholders expressed their concern about public issues and elected numerous town officials and representatives to the legislature and where town leaders assessed taxes and passed regulations affecting everyday life. A county court called the quarter sessions, composed of a county's justices of the peace (sometimes over three dozen) served as a criminal court and heard minor civil cases. The quarter sessions also assessed taxes, licensed tavernkeepers, and laid out roads and bridges. A county court of common pleas composed of four justices heard land title cases and major civil suits.

In the aftermath of the Boston Tea Party (December 1773), Great Britain totally altered government in Massachusetts. The "Intolerable Acts," adopted by Parliament between March and June 1774, closed the port of Boston to most traffic; enlarged the Council, now appointed by the king and council to serve at the pleasure of the king; prohibited towns from meeting without the governor's consent (except for elections); and allowed government officials to move trials for capital offenses to England to avoid hostile local juries. General Thomas Gage, commander in chief of British forces in North America, was appointed governor and was given extensive powers. Gage assumed the governorship in May 1774.

Relations between Massachusetts and Great Britain deteriorated further. After Governor Gage dissolved the General Court scheduled to meet in October 1774, some members of the House of Representatives met with delegates elected by county conventions to form a provincial congress. Between October 1774 and July 1775 three provincial congresses governed Massachusetts. In December 1774 and February 1775, the first and second provincial congresses elected delegates to the First and Second Continental congresses. In May 1775, a month after fighting broke out at Lexington and Concord, the second provincial congress declared Gage unfit to be governor.

On 9 June 1775 the Second Continental Congress recommended that the people of Massachusetts consider the governor and lieutenant governor to be absent. They should elect a house of representatives, which, in turn, should elect a council. Together the house and council were to govern the colony until the Crown appointed a governor who would govern according to the charter of 1691. On 20 June the third provincial congress called for elections to a house of representatives that was to meet on 19 July. These representatives met on the appointed day and elected a council that had both legislative and executive functions.

The Second Continental Congress on 10 and 15 May 1776 requested that the colonies form new governments whose powers should be exerted "under the authority of the people of the colonies." A year later the Massachusetts General Court voted to draft a constitution to be submitted to the towns for their approval. On 17 June 1777 the Court resolved itself into a constitutional convention. This body adopted a constitution on 28 February 1778, which it submitted to the freemen of the towns for their approval by 15 June. The freemen rejected the constitution by about a five-to-one margin. Among other reasons for rejection, some towns objected to the drafting of the constitution by the legislature, instead of a specially-elected constitutional convention.

The General Court continued to govern after the rejection of the constitution of 1778. Various towns petitioned the legislature to call a constitutional convention, and in February 1779 the Court resolved that town selectmen should call town meetings to determine whether the people wanted a constitution to be written and whether they wanted to authorize the General Court to call a constitutional convention. The towns by a margin of two-to-one favored the resolution. In June 1779 the Court called a convention to draft a constitution that would be submitted to the towns and that would need the approval of two-thirds of the freemen voting to be adopted. The convention would determine if the necessary two-thirds vote had been cast.

The constitutional convention met on 1 September 1779 in Cambridge and elected James Bowdoin president. A committee of thirty was assigned to draft a constitution, but a three-man subcommittee (Bowdoin, John Adams, and Samuel Adams) did most of the work. John Adams provided the basic draft, which was debated and amended by the convention. The proposed constitution, containing a declaration of rights and a frame of government, was submitted by the convention to the towns on 2 March 1780. The convention's letter transmitting the constitution explained the philosophy of government that drove the drafting of that document: "A Government without Power to exert itself, is at best, but an useless Piece of Machinery. It is probable, that for the want of Energy, it would speedily lose even the Appearance of Government, and sink into Anarchy. Unless a due Proportion of Weight is given to each of the Powers of Government, there will soon be a Confusion of the whole. An Overbearing of any one of its Parts on the rest, would destroy the Balance and accelerate its Dissolution and Ruin: And, a Power without *any* Restraint is Tyranny. The Powers of Government must then be balanced: To do this accurately requires the highest Skill in political Architecture."

During the spring the towns met and voted on the constitution, often objecting to individual provisions and proposing various amendments and alterations. On 7 June 1780, the convention reconvened in Boston to consider the alterations proposed by the towns. After struggling with a conglomeration of votes against various provisions, the convention on 15 June declared that the people of Massachusetts had accepted the constitution as proposed on 2 March.

The constitution of 1780 created the General Court composed of the House of Representatives and the Senate, each with the power to check the other. Members of both houses were to be elected annually by the vote of adult males. Property qualifications were required for both voting and holding office. Nine senators were chosen annually by joint

ballot of the legislature to sit as the Council to advise the governor. The governor, with a fixed salary, and lieutenant governor were to be elected annually by the people. The governor was commander in chief of the state militia and navy, and he had the power to grant pardons, with advice of the Council, and veto all bills. Vetoes could be overridden by a vote of two-thirds of both houses. The governor, with the advice and consent of the Council, had the power to nominate and appoint all judicial officers, the attorney general, the solicitor general, sheriffs, coroners, and registers of probate. The legislature appointed most civil officers, including the secretary and treasurer, and it could create courts. Justices of the Supreme Judicial Court had "permanent and honorable salaries" established by law (which could be increased). They and most other judicial officers served during good behavior, although they could be removed by the governor with the consent of the Council upon the address of both houses of the legislature. Delegates to the Continental Congress were to be elected annually by joint ballot of the two houses of the legislature.

The Declaration of Rights consisted of thirty articles (see Appendix I). The first article provided that "All men are born free and equal, and have certain natural, essential, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness." (Under this article, the state supreme court would in 1783 declare that slavery was unconstitutional in Massachusetts.) Two other articles deserve special mention. Article IV, borrowing from Article II of the Articles of Confederation, established the relationship between Massachusetts and the central government: "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." Article XXX provided for the separation of powers by explicitly stating that the legislative, executive, and judicial departments should only exercise the powers assigned to them and never exercise the powers assigned to the other branches so that Massachusetts would have "a government of laws and not of men." The Declaration also protected many personal rights.

On 15 November 1777 the Continental Congress adopted the Articles of Confederation. Two days later it approved an accompanying letter addressed to the states explaining the difficulties in drafting the Articles and advocating the necessity of union and the adoption of the

Articles. Unanimous adoption by the state legislatures was necessary for ratification of the Articles.

The Massachusetts General Court received an official copy of the Articles of Confederation on 15 December 1777. On the same day, the House of Representatives resolved that, since the Articles were "beyond the usual course of business expected by their constituents at the election of their representatives," the Articles should be submitted to the towns so that they could "instruct their representatives to act and do as they shall judge meet for the advantage of this and the other United States, relative to this matter."¹ A month later the House of Representatives ordered its members to solicit the opinions of their towns on the Articles.

The towns proposed various amendments. Some towns suggested that the vote of eleven states be required to pass all measures; that amendments to the Articles be proposed by the states, not by Congress; that the power over war and peace be left to the people, not to Congress; and that taxes be apportioned among the states according to the value and income of personal property as well as real estate.

On 19 February 1778, the General Court appointed a joint committee to draft instructions on the Articles to the state's delegates in Congress. The legislature adopted the committee's report on 10 March, instructing the state's delegates to subscribe to the Articles which were "well calculated to secure the freedom, sovereignty and independence of the United States." Although the Articles had flaws, "perhaps no plan could have been proposed better adapted to the circumstances of all the states."² The delegates were instructed further to seek three changes if possible "without endangering the Union proposed." Congress should experiment under Article VIII to determine the best method of collecting taxes and then adopt that method. Instead of nine states necessary to adopt important matters under Article IX, either ten states or two-thirds of the people should be required. The provision basing the state quotas for troops on the number of whites only should be changed to total population. Lastly, the delegates were authorized to propose other alterations or agree to amendments proposed by other states or delegates "provided that such amendments are not materially repugnant to the Articles of Confederation, or the spirit of these Instructions."³

On 23 June 1778 Congress considered and rejected Massachusetts' proposed amendments, as it would all other amendments recommended by the ratifying states. Two weeks later, on 9 July, the Massachusetts delegation in Congress (John Hancock, Samuel Adams, Elbridge Gerry, Francis Dana, James Lovell, and Samuel Holten) joined

seven other state delegations and subscribed the Articles of Confederation. Final ratification of the Articles, however, did not occur until 1 March 1781.

Periodically, calls had been made for a constitutional convention of the states that would provide Congress with additional powers. In early August 1780, while the war effort was at its bleakest, delegates from New Hampshire, Massachusetts, and Connecticut met in Boston to consider matters related to the war and to find means of achieving a good understanding with the French forces in America. After recommending certain measures, the convention resolved "that the Powers of Congress be more clearly ascertained and defined, and that the important national Concerns of the United States be under the Superintendency and Direction of one supreme Head. . . ." The convention also resolved that the three states empower their congressional delegates "to confederate with such of the States as will accede to the Confederation proposed by Congress, and that they invest their Delegates in Congress with Powers competent for the Government and Direction of all those common and national Affairs which do not, nor can come within the Jurisdiction of the particular States. . . ." Copies of the convention proceedings were sent to the New England States and New York, along with an invitation to attend a convention in Hartford in November 1780.⁴

In November 1780 delegates from the New England States and New York met at Hartford. The convention resolved that the commander in chief "be authorized and Impowered to take such measures as he may deem proper" to require the states to comply with Congress' requisitions for supplies. It also recommended that the states grant Congress the power to levy duties on imports that would provide Congress with revenue to pay the interest on the public debt.

In a circular letter to the states attending, the convention regretted that the central government did not have the "power of Coertion." As a remedy, the convention postulated the concept of implied powers. It agreed that Congress' powers had never been explicitly defined, "but by the necessarily implied compact between the States at the commencement of the War, it may be certainly inferred that Congress was vested with every power essential to the common defense and which had the prosecution of the war, and the establishment of our General Liberties for its immediate object." The convention was willing to waive this point, but it insisted that the states comply with Congress' requisitions for supplies.

In a letter to the president of Congress, the convention stated that the commander in chief "ought to have the sole Direction of the military operations, and an individual should have the charge of each Department, who should be responsible. . . ." In particular, the convention wanted a man of ability and integrity "at the head of the Finances."⁵

James Warren of Massachusetts was appalled by the convention's recommendations. From his home in Plymouth, Warren wrote Samuel Adams in Congress that "If one of them does not astonish you I have forgot my political catechism." He could not believe that a convention of New England States, meeting "in the height of our contest for public liberty and security," could "recommend to their several states to vest the military with civil powers of an extraordinary kind and where their own interest is concerned, no less than a compulsive power over deficient states to oblige them by the point of a bayonet to furnish money and supplies for their own pay and support."⁶

After the Continental currency depreciated severely, Congress in March 1780 requested that the states pay their quotas of federal expenditures in both specie and state paper money. Massachusetts delegate to Congress Elbridge Gerry believed that Congress assessed the commonwealth at too high a rate, overcharging it by almost twenty percent more men and over \$309,000 in specie. The extra charge for the year was bad enough, but Gerry predicted ominous consequences for Massachusetts because of the "*Precedent* for overrating the Abilities of the Common Wealth, and for loading it in future with insupportable burthens."⁷ Furthermore, Congress had not compensated Massachusetts for the disastrous Penobscot expedition (1779) that cost the state dearly in men, ships, and money.

To meet its share of Continental requisitions, Massachusetts taxed polls and property. The General Court levied "beef taxes" in 1780 and 1781 payable in money or meat, a clothing tax in 1781, and two other continental taxes by 1784. These taxes hit the state's money-poor towns, especially in the west, hard.

To ease its direct financial dependence on the states, Congress on 3 February 1781 requested that the states give it the power to levy a five percent ad valorem tariff, with the revenue earmarked exclusively for the payment of the principal and interest of the wartime debt of the United States. In Massachusetts, opposition arose because this federal impost would weaken the state's impost, would give too much power to Congress, and would result in the appointment of a swarm of federal custom collectors. After considerable pressure from Congress and the recently appointed Superintendent of Finance Robert Morris, Massachusetts adopted the Impost of 1781 on 4 May 1782. The debate over

the impost demonstrated that Massachusetts leaders had become less willing to increase the powers of the central government, especially after the theater of war shifted to the South and the British were defeated at Yorktown in October 1781. The act stipulated, however, that no federal regulations in collecting the tariff be "repugnant" to the state's constitution and that the state's ratification would "cease and have no Effect" if the state legislature (with the consent of Congress) could "agree and determine upon any other Method of supplying the Treasury of the United States for the Purpose" of paying the debt.⁸

Congress' financial plight continued as the war ended. Again Superintendent of Finance Robert Morris urged that Congress be given additional powers and financial resources. In July 1782 Massachusetts congressional delegate John Lowell praised Morris' efforts but, because of "the great Powers given him, [warned that he] should be watched."⁹ In late January 1783 Morris gave an example of his power and influence. He announced his resignation to take effect at the end of May if Congress did not adopt a plan to pay the public debt. His scheme worked. On 12 February Congress adopted a resolution, stating "that the establishment of permanent and adequate funds on taxes or duties . . . are indispensably necessary towards doing complete justice to the public creditors, for restoring public credit, and for providing for the future exigencies of the war." A special committee of five, chaired by Nathaniel Gorham of Massachusetts, was appointed on 21 February to consider the means of restoring public credit and of obtaining funds for the payment of the debt. The committee made two reports on 6 and 18 March that were vigorously debated until 18 April. The earlier report was submitted to Robert Morris for his opinion, and he espoused the doctrine of implied powers. The states, he declared, were obliged to agree to any federal plan for paying the debt. "*The right of Congress is perfect and the duty to pay absolute.*"

On 18 April 1783 Congress submitted to the states for their adoption a three-part financial program. The program called for a federal impost and an additional \$1.5 million in supplemental funds apportioned among the states, both limited to twenty-five years and earmarked to pay the wartime debt. Neither provision would go into effect until all of the states adopted both. Congress also requested the states to make "liberal cessions" of their western territorial claims. On the same day, Congress also adopted and sent to the states for their ratification an amendment to the Articles of Confederation changing the method of apportioning federal expenses among the states from a system based on the value of land to one based exclusively on population, with three-fifths of the slaves being counted.

Massachusetts delegate to Congress Stephen Higginson explained the three-part financial program as it neared completion. "We are still hammering on a strange, though artful, plan of finance, in which are combined a heterogeneous mixture of imperceptible and visible, constitutional and unconstitutional taxes. It contains the impost, quotas, and cessions of Western lands, and no part of it is to be binding unless the whole is adopted by all the States. This connection and dependence of one part on another is designed to produce the adoption of the whole. The cessions are to serve as sweeteners to those who oppose the impost; the impost is intended to make the quotas more palatable to some States; and the receiving it in whole is made necessary to secure the adoption of the whole, by working on the fears of those States who wish to reject a part of it only."¹⁰ Massachusetts adopted the Impost of 1783 on 20 October 1783. In November 1784 it ceded its western lands to Congress. The population amendment was approved in July 1785, but the supplemental funds were not voted until July 1786.

In the fall of 1783 Congress turned to the question of commerce. In May and June 1783 two British orders-in-council restricted direct trade with the United States. On 2 July 1783 another order-in-council closed the British West Indies to American vessels, although certain enumerated goods and produce could be transported in British vessels. When news of these restrictions reached America, merchants in particular and the people in general demanded retaliation. On 30 April 1784 Congress proposed that the states grant it the power for fifteen years to prohibit the importation or exportation of any goods in ships of nations that did not have commercial treaties with the United States. Congress was also empowered to prohibit individuals from nations without commercial treaties with the United States from importing the goods and produce of another country. Massachusetts adopted this grant of temporary power on 1 July 1784.

America's commercial situation deteriorated in late 1784 and early 1785, and many people realized that, even if all the states adopted the temporary grant of commercial power, it would not be enough. Congress needed a permanent power over commerce. Consequently, on 28 March 1785 Congress considered an amendment to the Articles of Confederation authorizing it to regulate both foreign and domestic commerce and allowing it to lay imposts and duties on imports and exports. Congress debated the new powers again on 13 and 14 July, but there was so much opposition that the amendment was never sent to the states for adoption.

Massachusetts also took action on the matter of commerce. In April 1785 Boston merchants and tradesmen agreed to boycott British goods

sold by resident British factors. Some merchants petitioned Congress, "requesting the immediate interposition of those powers for its relief, with which Congress may be now invested." Congress tabled the petition. In early May the Boston town meeting declared that Congress' powers had to be increased; it wanted the state legislature to ask the governor to correspond with the other state executives. Soon after, in his inaugural address, Governor James Bowdoin advocated that Congress be given more powers "to preserve the union" and to manage its concerns. Bowdoin told the legislature that the matter of commerce merited its "particular attention." If it was thought that Congress needed more power, the legislature should "take measures" to call a convention "to settle and define" these powers.

In late June 1785 the Massachusetts legislature passed a navigation act forbidding exports from Massachusetts ports in British vessels and establishing discriminatory duties on foreign vessels and imports. Massachusetts viewed this act as a "considerable Sacrifice" passed "for the common good."¹¹ Other states were expected to follow Massachusetts' example and enact discriminatory measures that would remain in place until Congress was given "competent power" to regulate the trade of the United States. Then on 1 July the legislature adopted three resolutions. First, the powers of Congress were declared to be inadequate "to the great purposes they were originally designed to effect." Second, it was "highly expedient, if not indispensibly necessary" that a convention of the states be called as soon as possible "for the sole purpose of revising the confederation and reporting, to Congress how far it may be necessary to alter or enlarge the same." Third, Congress was asked to call such a convention and to receive its recommendations. Bowdoin sent copies of these resolutions to the Massachusetts delegates in Congress and to the other state executives.¹²

According to Nathan Dane, a member of the state House of Representatives, the legislature passed these measures because the "federal compact is defective." The chief defects and difficulties were "the want of a general and uniform power lodged somewhere to levy and collect monies sufficient to discharge the demands against the United States, and to regulate trade and commerce." "Upon the whole," Dane continued, "the measure proposed to Congress and the laws we have lately passed respecting it were, I fear, rather the effects of the impulse of the times of partial interests than the general purpose of the people; because but a few appear to have any system or idea to be adopted by the proposed Convention, or to be pursued by this Government."¹³

On 18 August the Massachusetts delegates to Congress (Elbridge Gerry, Rufus King, and Samuel Holten) informed Governor Bowdoin

that they did not present the resolutions to Congress because they had “no cause to expect an adoption of the plan proposed by the Legislature. . . .” On 3 September the delegates declared that even admitting that Congress required additional commercial powers, these powers should be temporary only. If the powers proved “beneficial,” they could then be made permanent. The delegates were opposed to frequent revisions of the Articles of Confederation and the state constitutions because they were “the great Bulwarks of Liberty.” If they “are subject, on trivial or even important Occasions, to be revised & re-revised, altered & re-altered, they must cease to be considered as effectual & sacred Barriers. . . .”

The delegates followed with a classic statement of the position of the opponents of a strong central government: “the great object of the Revolution, was the Establishment of good Government, & each of the States, in forming their own, as well as the fœderal Constitution, have adopted republican principles—notwithstanding this, plans have been artfully laid, & vigorously pursued, which had they been successful, We think, would inevitably have changed our republican Governments, into baleful Aristocracies. Those plans are frustrated, but the same Spirit remains in their abettors. . . .” The delegates believed that the calling of a convention “would produce thro out the Union, an Exertion of the Friends of an Aristocracy, to send Members who would promote a Change of Government. . . .” The new government formed would not promote the happiness of the people, but would “afford lucrative Employments, civil & military.” The delegates preferred to continue with the present inconveniences than risk the “general Disensions & Animositities, which may approach to Anarchy & prepare the Way to a ruinous System of Government.”¹⁴

Two weeks later, Rufus King predicted that the end result of any revision of the confederation would “certainly be a confederation less republican than the present one.”¹⁵ Samuel Adams agreed, telling Elbridge Gerry that, if there were a general revision of the Articles, “the artifices of a few designing men” would destroy the liberty of the people. But Adams also believed that Congress needed the power over commerce—a power that would benefit Massachusetts.¹⁶ Gerry responded “happy to find that We unite in Sentiment in the Necessity of vesting Congress with more commercial powers: & flatter myself We shall not differ in making them in the first Instance temporary, & in opposing a general Revision of the Confederation.”¹⁷

Governor Bowdoin replied on 24 October to the delegates’ letter of 3 September, that if such “discordant principles” existed which made it dangerous to give Congress more power, “the union cannot long

subsist." On 2 November the delegates rejoined that the best way to help Congress was to grant it a temporary power and that if a convention was necessary, it must be "confined to the revision of such parts of the Confederation as are supposed defective, & not entrusted with a general Revision of the Articles, & a Right to report a plan of fœderal Government, essentially different from the republican Form now administered."¹⁸ If temporary grants of power to Congress were not adopted and if the Southern States failed to pass anti-British navigation acts, Rufus King believed that "a sub confederation remedial of all their present Embarrassments" must be formed. This sub-confederation of Northern States within the Confederation, which would have the approbation of Congress, would "raise them to a degree of power and Opulence which would surprize and astonish." King, however, thought that American patriotism would "again be roused" and a comprehensive American system of navigation would be enacted.¹⁹

On 21 January 1786 Virginia called for the states to appoint commissioners to meet in convention "to consider how far a uniform system in their commercial regulations may be necessary to their common interest and their permanent harmony." On 20 March Governor Bowdoin turned this invitation over to the General Court, and four days later the Court appointed merchants Caleb Davis, Benjamin Goodhue, Tristram Dalton, and John Coffin Jones to be delegates, together with Massachusetts' agents dealing with New York over their disputed land claims (John Lowell, Theophilus Parsons, and James Sullivan).²⁰

Massachusetts political leaders were ambivalent about the chances of success for the convention, which was scheduled to meet in Annapolis in September 1786. Delegate to Congress Rufus King vacillated. In May he felt optimistic because of the quality of the delegates appointed. "If any thing can be concluded from the general Reputation of the Delegates already appointed, there is reason to hope that wisdom will govern their Deliberations, and that their Result will produce an union of Opinions on the subject of Commercial Regulations through all the States."²¹ But a month later, he felt that the forces in the Virginia legislature that originated the idea of the convention opposed national commercial policies in favor of "the particular Regulations of individual states."²²

For well over a year, Northerners had generally wanted to strengthen Congress' commercial powers, but they felt that Southerners opposed such measures. According to Rufus King, one-third of the states opposed any national commercial treaty or commercial regulatory power for Congress. Southerners believed that "their countries yielded a plentiful and valueable export in their Indigo, Rice, Wheat, & Tobacco, that

the freer the Trade the more valueable to the states possessing these Staples—that the more numerous the nations are who come to their countries to buy their Produce, the greater the competition among the purchasers, and consequently the higher the price at which the produce will sell; whilst the quantity of Goods in different hands suitable for their market may be purchased at a lower price than if the laws of trade restricted any power or nation in their intercourse. . . . the eastern states will consent to vest powers in Congress competent to a regulation of foreign commerce, but the Southern States will never consent to regulations.”²³

Others also felt that the convention was doomed to fail. Theodore Sedgwick, another Massachusetts delegate in Congress, had reason to believe that the convention had been called by Virginia “with an intention of defeating the enlargement of the powers of Congress.” If such were the case, and of this Sedgwick had “the most decisive evidence,” New England and the Middle States ought to create a separate confederacy without the Southern States, “for if we do not controul events we shall be miserably controuled by them. No other substitute can be devised than that of contracting the limits of the confederacy to such as are natural and reasonable, and within those limits instead of a nominal to institute a real, and an efficient government.”²⁴ Other opponents of the meeting “sounded the alarm that the liberties of the People were endangered by the plan of delegating additional powers to congress.” King’s early optimism wavered as he worried that the proposed convention “will go but a little way in Effecting those measures Essentially necessary for the prosperity and safety of the states.”²⁵

In early June 1786 Davis, Goodhue, Dalton, and Jones resigned as commissioners to the Annapolis Convention. On the 17th the legislature appointed four more commissioners (Francis Dana, Elbridge Gerry, Stephen Higginson, and George Cabot). Gerry declined a week later due to “private concerns.” In July the legislature instructed the commissioners to propose and attempt to carry “into effect a general regulation throughout the United States” that would require one-quarter (or some other percentage) of American exports should be paid for in “specie, in order to increase a medium of commerce, so much wanted throughout the union.” The legislature also authorized the governor and Council to fill any vacancies that might take place among the commissioners to the Annapolis Convention. (The legislature adjourned on 8 July.) By early August the three remaining commissioners appointed on 17 June had also resigned, as well as land agents Lowell, Parsons, and Sullivan. On 8 August the governor and Council requested that the commissioners living in or near Boston reconsider

their resignations. Three days later the governor and Council appointed Lieutenant Governor Thomas Cushing a commissioner and a warrant was drawn on the treasury for his expenses. A warrant was also drawn for Francis Dana of Cambridge who had changed his mind and decided to go to Annapolis. When the Council adjourned on 24 August, it believed that Higginson and Gerry had agreed to join Cushing and Dana. But it authorized the governor to appoint another delegate if the need should arise. Accordingly, sometime during the last week of August, Governor Bowdoin appointed Samuel Breck (a Boston delegate to the House of Representatives) as a commissioner.

Cushing, Dana, and Breck left Massachusetts for the Annapolis Convention on Saturday, 2 September. They reached New York City on Friday evening, the 8th. After resting their horses and conferring with Nathaniel Gorham, Massachusetts' only delegate to Congress then in New York, the Massachusetts commissioners resumed their journey on 11 September and arrived in Philadelphia on 13 September. That evening they conferred with Massachusetts congressional delegate Rufus King. Two days later, while within thirty miles of Rock Hall, Maryland, where the commissioners expected to cross Chesapeake Bay to Annapolis, they met the New York and New Jersey commissioners on their way home from the convention. Whereupon, the Massachusetts commissioners turned back.²⁶

The convention, with delegates from only five states present, had met on 11 September and adjourned on the 14th after recommending that a general convention be held in Philadelphia on the second Monday in May 1787 to revise the Articles of Confederation. Congress received the convention's report by 20 September, and submitted it to a grand committee on 11 October. Massachusetts delegate Rufus King thought the convention had "terminated without credit, or prospect of having done much good" and that Congress would "not interfere in such manner as to patronize the project." Congress, he told John Adams, "can do all that a convention can, and certainly with more safety to original principles."²⁷ Faced with such opposition to the convention and poor attendance, Congress took no further action on the report during the fall. Beginning in November various states, however, responded by electing delegates to the constitutional convention proposed by the Annapolis Convention.

On 27 September the *Massachusetts Centinel* printed an extract of a letter from one of the Massachusetts delegates who had met a New Jersey delegate. The letter explained why the Annapolis Convention had failed and what still had to be done to increase the powers of the central government. The commissions of the Annapolis delegates "were

inadequate to the great national objects in view;—that the subject merited powers more extensive;—and that it is necessary a new Convention should be held . . . whose business it should be, fully to investigate the powers which Congress now have, and to propose such additional ones, as well commercial as others, as would clearly establish that body, on a footing the most permanent;—that when these great national points were settled, they should be fairly stated to Congress, and if approved of by them, be recommended to the several States, for their ratification, which being obtained, should be binding on all.”

Governor James Bowdoin laid the report of the Annapolis Convention and other papers before the General Court on 2 October. Rufus King and Nathan Dane, Massachusetts delegates to Congress, addressed the House of Representatives on 11 October and 9 November, respectively. King told the House that “The Confederation was the act of the people. No part could be altered but by consent of Congress and confirmation of the several Legislatures. Congress therefore ought to make the examination first, because if it was done by a convention, no Legislature could have a right to confirm it. . . . Besides, if Congress should not agree upon a report of a convention, the most fatal consequences might follow. Congress therefore were the proper body to propose alterations.”²⁸ Dane suspected that the delegates to the Annapolis Convention wanted to discard the federal system and replace it with another.²⁹ The legislature did not act on the report of the Annapolis Convention during the fall session.

Perhaps the most dramatic event that changed the public perception in Massachusetts in favor of a constitutional convention and the need for a stronger central government was the agrarian unrest in the state beginning in summer and fall of 1786 and extending into early 1787. Known as Shays’s Rebellion, this agrarian discontent was a response to the state government’s program of rigorous taxation and debt collection implemented during and after the war. In the spring of 1786 towns throughout the state petitioned for relief, but the legislature made only minor and temporary concessions and “did not provide for the public Tranquility during their recess.”³⁰ Consequently, county conventions met in July and August in the eastern counties of Bristol and Middlesex and in the western counties of Worcester, Hampshire, and Berkshire. The conventions recommended several forms of debtor relief laws and a new state constitution. At the same time, the towns in the three counties in Maine peacefully petitioned to be separated from the state and allowed to create their own government.

In late August and September farmers joined together into armed groups called “regulators” and closed the courts in five counties. Despite their insistence that they supported reform and not rebellion, the

regulators were denounced as rebels who threatened the fabric of society and the principles of the Revolution. Consequently, in January 1787 the state government moved to crush the rebellion. It mobilized the militia in the east under the command of General Benjamin Lincoln and in the west under General William Shepard. Both men advanced on Springfield (the site of a federal arsenal), where large concentrations of "regulators" were stationed under the leadership of Daniel Shays, Luke Day, Eli Parsons, and Adam Wheeler. In late January Shepard's forces killed several rebels near Springfield. Lincoln joined Shepard and together they pursued and routed the insurgents. A number of insurgent leaders and their followers escaped across the state border. As late as July 1787, small groups of fugitive "regulators" crossed the border and raided in Massachusetts. Although never a major threat, the specter of Shays was kept before the public, and in May and June newspapers were filled with rumors that Shays and his men were planning "to make incursions into several parts of this state [Massachusetts], and to kill, plunder, burn, and destroy whatever comes in their way."³¹

Shays's Rebellion had an enormous impact on the attitudes of many men in Massachusetts and throughout America. Men such as Rufus King and Elbridge Gerry who had previously opposed the calling of a constitutional convention, now advocated one. King told Gerry that, although he still questioned "the legality of the measure, I think we ought not to oppose, but to coincide with this project. . . . Events are hurrying to a crisis; prudent and sagacious men should be ready to seize the most favourable circumstances to establish a more permanent and vigorous government."³² Other men, such as Confederation Secretary at War Henry Knox, a native of Massachusetts who had long advocated the strengthening of Congress, alarmingly spread the news about the rebellion. On 23 October 1786 Knox, who had just visited Massachusetts on the order of Congress to report on the rebellion, wrote George Washington that taxes were not the true cause of the rebellion. Knox explained that the "creed" of the insurgents was that the property of the United States "ought to be the common property of all" and that the insurgents were "determined to annihilate all debts public and private and have agrarian Laws which are easily effected by the means of unfunded paper money which shall be a tender in all cases whatever." Knox envisaged "a formidable rebellion against reason, the principles of all government, and the very name of liberty." He suggested that the government "be braced, changed, or altered to secure our lives and property."³³

Shays's Rebellion and other acts of violence throughout America shocked many members of Congress. Their dismay was heightened by state legislatures—particularly Rhode Island's—which enacted debtor relief laws or were excessively lenient toward lawbreakers. Consequently, they became more convinced of the need to strengthen the central government and to curtail the power of the state legislatures, whose excesses had endangered life, liberty, and property.

On 12 February 1787 Congress convened for the new federal year. A week later a grand committee approved the Annapolis Convention report by a one-vote margin and recommended that the states send delegates to the proposed convention to devise provisions to render the federal government "adequate to the exigencies of the Union."³⁴ On 21 February Congress read the report of the grand committee, but before any action was taken on it, the New York delegates to Congress moved to postpone the report so that Congress might consider a motion based upon instructions they had just received from the New York legislature. Adopted on 20 February, the instructions directed the delegates to propose that Congress call a convention "for the purpose of revising the Articles of Confederation . . . to render them adequate to the preservation and support of the Union." The convention was required to report any alterations and amendments to Congress and the states.³⁵ The New York instructions and motion ignored the Annapolis Convention's report and instead proposed that Congress call the convention at an unspecified time and place. They also disregarded the actions of the several states that had already elected delegates. Some congressmen questioned the sincerity of New York's proposal, coming, as it did, on the heels of the legislature's defeat of the Impost of 1783 on 15 February. In essentially disallowing the appointments of delegates already made, New York's recommendation might have frustrated all efforts to get a convention called. As a result, New York's motion was defeated.³⁶

Congress again postponed the consideration of the report of the grand committee and agreed to consider a motion by the Massachusetts delegates Rufus King and Nathan Dane, recommending that Congress call a convention "for the sole and express purpose of revising the Articles of Confederation," any "alterations and provisions" to go into effect when approved by Congress and the states.³⁷ The motion, moreover, acknowledged the Annapolis Convention's report by tacitly recognizing that some delegates had already been appointed and by specifying that these delegates should meet, with delegates to be appointed, at Philadelphia on the second Monday in May—the same date and place assigned by the Annapolis Convention's report.

Unlike the Annapolis Convention's report, the Massachusetts motion sharply and specifically limited the purpose of the proposed convention. The motion's preamble based the call for a convention on the fact that the Articles of Confederation contained a provision for altering them, that experience had revealed "defects" in the Confederation, that several states, particularly New York, had recommended a convention, and that a convention was "the most probable mean of establishing in these states a firm national government." The Massachusetts motion passed by a vote of eight states to one on 21 February. On the same day, Charles Thomson, secretary of Congress, transmitted the resolution to the state executives without comment.³⁸

On 31 January 1787, the Massachusetts General Court reconvened, and ten days later both houses reconstituted the joint committee to consider the report of the Annapolis Convention. On 19 February, Governor Bowdoin delivered to the legislature the Virginia and North Carolina acts authorizing the appointment of delegates to a constitutional convention, both of which included political statements about the crisis facing America. Bowdoin urged that "The Subject is important, and merits an attentive consideration."

On 21 February the joint committee reported to the Senate that five delegates be appointed to the constitutional convention to meet in Philadelphia. The delegates were authorized "to consider the trade & commerce of the United States" as well as alterations in the Articles of Confederation. "Such alterations & additions as may be made, to be however consistent with the true republican spirit & genius of the present articles of Confederation." The delegates were instructed not to alter provisions in the fifth article of the Articles of Confederation providing that congressional delegates should be elected annually, should be subject to recall by their state, should serve no more than three years out of any six, and should be prohibited from dual officeholding. The report of the convention was to be submitted to Congress and, if approved, Congress should submit the report or any part of it to the state legislatures for their approval. If the legislatures accepted the report, it would become part of the Articles of Confederation. Perhaps remembering the difficulty in appointing delegates to the Annapolis Convention, the resolution allowed the governor with the advice of the council to fill vacancies in the delegation. The Senate approved the resolution on 21 February, and the House concurred the next day.

On the same day the Senate proposed and the House agreed that the choice of delegates might originate in either house. On 23 February the House of Representatives reconsidered the mode of election and voted to have a joint ballot by both houses sitting in one room.

The Senate rejected this mode and proposed a joint committee to work out a new mode. The Senate appointed members to the committee. The House agreed to this committee and appointed members. On 1 March the joint committee reported to the House proposing that the delegates to the convention be elected by each house separately at the same time, and that those with a majority in both houses were to be declared elected. The House accepted this report the same day. On 2 March the Senate concurred. On that day, after the governor delivered the resolution of Congress of 21 February calling the convention, the House proposed and the Senate agreed to elect delegates at 11:00 A.M. on 3 March. When the votes of the two houses were compared, it was discovered that only Francis Dana had been chosen by both. Another ballot was taken and the two houses agreed to add Nathaniel Gorham, Elbridge Gerry, Rufus King, and Caleb Strong to the delegation.

On 7 March the House voted to repeal the resolve of 22 February and proposed a substitute. This new resolution based the election of Massachusetts delegates on Congress' 21 February resolution, eliminated the instructions to the delegates, and omitted the stipulation concerning approval by Congress. On 9 March the Senate attempted to restore the instructions, but the House rejected the Senate's proposal on the 10th. The Senate then acquiesced in the House's version of the resolution appointing convention delegates. Governor Bowdoin incorporated this new version of the resolution into the commissions he issued to each delegate on 9 April.

Massachusetts was the seventh state to appoint delegates; five others followed within a few months. Several days after the Constitutional Convention attained a quorum, Henry Knox wrote Mercy Warren that his "only hope of human assistance is founded on the convention. Should they possess the hardihood to be unpopular, and propose an efficient national government, free from the entanglements of the present defective state systems we may yet be a happy and great nation. . . . If the convention should propose to erect a temple to liberty on the solid, and durable foundation of Law and Justice, all men of principle in the first instance will embrace the proposal. Demagogues and vicious characters will oppose for a while—But reason will at length triumph. But should the convention be desirous of acquiring present popularity; Should they possess local and not general views; Should they propose a patch work to the present wretchedly defective thing called the confederation, look out ye patriots, Supplicate Heaven! for you will have need of its protection!"⁹⁹

The Massachusetts delegation of five to the Constitutional Convention was typical of the other delegations. Gorham, at 49, was the oldest;

King, at 32, was the youngest. The other three were 42, 43, and 44. Three of the delegates were lawyers, two were merchants. Several of the most prominent political figures in Massachusetts were not chosen, namely, John Adams, the U.S. minister in Great Britain, Confederation Secretary at War Henry Knox, William Cushing, Chief Justice of the Supreme Judicial Court, Governor James Bowdoin, John Hancock (soon to be elected governor), Samuel Adams (soon to be elected President of the state Senate), and James Warren (soon to be elected Speaker of the state House of Representatives). Except for Strong, all the delegates had been members of Congress. Gerry had served the longest, while Gorham was president in 1786. Strong had declined an appointment to Congress in 1780. Gerry signed the Declaration of Independence, while he and Dana subscribed the Articles of Confederation. Except for Gorham, the delegates were graduates of Harvard College; save for Gerry, they became members of the state ratifying convention.

Francis Dana did not attend the Constitutional Convention because of ill health. The others arrived in the Convention in late May. Caleb Strong left before 27 August due to an illness in his family. Gerry, Gorham, and King remained until the adjournment. The delegates came to the Constitutional Convention united in their support of a stronger central government and for limitations on the powers of the states. They firmly believed that a new federal system was necessary to protect Americans from foreign invasion and domestic unrest. Until 20 June, Nathaniel Gorham did not participate in the debates because he served as chairman of the committee of the whole. Gerry was the most frequent Massachusetts speaker, followed by King and Gorham. Strong spoke infrequently.⁴⁰ On 17 September Gorham and King signed the Constitution, Gerry did not.

Elbridge Gerry came to the Convention troubled. Shays's Rebellion and the democratic excesses in Rhode Island had shaken his faith in the republican ideology that had shaped his long public career. In his first speech delivered on 30 May, he objected to the resolution to abandon the federal government in favor of a national government. The delegates ought not, said Gerry, make such a distinction, "for if we do, it is questionable not only whether this convention can propose an government totally different or whether Congress itself would have a right to pass such a resolution."⁴¹ The next day, he admitted that he had "been too republican heretofore: he was still however republican, but had been taught by experience the danger of the levelling spirit." "The evils we experience," he said, "flow from the excess of democracy." The people, Gerry asserted, did not lack virtue, although they had been duped by "pretended patriots."⁴²

Gerry believed that some power had to be taken from the states and given to the central government. Such a step would not be easy because "The States & the advocates for them were intoxicated with the idea of their *sovereignty*."⁴³ According to Gerry, the Convention should propose changes that the people would be willing to adopt. He still felt that "their good sense will ever have its weight."⁴⁴ Something positive must be proposed or the Convention would "disappoint not only America, but the whole world."⁴⁵ "Unless a system of Government is adopted by *Compact*," Gerry feared that force would "plant the Standard: for such an anarchy as now exists cannot last long. Gentlemen seem to be impressed with the necessity of establishing some efficient system, & I hope it will secure us against domestic as well as Foreign Invasion."⁴⁶ If the Convention failed, Gerry saw "war and confusion" on the horizon because "the old confederation would be at an end."⁴⁷

Until mid-August, Gerry supported and, in fact, proposed many of the provisions that eventually became part of the Constitution. During the last month of the Convention, however, most of his proposals were rejected. Gerry favored a single executive to be advised by a privy council. He strongly opposed both the popular and congressional election of the President, stating that the latter was "radically and incurably wrong." At first Gerry preferred that the President be elected by the state governors but later supported his election by the state legislatures through special electors. In both cases, he wanted the votes of the states for the President to be weighted in favor of the more populous states. To protect his authority, the President should have a conditional veto that could be overridden by a two-thirds vote of both houses of Congress. Gerry proposed that the President have a long term, suggesting ten, fifteen, even twenty years, but with no reeligibility for a second term. The President should also be subject to impeachment and should not have the power to nominate judges. Gerry objected to the vice president sitting as president of the Senate, and, in fact, he opposed the creation of the office of vice president.

Gerry advocated that the people annually nominate and the state legislatures elect members of the House of Representatives. The Senate should be elected by some other method that would "secure more effectively a just preference of merit." The election of Senators by state legislatures for terms of four or five years seemed appropriate. "A longer term would defeat itself. It never would be adopted by the people."⁴⁸ The size of both houses should be large to guarantee an adequate representation, and only native-born citizens should be eligible for the House of Representatives. Rotation in office should be required,

while voting in both houses should be per capita, not by states. Members of Congress should be ineligible for other offices, and Congress should not have the power to determine where federal elections were to be held. Money bills should originate in the House of Representatives, whose complete journals should be published regularly. Exports should not be taxed. Gerry took issue with Congress' power over the state militias, a federal standing army in peacetime, the two-year appropriations for the military, federal intervention in rebellions without the application for assistance by the state legislatures, and the power to pass laws deemed necessary and proper.

Gerry favored the concept of judicial review but took exception to the requirement that federal and state officeholders take oaths to support the Constitution. He rejected the division of the large states into small states and proposed (and King seconded) a provision guaranteeing that new states would not have more votes than the original states in Congress. He opposed the three-fifths clause and the sanctioning of the foreign slave trade by a prohibition on Congress from interfering with it. Gerry wanted to guarantee the financial obligations of the Confederation, but he disapproved of the federal assumption of state debts. He supported a provision for amending the Constitution, objected to the use of state conventions to ratify the Constitution, and wanted to restore the Confederation Congress' role in approving the Constitution. The amending provisions of the Articles of Confederation should not be abandoned. Gerry proposed that Congress be prohibited from passing bills of attainder and ex post facto laws and insisted that the liberty of the press should "be inviolably observed." On 12 September he moved for the appointment of a committee to prepare a bill of rights, a motion that was defeated 10 states to none. Three days later Gerry outlined his objections to the Constitution, and on the 17th he refused to sign that document.

King agreed with Gerry that the Convention had to address the issue of "the phantom of *State* sovereignty" and strongly opposed the equality of the states in the Senate. He believed that the states should be preserved "in a subordinate degree."⁴⁹ King also worried "that an extreme caution in favor of liberty might enervate the Government" that the Convention was forming.⁵⁰ King seconded Gerry's motion providing for a presidential veto with a congressional override.⁵¹

In many areas King and Gorham differed from Gerry. King advocated that electors chosen by the people should elect the President, who should be eligible for reelection. He favored triennial elections for the House of Representatives. King also wanted Congress to have the power to regulate federal elections. He thought that the central government

should assume the public debt of the states. King did not support the three-fifths clause in principle but acquiesced in it. He supported duties on exports, and objected to the continuance of the foreign slave trade, especially with duty-free importations. King strongly advocated the ratification of the new plan of government by only nine states in specially called conventions. He did not favor congressional approbation of the new Constitution.

Gorham spoke less frequently than either Gerry or King. He favored union, a strengthened central government, and a distinction between the large and small states. This distinction would gradually disappear, Gorham suggested, as large states continually divided until all of the states attained a common small size. According to Gorham, "The strength of the general Govt. will lie not in the largeness, but in the smallness of the States."⁵² Gerry adamantly opposed the reduction of all states to a small size. Gorham and King opposed a jury trial in civil cases, while Gerry supported it.

Gorham supported a six-year term for Senators, with one-third being elected every two years. He wanted the President, with the advice and consent of the Senate, to appoint judges. Congress should have the power to create inferior courts, to regulate federal elections, and to guarantee a republican form of government in each state and suppress rebellions in them. Gorham objected to judicial participation in the veto power, the origination of money bills in the Senate, a provision for trial by jury in civil cases, and the ratification of the Constitution by state legislatures, especially if unanimity were required. On the last day of the Convention, Gorham proposed (and the Convention agreed) that the ratio of representation in the House of Representatives be increased from not more than 1:40,000 to not more than 1:30,000.

Although Gerry, Gorham, and King went into the Constitutional Convention supporting the creation of a strong central government, they left the Convention divided. King and Gorham returned to Massachusetts as staunch advocates of the new form of government. Gerry believed that the delegates went too far in empowering the central government. Refusing to sign the Constitution, Gerry left Philadelphia worried that Massachusetts and the rest of the country would be torn apart by civil strife.

1. CDR, 102.

2. CDR, 103.

3. CDR, 103-4.

4. Franklin B. Hough, ed., *Proceedings of a Convention of Delegates from Several of the New-England States, Held at Boston, August 3-9, 1780* . . . (Albany, 1867), 50-51, 52.

5. For the proceedings of the convention, see George Bancroft, ed., "Original Documents: A Hartford Convention in 1780," *Magazine of American History*, VIII (1882), 688-98.

6. 4 December 1780, quoted in Merrill Jensen, *The New Nation: A History of the United States During the Confederation 1781-1789* (New York, 1950), 49-50.

7. Gerry to the Massachusetts Assembly, 21 September 1780 and 9 February 1782, LMCC, V, 382-86; VI, 301.

8. *Massachusetts Session Acts, 1780-1782* (Boston, 1782), 162-63.

9. To Samuel Adams, 8 July 1782, Smith, *Letters*, XVIII, 625.

10. To Theophilus Parsons, [7-10] April 1783, Smith, *Letters*, XX, 141.

11. Rufus King to Caleb Davis, 17 October 1785, Smith, *Letters*, XXII, 690.

12. *An Act for the Regulation of Navigation and Commerce, 23 June 1785* (Evans 19083). The navigation act was partially repealed on 29 November 1785 by eliminating some of the discriminatory provisions against countries other than Great Britain. On 5 July 1786 the legislature repealed the act because "the good intentions" expected were "rendered inefficacious, for want of a co-operation of our Sister-States, in the salutary principles contained in the said Act." *Resolves of the General Court of the Commonwealth of Massachusetts* . . . [25 May-4 July 1785] (Boston, 1785), LXXVI, 38-39.

13. To Rufus King, 8 October 1785, King, *King*, I, 67-70.

14. Smith, *Letters*, XXII, 571, 611-14.

15. To Nathan Dane, 17 September 1785, Smith, *Letters*, XXII, 635.

16. 19 September, Bancroft, *Constitution*, I, 457.

17. 30 September 1785, Smith, *Letters*, XXII, 651.

18. Bancroft, *Constitution*, I, 199; Smith, *Letters*, XXII, 716.

19. To John Adams, 2 November 1785, and to Caleb Davis, 3 November 1785, Smith, *Letters*, XXII, 714-15, 718-19.

20. In mid-October 1783 the Massachusetts delegates in Congress announced that the western territory of New York rightfully belonged to Massachusetts under the charter of 1629. New York delegates to Congress and state officials disputed this claim. On 3 June 1784 Congress read a petition from Massachusetts formally claiming western New York and requesting the appointment of a federal commission to settle the dispute, as provided in Article IX of the Articles of Confederation. Congress ordered the two states to present their cases before Congress on 6 December 1784. After repeated delays in constituting a federal commission, the New York and Massachusetts legislatures passed acts authorizing their agents to settle their dispute without a federal commission. The agents met in Hartford, Conn., on 30 November 1786 and agreed that New York would retain the jurisdictional control over the disputed lands but that Massachusetts would retain the property rights.

21. To John Adams, 5 May 1786, Smith, *Letters*, XXIII, 269.

22. To Jonathan Jackson, 11 June 1786, Smith, *Letters*, XXIII, 353.

23. To Daniel Kilham, 25 July 1785, Smith, *Letters*, XXII, 531.

24. To Caleb Strong, 6 August 1786, Smith, *Letters*, XXIII, 436-37.

25. To Jonathan Jackson, 11 June 1786, Smith, *Letters*, XXIII, 352.

26. Cushing, Dana, and Breck to Governor James Bowdoin, 16 September 1786, *Miscellaneous Legislative Papers, Senate Files*, No. 416, M-Ar.

27. 2 October 1786, Smith, *Letters*, XXIII, 578-79.

28. King, Address to the Massachusetts House of Representatives, 11 October 1786, Smith, *Letters*, XXIII, 588.

29. Dane, Address to the Massachusetts House of Representatives, 9 November 1786, LMCC, VIII, 504.

30. James Warren to John Adams, 22 October 1786, *Warren-Adams Letters: Being Chiefly a Correspondence Among John Adams, Samuel Adams, and James Warren* (2 vols., Boston, 1917–1925), II, 278–79.
31. *Massachusetts Centinel*, 16 May 1787.
32. 11 February 1787, LMCC, VIII, 539.
33. W. W. Abbot, ed., *The Papers of George Washington: Confederation Series* (Charlottesville, Va., 1995), IV, 300–301.
34. JCC, XXXII, 42n–43n, 66n, 71–72; Rutland, *Madison*, IX, 290.
35. CDR, 186.
36. JCC, XXXII, 71–73. James Madison's Notes on Debates, 21 February 1787, Rutland, *Madison*, IX, 290–91.
37. CDR, 187.
38. JCC, XXXII, 73–74; CDR, 188; CC:1. James Madison to George Washington, 21 February, and Madison's Notes on Debates, 21 February, Rutland, *Madison*, IX, 286, 291–92.
39. 30 May 1787, Warren Papers, MHi; *Warren-Adams Letters*, II, 294–97. On 15 July, Knox wrote Rufus King, then serving in the Constitutional Convention. "The State systems are the accursed thing which will prevent our being a nation. The democracy might be managed, nay, it would remedy itself after being sufficiently fermented; but the vile State governments are sources of pollution, which will contaminate the American name for ages—machines that must produce ill, but cannot produce good; smite them in the name of God and the people." King, *King*, I, 95.
40. Based on James Madison's notes, Gerry spoke 119 times (the sixth most frequent), King 75 times (tied for eighth), Gorham 68 times (tenth place), and Strong but seven times.
41. Farrand, I, 42–43.
42. 31 May 1787, Farrand, I, 48. Madison had originally written "demagogues" but changed it at the time or later to "pretended patriots."
43. Farrand, I, 467.
44. Farrand, I, 221.
45. Farrand, I, 515.
46. To James Monroe, 11 June 1787, Worthington Chauncy Ford, ed., "Letters of Elbridge Gerry," *New England Historical and Genealogical Register*, XLIX (1895), 435.
47. Farrand, I, 519.
48. Farrand, I, 132, 425.
49. Farrand, I, 489–90, 492.
50. Farrand, II, 66.
51. Farrand, I, 107.
52. Farrand, II, 94.

Note on Sources

Legislative and Executive Records

The manuscript sources for the October 1787 session [17 October–24 November] and the February 1788 [27 February–1 April] sessions of the Massachusetts General Court are in the Massachusetts State Archives in Boston. These sources include: (1) the rough journal of the House of Representatives; (2) the rough journal of the Senate; (3) the smooth journal of the Senate (identified as “Court Records”); (4) drafts of resolutions (identified as “Resolves”); (5) engrossed acts (identified as “Acts”); (6) miscellaneous legislative papers, House files; and (7) miscellaneous legislative papers, Senate files. The last two collections include such executive documents as the speeches and messages of the governor of Massachusetts, and the letters from the secretary of the Confederation Congress. The manuscript journal of the governor’s Council is also in the Massachusetts State Archives.

Neither the journals of the House of Representatives nor the Senate for the October 1787 and February 1788 sessions have ever been printed. Shortly after each session, the acts were struck by the printers to the General Court (Adams and Nourse of Boston) as *Acts and Laws, Passed by the General Court of Massachusetts . . .* (Evans 20499, 21233). The resolutions (and the governor’s speeches and messages) were printed by Adams and Nourse as *Resolves of the General Court of the Commonwealth of Massachusetts . . .* (Evans 20517, 21246). These acts and resolutions were reprinted in *Acts and Laws of the Commonwealth of Massachusetts, 1780–1805* (13 vols., Boston, 1890–1898). The legislative roster for the House and Senate has been compiled from this source.

Personal Papers

Many private letters, diaries, and other manuscripts exist for the debate over the ratification of the Constitution in Massachusetts. Only the documentation for New York and Virginia rivals that for the Bay State. Both Federalists and Antifederalists are well represented. Letter writers and diarists represented a host of professions and occupations, such as lawyers, farmers, merchants, clergymen, physicians, land speculators, financial brokers, law students, and newspaper publishers. They held such positions as judges, legislators, state officeholders, justices of the peace, militia officers, state Convention delegates, members of the Confederation Congress, Confederation officeholders, Constitutional Convention delegates, and diplomats. Women also participated in the debate. These letter writers and diarists lived in approximately fifty towns

and cities widely scattered throughout Massachusetts, the other states, and Europe.

The most useful collections of personal papers are in the Massachusetts Historical Society. Among these are the papers of the Adams Family, Jeremy Belknap, William Heath, Theodore Sedgwick, and Mercy Warren. The Adams (608 reels), Heath (46 reels), and Warren (2 reels) papers are on microfilm; while the diary of John Quincy Adams (David Grayson Allen, ed.), the Belknap Papers, and the Warren Papers are published. Other good sources are the papers of William Cushing, Isaac Stearns, and James Sullivan. The Foster Autograph Collection also has some fine letters. The Society also holds an extensive collection of duplicate copies and photostats of Elbridge Gerry material, deposited by George Athan Billias after he completed his splendid biography of Gerry. The Society once housed the voluminous papers of Confederation Secretary at War Henry Knox, which were owned by the New England Historic Genealogical Society. These papers are now part of The Gilder Lehrman Collection and are on deposit at The Pierpont Morgan Library in New York City. The Knox Papers, on 55 reels of microfilm, includes drafts of his correspondence and letters from friends and political allies who kept him informed about Massachusetts politics and the progress of ratification while Knox served as Secretary at War in New York City. In turn, Knox passed this information on to others.

Several other Massachusetts libraries have helpful collections of documents. The Chamberlain Collection at the Boston Public Library has the papers of George Thatcher, whose numerous Maine correspondents kept him abreast of politics. Much of his correspondence, some of which is no longer extant in manuscript, is in *The Historical Magazine* (1869), edited by William F. Goodwin. The American Antiquarian Society owns the Isaiah Thomas Papers and the diaries of William Bentley and Jonathan Sayward. The Forbes Library, Northampton, houses the Caleb Strong Manuscripts.

Outside Massachusetts, the papers of Thomas Jefferson, James Madison, and George Washington in the Library of Congress contain useful material. The Jefferson papers contains many John Adams letters; while the papers of Madison and Washington are filled with letters keeping them up-to-date on the progress of ratification in Massachusetts. The Jefferson and Madison correspondence is printed under the editorship of Julian P. Boyd, and Robert A. Rutland and Charles F. Hobson, respectively. The papers of Washington, edited by W. W. Abbot, will appear shortly. The Maine Historical Society has the J. S. H. Fogg Autograph Collection, letters to George Thatcher, the journal of Dummer Sewall (in the Pejepscot Papers), and the Willis Papers, which includes

an important letter by Antifederalist William Symmes, Jr. The Benjamin Franklin Papers at the American Philosophical Society Library has his correspondence with Nathaniel Gorham. The Rufus King Papers at the New-York Historical Society contains his incoming correspondence and the draft of a point-by-point response to Elbridge Gerry's 18 October 1787 letter to the Massachusetts General Court explaining why Gerry did not sign the Constitution. Many of these documents appear in the edition of King's writings published by Charles R. King. The Special Manuscript Collection at the Columbia University Library has the letters of the Van Schaack family. The Brown University Library has the Isaac Backus Papers, including his diary, which is printed under William G. McLoughlin's editorship. The Andover Newton Theological School also has Backus material. The Jeremiah Wadsworth Papers at the Connecticut Historical Society includes letters from his Massachusetts correspondents. The Newberry Library houses the Henry Van Schaack Scrapbook, containing letters to him and some drafts of his correspondence. The Sang Collection, formerly at Southern Illinois University, contained the correspondence of Elbridge Gerry; since we obtained copies of these documents, this collection was sold at auction. However, some of these documents were published under the editorship of C. Harvey Gardiner. The Elbridge Gerry Papers at the Library of Congress includes photostats of many of the letters formerly in the Sang Collection, as well as photostats of other letters from the collection of the Gerry Estate of New York City.

Newspapers

Twelve newspapers were published in Massachusetts between 17 September 1787 and 1 April 1788. Eleven of them appeared during the entire period. During the debate over Massachusetts ratification, at least one newspaper appeared in Boston on every day of the week, except Sunday; outside Boston, two newspapers were printed on every Tuesday, two on Wednesday, and two on Thursday. Five newspapers were printed in Boston, the principal town and state capital, and one each in Newburyport, Salem, Worcester, Springfield, Northampton, Portland (Maine), and Pittsfield. Two Boston newspapers, the *Massachusetts Centinel* and *Massachusetts Gazette*, were semiweeklies, while the remaining ten were weeklies. (The *American Herald* became a semi-weekly with the issue of 28 February 1788.) Complete files exist for eight of the twelve newspapers. The *Boston Gazette* lacks one issue (21 January 1788); the *Cumberland Gazette* one (21 February 1788); and the *Hampshire Chronicle* three (18 September and 2 October 1787, and 19 March 1788). No issue of the *American Centinel* is extant.

Most newspapers were Federalist. The *Massachusetts Centinel* was the dominant Federalist paper. The *American Herald* was the preeminent Antifederalist one, although the *Independent Chronicle*, and *Massachusetts Gazette* (and to a lesser degree, the *Boston Gazette*) also printed significant amounts of Antifederalist material. The material published on the Constitution in Massachusetts was so voluminous that "A Friend for Liberty" noted that newspapers "are now more read than the bible at this time" (*Massachusetts Centinel*, 14 November 1787).

The five newspapers printed in Boston were the *Massachusetts Centinel*, *American Herald*, *Boston Gazette*, *Independent Chronicle*, and *Massachusetts Gazette*. The *Massachusetts Centinel* and *Independent Chronicle* had the most extensive circulation (Samuel Hall to Mathew Carey, 14 July 1788, Edward Carey Gardiner Collection, Mathew Carey Papers, PHi).

The *Massachusetts Centinel*, one of the most widely circulated newspapers in America, was published on Wednesdays and Saturdays by Benjamin Russell. A native of Boston, Russell was apprenticed to Isaiah Thomas (see below) in 1780 and 1781. Russell and William Warden published the first issue of the *Centinel* on 24 March 1784. Two years later, Russell became sole editor upon Warden's death.

Russell was an early advocate for a stronger central government. While the Constitutional Convention sat, the *Centinel* was filled with articles that advocated strengthening Congress. (For example, see CC:36, 45, 59.) After the Convention adjourned, Russell wrote articles and editorials supporting the new Constitution. He also participated in local politics, especially as a leader of Boston's tradesmen. As a member of a three-man committee, Russell drafted the report of the tradesmen who met in Boston's Green Dragon Tavern on 7 January 1788, two days before the state Convention convened, to voice their wholehearted support of the Constitution. His eulogist described him as "an ardent, sincere, enthusiastic Federalist,—an active and indefatigable Federalist,—a Federalist even before there was a constitution, a Federalist even before his party had taken its distinct name and character."

In a preface to his publication of the Constitution on 26 September, Russell said he strained "a nerve" to get this "HIGHLY INTERESTING and IMPORTANT communication . . . although lengthy" before his readers and the general public as quickly as possible. Although the masthead of the *Massachusetts Centinel* carried the motto "Uninfluenced by Party, we aim to be JUST," Russell strongly advocated the Constitution. An example of his partisanship is his comment upon publishing "New England" (CC:372)—an answer to the Antifederalist pamphlet, *Letters from the Federal Farmer* (CC:242): "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."

The *Centinel* specialized in the brief article that, in vigorous and colorful language, extolled the Constitution and its framers or scored its critics. In early October 1787, Russell announced that no Antifederalist essay would be published in the *Centinel* unless the author left his name to be made public if requested. Within a month, however, he succumbed to criticism and discarded this policy. (See "The Boston Press and the Constitution," 4 October–22 December, I below.) Russell published some Antifederalist items, although he usually printed accompanying Federalist items that refuted the Antifederalist pieces. He took notes of the debates in the Massachusetts Convention, which he published in the *Centinel*. (In October 1787 the *Centinel* printed the debates of the state House of Representatives on the resolutions for calling the Convention.)

No printer celebrated the ratification of the Constitution more originally. On 16 January, a week after Connecticut had ratified, Russell printed an illustration of five pillars, each representing a state that had ratified the Constitution, and a sixth pillar representing Massachusetts being positioned in the colonnade by the hand of God. Each time a state ratified, Russell added another pillar. (For the origins of the pillars metaphor, see "Raising the First Three Pillars to the Federal Superstructure," *Massachusetts Centinel*, 26 December, III below; and for facsimiles of Russell's illustration, see CC:Vol. 3, pp. 564–67, and CC:Vol. 6, pp. 381–83.)

The *American Herald* was published on Mondays by Edward Eveleth Powars, who also reprinted or printed several Antifederalist pamphlets (see below). While the Constitutional Convention was meeting, Powars advocated the acceptance of "the new Fœderal Constitution," which he believed the Convention would recommend (CC:60). After the Constitution appeared, he published almost no original material favoring the Constitution, although he reprinted Federalist, as well as Antifederalist, items from out-of-state newspapers, particularly from the Antifederalist Philadelphia *Independent Gazetteer* and *New York Journal* and the Federalist *Pennsylvania Gazette*.

Such a policy, plus Powars' criticism of the Federalist *Massachusetts Centinel's* restrictive publication policy, brought him under severe criticism. (See "The Boston Press and the Constitution," 4 October–22 December, I below.) "John De Witt" complained in the *Herald* of 3 December that Federalists sought "to fetter and suppress" the free discussion of the Constitution by "THREATNING" Powars and "DROPPING" their subscriptions to his newspaper (III below). Powars was

intent on keeping his newspaper "OPEN to all parties, and UNINFLUENCED by none" even though he might lose more customers (*American Herald*, 17 December, in "The Boston Press and the Constitution," 4 October–22 December, I below. The quoted material was probably a play on the *Centinel's* motto [above].). A correspondent in the *New York Journal*, 27 December, applauded Powars' impartiality, mentioned his loss of subscribers, and encouraged those who took Boston newspapers to subscribe to the *Herald* (III below).

In late December 1787, Powars was attacked by Federalists for his proposed republication, in pamphlet form, of the *Letters from a Federal Farmer*—a major Antifederalist work which New York Antifederalists were distributing widely (CC:242; and "The Circulation of the *Letters from the Federal Farmer* in Massachusetts," 28 December 1787–7 January 1788, III below). "Junius" wrote that, after reading an issue of the *Herald*, he "committed it to the flames. It was fraught (with some exceptions) with defamation and slander." Powars had made the *Herald* a "vehicle of so much stupidity, finished impudence and complete puppyism" (*Massachusetts Gazette*, 29 January 1788, III below). Another critic hoped that "the wise and honest part of the community" would not buy Powars' "anti-federal farrago" (*ibid.*, 1 January, in "The Circulation of the *Letters from the Federal Farmer* in Massachusetts," 28 December 1787–7 January 1788, III below).

Ignoring such threats and criticism, Powars expanded the *Herald* to a semiweekly on Thursday, 28 February. By the summer, however, cancelled subscriptions had taken their toll, and Powars was forced to cease publication on 30 June. Two months later he resumed publication of the *Herald* as a weekly on Thursdays in Worcester. In his first issue on 21 August, Powars stated that he was not a "dependent retainer of a party," that "TRUTH" was "his only object," and that he hoped "not to be the victim of this his unaltered determination."

The Boston Gazette, and the Country Journal, printed on Mondays by Benjamin Edes and Son (Benjamin, Jr.), had strong Antifederalist sympathies, but it also printed Federalist pieces. Before the Revolution, the *Gazette's* office was a favorite meeting place of Samuel Adams and other Revolutionary leaders, who filled its columns with anti-British propaganda. According to Isaiah Thomas, "no newspaper was more instrumental" than the *Gazette* in bringing about American independence. The *Gazette's* motto was "A FREE PRESS MAINTAINS THE MAJESTY OF THE PEOPLE." Its masthead included the Latin phrase "*Libertas et natale solum*" (Liberty and native land).

The Independent Chronicle: and the Universal Advertiser, published on Thursdays, had strong Antifederalist leanings, although it, too, published Federalist material. Its publishers, Thomas Adams and John

Nourse, were also printers to the General Court. A frequent contributor to the *Chronicle* was Antifederalist Benjamin Austin, Jr., who had replaced Samuel Adams as leader of the North End mob. Like the *Massachusetts Centinel*, the *Chronicle* published reports of the debates of the Massachusetts ratifying convention and its own illustration of the pillars of ratification.

The *Massachusetts Gazette*, published on Tuesdays and Fridays by John Wincoll Allen, was probably the state's most impartial newspaper. Although it published many Federalist pieces, it printed more original Antifederalist material than any other Massachusetts newspaper. On 1 January 1788, Allen made the usual printer's plea, requesting payment from his subscribers. He predicted that 1788 would be "no less important to the liberties of Americans of the present generation, than to the peace and tranquillity of unborn millions in future ages. . . . The establishment of our 'dear country' on the firm basis of federal, energetic 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" (III below).

The Essex Journal & New-Hampshire Packet, printed on Wednesdays by William Hoyt, was a solid Federalist newspaper. It reflected the attitudes of Newburyport's commercial community which hoped that the Constitution would resolve the town's economic and political difficulties. (See Paul D. Marsella, "Propaganda Trends in the *Essex Journal and New Hampshire Packet*, 1787–1788," *Essex Institute Historical Collections*, 114 [1978], 161–78.)

The Salem Mercury; Political, Commercial, and Moral, a Federalist newspaper published on Tuesdays by John Dabney and Thomas C. Cushing, was somewhat unique. Unlike most newspapers, the *Salem Mercury*, when reprinting unsigned items and reports, often summarized them, reprinted only parts of them, or even combined excerpts from different reprinted items. Moreover, it often did not identify the source of the material it was reprinting, thereby seeming to print new articles. Sometimes, the *Mercury* would both summarize and quote from an article. Thus it can be difficult to distinguish what was original to the *Mercury* from what was obtained from other newspapers.

In April 1775 Isaiah Thomas moved his pro-patriot *Massachusetts Spy* from Boston to Worcester. He stopped publication of the *Spy* on 30 March 1786 to protest an act passed the previous year laying a tax on

newspaper advertisements. On 11 April Thomas, to circumvent the tax, commenced publication of the octavo-size *Worcester Magazine*. Appearing on Thursdays, the *Magazine* was dated only by the week of the month and the year (e.g., third week in November 1787). After the tax on advertisements was repealed, Thomas restored the newspaper format on 3 April 1788, with the title *Thomas's Massachusetts Spy*. He adopted the motto "The Liberty of the Press is essential to the Security of Freedom" taken from Article XVI of the Massachusetts Declaration of Rights of 1780 (Appendix I). The *Worcester Magazine* was staunchly Federalist. It did not print an original Antifederalist essay until 7 February 1788, asserting on that date that "The following [article] 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." The *Magazine*, however, reprinted some Antifederalist material from other newspapers. Thomas was more than just a newspaper publisher; he also published books, pamphlets, and a widely circulated almanac. Benjamin Franklin, who had appointed him postmaster of Worcester in 1775 (a position Thomas still held in 1787–88), called him "the Baskerville of America."

In September 1787 the mildly Federalist *Hampshire Chronicle: Political and Historical, Moral and Entertaining*, established in March 1787 by John Russell and "Published every Tuesday Evening," was located in the Connecticut River town of Springfield. In May Zephaniah Webster joined Russell, but the partnership dissolved with the issue of 9 October. Webster "relinquished" the newspaper to Ezra W. Weld and Isaiah Thomas with the issue of 8 January 1788. The new editors, also Federalists, adopted the motto: "*An impartial Administration of JUSTICE, is the Glory and Ornament of a wise and good GOVERNMENT.*" (The *Chronicle's* motto had been "BE JUST AND FEAR NOT.") In the issue of 15 January, Weld and Thomas announced that the *Chronicle* "will in future be published on *Wednesdays.*"

The Federalist *Hampshire Gazette* was published on Wednesdays in the Connecticut River town of Northampton by William Butler, who had started the newspaper in early September 1786 "by the advice and encouragement of a number of Gentlemen" in Hampshire County. The primary object of the *Hampshire Gazette* was to defend and support the state government against the "regulators" or Shaysite insurgents, who were active from the summer of 1786 through mid-February 1787. In the ratification debate, Butler published some original Federalist articles, but most important he reprinted eleven of the thirteen strongly

Federalist essays of "A Landholder" (Oliver Ellsworth), which were originally printed in the *Connecticut Courant* and *American Mercury* of the Connecticut River town of Hartford.

The Portland *Cumberland Gazette*, published on Thursdays by Antifederalist Thomas B. Wait, reprinted both Antifederalist and Federalist items from other states. (Two issues in November 1787 were printed on Fridays.) Wait strongly supported the inclusion of a bill of rights in the Constitution. (See his 8 January 1788 letter to George Thatcher, III below.)

The Pittsfield *American Centinel* was apparently established in late September 1787 by Ezekiel Russell and Roger Storrs. No issue of the *Centinel* is extant.

Useful secondary accounts on newspapers and newspaper publishers are: Isaiah Thomas, *The History of Printing in America*, ed. Marcus A. McCorison (1st ed., 1810; 2nd ed., 1874; New York, 1970); Joseph T. Buckingham, *Specimens of Newspaper Literature: With Personal Memoirs, Anecdotes, and Reminiscences* (2 vols., Boston, 1850); Benjamin Franklin V, ed., *Boston Printers, Publishers, and Booksellers: 1640–1800* (Boston, 1980); and Carol Sue Humphrey, *"This Popular Engine": New England Newspapers during the American Revolution, 1775–1789* (Newark, Del., 1992).

Pamphlets and Broad-sides

In addition to being reprinted in eleven Massachusetts newspapers, the Constitution also appeared in pamphlets and as a broadsheet. From October 1787 to the meeting of the Massachusetts Convention on 9 January 1788, the Constitution was published as a two-page broadsheet by Benjamin Edes and Son of the *Boston Gazette* (Evans 20809); as a thirty-two-page pamphlet by Adams and Nourse, printers to the General Court and publishers of the *Boston Independent Chronicle* (Evans 20801); and in an almanac for 1788 struck by Isaiah Thomas of the *Worcester Magazine* (Evans 20392). The Adams and Nourse pamphlet, which also included the legislature's resolutions calling a state convention, was distributed to every town and district in the state by order of the General Court. The Constitution was apparently also printed as two sixteen-page and two twenty-page editions by John and Thomas Fleet, prominent Boston book publishers and booksellers (Evans 20799, 20800, 45180). The twenty-page edition included the congressional resolution of 28 September 1787 submitting the Constitution to the states and the General Court's resolutions calling a state convention. It is also possible that a pamphlet was issued by the printers of the *Salem Mercury*. (See "The Publication of the Constitution in Massachusetts," 25 September 1787–9 January 1788, I below.)

Except for the press of Edward Eveleth Powars of the *American Herald*, no broadsides or pamphlets concerning the Constitution were printed in Massachusetts during the public debate over ratification. In mid-November 1787 Powars apparently struck a one-page broadside entitled *Disadvantages of Federalism, Upon the New Plan* that was signed "Truth" (Evans 45060). In late 1787 or early 1788 he possibly reprinted *Letters from the Federal Farmer*, a forty-page Antifederalist pamphlet that was originally published in New York in early November 1787 (CC:242). Powars first advertised the sale of this pamphlet on 7 January 1788. In mid-to-late January or early February, Powars reprinted "The Dissent of the Minority of the Pennsylvania Convention" as a twenty-two-page pamphlet (Evans 20619). The "Dissent," published originally in the *Pennsylvania Packet* on 18 December 1787, included the amendments to the Constitution that Antifederalists had recommended in the Pennsylvania Convention (CC:353). About three weeks after the Massachusetts Convention ratified the Constitution on 6 February 1788, Powars probably published the nineteen-page Antifederalist pamphlet (original to Massachusetts) by "A Columbian Patriot" (Mercy Warren) entitled *Observations on the New Constitution, and on the Federal and State Conventions* (Evans 21111; and CC:581).

In mid-August 1788, after eleven states had ratified the Constitution, another original Massachusetts pamphlet concerning the Constitution was printed. Signed by "A Native of Boston" (Jonathan Jackson), this 209-page Federalist pamphlet was entitled *Thoughts Upon the Political Situation of the United States of America, in Which that of Massachusetts Is More Particularly Considered . . .* (Evans 21173). It was printed by Isaiah Thomas of the Worcester *Massachusetts Spy*. (For a summary of this pamphlet, see CC:828, pp. 329–30; and for its complete text, see Mfm:Mass.)

Convention Sources

Extensive sources for the Massachusetts Convention are located in the Massachusetts State Archives, in a volume labeled "Constitutional Convention 1788":

- certificates of election for the Convention's delegates
- the manuscript journal of the Convention
- the payroll of travel and attendance for the Convention's delegates
- remonstrances from some inhabitants of various towns protesting the elections of Convention delegates
 - committee reports on election returns and on these remonstrances
 - petition of printers requesting a place from which to hear the debates

- committee report on finding a more suitable meeting place
- an invitation from delegate Samuel Adams to the delegates to attend the funeral of his son
- questions to and answers from Constitutional Convention delegate Elbridge Gerry who was requested to attend the state Convention
- statements of individual delegates concerning their absences
- report of the committee to consider the amendments proposed by John Hancock, President of the Convention
- draft and retained copies of the Form of Ratification and
- retained copy of the Convention's recommended amendments to the Constitution that were sent to the other states.

In addition to the election certificates of the Convention delegates, which usually contained only the names of the delegates elected and the date of the election, information about the election of Convention delegates is found in town records. Many of these records have been obtained from the microfilm made of the Massachusetts and Maine towns for the Family History Library of the Church of Jesus Christ of Latter-Day Saints, Salt Lake City, Utah. Information from town records has also been obtained from *Massachusetts Vital Records, 1620-1900*, compiled by Jay Mack Holbrook and published on microfiche by the Holbrook Research Institute of Oxford, Mass. This microfiche contains the records of more than 225 Massachusetts towns, with more being added. Additional information on the elections has been gathered from letters, diaries, newspapers, town and county histories, local historical societies, and the offices of town clerks.

The Massachusetts and Maine town records include (1) warrants of town selectmen requiring constables to notify the inhabitants of a town to attend a meeting to elect delegates; (2) returns of town constables indicating that they executed the selectmen's warrants; (3) minutes of the town meetings at which delegates were elected; and (4) instructions of the town meetings to their elected delegates.

The Form of Ratification forwarded to the Confederation Congress is in the National Archives, Washington, D.C. Copies of the recommended amendments the Convention sent to the other states have been found in several libraries. A document identified as "Original List of *Yeas and Nays*, on the Question for ratifying the Constitution of the Un:S. 1788. Att. GR Minot. Secry" is in the Massachusetts Historical Society.

The journal of the Convention was not printed in 1788, but the debates, taken from reports printed in the *Massachusetts Centinel* and *Independent Chronicle* (and reprinted in many newspapers), were, in March 1788, "Printed and sold by ADAMS and NOURSE, in Court-Street; and

BENJAMIN RUSSELL, and EDMUND FREEMAN, in State-Street” as *Debates, Resolutions and Other Proceedings, of the Convention of the Commonwealth of Massachusetts . . .* (Evans 21242). A second edition of the debates was published in 1808. Between 1827 and 1830, Jonathan Elliot published, in four volumes, *The Debates, Resolutions, and other Proceedings, in Convention, on the Adoption of the Federal Constitution. . . .* The debates for the Massachusetts Convention are in the second volume. Elliot’s *Debates* has gone through many editions.

In 1856 the General Court ordered the publication of the record of the Massachusetts Convention. The 442-page volume, struck by the state printer under the direction of a committee of the legislature, is entitled *Debates and Proceedings in the Convention of the Commonwealth of Massachusetts, Held in the Year 1788, and Which Finally Ratified the Constitution of the United States*. This volume includes:

- the commission of Massachusetts’ delegates to the Constitutional Convention
 - the U.S. Constitution
- Governor John Hancock’s 18 October 1787 speech to the General Court
 - a newspaper account of the General Court’s proceedings and debates on the resolution calling a state convention
 - the 25 October 1787 resolutions calling a state convention
 - Elbridge Gerry’s 18 October 1787 letter to the General Court explaining why he had not signed the Constitution
 - the journal of the Convention
 - the debates of the Convention
 - an excerpt from Governor Hancock’s 27 February 1788 speech to the General Court
 - Convention delegate Theophilus Parsons’ notes of debates (15–28 January 1788)
 - the 29 March 1788 action of the General Court rejecting a resolution for printing an address of a Convention committee (appointed on 7 February) to the people
 - accounts of the Boston procession celebrating ratification
 - two songs celebrating ratification by Massachusetts and the other states
 - “Spirit of the Press” (ten major newspaper essays supporting and opposing the Constitution that were reprinted [nine from out-of-state] in the Boston *Independent Chronicle*)
 - several letters from Henry Knox, James Madison, Benjamin Lincoln, and George Washington about the Massachusetts Convention and its ratification of the Constitution and

- the first twelve amendments to the U.S. Constitution.

The Convention journal and debates are supplemented by the scattered proceedings published in newspapers, and the drafts of speeches and resolutions and the notes taken by Convention members. The numerous letters and diaries written by Convention delegates, non-delegates attending the debates, and commentators on the actions of the Convention constitute another valuable source.

Secondary Accounts

A fine overview of the entire colonial period of Massachusetts history, with a substantial bibliography, is Benjamin W. Labaree, *Colonial Massachusetts: A History* (Millwood, N.Y., 1979). Some of the major published accounts on Massachusetts government, politics, and law just prior to and during the American Revolution (as well as some documentary histories) are: Willi Paul Adams, *The First American Constitutions: Republican Ideology and the Making of the State Constitutions in the Revolutionary Era* (Chapel Hill, N.C., 1980); Bernard Bailyn, *The Ordeal of Thomas Hutchinson* (Cambridge, Mass., 1974); Robert E. Brown, *Middle-Class Democracy and the Revolution in Massachusetts, 1691–1780* (Ithaca, N.Y., 1955); Richard L. Bushman, *King and People in Provincial Massachusetts* (Chapel Hill, N.C., 1985); Oscar and Mary Handlin, eds., *The Popular Sources of Political Authority: Documents on the Massachusetts Constitution of 1780* (Cambridge, Mass., 1966); Merrill Jensen, *The Founding of a Nation: A History of the American Revolution, 1763–1776* (New York, 1968); John M. Murrin, "From Liberties to Rights: The Struggle in Colonial Massachusetts," in Patrick T. Conley and John P. Kaminski, eds., *The Bill of Rights and the States: The Colonial and Revolutionary Origins of American Liberties* (Madison, Wis., 1992), 63–99; William E. Nelson, *Americanization of the Common Law: The Impact of Legal Change on Massachusetts Society, 1760–1830* (Cambridge, Mass., 1975); Stephen E. Patterson, *Political Parties in Revolutionary Massachusetts* (Madison, Wis., 1973); William Pencak, *War, Politics, & Revolution in Provincial Massachusetts* (Boston, 1981); Ronald M. Peters, Jr., *The Massachusetts Constitution of 1780: A Social Compact* (Amherst, Mass., 1978); John Phillip Reid, *In a Defiant Stance: The Conditions of Law in Massachusetts Bay, the Irish Comparison, and the Coming of the American Revolution* (University Park, Pa., 1977); and Robert J. Taylor, ed., *Massachusetts, Colony to Commonwealth: Documents on the Formation of Its Constitution, 1775–1780* (Chapel Hill, N.C., 1961).

The major accounts of Massachusetts during the Confederation are: Van Beck Hall, *Politics Without Parties: Massachusetts, 1780–1791* (Pittsburgh, 1972); John L. Brooke, "To the Quiet of the People: Revolutionary Settlements and Civil Unrest in Western Massachusetts, 1774–

1789," *William and Mary Quarterly*, 3rd ser., 46 (1989), 425–62; Robert A. East, "The Massachusetts Conservatives in the Critical Period," in Richard B. Morris, ed., *The Era of the American Revolution: Studies Inscribed to Everts Boutell Greene* (New York, 1939), 349–91; Stephen E. Patterson, "The Roots of Massachusetts Federalism: Conservative Politics and Political Culture before 1787," in Ronald Hoffman and Peter J. Albert, eds., *Sovereign States in an Age of Uncertainty* (Charlottesville, Va., 1981), 31–61; and Robert J. Taylor, *Western Massachusetts in the Revolution* (Providence, 1954).

On the economy and economic policies, see Christopher Clark, *The Roots of Rural Capitalism: Western Massachusetts, 1780–1860* (Ithaca, N.Y., 1990); Oscar Handlin and Mary Flug Handlin, *Commonwealth, A Study of the Role of Government in the American Economy: Massachusetts, 1774–1861* (1947; rev. ed., Cambridge, Mass., 1969); H. James Henderson, "Taxation and Political Culture: Massachusetts and Virginia, 1760–1800," *William and Mary Quarterly*, 3rd ser., 47 (1990), 90–114; Samuel Eliot Morison, *The Maritime History of Massachusetts, 1783–1860* (1921; rev. ed., Boston, 1961); Benjamin W. Labaree, *Patriots and Partisans: The Merchants of Newburyport, 1764–1815* (Cambridge, Mass., 1962); Stephen E. Patterson, "After Newburgh: The Struggle for the Impost in Massachusetts," in James Kirby Martin, ed., *The Human Dimensions of Nation Making: Essays on Colonial and Revolutionary America* (Madison, Wis., 1976), 218–42; Winifred Barr Rothenberg, *From Market-Places to a Market Economy: The Transformation of Rural Massachusetts, 1750–1850* (Chicago, 1992); Conrad Edick Wright, ed., *Massachusetts and the New Nation* (Boston, 1992); and William Frank Zornow, "Massachusetts Tariff Policies, 1775–1789," *The Essex Institute Historical Collections*, 90 (1954), 194–215. Useful doctoral dissertations are: Rhoda M. Dorsey, "The Resumption of Anglo-American Trade in New England, 1783–1794" (University of Minnesota, 1956); and John Douglas Forbes, "The Port of Boston, 1783–1815" (Harvard University, 1937).

On Shays's Rebellion, see David P. Szatmary, *Shays' Rebellion: The Making of an Agrarian Insurrection* (Amherst, Mass., 1980); Robert A. Gross, ed., *In Debt to Shays: The Bicentennial of an Agrarian Rebellion* (Charlottesville, Va., 1993); Richard D. Brown, "Shays's Rebellion and the Ratification of the Federal Constitution in Massachusetts," in Richard Beman, Stephen Botein, and Edward C. Carter II, eds., *Beyond Confederation: Origins of the Constitution and American National Identity* (Chapel Hill, N.C., 1987), 113–27; Robert A. Feer, *Shays's Rebellion* (1958; New York, 1988); Robert A. Feer, "Shays's Rebellion and the Constitution: A Study in Causation," *New England Quarterly*, 42 (1969), 388–410; Martin Kaufman, ed., *Shays' Rebellion: Selected Essays* (Westfield,

Mass., 1987); George Richards Minot, *The History of the Insurrections, in Massachusetts, In the Year MDCCLXXXVI, and the Rebellion Consequent Thereon* (1788; reprint ed., New York, 1971); and Joseph Parker Warren, "The Confederation and Shays's Rebellion," *American Historical Review*, 11 (1905), 42–67. See also a doctoral dissertation by Rock Brynner, " 'Fire Beneath Our Feet': Shays's Rebellion and Its Constitutional Impact" (Columbia University, 1993).

On the ratification of the Constitution, see Samuel Bannister Harding, *The Contest Over the Ratification of the Federal Constitution in the State of Massachusetts* (New York, 1896); Charles Warren, "Elbridge Gerry, James Warren, Mercy Warren and the Ratification of the Federal Constitution in Massachusetts," *Massachusetts Historical Society Proceedings*, LXIV (1930–1932), 143–64; Thomas H. O'Connor and Alan Rogers, *This Momentous Affair: Massachusetts and the Ratification of the Constitution of the United States* (Boston, 1987); John J. Fox, "Massachusetts and the Creation of the Federal Union, 1775–1791," in Patrick T. Conley and John P. Kaminski, eds., *The Constitution and the States: The Role of the Original Thirteen in the Framing and Adoption of the Federal Constitution* (Madison, Wis., 1988), 113–30; and Michael Allen Gillespie, "Massachusetts: Creating Consensus," in Gillespie and Michael Lienesch, eds., *Ratifying the Constitution* (Lawrence, Kan., 1989), 138–67.

On the three Maine counties (Cumberland, Lincoln, and York) of Massachusetts, see Ronald F. Banks, *Maine Becomes a State: The Movement to Separate Maine from Massachusetts, 1785–1820* (Middletown, Conn., 1970); Charles E. Clark, James S. Leamon, and Karen Bowden, eds., *Maine in the Early Republic: From Revolution to Statehood* (Hanover, N.H., 1988); James S. Leamon, *Revolution Downeast: The War for American Independence in Maine* (Amherst, Mass., 1993); James S. Leamon, "In Shays's Shadow: Separation and Ratification of the Constitution in Maine," in Robert A. Gross, ed., *In Debt to Shays: The Bicentennial of an Agrarian Rebellion* (Charlottesville, Va., 1993), 281–96; and Alan Taylor, *Liberty Men and Great Proprietors: The Revolutionary Settlement on the Maine Frontier, 1760–1820* (Chapel Hill, N.C., 1990).

Many biographies exist for the major political figures of Massachusetts. Among the best ones are:

- John Adams: by Page Smith, Joseph J. Ellis, John Ferling, Peter Shaw, and Gilbert Chinard
- John Quincy Adams: by Robert A. East
- Samuel Adams: by John C. Miller, William V. Wells, Ralph Volney Harlow, and James K. Hosmer. Also Clifford K. Shipton, *Sibley's Harvard Graduates: Biographical Sketches of Those Who Attended Harvard College [1691–1771]* (14 vols., Cambridge, Mass., 1933–1975), X, 420–65; and

Pauline Maier, *The Old Revolutionaries: Political Ideas in the Age of Samuel Adams* (New York, 1980), 3–50.

- Fisher Ames: by Winfred E. A. Bernhard
- James Bowdoin: by Gordon E. Kershaw
- Elbridge Gerry: by George Athan Billias and James T. Austin
- Christopher Gore: by Helen R. Pinckney
- John Hancock: by William M. Fowler, Jr., and Herbert S. Allan
- Rufus King: by Robert Ernst and Charles R. King
- Henry Knox: by North Callahan, Noah Brooks, and Francis S.

Drake

- Benjamin Lincoln: by David B. Mattern
- Theophilus Parsons: by Theophilus Parsons, Jr.
- Theodore Sedgwick: by Richard E. Welch, Jr.
- James Sullivan: by Thomas C. Amory
- Isaiah Thomas: by Clifford K. Shipton, and
- Mercy Warren: by Jean Fritz and Jeffrey H. Richards.

Shipton's continuation of *Sibley's Harvard Graduates* (see above) is invaluable for any study of eighteenth-century Massachusetts. Other general biographical works are: Massachusetts, Secretary of the Commonwealth, *Massachusetts Soldiers and Sailors of the Revolutionary War* (17 vols., Boston, 1896–1908); Ann Smith Lainhart, ed., *First Boston City Directory (1789), Including Extensive Annotations by John Haven Dexter (1791–1876)* (Boston, 1989); Bradford Adams Whittemore, *Memorials of the Massachusetts Society of the Cincinnati* (Boston, 1964); and the almanacs published by John and Samuel Fleet of Boston. For the years 1779 to 1800, these almanacs contain *The Massachusetts Register*, a directory that includes, among other things, the names of executive, militia, and judicial officers; members of the General Court; ministers, churches, and religious assemblies; barristers and attorneys at law; naval officers for the various ports; and the town officials of Boston. Beginning in 1801 *The Massachusetts Register* became a separate publication.

Several research and bibliographic aids (listed chronologically) have facilitated our work: Massachusetts, Secretary of the Commonwealth, *Historical Data Relating to Counties, Cities and Towns in Massachusetts*. Prepared by Kevin H. White ([Boston], 1966); John D. Haskell, Jr., ed., *Massachusetts: A Bibliography of Its History* (Boston, 1976); John D. Haskell, Jr., ed., *Maine: A Bibliography of Its History* (Boston, 1977); Edward W. Hanson and Homer Vincent Rutherford, "Genealogical Research in Massachusetts: A Survey and Bibliographical Guide," *New England Historical and Genealogical Register*, 135 (1981), 163–98; Martin Kaufman, John W. Ifkovic, and Joseph Carvalho III, eds., *A Guide to the History of Massachusetts* (Westport, Conn., 1988), especially the article

by Bruce C. Daniels, covering the era of the American Revolution in Massachusetts; Roger Parks, ed., *New England: Additions to the Six State Bibliographies* (Hanover, N.H., 1989); and Nancy H. Burkett and John B. Hench, eds., *Under Its Generous Dome: The Collections and Programs of the American Antiquarian Society* (2nd ed., rev., Worcester, 1992).

Symbols

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

Manuscripts

Dft	Draft
DS	Document Signed
FC	File Copy
MS	Manuscript
RC	Recipient's Copy

Manuscript Depositories

CSmH	Henry E. Huntington Library
CtY	Yale University
DLC	Library of Congress
M-Ar	Archives Division, Secretary of State, Boston
MB	Boston Public Library
MH	Harvard University
MHi	Massachusetts Historical Society
MNF	Forbes Library, Northampton
MWA	American Antiquarian Society
MeHi	Maine Historical Society
NHi	New-York Historical Society
PHi	Historical Society of Pennsylvania
PPAmP	American Philosophical Society

Short Titles

<i>Acts and Laws, 1786</i>	<i>Acts and Laws</i> . . . [1 February–24 March 1786] (Boston, 1786) (Evans 19778).
<i>Adams, Defence of the Constitutions</i>	John Adams, <i>A Defence of the Constitutions of Government of the United States of America</i> . . . (3 vols., London, 1787–1788).
<i>Adams, Works</i>	Charles Francis Adams, ed., <i>The Works of John Adams, Second President of the United States: With a Life of the Author</i> (10 vols., Boston, 1850–1856).
<i>Allen, JQA Diary</i>	David Grayson Allen et al., eds., <i>Diary of John Quincy Adams</i> (Cambridge, Mass., 1981–).

- Amory, *Sullivan* Thomas C. Amory, *Life of James Sullivan: With Selections from His Writings* (2 vols., Boston, 1859).
- Bancroft, *Constitution* George Bancroft, *History of the Formation of the Constitution of the United States of America* (2 vols., New York, 1882).
- Belknap Correspondence* "The Belknap Papers," *Collections of the Massachusetts Historical Society*, 5th series, Vol. II (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.
- Boyd Julian P. Boyd et al., eds., *The Papers of Thomas Jefferson* (Princeton, N.J., 1950–).
- 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).
- Farrand, *Supplement* James H. Hutson, ed., *Supplement to Max Farrand's The Records of the Federal Convention of 1787* (New Haven, 1987).
- Hall, *Politics Without Parties* Van Beck Hall, *Politics Without Parties: Massachusetts, 1780–1791* (Pittsburgh, 1972).
- Jensen, *English Historical Documents* Merrill Jensen, ed., *English Historical Documents: American Colonial Documents to 1776* (New York, 1955).
- JCC Worthington C. Ford et al., eds., *Journals of the Continental Congress, 1774–1789 . . .* (34 vols., Washington, D.C., 1904–1937).
- King, *King* Charles R. King, ed., *The Life and Correspondence of Rufus King . . .* (6 vols., New York, 1894–1900).
- LMCC Edmund C. Burnett, ed., *Letters of Members of the Continental Congress* (8 vols., Washington, D.C., 1921–1936).
- Morris, *Forging of the Union* Richard B. Morris, *The Forging of the Union, 1781–1789* (New York, 1987).

- 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.
- Resolves, 1787* *Resolves of the General Court . . .* [17 October–24 November 1787] (Boston, 1787) (Evans 20517).
- Rutland, *Madison* Robert A. Rutland et al., eds., *The Papers of James Madison*, Volumes VIII– (Chicago and Charlottesville, 1973–).
- Rutland, *Mason* Robert A. Rutland, ed., *The Papers of George Mason, 1725–1792* (3 vols., Chapel Hill, N.C., 1970).
- Smith, *Letters* Paul H. Smith, ed., *Letters of Delegates to Congress, 1774–1789* (Washington, D.C., 1976–).
- Szatmary, *Shays' Rebellion* David P. Szatmary, *Shays' Rebellion: The Making of an Agrarian Insurrection* (Amherst, Mass., 1980).
- Taylor, *Western Massachusetts* Robert J. Taylor, *Western Massachusetts in the Revolution* (Providence, R.I., 1954).
- Thomas, *Printing* Isaiah Thomas, *The History of Printing in America, with a Biography of Printers & an Account of Newspapers*, ed. Marcus A. McCorison (1st ed., 1810; 2nd ed., 1874; New York, 1970).
- Thorpe Francis N. Thorpe, ed., *The Federal and State Constitutions . . .* (7 vols., Washington, D.C., 1909).
- 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– First Provincial Congress of Massachusetts.
10 December
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 Farmers in armed groups close courts in five counties.
- 11 August 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 Peaslee 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 General Court
30 May–7 July, 17 October–24 November 1787, and
27 February–1 April 1788

SENATE

President: Samuel Adams

Clerk: Samuel Cooper

COUNTY OF BARNSTABLE
Thomas Smith

COUNTY OF BERKSHIRE
Elijah Dwight
Thompson J. Skinner

COUNTY OF BRISTOL
Thomas Durfee
Holden Slocum
Abraham White

COUNTY OF CUMBERLAND
Josiah Thatcher

COUNTIES OF DUKES AND NANTUCKET
Matthew Mayhew

COUNTY OF ESSEX
Stephen Choate
Peter Coffin
Tristram Dalton
Benjamin Goodhue
Aaron Wood

COUNTY OF HAMPSHIRE
John Hastings
David Smead
Caleb Strong

COUNTY OF LINCOLN
Samuel Thompson

COUNTY OF MIDDLESEX
Ebenezer Bridge
Joseph Hosmer
Walter McFarland
Isaac Stearns
Joseph B. Varnum

COUNTY OF NANTUCKET
See Dukes County

COUNTY OF PLYMOUTH
Nathan Mitchell
Charles Turner

COUNTY OF SUFFOLK
Samuel Adams
Benjamin Austin, Jr.
Elijah Dunbar
Stephen Metcalf
William Phillips
Cotton Tufts

COUNTY OF WORCESTER
John Fessendon
Amos Singletary
Joseph Stone
Seth Washburne
Abel Wilder

COUNTY OF YORK
Tristram Jordan

HOUSE OF REPRESENTATIVES*

Speaker: James Warren

Clerk: George R. Minot

COUNTY OF BARNSTABLE

Barnstable
 Lot Nye
 Eastham
 Elijah Knowles

Harwich
 Solomon Freeman
 Sandwich
 Thomas Bourne
 Thomas Smith

Wellfleet
 Jeremiah Bickford
 Yarmouth
 Jonathan Howes

COUNTY OF BERKSHIRE

Adams
 Reuben Hinman
 Alford
 William Brunson
 Becket
 Nathaniel Kingsley
 Egremont
 David Ostrom
 Great Barrington
 William King
 Lanesborough
 Jonathan Smith
 William Starkweather
 Lee
 Josiah Yale
 Lenox
 William Walker

Loudon
 Joshua Lawton
 Mount Washington
See Sheffield
 New Marlborough
 Daniel Taylor
 Partridgefield
 Henry Badger
 Pittsfield
 David Bush
 Henry Van Schaack
 Richmond
 William Lusk
 Sandisfield
 James Ayrault

Sheffield and Mount
 Washington
 John Ashley, Jr.
 Stockbridge
 Theodore Sedgwick
 Tyringham
 Benjamin Warren
 Washington
 Azariah Ashley
 West Stockbridge
 Elijah Williams
 Williamstown
 Thompson J. Skinner
 Windsor
 Harmon Briggs

COUNTY OF BRISTOL

Attleborough
 William Stanley
 Berkley
 John Babbitt
 Dartmouth
 Giles Slocum
 David Willcox
 Dighton
 Silvester Richmond
 Easton
 Abiel Mitchell

Freetown
 Ambrose Barnaby
 Jael Hathway
 Mansfield
 John Pratt
 New Bedford
 Seth Pope
 Norton
 Seth Smith, Jr.
 Rainham
 Josiah Dean

Rehoboth
 Phanael Bishop
 Frederick Drown
 William Winsor
 Swanzey
 James Luther, Jr.
 Christopher Mason
 Taunton
 Nathaniel Leonard

COUNTY OF CUMBERLAND

Falmouth
 Joseph Noyes
 Gorham
 Josiah Thatcher

New Gloucester
 William Widgery
 North Yarmouth
 Samuel Merrill

Portland
 John Fox
 Scarborough
 William Thompson

COUNTY OF DUKES

Not represented

COUNTY OF ESSEX

Almsbury	Haverhill	Newburyport
John Bernard	Isaac Osgood	Daniel Kilham
Andover	Ipswich	Theophilus Parsons
Peter Osgood, Jr.	John Manning	Rowley
Beverly	John Patch	Thomas Mighill
Larkin Thorndike	Lynn and Lynnfield	Salem
Joseph Wood	John Carnes	Ebenezer Beckford
Boxford	Marblehead	Richard Manning
Nathan Andrews	Burrill Divereux	Edward Pulling
Bradford	Thomas Gerry	Richard Ward
Daniel Thurston	Jonathan Glover	Salisbury
Danvers	Azor Orne	Joseph March
Samuel Holten	Methuen	Topsfield
Gloucester	Ebenezer Carlton	Thomas Emerson
William Pearson	Newbury	
	Nathaniel Amory	

COUNTY OF HAMPSHIRE

Amherst	Greenwich	South Hadley
Daniel Cooley	Nehemiah Stebbins	Noah Goodman
Ashfield	Hadley	Southampton
Chiliab Smith, Jr.	Oliver Smith	Lemuel Pomeroy
Belchertown	Hatfield	Southwick
Joseph Smith	Benjamin Smith	Isaac Coit
Blanford	Leverett	Springfield
Robert Blair	Stephen Ashley	Samuel Lyman
Brimfield	Longmeadow	Sunderland
Jacob Browning	William Stebbins	Giles Hubbard
Buckland	Ludlow	Ware
Thompson Maxwell	John Jennings	Daniel Gould
Chester	Monson	West Springfield
Jesse Johnson	Abel Goodell	Jonathan White
Chesterfield	New Salem	John Williston
Benjamin Bonney	Ezekiel Kellogg	Westfield
Colrain	Northampton and	Samuel Fowler
Hugh McClallen	Easthampton	John Ingersol
Conway	William Lyman	Westhampton
Robert Hamilton	Benjamin Sheldon	Sylvester Judd
Cummington and	Northfield	Whately
Plainfield	Elisha Hunt	Josiah Allis
William Ward	Palmer	Wilbraham
Deerfield	David Shaw	Phineas Stebbins
Jonathan Hoyt	Pelham	Williamsburgh
Easthampton	Joseph Packard	William Bodman
<i>See</i> Northampton	Plainfield	Worthington
Granville	<i>See</i> Cummington	Jonathan Brewster
Titus Fowler	Shelburne	
Timothy Robinson	Robert Wilson	
Greenfield	Shutesbury	
David Smead	Asaph Lyon	

COUNTY OF LINCOLN

Boothbay
William McCobb
Bristol
William Jones
Hallowell
Daniel Cony

Machias
David Gardiner
Newcastle
John Farley
Pownalborough
David Sylvester

Winslow
Ezekiel Pettee
Winthrop
Joshua Bean

COUNTY OF MIDDLESEX

Acton and Carlisle
Thomas Noyes
Bedford
John Webber
Billerica
William Thompson
Boxborough
See Stow
Cambridge
Stephen Dana
Carlisle
See Acton
Charlestown
Nathaniel Gorham
Chelmsford
John Minot
Concord
Isaac Hubbard
Dracut
Parker Varnum
East Sudbury
Phineas Gleason
Framingham
Jonathan Hale

Groton
Benjamin Morse
Holliston
Samuel Park
Hopkinton
Gilbert Dench
Lexington
Joseph Symonds
Lincoln
Eleazer Brooks
Littleton
Samuel Read
Malden
Benjamin Blaney
Marlborough
Edward Barnes
Medford
James Wyman
Newton
Edward Fuller
Pepperrell
Joseph Heald
Reading
William Flint

Sherburne
William Tucker
Stow and Boxborough
Charles Whitman
Sudbury
William Rice
Tewksbury
Ezra Kindell
Townshend
Daniel Adams
Waltham
Abner Sanderson
Watertown
Marshall Spring
Westford
Samuel Fletcher
Weston
Isaac Jones
Wilmington
John Harnden
Woburn
Timothy Winn

COUNTY OF NANTUCKET

Not represented

COUNTY OF PLYMOUTH

Abington
Jacob Smith, Jr.
Bridgewater
Elisha Mitchell
Duxbury
Zedekiah Sanger
Hanover
Lemuel Curtis
Kingston
Ebenezer Washburn
Marshfield
Joseph Bryant

Middleborough
Noah Fearing
Perez Thomas
Josiah White
Ebenezer Wood
Pembroke
Samuel Gould
Plymouth
Thomas Davis
Joshua Thomas

Plympton
Francis Shurtliff
Rochester
Nathaniel Hammond
Abraham Holmes
Scituate
Enoch Collamore
Wareham
David Nye

COUNTY OF SUFFOLK

Bellingham
 Aaron Holbrook
 Boston
 Samuel Breck
 Caleb Davis
 Thomas Dawes, Jr.
 Charles Jarvis
 John Coffin Jones
 Samuel A. Otis
 John Winthrop
 Braintree
 Ebenezer Thayer, Jr.
 Brookline
 John Goddard
 Dedham and Dover
 Nathaniel Kingsbury

Dorchester
 James Bowdoin, Jr.
 Franklin
 Thomas Bacon
 Hingham
 Theophilus Cushing
 Medfield
 John Baxter, Jr.
 Medway
 Moses Richardson, Jr.
 Milton
 James Warren
 Needham
 Robert Fuller, Jr.

Roxbury
 Thomas Clarke
 John Read
 Sharon
 Benjamin Randal
 Stoughton
 Elijah Dunbar
 Frederick Pope
 Walpole
 Enoch Ellis
 Weymouth
 Asa White
 Wrentham
 John Whiting

COUNTY OF WORCESTER

Ashburnham
 Jacob Willard
 Athol
 Jesse Kendall
 Barre
 John Black
 Bolton and Berlin
 Simon Houghton
 Boylston
 Jonas Temple
 Brookfield
 Daniel Forbes
 Nathaniel Jenks
 Charlton
 Caleb Curtis
 Samuel Robinson
 Douglass
 John Taylor
 Dudley
 Jonathan Day
 Fitchburgh
 Daniel Putnam
 Grafton
 Luke Drury
 Hardwick
 Martin Kingsley
 Harvard
 Josiah Whitney
 Holden
 Josiah Stratten
 Hubbardston
 William Muzzy

Lancaster
 Michael Newhall
 Leicester
 Samuel Denny
 Leominster
 David Wilder
 Lunenburg
 John Fuller
 Mendon
 Edward Thompson
 Milford
 David Stearns
 New Braintree
 Benjamin Joslyn
 Northborough
 Isaac Davis
 Northbridge
 Josiah Wood
 Oakham
 Jonathan Bullard
 Oxford
 Jeremiah Learnard
 Paxton
 Abraham Washburn
 Petersham
 Jonathan Grout
 Samuel Peckham
 Princeton
 Moses Gill
 Royalston
 John Frye
 Rutland
 Rufus Putnam

Shrewsbury
 Isaac Harrington
 Southborough
 Seth Newton
 Spencer
 James Hathaway
 Sterling
 Benjamin Richardson
 Sturbridge
 Joshua Harding, Jr.
 Sutton
 James Freeland
 David Harwood
 Templeton
 Ezekiel Knowlton
 Upton
 Thomas M. Baker
 Uxbridge
 Samuel Willard
 Ward
 Samuel Eddy
 Westborough
 Stephen Maynard
 Western
 Isaac Gleason
 Westminster
 Josiah Puffer
 Winchendon
 Moses Hale
 Worcester
 Samuel Brooks

COUNTY OF YORK

Arundel	Fryeburg	Sanford
Thomas Perkins	Moses Ames	Samuel Nasson
Biddeford	Kittery	Wells
Jeremiah Hill	Mark Adams	Joseph Hubbard
Buxton	Pepperellborough	York
Jacob Bradbury	James Scammon	Esaias Preble

* The following towns were unrepresented in the House.

Barnstable County	Hampshire County	Waldoborough
Chatham	Bernardston and	Wales
Falmouth	Leyden	Walpole
Provincetown	Charlemont	Warren
Truro	Goshen	Woolwich
Berkshire County	Granby	Middlesex County
Dalton	Middlefield	Ashby
Hancock	Montague	Dunstable
New Ashford	Montgomery	Natick
Bristol County	Norwich	Shirley
Westport	South Brimfield and	Stoneham
Cumberland County	Holland	Nantucket County
Bakerstown	Warwick and Orange	Sherburne
Bridgtown	Wendell	Plymouth County
Brunswick	Lincoln County	Halifax
Cape Elizabeth	Ballstown	Suffolk County
Gray	Bath	Chelsea
Harpswell	Belfast	Cohasset
Raymondstown	Bowdoinham	Foxborough
Royalsborough	Camden	Hull
Shepardstown	Canaan	Worcester County
Standish	Edgecomb	Gardner
Sylvester	Georgetown	York County
Windham	Hancock	Berwick
Dukes County	Lewistown	Brownfield
Chilmark	Medumcook	Coxhall
Edgartown	Norridgewalk	Lebanon
Tisbury	Pittston	Limerick
Essex County	St. George's	Little Falls
Manchester	Sterling	Massabesack
Middleton	Thomaston	Pearsonfield
Wenham	Topsham	Shapleigh
	Vassalborough	Waterborough

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

MASSACHUSETTS
[1]

I.
**THE DEBATE OVER THE
CONSTITUTION IN MASSACHUSETTS**
5 September–25 October 1787

Introduction

Public Commentaries on the Constitution

In the fall of 1787 twelve newspapers were printed in Massachusetts; ten were weeklies and two semiweeklies. The Constitution—promulgated by the Constitutional Convention on 17 September—was printed often and rapidly in the state. Between 25 September and 4 October, it appeared in eleven newspapers. It probably also appeared in the twelfth newspaper, but no issue of that paper is extant. (See “The Publication of the Constitution in Massachusetts,” 25 September 1787–9 January 1788. For more on the state’s newspapers, see the “Note on Sources.”)

By 25 October, the day the General Court called a state convention to consider the Constitution, Massachusetts newspapers had printed items speculating upon what the Constitutional Convention would propose; discussing in general the nature of government and in particular what constituted an effective central government; commenting on the political views of John Adams expressed in the first volume of his *Defence of the Constitutions*, which was circulating in the state and other parts of America (CC:16); criticizing Rhode Island’s financial policies and failure to send delegates to the Constitutional Convention; remarking on the dangers of Shays’s Rebellion and the ignominious fate of some Shaysite leaders; and reporting on discontent, turmoil, and violence in New York, Pennsylvania, and Virginia.

On the new Constitution itself, newspapers printed reports or proceedings of public meetings in other states recommending its ratification; the text of the congressional resolution of 28 September transmitting it to the states; squibs speculating about the prospects of its ratification in Massachusetts and other states; and reports of the proceedings of the Pennsylvania and Connecticut legislatures on calling state conventions to consider it. Items about George Washington, who had served as President of the Constitutional Convention, appeared frequently. Many of the items treating the above subjects were squibs or brief reports reprinted from out-of-state newspapers. For some of

the best examples of these squibs, see the *Massachusetts Centinel*, 6 October (below), which reprinted eleven paragraphs from one New York City and three Philadelphia newspapers. Each of the eleven was reprinted in Massachusetts at least five times.

The public debate over the Constitution in Massachusetts took a different course from other states. For example, in Pennsylvania and New York, the two states that produced the largest number of newspaper items, pamphlets, and broadsides on the Constitution, substantive debate began immediately after the Constitutional Convention adjourned on 17 September. Massachusetts newspapers printed many original squibs and short pieces, few of which however discussed the merits of the Constitution. No lengthy substantive pieces on the Constitution originated in Massachusetts during the first weeks of the public debate. Rather, many Federalist and Antifederalist items from other states, particularly Pennsylvania and New York, were reprinted in Massachusetts in the first two months after the Convention adjourned. The majority of these articles were Federalist. Not until mid-November did a large number of original Massachusetts essays begin to get printed, peaking in December and January 1788. (See III below.)

The principal out-of-state Antifederalist items were: "Strictures on the Proposed Constitution" (George Turner?), Philadelphia *Freeman's Journal*, 26 September (CC:97); "Cato" I-II (George Clinton?), *New York Journal*, 27 September and 11 October (CC:103, 153); and "The Address of the Seceding Assemblymen" (Philadelphia broadside), 2 October (CC:125-A), which was reprinted in five Massachusetts newspapers. (See "The Massachusetts Reprinting of the Address of the Seceding Assemblymen of the Pennsylvania Assembly," 23 October-8 November.)

The principal out-of-state Federalist pieces were: "An American Citizen" I-III (Tench Coxe), Philadelphia *Independent Gazetteer*, 26, 28, and 29 September (CC:100-A, 109, 112, each reprinted five times in Massachusetts); "Curtius," New York *Daily Advertiser*, 29 September (CC:111); "Caesar" I (Alexander Hamilton?), New York *Daily Advertiser*, 1 October (CC:121); "Foreign Spectator" (Nicholas Collin), Philadelphia *Independent Gazetteer*, 2 October (CC:124); "Social Compact," *New Haven Gazette*, 4 October (CC:130); the reply of six Pennsylvania assemblymen to the seceding Pennsylvania assemblymen, *Pennsylvania Packet*, 8 October (RCS:Pa., 117-20); and "Foederal Constitution," *Pennsylvania Gazette*, 10 October (CC:150).

The most important out-of-state Federalist item reprinted in Massachusetts during this early phase, however, was a 6 October speech by

Pennsylvanian James Wilson, the first Constitutional Convention delegate to defend the Constitution publicly. The speech, in part a response to Antifederalist criticisms, first appeared in Massachusetts in the *Massachusetts Centinel* on 24 October and then in five more Massachusetts newspapers between 29 October and 15 November. (See "The Massachusetts Reprinting of James Wilson's Speech of 6 October Before a Philadelphia Public Meeting," 24 October–15 November.)

Most of the original essays Massachusetts writers published before 25 October supported ratification. Significant printed opposition to the Constitution developed slowly. One newspaper publisher, Benjamin Russell of the *Massachusetts Centinel*, for a time, refused to print the articles of authors who would not leave their names with him. (See "The Boston Press and the Constitution," 4 October–22 December.)

Most of the early Massachusetts newspaper items did not discuss the nature of Constitution, but rather reflected the bitter, personal nature of factionalized and popular politics at the local and state levels. Good examples of these attitudes are the exchange among "Numa" VII, 5 September, "Cassius," 2 October (James Sullivan?), and "David," 4 October, over Governor John Hancock's administration, and articles headed "Ship News," beginning on 17 October. In the latter articles, politicians were given uncomplimentary sobriquets.

Major original Federalist items appearing in Massachusetts were: "A True American," 29 September; *American Herald*, 1 October; "Observer," 4 October; "Grand Constitution," 6 October (verse); "A," 10 October; "One of the People," 17 October; "Worcester Speculator" V, 18 October; "Monitor," 24 October; and "Ezekiel," 25 October. The first significant Antifederalist piece originally printed in Massachusetts was a series of paragraphs by an unidentified writer (possibly James Winthrop) in the *Massachusetts Gazette* on 9 October. He was quickly answered by an anonymous writer in the *Massachusetts Centinel*, 13 October; "Harrington," 15 October; and "W. X.," 24 October. Another major Antifederalist essay was "John De Witt" I, 22 October.

Private Commentaries on the Constitution

Letter writers and diarists analyzed, praised, and criticized provisions of the Constitution; explained why it should be adopted, rejected, or amended; and speculated on its chances for ratification in Massachusetts and in other states. Excerpts from Elbridge Gerry's last speeches in the Constitutional Convention explain why he refused to sign the Constitution, while letters Gerry wrote to his friends and to the Massachusetts General Court reiterated these explanations. (See "Elbridge

Gerry in the Constitutional Convention," 12–17 September; and Elbridge Gerry to the General Court, 18 October.) Nathan Dane, a Massachusetts delegate to the Confederation Congress, described that body's actions in transmitting the Constitution to the states. John Quincy Adams (Antifederalist) and William Cranch (Federalist), law students and recent graduates of Harvard College, began an exchange of letters on the nature of the Constitution.

Numa: Political and Moral Entertainment VII Hampshire Gazette, 5 September

Between 25 July and 7 November 1787, the *Hampshire Gazette* printed fourteen essays by "Numa," which, in part, criticized the administration of Governor John Hancock. One of "Numa's" critics described him as "a gentleman of the cloth, in one of the Western counties" ("Cassius," *Massachusetts Gazette*, 2 October). The *Independent Chronicle*, 20 September, reprinted excerpts from essay number VII (misnumbering it number V); while excerpts were reprinted in nineteen newspapers from New Hampshire to Virginia. (For the reprinting of excerpts, see notes 1 and 5-7.)

For comments on "Numa" VII, see "Cassius," *Massachusetts Gazette*, 2 October, and "David," *Independent Chronicle*, 4 October. For general responses to the "Numa" series, see "Cassius," *Massachusetts Gazette*, 14, 18, 21, and 28 September; "Brutus," *Hampshire Gazette*, 26 September, and 5, 12 December; and "Old Fog," *Massachusetts Centinel*, 22 and 29 September (all in Mfm:Mass.).

It is not the least source of my trouble that many tell me I labour in vain. The joint efforts of the wise and virtuous to succour a falling State will prove fruitless. The body of the people are so corrupt that the fire of judgment only can purge away their dross. The wisest measures of the wisest men have been already for years successively and fruitlessly tried: expectation is still mocked: And like a falling stone the constitution falls with a motion continually increasing. Cease then your work of love. Though well intended it is not profitably directed. The people will not hear your voice, weigh your reasons and believe the consequence. Blind to their own interest, and deaf to the experience of other nations they will not rest till they have verified the words of their enemies, lost their friends and sacrificed all which they lately obtained, all which they desired and all which any nation ever enjoyed to their own folly: their discontent, jealousy and credulity, their aversion from righteousness and law will terminate in the overthrow of the Government of the Massachusetts and likely in general confusion. Let it. We never shall, we never can be happy until we give the common herd a master whose little finger will be heavier than the loins of their late rulers; whom they could not bear, refused them their suffrages and bestowed them upon numbers who had little to recommend them but a violent attachment to popular phrenzy; ignorant as they were violent; who ought to have remained in that obscurity which heaven originally designed. Do you, Numa, imagine that such mushrooms of the night, whose views have ever been confined to the smallest limits, who revolt at every sacrifice for the public good and hold those that propose them in abhorrence, will read you with candor and to advantage? Rather look for a miracle. They will plunge themselves into ruin. The sooner the

better for the rest and for themselves too. When that is effected they will cease from troubling.

The possibility, the probability of this is a burden which I can scarcely sustain. But as others have given their opinion, I will now give mine. Since they have afforded me their friendly advice, they must leave me, after carefully weighing it, to reject or adopt it as appears right. For years it has been my practice to believe nothing merely because a wise or a great man said it. Being answerable for those sentiments which influence my passions and actions I must see whether they will stand the trial.

I own that my fears are strong. Still I have and ever have had hopes of an happy issue: that the time will come and is not now far distant when my countrymen will obey the voice of reason.

I have more than once recollected with what unanimity the first Congress was chosen; with what respect they were treated; what confidence was reposed in them; what expectations were indulged, and with what readiness and ardor their recommendations were observed.

If I have any talent at discernment the feelings of the people are in many respects as they then were. I am disposed to look for the same effects from the same cause. I wish and mean now to request my countrymen to attend to this subject. In the day of our distress we have chosen a Federal Convention. This step was taken from the fullest conviction that there was not a better, perhaps no other which could be adopted in this crisis of our public affairs. Many put confidence in them. They have great dependence on them. Both are natural. The members are as much distinguished for knowledge and moderation, liberality of mind and firmness, for patriotism and love of virtue and attachment to government as possibly any of our citizens. No wonder under heaven we look to them as healers of breaches and the saviours of a distracted country. Millions should seek wisdom for them of him who gives liberally. They will if they love themselves. For in the public safety is included that of every individual.

I scarcely need tell you that Congress is but a name, that her resolutions are cyphers. She is fallen into contempt. Our union is slender: exists rather in idea than in reality—in the shadow than in the substance. Her present state is the grief of the friends of the union, the source of the fears of strangers and the subject of the ridicule of enemies. It is an acknowledged point that without a federal government which binds, collects and consolidates the wisdom, wealth & strength of the states, the union is dissolved, our national existence is destroyed, and the world knows us not. Without a government which can employ and improve the power of the whole to national purposes we are an

headless trunk: a monster in creation. Thirteen bodies without one soul to inspire, pervade and move the complicate, unwieldy and nameless machine.¹

A federal constitution is essential to bestow dignity on the union, to control our finances, to regulate commerce, to make treaties, to establish the government of the individual states, secure prosperity to the citizens, protect from foreign invasions, aid and insure the establishment of our credit abroad[,] provide for the discharge of our debts, discover and apply aright the means in our possession for this end, banish discontent, effect a oneness of wishes and designs, and preserve to us and our posterity the blessings of independence.

To gain such valuable and essential objects, every state must relinquish some privileges of less consideration. The separate interests of the states, viewed upon a large scale, are small objects and must be given up for the public good. When all is at stake, it will not be wise nor reputable to grasp too tight, and dispute too obstinately about claims which do not belong to us in a federal capacity. On the generous relinquishment of which our political happiness stands. Demolish the dagon of state sovereignty which you have too long worshipped. Guard against selfishness the bane of public bodies as well as individuals. Beware of those local views which would draw every thing into their own narrow vortex. Rise not on the ruin of a sister state. Make not a sacrifice of the country. Study the principles of true republicanism. Regard your own particular interest under the influence of a noble benevolence.

Since persons are chosen to form a federal government, let the several Legislatures be prepared after its revisal and approbation by Congress, to consider and ratify it when submitted to them.² Let all be impressed with the necessity of it. Nourish a spirit of candour. Reason dispassionately. Embrace it with gratitude, and support it with fortitude: receive it as heaven's rich gift, if it justify the general confidence reposed in the delegation, equal the objects of our union, remove the evils which we experience, and secure to us the permanent enjoyment of the best civil blessings.

To give energy to these thoughts, call into view your uncomfortable situation for years; the quarter whence your troubles have principally originated. Look forward and reflect upon the portion of sorrow which awaits you in this disjointed and distracted state. There is no other measure which you can take.

Bear in mind that the nations of the earth, from the rising to the setting sun, wait for the result. Your foreign friends, who flew to your relief and afforded essential services, have their fears. They tremble for the issue, lest wisdom should be hidden from you; lest you profit not

by the lessons of others; lest you hate your friends, listen to flatterers and love your enemies, and involve yourselves in those miseries which the counsels and arms of Britain could not effect. While there is no efficacy in your public councils, they fear lest they have helped you in vain; when without that help you might have sunk in the hardy contest: lest you will prove ungrateful and perfidious at the last.

Disappoint, my countrymen, these fears: prove that they are unfounded. Convince them that you can and that you will stand: that you will establish a government from which they will have nothing to dread; where hope may have unlimited scope. Do honour to yourselves. Be just to your allies. Confide in your friends. Reward the patriotism of those whose abilities have been devoted to your service. Spurn from your presence those who would wheedle you out of your liberties, rivet your chains and condemn you to everlasting infamy. Nobly disdain the bondage of state prejudices and narrow politics. Honour yourselves as men, as Americans, as citizens of the freest governments on earth. Invest Congress with power. Entrust her with your national prosperity. You have those in whom you can safely trust. Be virtuous yourselves. You need not fear. Until you are stupified by indolence, enervated by luxury, and alienated from all that is good, your rulers can't long oppress you, and never enslave you. Away with that jealousy which is inconsistent with your own peace and the tried and known integrity of many among us. It is indeed possible by your groundless jealousies, you may convert some honest men into knaves; verifying the antient proverb, that the readiest way to make a man an enemy, is to treat him as one. But I hope better things of you. Befriend yourselves. No event will then be unfavourable. Hear what the Convention say to you.

It has been said, that foreigners remark a certain moderation of temper as characteristic of Americans. This disposition introduces happiness and honour into domestic life. It does the same into public life. It has its effect on a nation. Under its influence her councils will be wise and her measures decisive. In trouble her patience will be conspicuous: In danger her courage will be unbroken. Unhurt because unacquainted with those violent storms which convulse other parts. Qualified for public exertions her sons will be renowned in the earth. While nations around her become the sport of contending passions, and exchange ease and prosperity for war and tyranny, she will save herself by wisdom and moderation. It will show itself by a chearful obedience to them that rule well. If foreigners entertain a just opinion of you, now is the time to prove it. Avail yourselves of the advantages which this temper yields. Let your wisdom shine; let your moderation

display itself in your treatment of the constitution which is soon to be laid before you.

Pass it not that except you form such a constitution and that speedily, (and can it be ever more needed, or any time preferable to the present?[]) you may believe it will be too late. You may justly suppose, that if you forget those who loaned you their property, they will not forget themselves: that if you are callous to obligation they will do themselves justice: that if you have forfeited their friendship, they will cast you off and let you reap the harvest which you prefer. And will you break that friendship which was formed in the hour of danger, cemented by the blood of both parties, and which has yielded the most substantial fruit?

Think besides how your enemies (for enemies you have) will feast upon your folly, fatten at your charge, and plume themselves on the success of steps which they suggested. Shall your enemies tax you? Shall Britain enrich herself at your expence? Shall your imports fill her public coffers? Will you first pay the debt which she contracted in a war upon your rights and privileges? You may perhaps defy the world to produce a parallel instance of perfect disinterestedness. All this, let me tell you, is not the dream of a distempered brain, not the bugbear of a timorous fancy, nor the sally of a bold imagination. Things are set before you as they appear to the view of sober reflection. The alarm is sounded that you may see your danger, exert yourselves in season and avert the storm.

If you are wise, you are wise for yourselves and children after you. Your conduct will always please on the recollection—when time closes you will leave an honourable testimony behind—your example may inspire other nations, fettered by lawless power, with just views, and posterity may gladly revolve the liberal sentiments and manly conduct of their fathers.

If you are foolish, contentious, self-willed, opposed to government and your own good and dead to feeling, you must bear it: but, painful thought, not only you,—your descendants to the fourteenth generation³ may and will execrate your memory and be amazed at your madness: that when you might have reached the summit of national glory, freedom and improvement, you chose the depth of poverty, infamy and wretchedness.

I can't suppress the pain produced by the late authentic information which the public has received, that one in high office in a neighbouring state has unreservedly declared against the Federal Convention.⁴ Asserting the inexpediency, impolicy, unsuccessfulness, and even danger of their appointment. As the necessity of the measure was long since among persons of discernment and honesty, removed beyond a doubt;

as it met with such a ready reception and was sanctioned by the voice of many ten thousands, a conduct like this in such a character at such a time, most interesting, must force the enquiry, whether exalted station is a certain preservative against narrow views and local attachments? Whether one may not be a first magistrate, and yet love himself better than his country? Be more willing to see the deranged sinking state of the latter than the former?

Now those that can do good should do it. Those that have influence should exert it. Whether they possess one, five or ten talents, their country calls by the most moving eloquence for them to be employed in her behalf: that the opinions which every man entertains, the thoughts which he writes, the observations which he utters & the efforts which he makes, should center, like the rays of the focus, in her prosperity. What shall we think and say then of him who disobeys her voice and disregards her interest?⁵

Shun, my countrymen, the sham patriot, however dignified, who bids you distrust the Convention, and reject the collected wisdom of these states. Mark him as a dangerous member to society. Brand him as hostile to the commerce, respectability and independency of America. Assign [him] such places in which you will have nothing to fear.⁶

(Fix your eyes on those that love you—rejoice in your welfare—will never rest till you are happy, and who hazard all on the civil system which they have framed for you. Fix your eyes on those to guide your public concerns, who, supported by conscious integrity, neither court applause, fear scrutiny nor dread censure: on those whose views are not bounded by the town nor county which they may represent, nor the state in which they reside, nor by the union. Their philanthropy embraces the interest of all nations.)⁷ Men whose ambition and avarice would not reproach the office which they hold: and whose luxury & prodigality would not, like a bottomless sea, swallow up thousands and still be empty—Select those for your rulers at this day of peculiar difficulty, whose political and moral sentiments render them the boast, the admiration and patterns of the age.

I am a well wisher to this country, NUMA.

1. This and the preceding paragraphs as well as the paragraphs referenced in notes 5 and 6 were reprinted in the *Massachusetts Gazette*, 11 September, and six other newspapers by 6 October: N.Y. (1), N.J. (1), Pa. (2), Va. (2).

2. Article XIII of the Articles of Confederation states: "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 a congress of the united states, and be afterwards confirmed by the legislatures of every state" (CDR, 93).

3. "So all the generations from Abraham to David *are* fourteen generations; and from David until the carrying away into Babylon *are* fourteen generations; and from the carrying away into Babylon unto Christ *are* fourteen generations" (Matthew 1:17).

4. A reference to New York Governor George Clinton, who reportedly had publicly "reprobated the appointment of the [Constitutional] Convention, and predicted a mischievous issue of that measure" (New York *Daily Advertiser*, 21 July, CC:40-B). This attack on Clinton, published anonymously by New York Convention delegate Alexander Hamilton, was reprinted in the *Hampshire Gazette*, 29 August, and, in whole or in part, in six other Massachusetts newspapers between 10 and 23 August.

5. This paragraph was reprinted in the *Massachusetts Gazette*, 11 September, and *American Herald*, 15 October, and in sixteen other newspapers by 24 October: N.H. (2), R.I. (1), Conn. (5), N.Y. (1), N.J. (1), Pa. (3), Md. (1), Va. (2). Seven of these eighteen newspapers also reprinted the paragraphs referenced in note 1. All eighteen newspapers reprinted the paragraph referenced in note 6; while eight of the eighteen also reprinted the paragraph referenced in note 7.

6. This paragraph was reprinted in the *Massachusetts Gazette*, 11 September, *Essex Journal*, 10 October (in part), and *American Herald*, 15 October, and in sixteen other newspapers by 24 October: N.H. (2), R.I. (1), Conn. (5), N.Y. (1), N.J. (1), Pa. (3), Md. (1), Va. (2). Seven of these nineteen newspapers also reprinted the paragraphs referenced in note 1. Eighteen of the nineteen also reprinted the paragraph referenced in note 5; while eight of them also reprinted the part of the paragraph referenced in note 7.

7. The text in angle brackets was reprinted eight times by 12 October: N.H. (1), R.I. (1), Conn. (5), Md. (1). All eight newspapers also reprinted the paragraphs referenced in notes 5 and 6.

Elbridge Gerry in the Constitutional Convention, 12-17 September

In the first two months of the Constitutional Convention, Elbridge Gerry wanted to strengthen the central government. On 31 May Gerry, with the memory of Shays's Rebellion still fresh, told the Convention that "The evils we experience flow from the excess of democracy. . . . He had he said been too republican heretofore: he was still however republican, but had been taught by experience the danger of the levelling spirit" (Farrand, I, 48). Late in July, and especially after the Committee of Detail reported the first draft of the Constitution on 6 August, Gerry became increasingly disillusioned with the evolving system. The central government was too strong, thereby endangering the liberties of the people and the independence of the states, with whom he wanted the central government to share power. Gerry worried that the Convention's actions would "if not altered materially lay the foundation of a civil War" (to Ann Gerry, 26 August, Farrand, *Supplement*, 241. See also a statement made by Gerry in the Convention on 23 August [Farrand, II, 388]). On 31 August Gerry declared that the new plan of government was "full of vices, and dwelt on the impropriety of destroying the existing Confederation, without the unanimous Consent of the parties to it" (Farrand, II, 478). The following day he described the new Constitution as "an arbitrary System of Government" (to Ann Gerry, 1 September, Farrand, *Supplement*, 254). In the next couple of weeks Gerry (along with George Mason and Edmund Randolph) tried unsuccessfully to correct what he believed to be flaws in the Constitution.

The Committee of Style reported the second draft of the Constitution on 12 September, confirming Gerry's fears that a powerful central government was being created. Gerry made a motion, seconded by Mason, that a committee be appointed to prepare a bill of rights. The motion was defeated ten states to none. The Convention also defeated attempts by Gerry on 12 and 14 September to have included in the Constitution guarantees for trial by jury in civil cases, the freedom of the press, and the extension of the prohibition of ex post facto laws to civil cases. The next day Randolph made a motion, seconded by Mason, that any amendments proposed to the Constitution by the states should be submitted to another constitutional convention. During the debate, Gerry gave "the objections which determined him to withhold his name from the Constitution." After he finished speaking, the Convention unanimously rejected Randolph's motion.

Benjamin Franklin addressed the Convention on 17 September and asked all of the delegates to sign the Constitution, even though it was not a perfect document. (Franklin's speech was read for him by fellow Pennsylvania delegate James Wilson.) Mason, Randolph, and Gerry, however, refused to sign, with the latter two giving their reasons for not doing so. Nathaniel Gorham and Rufus King, Gerry's fellow Massachusetts delegates, were among the signers. (For the text of Franklin's speech and for its circulation in Massachusetts, see "The Massachusetts Printing of Benjamin Franklin's Last Speech in the Constitutional Convention," 3-18 December, III below.)

After the Convention adjourned, Gerry went to New York City where he remained with his wife and her family until at least 27 October. On 18 October he sent a copy of the Constitution to the Massachusetts General Court and gave the legislature his reasons for not signing it. His objections to the Constitution outlined in this letter were expressed in more general terms than those that he pronounced to the Convention on 15 September. For the text of Gerry's 18 October letter, its publication and circulation, and the reaction to it, see Elbridge Gerry to the General Court, 18 October.

Speech in the Constitutional Convention
Saturday, 15 September¹

Mr. Gerry. Stated the objections which determined him to withhold his name from the Constitution. 1. the duration and re-eligibility of the Senate. 2. the power of the House of Representatives to conceal their journals. 3. the power of Congress over the places of election. 4 the unlimited power of Congress over their own compensations. 5 Massachusetts has not a due share of Representatives allotted to her. 6. $\frac{3}{5}$ of the Blacks are to be represented as if they were freemen. 7. Under the power over commerce, monopolies may be established.² 8. The vice president being made head of the Senate. He could however he said get over all these, if the rights of the Citizens were not rendered insecure³ 1. by the general power of the Legislature to make what laws they may please to call necessary and proper. 2. raise armies and money

without limit. 3. to establish a tribunal without juries, which will be a Star-chamber as to Civil cases. Under such a view of the Constitution, the best that could be done he conceived was to provide for a second general Convention.

Speech in the Constitutional Convention
Monday, 17 September⁴

Mr. Gerry described the painful feelings of his situation, and the embarrassment under which he rose to offer any further observations on the subject wch. had been finally decided. Whilst the plan was depending, he had treated it with all the freedom he thought it deserved. He now felt himself bound as he was disposed to treat it with the respect due to the Act of the Convention. He hoped he should not violate that respect in declaring on this occasion his fears that a Civil war may result from the present crisis of the U. S. In Massachusetts particularly he saw the danger of this calamitous event—In that State there are two parties, one devoted to Democracy, the worst he thought of all political evils, the other as violent in the opposite extreme. From the collision of these in opposing and resisting the Constitution, confusion was greatly to be feared. He had thought it necessary for this & other reasons that the plan should have been proposed in a more mediating shape, in order to abate the heat and opposition of parties. As it has been passed by the Convention, he was persuaded it would have a contrary effect. He could not therefore by signing the Constitution pledge himself to abide by it at all events. The proposed form made no difference with him.⁵ But if it were not otherwise apparent, the refusals to sign should never be known from him. Alluding to the remarks of Doctr. Franklin, he could not he said but view them as levelled at himself and the other gentlemen who meant not to sign

1. MS, Madison Papers, DLC. Printed: Farrand, II, 632-33. For two other versions of these objections, one of them in Gerry's handwriting, see *Farrand*, II, 635-36. (Both versions are in the Rufus King Papers at the New-York Historical Society.) Objections that appeared only in the two versions in the King Papers are: (1) "The Constitution has given away every mode of revenue from the States"; (2) "the Militia"; and (3) "The Sovereignty or Liberty of the States will be destroyed."

2. Both versions in the King Papers (note 1) indicate that Gerry also did not want Congress to have the power to create corporations.

3. King's version in the King Papers (note 1) reads: "Freemen giving up certain rights should be secured in others."

4. MS, Madison Papers, DLC. Printed: Farrand, II, 646-47.

5. Gerry refers to the proposed form for signing the Constitution that was "drawn up by Mr. G. M. [Gouverneur Morris] in order to gain the dissenting members, and put into the hands of Doctr. Franklin that it might have the better chance of success," i.e., "Done

in Convention, by the unanimous consent of *the States* present the 17th. of Sepr. &c.” (Farrand, II, 643).

Elbridge Gerry to John Adams
New York, 20 September¹

The proceedings of the Convention being this day published, I embrace the Opportunity of transmitting them by a Vessel which is to sail this morning for London. There were only three dissentients Governor Randolph & Colo Mason from Virginia & your friend who now addresses you from Massachusetts. The objections you will easily conceive without their being enumerated: & they will probably be stated to our respective Legislatures. Time must determine the fate of this production, which with a check on standing armies in time of peace, & on an arbitrary administration of the powers vested in the Legislature, would have met with my approbation.

1. RC, Adams Family Papers, MHi. For Gerry's objections to the Constitution, see Elbridge Gerry to the General Court, 18 October.

Mercy Warren to Abigail Adams
Milton, 22 September (excerpt)¹

. . . Politics I shall leave till the next Conveyance at least. as a dead Calm reigns among us that I fear will be succeeded by contrary appearances when the doings of the Convention are divulged or at least before we have a strong permanent a Wise tranquil & firm Government. many are disposed to adopt the result of their deliberations be they what they may: others are perversly bent on opposition though even well digested a Federal plan may appear: a third class will as obstinatly oppose what appears to them wrong as they will decidedly support whatever they think right: as that lends to the General welfare.—well—half a page on a subject I just promised not to touch. thus the Itch of scribbling often betrays us into inconsistency—& sometimes exposes to others inconveniencies. . . .

1. RC, Adams Family Papers, MHi. Abigail Adams (1744–1818) and Mercy Warren had corresponded since 1773. Adams was in London with her husband John, the American minister plenipotentiary to Great Britain.

James Sullivan to Rufus King
Boston, 23 September¹

Dear King

Your engagement in so important a body as the convention has prevented my continuing a correspondence in which I have so much pleasure

I have this day seen the Report of the Convention and can not express the heartfelt Satisfaction I have from it I am more than pleased, having only one doubt which is whether the object of the Judicial power is well defined I wish you to attend to this for I consider it the main-spring of the whole Machinery.

our people expect so much happiness from the doings of the convention that they stand ready to adopt any thing which may be offered but this is as I think so very unexceptionable that I flatter myself it will meet no opposition in this State. some persons indeed who lie to Support party prejudices have charged upon others a combination to oppose every thing federal,² if this Scandal has reached you, you may consider it as without foundation and disregard it. our parties here or rather the opposers of the present Government are so inveterate that lies come from places where they were not expected from. but our Government is in peace and I beleive will remain so

1. RC, King Papers, NHi. King, a signer of the Constitution, was in New York City attending the Confederation Congress which was preparing to consider the new Constitution adopted by the Convention. (For his role in Congress, see CC:95.)

2. Sullivan was possibly referring to comments made in "Numa" VII, *Hampshire Gazette*, 5 September, which was reprinted in whole or in part several times in Boston newspapers. "Cassius," who was perhaps Sullivan, defended Governor John Hancock and his administration against "Numa's" attacks. (For the identification of Sullivan as "Cassius," see "Cassius," *Massachusetts Gazette*, 2 October.)

Thomas Dwight to Nathan Dane
Springfield, 25 September (excerpt)¹

. . . We have just received the doings of the Grand Convention, or what we suppose to be such, altho unauthenticated by any name or names, and without any prefatory address—it is in my opinion, very doubtful whether the people of this State will adopt this or any other system until it be accompanied with the *ultima ratio regum*²—I wish I may be erroneous in my conjectures—

The insurgents of this and most of the other Counties of the State have taken the oath of allegiance—but with as ill a grace as possible—as they did it on the last day limited and allowed by Govt. for that purpose—so much milk-&-water mercy has our present administration shewn and so far have they gratified the wishes of the mobility, that many of that (now respectable) body in this part of the Commonwealth have hopes—serious hopes of some pecuniary allowances from Govt. for their severe services & sufferings during the last winter—they do not expect it at present but say they “things are coming round right very soon”—Do you not think that we poor supporters of Govt ought

to refund what we have received for our services and humbly petition the legislature for an act of indemnity?—

1. RC, Wetmore Family Collection, CtY. Dwight (1758–1819), a graduate of Harvard College (1778) and a lawyer, represented Springfield in the state House of Representatives, 1784–86, 1795–96, and Hampshire County in the state Senate, 1796–1803. He sat in the U.S. House of Representatives, 1803–5. Dane, also a graduate of Harvard (1778), was a Massachusetts delegate to Congress in New York City, where he soon opposed the new Constitution (CC:95).

2. Literally, “the final argument or reasoning of kings,” but it had come to mean the “resort to arms” or “war.”

Editors' Note

The Publication of the Constitution in Massachusetts 25 September 1787–9 January 1788

The Constitutional Convention, meeting in Philadelphia, adjourned on 17 September. John Dunlap and David C. Claypoole, printers to the Convention and publishers of the Philadelphia *Pennsylvania Packet*, quickly printed 500 official copies of a six-page broadside of the Convention's report that included: (1) the Constitution, (2) two resolutions of 17 September, and (3) a letter dated 17 September from George Washington, the Convention's President, to the President of Congress. The broadsides were distributed among the Convention delegates, who sent some of them to their state executives, families, and friends. (See CC:76 for this imprint.) Dunlap and Claypoole also printed the report in their widely circulated *Pennsylvania Packet* on 19 September.

By 23 September a copy of the Constitution was received in Boston apparently by private conveyance. (See James Sullivan to Rufus King, 23 September.) Additional copies arrived in Massachusetts by mail on 25 September. Since none of Massachusetts' twelve newspapers was a daily, the printing of the Convention's report was delayed in several instances, and no fewer than five newspapers promised that the report would appear in their next issue. The first Massachusetts printing occurred in the *Hampshire Chronicle* on 25 September, the printer noting that the Constitution had been received in the previous day's “southern Mail.” The Constitution took up almost all of pages two and three, with Articles IV–VII appearing in smaller type. The *Hampshire Chronicle* was the only Massachusetts newspaper that did not print either the Convention's resolves or its President's letter.

On 26 September the semiweekly *Massachusetts Centinel* of Boston printed the Convention's report prefaced by this statement: “*The following* HIGHLY INTERESTING and IMPORTANT *communication we received late last evening by the post—an ardent desire to gratify the patrons of the*

Centinel, and the publick in general, induced the Editor to strain a nerve that it might appear this day; and although lengthy he is happy in publishing the whole entire, for their entertainment." The *Centinel's* printing only listed George Washington's and William Jackson's names followed by the statement: "(And 38 other Deputies from twelve States.)" The printer omitted the day of the month from the date in his masthead. He also revealed that he would print an extraordinary issue that afternoon "in which the articles of intelligence, advertisements, &c. unavoidably omitted in this, will be inserted."

On 27 September the *Independent Chronicle* published the Convention's report with this preface: "The following very important and interesting communication, from the GRAND FEDERAL CONVENTION, was received by the last southern mail." Also on the 27th the publisher of the *Worcester Magazine*, writing under the Worcester dateline, declared that "In order to gratify our readers with the Proceedings of the Federal Convention, we have this week printed an additional number of pages to our Magazine, they not arriving in season to find a place within its usual limits; and it is with pleasure we anticipate the welcome reception of this new Federal Constitution with the publick." The *Worcester Magazine* printed the Constitution in four extra pages, and on 4 October it published the Convention's resolves and its President's letter, reminding its readers that it had already published the Constitution.

The semiweekly *Massachusetts Gazette* printed the Convention's report on 28 September, identifying it as an "Authentick Copy of the DOINGS of the FEDERAL CONVENTION, received on Tuesday Evening [25 September] by the Southern Mail." The *Massachusetts Gazette* used the same type form employed earlier by the *Massachusetts Centinel*. On 1 October the *American Herald* and *Boston Gazette* printed the Convention's report from a single typesetting, although their headings differed slightly. (The *Herald* was misdated Monday, 30 September.) The same typesetting was also used for the two-page broadsheet that was struck by Benjamin Edes and Son of the *Boston Gazette* (Evans 20809). At the bottom of the second page of this broadsheet, where the colophon is usually placed, appears this statement: "Sold at EDES's, No. 49, Marlborough-Street, and at [Edward Eveleth] POWARS's [printer of the *American Herald*] opposite the New Court-House."

On 2 October the *Salem Mercury* printed the Convention's report describing it as "A National Constitution, proposed for the Adoption of the UNITED STATES, by the FEDERAL CONVENTION." (The *Salem Mercury* announced on 1 January 1788 that it had available at the printing office a pamphlet that contained "the Proceedings of the Late Federal Convention"; and on 12 February the public was informed

simply that it could purchase the Constitution at the office.) The *Essex Journal* and *Hampshire Gazette* printed the Convention's report on 3 October. The next day the *Cumberland Gazette* reprinted the Convention's report from the *Independent Chronicle* of 27 September, including the *Chronicle's* preface.

On 25 October the Massachusetts General Court ordered the printing of the Convention's report, the 28 September resolution of Congress submitting the report to the states, and the resolutions of the General Court calling for a convention to consider the Constitution. It also ordered that copies be sent by express to the county sheriffs who were to forward them to the selectmen of each town and district in their counties. Pursuant to this order, Adams and Nourse of Boston, printers to the General Court, struck a thirty-two-page pamphlet (Evans 20801) with large type and descriptive headings such as legislative, executive, and judiciary powers; powers of Congress; restrictions upon Congress; restrictions upon respective states; amendments provided; and general regulations. The *Massachusetts Centinel* ran an advertisement on 3 November announcing that, in two days, copies of this pamphlet would be on sale at the printing office of Adams and Nourse. The *Massachusetts Gazette* and the *Independent Chronicle*, on 6 and 8 November, respectively, printed advertisements declaring that the pamphlet had just been published and that it was for sale at the printing office of Adams and Nourse.

On 1 November Isaiah Thomas announced in his *Worcester Magazine* (the last week in October) that "This day [is] published," to be sold at wholesale and retail at his Worcester bookstore, *Thomas's Massachusetts, Connecticut, Rhode-Island & Vermont Almanack, with an Ephemeris, for the Year of Our Lord 1788 . . .* (Evans 20392), which included "The Whole of the PLAN of GOVERNMENT, proposed by the FEDERAL CONVENTION, and now under Consideration of the PEOPLE of the United States; together with the Resolves of the Federal Convention, and the Letter of said Convention to Congress." Thomas reprinted the advertisement on 15 November and 13 December. (The sale of *Thomas's Almanack* was also advertised in the *Independent Chronicle* on 8 and 15 November.) Apparently Thomas was also planning to print a separate edition of the Constitution, but no such edition has been located. (See Thomas to Thomas Wallcut, 9 November, Mfm:Mass.)

Boston printers Thomas and John Fleet apparently printed two sixteen-page editions (Evans 20799, 45180) and two twenty-page pamphlet editions of the Convention's report (Evans 20800). The twenty-page

pamphlet edition, which included the Convention's report, the congressional resolution of 28 September, and the 25 October resolutions of the Massachusetts General Court, was advertised for sale in the *Massachusetts Centinel* on 9 January 1788, the first day of the Massachusetts Convention, and in the *American Herald* on 21, 28 January, and on 4 February, three days before the Convention adjourned. A second printing of the twenty-page pamphlet with the Fleets' colophon was published after the Massachusetts Convention adjourned; it has a footnote at the bottom of the last page stating that the Massachusetts Convention ratified the Constitution on 6 February.

By 9 January 1788, then, the Constitution was published in five pamphlet editions by two printing firms in Boston, in a broadsheet in Boston, in an almanac in Worcester, and in eleven of the twelve Massachusetts newspapers. No issue is extant for the twelfth newspaper, the Pittsfield *American Centinel*. It is also possible that the printers of the *Salem Mercury* published another pamphlet edition, which, although advertised, is not extant.

James Sullivan to Rufus King
Boston, 28 September¹

Dear King

I wrote you the last post my Sentiments in general of the report of the convention and now have yours of the 20th wherein you request my free and candid opinion upon it. I do by no means retract what you will have before this reaches in my other Letter. I consider it to be of the highest importance to have a federal Government and should this be not adopted I shall despair of having one excepting it arises from the chance of war. there are several things in the report that upon the stinted veiw I have of the subject I should wish to be altered or explained in the eighth Article Congress are impowered to "*Lay and collect taxes*["] it is not ascertained what is here meant by *taxes* if what we Call dry taxes, a tax on polls & Estates by a census I do not see how it can be carried into Execution Congress can never appoint Collectors assessors &c besides there would be great confusion between the doings of their officers and those of particular States. had the provision been that Congress should apportion such taxes as should be necessary to the Common defence (over and above the Revenue) on the Several States and provision had been made to coerce a compliance it would have been in my opinion better.²

In the Judic[i]al power the Court is to have authority to try all causes between a State and Citizen of another State and between Citizens of different States, and one Supreme Court to be over the united States—this appears to me in the first instance to lay the particular States under very great inconveniences a debtor, defective Collector, Trespasser &c, may fly one State to another and thereby involve the State he has fled from or Trespassed against in very great cost and Trouble, Evade a trial according to the Law which governed the Contract when made, or the Lands or Chattels Trespassed upon and great delay fraud & injustice may be the consequence in the other case can it be right that every contract or note of hand between Citizens of different States in this wide commercial Country shall be tried in the Judic[i]al of the Congress?³

These objections have weight in my mind I shall not mention them to any one here because I beleive they must have been agreed to on an equivalent given which I do not see besides I am for accepting the report I hear no objection to it here yet, I came from NyPort to Day the people there are much in favour of it but what turn it may take when the objections of the gentlemen who did not Sign it are known I cannot Say—

I am Dear Sir with the purest Friendship Your most Hble Sevt

1. RC, King Papers, MHi. Sullivan misdated this letter 1786.

2. For Sullivan's published comments on this subject, see "Cassius" VI, *Massachusetts Gazette*, 18 December (III below).

3. For Sullivan's published comments on this subject, see "Cassius" VI, *Massachusetts Gazette*, 21 December (III below).

**Mercy Warren to Catherine Macaulay Graham
Milton, 28 September (excerpt)¹**

I have my dear Madam postponed writing by several opportunities as I wished for the pleasure of transmitting to you the result of the Grand Convention of the united states.² every thing has for some time hung suspended in their determinations—I now forward them to you without any comment thereon. first because I do not think myself qualified to make any: and in the next place it might not be thought altogether prudent.

It is now only three days since the publication of the recommendations of this respectable body has appeared in our papers. almost every one whom I have yet seen reads with attention folds the page with solemnity, & silently wraps up his opinion within his own breast, as if

affraid of interrupting that calm expectation that has pervaded all ranks for several months past.

Our situation is truly delicate & critical. on the one hand we stand in need of a strong Federal Government founded on principles that will support the prosperity & union of the Colonies. on the other we have struggled for liberty & made costly sacrifices at her shrine: and there are still many among us who revere her name too much to relinquish (beyond a certain medium) the rights of man for the Dignity of Government.

I should be happy to hear the observations of a Lady (who has made politics & Government so much the subject of her contemplations) on this new and complicated system: which I suppose will set in motion both the pens & the tongues of the political World.

Happy indeed will this country be if a tranquil energetic Government can be adopted before the sword is drawn to give it a despotic master.

The rumours of war assail our ears from the European shores. if the flames should really kindle there, I hope they will not spread beyond the ocean: unless internal feuds should rise to such a height as to lead the benevolent heart to wish for some foreign object to divert the General attention, & again convince this continent that we stand or fall together. . . .

1. RC, GLC 1800.3, The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York. Graham (1731–1791), a Whig, was the author of *The History of England from the Accession of James I to that of the Brunswick Line*, an eight-volume work published in London between 1763 and 1783. She visited America in 1784 and in the winter of 1784–85 resided in Boston. During that winter Graham was also a guest of Mercy and James Warren in Milton. When Graham returned to England she corresponded regularly with Mercy Warren, who once described her as “a lady of the most extraordinary talent, a commanding genius, and brilliance of thought.”

2. The letterbook copy reads “American States” (Mercy Warren Papers, Mercy Warren Letterbook, MHi).

**Jeremy Belknap to Ebenezer Hazard
Boston, 29 September (excerpts)¹**

. . . 29th. Saturday Eveng—yrs of ye 25th is just come to hand. . . .

Yes—I have seen the federal Constitution & am pleased with it as are most of my acquaintance—I am afraid however that we shall be divided about it in this State—They have hardly had time to open upon it in the news papers. What a vent of foul Vapours these literary vehicles afford! like the fermenting of a Cask of Liquor which if close stopped would burst! . . .

1. RC, Belknap Papers, MHi. Printed: *Belknap Correspondence*, Part I, 492–95. Belknap (1744–1798), a native of Boston and a graduate of Harvard College (1762), was pastor of the Congregational church in Dover, N.H., from 1767 to 1786, and the author of *The History of New Hampshire*, the first volume of which appeared in Philadelphia in 1784. (Volumes II and III were published in Boston in 1791 and 1792.) In April 1787 Belknap became the pastor of the Congregational church in Long Lane, Boston. (This was later the Federal Street Church and is now the Arlington Street Church.) Hazard (1744–1817), a 1762 graduate of the College of New Jersey (Princeton) and a frequent correspondent of Belknap, was U.S. postmaster general from 1782 to 1789. Volume I of Belknap's history had been printed under Hazard's supervision. Both men shared a passionate interest in collecting historical documents, which they wanted to publish for the benefit of future historians.

Massachusetts Centinel, 29 September¹

A correspondent observes, that the proceedings of the continental convention, as published in our last,² must receive the approbation of every man of independent sentiments; of every man who calculates not only for the honour of *individual States*, and the happiness and glory of *independent America*, but for those EMPIRES OF REPUBLICAN FREEDOM, which that NOBLE FABRICK, THE AMERICAN CONSTITUTION, may usher into existence.

In anticipating the acceptance of the AMERICAN CONSTITUTION every countenance brightens with the full glow of hope and animating expectation of publick honour, peace and lasting prosperity to our "DEAR COUNTRY."

1. These two paragraphs and "A True American" (printed immediately below) were the first original commentaries on the Constitution published in Massachusetts. Both paragraphs were reprinted in the *Essex Journal*, 3 October; *Cumberland Gazette*, 4 October; and by 5 November in nine other newspapers: Vt. (1), R.I. (2), N.Y. (2), Pa. (4). By 8 November the first paragraph alone was reprinted five other times: N.J. (1), Pa. (1), Md. (2), Ga. (1).

2. 26 September.

A True American

Massachusetts Centinel, 29 September¹

Mr. RUSSELL, *The day—the important day—big with the fate of the States of America, is just at hand.*

The system of federal government agreed on by the Convention is announced—therefore nothing will be wanting to give it efficacy, but the sanction of the approbation of the people of the different States.

A war between France and England appears to be inevitable, if not already begun—in this war America has no need to involve herself, as when under the government of Great-Britain.

Never was it known since society has been established among men, that any country has had so fair a chance as this country has at this time of rising superiour to every difficulty—of paying off its national debts without distressing the industrious citizen—of supporting its publick credit and eventually of becoming the admiration of the surrounding universe.

Should the several States agree (and there appears but little doubt remaining that they will) to adopt the federal system, we shall at once be acknowledged our proper rank among the nations of the earth—our laws respecting trade will be such as will soon convince the British nation that unless she will consent to deal with us upon terms of reciprocal advantage, her vessels will not be admitted to our ports, and that the produce of these States is necessary to the very existence of her settlements in Nova-Scotia, New-Brunswick, and the West-Indies, every one is at length sufficiently convinced: By adopting the federal government, the value of the landed interest will immediately be increased—taxes will lessen—Commerce, Arts and every species of industry will rapidly increase—Emigrations from the old countries will instantly begin—the wilderness will be cultivated, and the fullest wishes of every true American will in a short time be realized.

Our government once established what a harvest would an European war be for our country—in a state of peace, with a war[r]ing world, our vessels would become the carriers to all Europe—hence the important branches of ship-building, and the many branches of business connected with it, would at once revive, and an American bottom would then be held in as much estimation by an European, as at present it is viewed with contempt.

My countrymen awake, and convince the foes of our country, that their malice is as ineffectual in peace, as their arms were in war.

N. B. In the expected war depend on it the sun of Britain will set to rise no more, we shall then have the pleasure of beholding our worthy allies enjoying the success we sincerely wish them.

1. Reprinted in the Philadelphia *Independent Gazetteer*, 8 October; *Hampshire Chronicle*, 9 October; *Essex Journal*, 10 October; and *New Haven Gazette*, 11 October. On 26 September, the same day that he published the Constitution, the printer of the *Massachusetts Centinel* noted: "The 'TRUE AMERICAN'—and several other articles, the want of time obliges us to postpone until Saturday," 29 September.

Nathaniel Ames Diary **Dedham, 30 September¹**

New Constitution of Government of the United States published, & seeme agreable to every body as yet, for all know we have lost millions for want of an head sole

1. MS, Nathaniel Ames Diaries, Dedham Historical Society. Nathaniel Ames (1741–1822), a graduate of Harvard College (1761) and a physician, published an almanac from 1765 to 1775, which was a continuation of one that his father had published from 1726 to 1764.

Thomas L. Winthrop to Joseph Winthrop
Boston, 30 September (excerpt)¹

The minds of the people are turned towards the doings of the Federal Convention. In this town they are well received & should they meet the approbation of the Citizens of the several States, the drooping credit of America will revive.

1. Copy of excerpt, Winthrop Papers, Volume 30–A, MHi. This extract was taken from the letterbooks of Thomas Lindall Winthrop (1760–1841). In 1786 Winthrop, a graduate of Harvard College (1780), married the daughter of John Temple, the British consul general and the granddaughter of James Bowdoin. Winthrop was a member of the mercantile firm of Winthrop, Tod, and Winthrop. His brother Joseph (1757–1828), the senior member of the firm lived in Charleston, S.C., where Winthrop himself had resided from 1783 to 1785.

From Henry Knox
New York, September¹

The circumstance of a new constitution being proposed to the people of the United States occasions at this time my presenting myself confidentially to your remembrance—Conscious as I am of a solid friendship for you the result of a long acquaintance I persuade myself of the possibility that you may entertain similar sentiments towards me—

The time has arrived, when the well-intentioned well principled and independent minds of the United States are required by the high obligations of love to their Country, to declare themselves ~~unreservedly~~ freely on the most interesting points that can be submitted to their consideration—Whether they are to approximate to ~~good government~~ happiness by realizing all the blessings of a governmt of Laws ~~and not of men~~, or whether they are still to follow the misrule of anarchy or a government of convenience & caprise

The proposed Constitution has been the result of the ~~most laborious~~ deepest investgn and deliberations on government suited to the various interests of the States It is therefore an amicable compromise ~~of the various interests of the [respective?] States~~ of the different parts of the Union—

If it should not perfectly correspond with the theory of the [closet?] ~~of some sufficiency~~ in every minutia, it ought ~~perhaps~~ to be considered

as the only constitution which could be obtained in a peaceable manner—But a candid examination of it, will most probably produce a conviction that it is one of the best models of a republican government ever presented to the sons of men—

It is not for the constitution itself to detail its operations—explanations and Laws will naturally spring out of its administration—sufficient it is that it contains the great principles, by which liberty and property are to be secured—

If some points are not amply ~~explicit to minds which think darkly~~ clear now the first Legislature will enact such fundamental Laws, as will remove all doubts and apprehensions

But there are people who will oppose it—plausible and delusive reasons will be held out as grounds for an opposition—The state demagogues will declaim on the inroad on State power and sovereignty

~~Some~~ men in some of the southern states will harrangue on the subject of their being sacrificed to the commercial interest of the eastern States—

The orators of the small states will talk loudly on their being sacrificed to the large States in the house of representatives, and the opposers in the large states will bring forward the undue advantage of the small States in the Senate—

In short as the proposed constitution affects deeply the projects of the paper money, and convenient politicians, it will set in motion every subelty and art they possess to retard its progress and frustrate its adoption

there may also be some well meaning people who will oppose it because it militates with some darling speculation they may have entertained—

However, it is to be hoped that a majority of the people of the respective States, will reflect maturely on their present situation—That they will see the contempt with which the american name is ~~regarded~~ treated abroad—That the gover[n]ment at home is in the last gasp of a deadly consumption—without money & without credit—unable either to resist the smallest faction within [or] to chastise the despicable bands of murdering savages on the frontiers—

It is easily demonstrable that if the proposed constitution should be rejected with the visionary hope of obtaining some unimportant amendments that such an event never can take place—There are influential men in almost every state who were a convention to be again chosen, would cause instructions to be given which would effectually prevent an agreement even of the majority of the States much less an unanimous assent—Indeed the dissensions on the Subject will most

probably beget heats and animosities, that would in case of another convention prevent a general acqui[e]scence in any plan—

The present ship is unfit to encounter the rising storm, it will not answer even for the smooth surface of peace—it must sink—Let us then embark on board the new ship offered by the united wisdom of our country—If it should not on experiment work perfectly well, we shall have ~~plenty of material to repair it~~ the means of repairing or altering it in our possession—But if we should decline embracing the present offer because some of the rigging or ornamental parts are not to our liking, we ought to apprehend the most fatal consequences—and posterity will execrate us for our folly—

On Friday [28 September] Congress unanimously decided eleven states being present to transmit the new constitution for the purposes and objects specified in the resolves of the convention Hitherto Heaven appears to smile on the honest labors of our country to amend their political constitution—Should the eastern States adopt it readily there can be no doubt but it will obtain generally every thing depends on Massachusetts Should she set the bright example, she will derive additional dignity from the circumstance—Pennsylvania is the only state whose Legislature is at present in session—Most probably it will direct a Convention to be called at some early day

I rely on your goodness to excuse my prolixity on this truly important Subject—Please to present me affectionately to the members of the Stone house Club²

1. Dft, n.d., GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York. The draft apparently was written shortly after the Confederation Congress adopted the resolution of 28 September requesting that the state legislatures call conventions to consider the Constitution (CC:95). Knox was living in New York City where he was serving as the Confederation Secretary at War. In 1787 and 1788 Knox, a clearinghouse of information on national and state politics, wrote to persons throughout America about matters of national concern, and they, in turn, reported on state politics and the ratification debate. A number of his letters are printed in the six volumes of *Commentaries on the Constitution*.

2. The Stone House Club was “a junto of politicians who convene at a certain ancient Temple” and act “as a sub branch of the Executive, and whose advice is the *dernier resorte* of the *Council*” (*Massachusetts Centinel*, 5 September). For another reference to the Stone House Club, see “Ship News,” 17 October–24 November, note 1. The “Stone House” was possibly the Stone House on Cross Street between Hanover and North streets. (See Samuel Adams Drake, *Old Landmarks and Historic Personages of Boston* [rev. ed.; Rutland, Vt., 1986], 154–55. The revised edition was first published in Boston in 1906; the first edition appeared in 1872.)

American Herald, 1 October¹

The result of the Fœderal Convention has at length transpired, after a profound secrecy being observed by the members who composed it;

which, at least, has done honor to their fidelity, as we believe, that scarcely another example can be adduced of the same caution among so large a number of persons.—This country, singular in every thing; in her rise, progress, extent of jurisdiction, in her emancipation and liberty, we flatter ourselves, is going to exhibit a new instance of a government being firmly and indissolubly established, without the arts, violences and bloodshed, which have disgraced the annals of the Eastern hemisphere.—Its acceptance, will enroll the names of the WASHINGTONS and FRANKLINS, of the present age, with those of the SOLONS and NUMAS, of antiquity. The military virtues of the former; and the philosophic splendor of the latter, will be obscured by the new lustre they will acquire, as the Legislators of an immense continent.—Illustrious CHIEFTAIN! immortal SAGE!—ye will have the plaudit of the world for having twice saved your Country!—You have once preserved it against the dangers and misery of foreign domination; you will now save it from the more destructive influence of civil dissention. The unanimity you have secured in your deliberations, is an auspicious omen of our future concord and felicity.—We anticipate with pleasure the happy effects of your wisdom.—The narrow, contracted politics, the sordid envy, the mean jealousy of little minds; the partial views, and the local prejudices, which have so long retarded the growth of this people, will be now annihilated.—In their place, a more enlightened and dispassionate legislation, a more comprehensive wisdom, and a plain, manly system of national jurisprudence, will be happily substituted.—America, which has sunk in reputation from the operation of these causes, will arise with renewed splendors, when the clouds, which have so long obscured her fame, shall be thus dissipated.—By considering what we have already suffered by an opposite policy, we may the more easily conceive what we must necessarily obtain from the adoption of this new Constitution.—We shall, indeed, have but little to fear, and every thing to hope.—The true interests of the several parts of the Confederation are the same.—They only differ in points, which are fictitious and imaginary.—We shall distinguish our friends, and punish our enemies.—Our distance from the fatal vortex of European politics will secure us from the dangers of war:—The canvass of these States will whiten the ocean; instead of being any longer neglected, our friendship will be prized and courted by all.—A new æra will commence, and this Country will be said to be in existence, but from the moment, when the plan submitted to the people shall be generally adopted.—The distinctions of State councils will be lost in the stronger ties by which the citizens of America will be connected to one another.—As yet, every thing looks fair, and the voice of opposition is

scarcely heard in whispers; may it then perish; and may peace, unanimity and happiness, become perpetual throughout America.

1. Reprinted in the *Salem Mercury*, 9 October, and in five other newspapers by 18 October: R.I. (2), N.Y. (1), Pa. (2). The last three sentences only were reprinted in the *Pennsylvania Herald*, 10 October, and nine more times by 22 November: Vt. (1), Pa. (2), Md. (3), Va. (1), S.C. (1), Ga. (1).

Cassius

Massachusetts Gazette, 2 October

This essay replied to "Numa" VII, *Hampshire Gazette*, 5 September. "Cassius" had criticized the "Numa" series in five unnumbered essays published in the *Massachusetts Gazette* on 14, 18, 21, 28 September, and 2 October. Between 16 November and 25 December, "Cassius" also contributed six unnumbered articles to the *Massachusetts Gazette* praising the Constitution and criticizing its opponents. (This latter series of articles has been numbered from I to VI, with number VI having four installments.)

Thomas C. Amory, a biographer of James Sullivan, believed that "internal indications" in the "Cassius" essays, which coincided "in opinion with his [Sullivan's] cotemporary correspondence," suggest that Sullivan, a Boston lawyer and former judge of the state supreme court, was the author of the articles. Like Sullivan's correspondence, Amory argued, the "Cassius" essays admitted that certain provisions of the Constitution had to be amended, but the essays "unhesitatingly advise its support as the best that could be hoped for in the actual state of the country" (*Sullivan*, I, 227n–28n, 398. See Sullivan's 23 and 28 September letters to Rufus King.).

To *Numa's* long list of evils, which he says, in some of his productions, are prevalent in the commonwealth, he might have added, that when *priests*^(a) became *Jesuits*, the liberties of the people were in danger—in almost all countries, we shall find, that when sedition and discontent were brewing, *Political Jesuits* were often at the bottom of the affair.

Unhappily for *Numa*, the citizens of Massachusetts are not so blinded by ignorance, nor so devoted to prejudice and superstition, as the common people in those arbitrary and despotick governments, where *clerical* imposition reign paramount almost to every thing else; where the freedom of speech is suppressed—and the liberty of the people, with regard to examining for themselves, totally restrained.

It is, however, the case, that, even in this country, the weak and ignorant are often led too implicitly to put their faith wholly upon what their *spiritual teachers* think *proper* to inform them, and precipitately imbibed sentiments from them, which, if their teacher is a *designing knave*, may prove detrimental to society. The *Jesuit* will, however, find it very difficult, notwithstanding many circumstances may seem to favour his

views, to carry the point of altering a free government to one more arbitrary, in such a country as this.

The cloak of religion too often answers to promote plans detrimental to the peace and happiness of mankind.—The priests, who accompanied the Spaniards when they first invaded the kingdom of *Mexico* and *Peru*, urged on those blood-hounds to perpetrate scenes of cruelty and horror, (at the bare recital of which human nature shudders) with assurances, that it would tend to promote the cause of the *Christian religion*, if they effected the conquest of those unhappy people, and that any conduct was justifiable to bring *infidels* to a sense of their *duty*.

The *teacher* of the benign and peaceable doctrines of the Saviour of mankind, often thinks he can, with greater security, on account of his profession, disseminate the seeds of sedition and discontent, without being suspected. This thought no doubt occurred to *Numa* before he exhibited his designing productions to the publick.—Sheltered under the sacred wing of religion, how many an impious wretch stalks secure from publick justice,

“Whose mem’ries ought, and will perhaps yet live,
In all the glare which infamy can give.”

Numa indicates, that he means to prepare the minds of the people for the reception of that government which the Federal Convention shall think most proper for them to adopt.—In the name of common sense, what can that scribbler mean by this assertion?—Is a scandalous abuse of our rulers—the propagation of sentiments which are calculated to set the publick mind in a ferment, if they are so far attended to, as to have any influence among the people, a fit preparation for such a measure?—Surely, by no means: and every thinking mind will discover, that the productions of *Numa*, are either intended to effect *secret purposes*, or that they are merely effusions of the fanatick brain of that *Quixote* of the day.

Instead of vile insinuations and falsehoods being spread among the people, in regard to their rulers, in order to prepare their minds for the reception of that form of government which the Federal Convention may propose, sentiments the very reverse ought to be propagated. The people ought to be inspired with the highest confidence in those who preside over the affairs of the state. It ought to be implanted in their minds, that their rulers are men fit to conduct every plan which might be proposed, to promote the general welfare of the people; and this with truth may be asserted. But *Numa* has no more intention of

preparing the minds of the people for the government which the Federal Convention may propose, than queen Catharine has of abdicating the throne of Russia.

The people of Massachusetts ought to be cautioned, above every thing, to be on their guard with respect to the conduct of *Political Jesuits*.—They have generally been the curse of almost every country that has cherished them;—they have often been the promoters of revolution and bloodshed. A set of infernal fiends, let loose from the dreary mansions of Beelzebub, cannot be more detrimental to the peace and happiness of society, than a band of *Political Jesuits*.

Citizens of Massachusetts! those men who now preside over you, are, and ever have been the patrons of freedom and independence! men whose exertions have been unceasing to promote and secure to you the blessings of a free government;—whose grand stimulus to act, is the advancement of your welfare and happiness! men whose conduct is not stinted by the narrow concerns of self, and who, “when their country calls, can yield their treasure up, and know no wish beyond the publick good.” Such are the men who now wield the affairs of state, and whose deeds will, when those of that vile clan of calumniators who exist in this state are rotting in the tomb of oblivion, conspicuously adorn the brightest pages of the American revolution.

Numa, and his band, the calumniators of true worth, may bustle away for a while; but they will ere long be obliged to retire from the bright flashes of patriotism and merit; and, after finding their endeavours fruitless, to sully THE CHARACTER OF THE BRIGHTEST LUMINARY THAT EVER ADORNED THE HEMISPHERE OF MASSACHUSETTS,¹ and many other illustrious patriots, who compose the present administration, they will retire to gnash their teeth in anguish and disappointment, in the caverns of obscurity—a punishment their conduct most justly merits.

(a) *The author of the productions under the signature of NUMA, it is said, is a gentleman of the cloth, in one of the Western counties.*

1. “Cassius” refers to Governor John Hancock, against whose administration the “Numa” articles were directed.

William Bentley Diary

Salem, 3 October (excerpt)¹

. . . The result of the Federal Convention appeared among us this week. It excites great speculation, & I hope in spite of prejudiced men, who influence that it may go down. Some complaint is made that the

advantage is unduely thrown in favor of the representation from the Southern States, &c &c. . .

1. MS, Bentley Papers, Diary, MWA. Printed: *The Diary of William Bentley, D.D.* . . . (4 vols., Salem, 1905–1914), I, 76. Bentley (1759–1819), a graduate of Harvard College (1777), scholar, linguist, and biblical scholar, was colleague pastor of the Congregationalist East or Second Church in Salem from 1783 to 1788; he became sole pastor in the latter year and held that position until his death. Several years after settling in Salem, he became a leader of the Unitarian movement.

Massachusetts Centinel, 3 October¹

On Monday last the Ancient and Honourable Artillery of this Commonwealth, commanded by Major-Gen. Brooks,² made their second autumnal appearance, agreeably to Charter—The Company marched from State-Street at 12 o'clock for Medford—At Charlestown they were received by the Medford Independent Light-infantry, under the command of Capt. Hall³—who escorted them to the place of destination. The Artillery there performed the requisite firings and evolutions—after which they dined at Blanchard's Tavern, and returned to this town at eight o'clock in the evening.—Among the extemporaneous toasts drank on this occasion, were the following:—1st. General Washington, and the Federal Convention.—2d The Constitution for the United States, reported by that Hon. Body.—3. As OLD MASSACHUSETTS took the LEAD in the late glorious revolution, may she be the first to give a sanction to the AMERICAN CONSTITUTION of government.—9th. May the man who wantonly opposes the AMERICAN CONSTITUTION, framed by the late Convention, be marked as an enemy to the liberties of America.

1. Reprinted in the *Independent Chronicle*, 4 October; and, in whole or in part, in seven other newspapers by 22 November: N.Y. (2), Pa. (2), Md. (1), S.C. (1), Ga. (1).

2. John Brooks (1752–1825), a Medford physician and a former secretary of the Massachusetts Society of the Cincinnati, was major general of the Middlesex County militia (Third Division) and helped to suppress Shays's Rebellion. He was recruited into the prestigious Ancient and Honorable Artillery Company of Massachusetts in 1786. Brooks was a member of the state House of Representatives, 1786–88, and voted to ratify the Constitution in the state Convention in February 1788.

3. Joseph Hall, Jr., a graduate of Harvard College (1781), was a lawyer and a military aide to General Brooks at the time of Shays's Rebellion.

Essex Journal, 3, 17, and 24 October

On 3 October the *Essex Journal* reprinted a brief item from the *Newport Herald* of 27 September (CC:104–A), in which a correspondent insisted that failure to adopt the Constitution would have “the most fatal” consequences. Two weeks later, “Another” questioned this assertion and recommended that

the Constitution be discussed wisely and temperately. The following week, the *Essex Journal* printed a parody of "Another."

*A Correspondent, Essex Journal, 3 October*¹

A correspondent observes that this is a period of momentous concern—to be a united nation of importance, or petty anarchies is now the question—The inefficacy of our present government is fully proved by the encroachments on our commerce, the decline of national honor, and the confusion pervading *every* State. Thus matured in knowledge by painful experience, we are called on to adopt a system, produced and organized by the deliberations of men whose virtues and abilities will be an immortal honor to America—Should any state reject this salutary system, unbiassed posterity will consign their names to an infamous immortality—Should it be rejected by the union it will involve in consequences the most fatal—some bold usurpers will establish governments for us pregnant with all the evils of the most abject slavery.

*Another, Essex Journal, 17 October*²

A CARD, to 'a Correspondent.'

"WHETHER WE SHALL BE A UNITED NATION OF IMPORTANCE, OR BECOME PETTY ANARCHIES—THAT'S THE QUESTION."

This, Sir, is a great assertion. Are you sure you could throw the Commonwealth into a state of anarchy, if the proposed foederal Constitution is not adopted? Remember *Daniel Shays*, about a year ago, expected the seat of government. Let the unprosperous issue of his Adventure be an admonition to all malecontents:—Or dare you predict that anarchy would be the *necessary* consequence of preserving the present constitution? The extinction of the late Rebellion, and the present tranquility in this state are confounding evidences of your irreverence for the truth.—It is much beyond your fallible penetration to determine what will be the opinion of 'unbiassed posterity,' they may think as you do, or very different, if they do not feel as you do. The wisdom of the Convention is not doubted—but they may have erred. It is to be wished their report may have a *wise* and *temperate* discussion, and if it will not bear a severe trial, that it may not be adopted. A revolution every seven years must be very expensive and *dangerous*, and deprive us of the benefits we might derive from even an imperfect Constitution.—It is to be feared you are one of those sanguine gentlemen who think it as easy to form a Constitution & change a government, as it is for you and me to scribble paragraphs for a News-Paper.

A Parody, Essex Journal, 24 October

A PARODY on the 'CARD to a Correspondent'
which appeared in our last.

Addressed to the writer.

"Whether we shall be a united nation of importance, or become petty anarchies—that is the question"

'This, Sir, is' no 'great assertion—Are you' not pretty 'sure you could' carry your point, and 'throw the Commonwealth into a state of anarchy, if the proposed Fœderal Constitution' be 'not adopted?'

If *you* 'remember that Daniel Shays about a year ago expected the seat of government, let the unprosperous issue of his adventure, be an admonition to all' who were admitted to his secrets and knew his expectations.

What, Sir, "dare you" not hope "that anarchy" could possibly be introduced under a fœderal government?

"The extinction of the late rebellion, and the present tranquility in this state, are confounding evidences," that your only alternative, at present, is to dupe the people into a rejection of the proposed constitution.

I should not think "it much beyond *your* fallible penetration to determine what will be the opinion of unbiassed posterity, they" will doubtless "think as you do," if as anti fœderal, "or very differently if" friends to the happiness of mankind.

If "the wisdom of the convention is not doubted," there is reason to conclude "they have" not "erred."

Do you not greatly fear that "their report" is calculated to stand the test of "a wise and temperate discussion," and that it will be adopted?

And, "are you sure," should that be the case, that an "expensive and dangerous revolution every seven years" will be the consequence? "This, Sir, is a great assertion."

"It is to be feared you are one of those sanguine gentlemen who," not long since thought "it as easy to" overthrow "a constitution and change a government, as it is to scribble paragraphs for a News-Paper."

1. This paragraph was also reprinted in the *American Herald*, 1 October; *Salem Mercury*, 6 November; and *Hampshire Chronicle*, 13 November; and in seven other newspapers by 3 December: Vt. (1), N.H. (3), N.Y. (1), Pa. (2).

2. Prefaced: "*The following was not received soon enough for publication, last week.*"

Worcester Magazine, 4 October¹

A correspondent observes, that the mode proposed by the federal Convention, for adopting the new plan of federal Government, reflects

the highest honour on that august body—and discovers the members to be worthy the confidence of the people, by their having pointed out such a mode, which is by delegates chosen immediately by the people for that particular business—this will prevent the arts and designs of great and ambitious men from working iniquity; as the people have now an opportunity of reasoning and judging for themselves.

1. Reprinted seven times by 24 October: N.H. (1), Conn. (1), N.Y. (2), Pa. (2), Md. (1).

Cumberland Gazette, 4 October¹

The FEDERAL CONSTITUTION hath excluded from our Gazette many articles of intelligence, pieces of speculation, &c. &c.—We do not mean, however, to apologize; but are proud to declare it—And we pray God that it may have a similar effect on the *mind* of every individual of the United States—bearing down and rooting out whatever may tend to let or hinder. Should the whisper of opposition be heard—may it be borne away on a breeze of patriotism.

1. The Constitution was printed in this issue of the *Cumberland Gazette*. On 27 September the *Gazette* stated: "It is needless to mention the reports we hear, relative to the Report of the Federal Convention to Congress, as we expect in our next to give our readers an exact copy of it; when they can make their own comments." (This comment was reprinted from the *Boston Gazette* of 24 September.)

David

Independent Chronicle, 4 October¹

Mess'rs ADAMS and NOURSE. If your customers pay for folly, and nonsense, they have a right to make their observations upon such productions, as answer no good end, but may be subservient to many base purposes.

When number one of the papers signed *Numa*, appeared in the *Independent Chronicle*, the general idea was, that some young lad lately from a College, or an Academy, had introduced himself to the world, in a foppish imitation of periodical writers, who have favoured the public with papers in Europe. A great part of that paper was copied from introductory pieces, of that nature, published in England. It was very easy to distinguish between that part which was copied from other authors, and that which was originated by *Numa*. The language borrowed was soft, flowing and easy, and the ideas perfectly expressed, the sentiments full and entertaining, and the objects pursued in a masterly manner. But in the original of *Numa*, the language was strained, fettered, and inelegant; the ideas lean and inexpressive, the sentiment

flat, insipid, and imperfect, and so many unseparated objects distracted the attention, that the reader could derive no other pleasure than what was gathered in a swamp of incoherent and jarring thoughts.

This writer's pretensions, of being in the cabinets, and closets, of every rank and order of men; his setting himself up as the standard of political rectitude, and his determination to expose all measures, which should be either politically or morally wrong; was so very ridiculous, that the whole literary circle considered it, as the wild vagaries of a school boy, and gave it the contempt it merited.

But when in the succeeding papers, he attacked, by vile insinuations, the characters of men whom the people had placed in office, and calumniated those whose virtues and perseverance purchased the revolution, and established the freedom of America: it was readily discerned, that he was no other, than the tool of those, who are the enemies of our free, and happy government.

His scandal can however do but little hurt in this state, the people are well aware of the necessity of restoring peace and tranquility, and are perfectly assured, that a number of men, who have pretended to be disgusted at the late unhappy commotions, *secretly rejoice at the opportunity of establishing, under pretence of necessity, a tyrannical rule; in the room of our free, and happy constitution. A certain mark by which these are distinguished, is their repeated declarations, that the people have not virtue enough to bear a free government,* when in fact nothing has taken place here, but what has happened in every form of government yet established in the world.

This writer has been considered as a tool of a *disappointed party*, and as such, an harmless animal. But the production number five [i.e., seven], seems to indicate him the stingless enemy of his country at large, rather than the weak, and inefficacious partisan to support a particular form of government.

What an unnecessary tumult of ill joined, and incoherent ideas, are thrown together in this number, in favour of the report of the convention, which he then knew nothing about. While every one in the community was filled with hope, and expectation, at the then unknown report of that body, this writer is opening wide the jaws of distrust, and jealousy, by calling upon the people to accept it, let it be what it would. And alarming their fears, by trying to persuade them, that their circumstances were such, that they must accept whatever was proposed. When in fact, all we could say, was, that we had reason to expect from the characters which compose the convention, that their system would be quite agreeable to their fellow citizens, and that we had the highest reason to believe that the people would examine it with candor, and

wisdom, and adopt it with readiness if it was right. The imprudence of one paragraph, is equalled only by the inelegance of its expression, "I can't suppress the pain produced by the late authentic information, which the public has received, that one in high office in a neighboring state, has unreservedly declared against the *federal* convention." I cannot suppress my inclination to *express* the pain I feel at such a silly expression, of a very injudicious, imprudent, and dangerous insinuation—Numa no doubt means Governour Clinton, and what he calls "*authentic information*," is the dark insinuation of an anonymous party writer like himself, and the insinuation of that writer is as groundless, as those which this foppish partizan has thrown out against other characters, who have by their exertions for the public weal done much for the happiness of the people, and justly possess their confidence.

Governor Clinton's character is so well established, as an early, wise, and intrepid patriot, that the barely publishing him as an enemy to the proceedings of the convention, would make many men of consideration in the United States, hesitate respecting it. But the public may be assured, that his Excellency is far from meriting such abuse, and that this treatment proceeds only, from the firm, and fixed hatred, which a certain Junto in this State, have to every one who was early in the principles of the late revolution. This cabal, under the signature of Numa, Honourous, &c. are trying to disturb the peace of the Commonwealth, and to establish a regal and despotic state, but the people by a proper submission to law and government, will subvert their nefarious plan.

These men are chagrined at the return of peace. They have long been in the sentiment, that we could not live under a free government, and their last chance is, to bring the people to a loss of their confidence, in those who have led them through the revolution, and sat down with them in a land of freedom.

1. On 27 September the printer of the *Chronicle* omitted "David" because he used his columns to print the Constitution, and on 4 October he reminded his readers that "David" had been omitted earlier. "David" responds to the "Numa" essays, especially number VII (*Hampshire Gazette*, 5 September), which he identified as "number five" because it had been so mislabeled by the *Independent Chronicle* on 20 September.

Observer

Independent Chronicle, 4 October¹

Mess'rs. ADAMS & NOURSE, *You will be kind enough to insert the following, if you think it worthy a place in your paper.*

Your late papers contain few reflections, or caveats, relative to the result of our GRAND FEDERAL CONVENTION. We are indeed ignorant of the measures adopted by them, to be laid before the several Legislatures; but we are not insensible of the absolute necessity of some alterations in our federal Government. This was undoubtedly the object of [the] Convention. Steps have been deliberately taken, by the several States, for effecting these necessary alterations. This matter has, for some years, been in agitation throughout the Continent; our federal Constitution has been carefully examined; its operations duly observed; its strength and influence fairly proved by experience; and all the supposed defects of it, critically canvassed, by every discerning politician in America: And when the opinion became general, that a Convention of Delegates, from each Legislature, ought to revise and make amendments in that Constitution, the time and place of their session were named, and men elected for that important purpose. These Delegates were not created by faction—their credentials did not spring up in a day, (like those of certain officers in the Penobscot expedition)² but every member of each Legislature, had, no doubt, considered the design of this delegation,—had conversed upon the subject, with men of sense, and was convinced that the whole Union, was deeply interested in its consequences. And did the people in any State, chuse Representatives, who would trifle, or who *did* trifle with an object of such importance? They did not: For we find by a list of the learned and illustrious patriots, who composed that august Body, that a warm and ardent zeal for the common welfare of their country, guided by a nice discernment of its political interest, were viewed by the electors, essential qualifications for a seat in that Convention. What degree of confidence, therefore, *ought* to be withheld from them, which may with safety, be reposed in any body of men on earth? Is it probable, my countrymen, that *such* characters have designedly injured you, or knowingly neglected your interest? That line of conduct, which recommended them to the choice of their constituents, bids you blush at the conception of the idea! Say, this thought was suggested by an enemy to your country, but never prove yourselves so *ungrateful*, as to indulge it a single moment. Is it probable, that *such* men were *blind* to the interest of their country? This is indeed possible; but if Congress, and the several Legislatures, approve the measures which the Convention has been pleased to recommend, where is the *Apollo*, who shall set himself up as the Oracle of this western World, and pronounce the united voices of these venerable multitudes of Counsellors, in any sense, DANGEROUS TO THE PEOPLE?

Whatever is the result of this federal Convention, I scruple not, that some eagle-eyed politician, (to whose redundant wisdom, his fellow-citizens have always been blind, and are likely forever to remain so) who can trace principles farther, back or forward, than Courts, Congress or Convention, could ever see, (*if HE is not mistaken*) will very learnedly exclaim against some part of it, as wanting the dictates of *his* wisdom: And if his labours answer no other valuable purpose, they may at least shew his countrymen, their great misfortune, in over-looking or neglecting HIM, in the choice of their Delegates.

I expect to see some men betray their fondness of popularity, in certain classes, by sagaciously smelling out *designs*, in the result of Convention, and exciting uncomfortable jealousies and groundless fears concerning it, in minds that are easily chaff'd. But, my countrymen! What probability is there, that bug-bears of this kind, couch'd in the proceedings of that Assembly? These men themselves, and all the world has lately seen, that a certain cure for the *despotic fever*, and all its attendant disorders, is the natural growth of our country. American air is no less noxious to these, than civilization is to savages; and while our swords, which have so fairly proved this, and are now hardly cleansed from the blood of artful, designing men;—who, that has half sense enough to render him formidable, will dare attempt our ruin, or attempt to injure us, by *similar* designs? And what others do we fear? I cannot suppose, that we ought to be apprehensive of danger from this quarter at present: Any man, whose disposition is capable of fostering plans dangerous to the people, must view that feature of his mind a singular unhappiness, when he considers what forms of infamy, contempt and death, are its natural offspring, in a country where LIBERTY resides. The man who is vicious enough to alarm the people with cries of danger from this quarter, where there is not the least colour of the faintest suspicion, may be well esteemed, and treated as a seditious character; and we may say to him, as the Jews said to a treacherous General: *Go and hang yourself, and if possible, we will forgive your ashes.* Whether it was as hard a matter to get men hanged for treasonable practices among them, as it is among us, I shall not stand to enquire; but since *we* find it impossible to *hang* them, it is the indispensable duty of the people to *drown* fomenters of disturbance in a torrent of contempt; the power of doing this, is in the people, and is one of those precious liberties, which we now properly call our own.

I am highly pleased with the freedom which our public teachers use, in speaking of the federal Convention, as a body on which the eyes, and the cheerful hopes, of the Continent are fixed; as an Assembly consisting of the united wisdom of all the Confederate States. This

has a tendency to prepare the minds of the people at large, to receive their result with respect, and to treat it with becoming deference. And should the alarming convulsions, which have arisen, partly from the defects in our federal Constitution, prove to be the parents of one much preferable, as we cheerfully hope they will; we may rejoice in the Rock of our Salvation,³ and say to the disturbers of our peace—ye meant those things for evil, but GOD meant them for good.⁴

1. “Observer” was omitted “for want of room” in the *Chronicle* of 27 September, which contained the report of the Constitutional Convention. In the issue of 4 October, “Observer” was prefaced by this statement: “*The following was received previous to the proceedings of the Convention.*”

2. In mid-June 1779 a British force captured the area near Castine on Penobscot Bay. Quickly mounting an expedition to evict the British, the Massachusetts legislature appointed Solomon Lovell and Peleg Wadsworth to command the land forces and Continental Commodore Dudley Saltonstall the naval forces. Neither was qualified and the expedition failed disastrously.

3. Psalms 95:1. “O come, let us sing unto the Lord: let us make a joyful noise to the rock of our salvation.”

4. Genesis 50:18–20. “And his brethren also went and fell down before his face; and they said, Behold, we *be* thy servants. And Joseph said unto them, Fear not: for *am* I in the place of God? But as for you, ye thought evil against me; *but* God meant it unto good, to bring to pass, as *it is* this day, to save much people alive.”

The Boston Press and the Constitution 4 October–22 December

In the fall of 1787 the principle of free and open access and the impartiality of the Boston press was an important issue. On 4 October a correspondent in the Antifederalist *Independent Chronicle* claimed that every American had the right to publish his sentiments on the Constitution. But he believed that no writer should conceal his name, and he asked the state’s printers “whether it will be best to publish any production, where the author chooses to remain concealed.”

Federalist Benjamin Russell of the *Massachusetts Centinel* was the first printer to follow this advice. On 10 October Russell, who had not published any Antifederalist material in his semiweekly newspaper, refused to print an Antifederalist essay signed “Lucius” until the author left his name to “be handed to the publick, if required.” He declared that he would not print such material unless “the writers leave with him their names to be made publick if desired.” Writing in the *Centinel* on 13 October, “Amen” supported Russell’s policy because “By this mode we may escape a great deal of imposition—and the *secret motives* of the writers may be so accurately traced, as to defeat the designs of those who pretend to be FEDERALISTS, but are at heart *bitterly averse* to a continental government.” “One of the People,” an advocate of this policy, warned Antifederalists, in general, “to be cautious how they proceed, for the oppositions they make, or try to make at this time will soon produce their final

downfall, and forever exclude them from any appointment of either honour or profit under its establishment" (*Massachusetts Centinel*, 17 October).

Russell's policy caused an immediate uproar. On 15 October Antifederalist Edward Eveleth Powars of the *American Herald* denounced the policy, stating that the Constitution did not require "the aid of any uncommon expedient. . . ." Despite this position, Powars published on the same day an essay by "Harrington" in which the author "applaud[ed] the manly resolution of some printers, in refusing to publish any thing on this important subject, but what the authors are ready to avow."

On 16 October "A Citizen," writing in the *Massachusetts Gazette*, stated that, in order to protect the public against "foreign and domestick enemies," "it seems necessary that every writer should leave his name with the Printer, that any one, who may be desirous of knowing the author, should be informed." Such a position, he maintained, was "perfectly consistent with the liberty of the press." In an editorial note to "A Citizen," the printer of the *Massachusetts Gazette*, agreed to "adopt the rule." In another editorial note in the same issue, the printer, however, refused to divulge the name of a correspondent who, in a series of paragraphs published in the *Gazette* on 9 October, had itemized several "very serious difficulties in the way of the new confederation." The correspondent wanted his name withheld because he sought to avoid "the treatment which has been so liberally bestowed" on other Antifederalists, such as Elbridge Gerry, Edmund Randolph, and George Clinton. The printer assured the public that the writer was not a state officeholder, and that "his only wish was for discussion and deliberation, but not for opposition." Moreover, the correspondent promised not to submit "any more observations on the subject." Reacting to the charge concerning the harsh treatment of Antifederalists, "An American," *Massachusetts Centinel*, 17 October, said: "Now, Mr. Printer, I must suspect that this *insinuation* is as wicked and diabolical as the falsehoods he so recently published, and is the *working* of the same spirit of misinformation that dictated them—therefore, that the good people of this State may not be deceived, I request of you, to inform them, as I trust you can, as you receive from the several parts of the Union the papers published therein, whether the conduct or sentiments of either of these gentlemen, have been the subject of animadversion" (Mfm:Mass.). In the same issue, printer Benjamin Russell told "An American" that, since the adoption of the Constitution by the Constitutional Convention, Gerry, Randolph, and Clinton had not been criticized in any of the newspapers published from Maryland to New Hampshire and that their names had been mentioned only in the Address of the Seceding Members of the Pennsylvania Assembly (CC:125-A. The passage from the address was reprinted by Russell himself on 13 October.). Russell suspected that these three men "will acquiesce in the adoption and establishment of this Constitution, since it has received the sanction of so decided and respectable a majority of the members of the Convention" (Mfm:Mass.).

In response to Russell and his supporters, "Solon," *Independent Chronicle*, 18 October, said that they were trying "to *damp* a spirit of enquiry, and a *freedom* and *independence* of sentiments, which are so *essential* to the *existence* of free Governments." The openness of the press, "Solon" argued, "should never be *checked* in a *free* country, on the most momentous occasions."

Russell's policy frightened some Antifederalists. An anonymous Bostonian noted on 14 October that only "a *bold Jonathan* [i.e., a New Englander]" would dare speak against the Constitution in Boston at this time. "An *Anti-federalist* and a *tory* are held to be one and the same, and curses in plenty are denounced on the heads of both; as the popular breath allows no discrimination.—I must confess, nothing for a long time has so much alarmed me, as the endeavour of *certain characters* amongst us to insult the understanding of the public, by preventing that freedom of enquiry which truth and honour never dreads, but which tyrants and tyranny could never endure" (Philadelphia *Freeman's Journal*, 24 October, CC:131–G). "John De Witt" I, *American Herald*, 22 October, lamented that "The name of the man who but lisps a sentiment in objection to it [i.e., the Constitution], is to be handed to the printer, by the printer to the publick, and by the publick he is to be led to execution." (For more on "John De Witt's" attitude on the freedom of the press, see *American Herald*, 5 November, III below.) George Richards Minot, a Boston lawyer, clerk of the Massachusetts House of Representatives, and secretary of the Massachusetts Convention, stated that it would have been dangerous for Antifederalist authors to have submitted their names "as ye. mechanicks had been worked up to such a degree of rage, that it was unsafe to be known to oppose it [i.e., the Constitution], in Boston" (Mfm:Mass.).

On 24 October Benjamin Russell indirectly defended his policy in his preface to the *Massachusetts Centinel's* reprinting of James Wilson's 6 October speech to a Philadelphia public meeting (CC:134): "How much to be preferred are the sentiments and observations of a gentleman, who comes forward with his name, and who is acquainted with the great principles of the subject on which he treats, to the *envenomed suggestions*, the *dark surmises*, and *cabalistical imuendoes* of *secret plodders*, the baseness of whose designs is equal only to their ignorance."

Russell, however, softened his attitude toward Antifederalist publicists almost immediately. On the same day that he reprinted Wilson's speech, Russell was in the Massachusetts House of Representatives taking notes of the debates on the call of a state convention, when a representative denounced the "*check . . .* put to a free discussion of the new federal constitution, by the Printers refusing to insert several pieces on the subject, presented to them. . . ." Russell replied that the legislator's "suggestion," as far as it respected him, "had not any foundation in truth." To prove his point, "he readily" reprinted on 27 October "An Old Whig" I (CC:157)—the first Antifederalist essay to appear in the *Massachusetts Centinel*. (The legislator's complaint and Russell's reply were part of his prefatory statement to his republication of "An Old Whig" I.) To counteract "An Old Whig" I, Russell printed four Federalist replies to it on 31 October (III below). Other Antifederalist pieces published by Russell were similarly treated. Two months later Russell again felt obliged to reiterate that he was impartial, and he explained his publication guidelines concerning items on the Constitution. At about the same time, Powars of the *American Herald*, perhaps in response to the loss of customers because he printed Antifederalist material, reiterated his impartiality and his strong support for a free press.

In New York City, Philadelphia, and Providence, Russell's policy caused considerable dismay among Antifederalists who criticized it harshly. In turn, Federalists in the latter two cities defended Russell. See especially, CC:131, pp. 314,

317–22. See also CC:236, 239, p. 6; and CC:242, p. 52, for two prominent Antifederalist writers who briefly questioned Russell's policy.

Independent Chronicle, 4 October¹

Mess'rs ADAMS & NOURSE, The plan offered by the Convention is of the greatest consideration to the United States. Without a national system of government, we shall soon become a prey to the nations of the earth; our commerce will become contemptible, and our boasted expectations terminate in disgrace. We cannot but have domestic and foreign enemies, who would most cordially rejoice at our misfortunes: Indeed it would be for the interest of the other nations, to keep us in our divided and distracted condition. The emissaries of these, by anonymous productions, will probably fill the press with objections against the report of the Convention. But as every American has a right to his own sentiments on the subject, so he must have liberty to publish them. The press ought to be free. Yet he cannot be a friend to his country, who upon a production on the subject, will conceal his name. Therefore, it is submitted to you, gentlemen, and the other Printers in the State, whether it will be best to publish any production, where the author chooses to remain concealed.

Massachusetts Centinel, 10 October

☞ The Printer acknowledges the receipt of "Observations on the Constitution proposed by the Convention," under the signature of *Lucius*, with the note accompanying, and wishes to inform the writer, that as every gentleman who has published observations on the Constitution in his paper, is willing his name should be handed to the publick, if required; he shall not publish his remarks until he gives him the same liberty—as notwithstanding the absurdity and falshood with which they are pregnant, they may, if published, have an influence to deceive some, who supposing them to be the result of an honest enquiry of some friend to our country, may give them attention.² The intimation in the note of this "hidden enemy," that other Printers have published similar speculations, will not avail—the Printer is assured that meer inattention to the REAL designs of the writers of those remarks, occasioned their appearance:—And equally unavailing is the suggestion, that other Printers *will* insert them—he trusts their good sense will suggest to them the impropriety of permitting such casters of stumbling-blocks before the people, as dare not appear to defend their remarks, to impose on the publick, and also to refuse them a place;—but admitting the fact, the Printer has only to say, that "aiming thereby

to be just," he is determined not to give place to them, nor to like productions on the subject, except the writers leave with him their names, to be made publick if desired.

American Herald, 15 October

☞ The Printer of the HERALD, informs his correspondents, and the publick, that his paper shall be literally FREE and OPEN to all parties, and UNINFLUENCED by none; as he is satisfied, that the cause of TRUTH, and good government, will never be injured by the most perfect freedom of enquiry; and that the real merit of the Constitution lately offered to the people for their consideration requires not the aid of any uncommon expedient to secure their favour.

A Citizen

*Massachusetts Gazette, 16 October*³

As the New Constitution for the United States, now before the publick, is a concern of such vast importance to the freedom and happiness of our young nation, the people ought to bestow upon it the most serious attention, and also "ask wisdom of God who giveth to them who ask it,"⁴—and as we are to expect some erroneous *friends*, as well as artful *enemies*, who will give their sentiments to the publick upon this great subject, in order to guard the people as much as possible from impositions, it seems necessary that every writer should leave his name with the Printer, that any one, who may be desirous of knowing the author, should be informed.

This appears perfectly reasonable, and is perfectly consistent with the liberty of the press. No honest man I conceive, can object to this rule, in the present very interesting concern. Every man will admit, that this period is big with importance to our country—And if foreign and domestick enemies are allowed to publish their *dark and alarming fears*, while *they are concealed*, many honest people may suppose such fears were expressed by real friends and patriots, and therefore may receive an undue impression from them.—Enemies we certainly have, who wish to prevent our growth and prosperity; and shall we at this critical day suffer them to sow the seeds of our ruin, *in the dark?*

And as to real friends, no one can rationally object to have his name known, as the author of what he publishes—therefore it is expected that every Printer, who is a true patriot, will adhere to this rule.

(As it is not the wish of an individual citizen only, but the desire of a great majority of them, that the Printers should adopt the rule referred to in the above,—the Publisher of the Massachusetts Gazette is determined to coincide with those wishes, so far as they respect pieces wrote on the most important of all subjects—the New Federal Constitution.)

Massachusetts Gazette, 16 October

The Editor begs his customers to postpone their inquiries after the name of the person who wrote the paragraphs in the Gazette of Tuesday last.⁵ He assures them, that the remarks came from one who is not concerned in the present, and who appears neither to have the inclination nor prospect of being a sharer in any future administration. The writer's whole objections at present against being known, arise from the treatment which has been so liberally bestowed on Mr. Gerry, Governour Randolph, Governour Clinton, and other most respectable characters, who appear to have objected to the plan of confederation. As he has no political views, and his only wish was for discussion and deliberation, but not for opposition, it gives him pain that so many citizens should have become uneasy at his remarks; and he assures them that he will not trouble them or himself with any more observations on the subject.

Benjamin Russell to Eleazer Oswald

Philadelphia Independent Gazetteer, 4 December⁶

MR. OSWALD, It was expected by most people, that the enemies to the constitution proposed by the federal convention would employ every artifice which sophistry and ingenuity could conceive or invent, to prejudice the minds of the people against it:—But, Sir, it was not thought possible that to effect this purpose, those enemies would resort to falsehoods, and misrepresentations: However, events have proved that a certain class of men “*stick at nothing to carry a point.*”

One of these enemies, in the Independent Gazetteer of the 7th instant, has rashly attacked a note to a correspondent, inserted in the Massachusetts Centinel of October 10th, without previously making himself acquainted with the note, or design of it—and has by a partial and false quotation, endeavoured to mislead the public, and excite the popular odium against the printer of that paper.

Philadelphensis says, “Russell, the printer of the Massachusetts Centinel has had the effrontery to insult the freemen of America, so far as to say ‘that aiming thereby to be just, he is determined not to give

place to any piece against the new constitution, except the writer leaves his name to be made public if desired' ”—and I say, that Philadelphiensis has had the *effrontery to insult the public*, by publishing as mine, what I never inserted—Respect for that public induces me to represent the matter in its true light.

A few days after the constitution was published in this town, an unknown person, sent for insertion, “some observations on the new constitution,” in which, after mentioning its being promulgated, and ushered into the town with the zeal of enthusiasm, is the following paragraph, viz. “But, fellow citizens! beware of this candied pill—under this specious covering lurks a deadly serpent, which like Aaron’s, will swallow up the liberties of your country!⁷—Though it is presented to you as being recommended for your adoption, by a *Washington* and a *Franklin*! Beware of it—Their honest unsuspecting hearts have made them the dupes of a cunning, aristocratic majority! whose only object is *rule*, and whose only wish, your *subjection*—that thereby the host of idle expectants, the starvelings of the Cin——i,⁸ may riot in extravagance, supported by the hard earnings of our industrious citizens!” &c—This paragraph contains the essence of the piece.

Could a publication, Mr. Oswald, so replete with illiberal declamation, from we know not who, be otherwise considered than inadmissible?—If not, a note to *Lucius* became necessary—In which he was desired to leave his name with the printer, for these reasons, viz. Because those persons who had wrote in favor of the constitution had left their names to be made public, if desired—and to guard against the declamatory assertions and insinuations of emissaries, and hidden enemies to *any* form of government that they supposed beneficial to the United States—Then follows the clause which Philadelphiensis has misrepresented, viz. “The printer has only to say, that aiming thereby to be just, he is determined not to give place to them (the observations of *Lucius*) nor to like productions (productions replete with mere declamation and abuse) on the subject, except,” &c. In this light it was considered in this town—and thought a timely caution against those, who secure, in not being known, even to the printer, would foist into our papers their assertions and falsehoods, to excite jealousy and mistrust—Which, though the *wise* would consider as too glaring to be hurtful, and too weak to merit an answer, yet the less informed would believe, and adopt as truth.—All other pieces against, or for the constitution, have met with a ready insertion, and had Philadelphiensis seen any one of the Boston papers, he never would have made the unqualified assertion, that “*the liberty of the press was wholly abolished in Boston.*” He may

be assured that the presses are as free here as in Philadelphia—except he construes into a restraint, the duty on newspaper advertisements.

I agree with Philadelphiensis, “that it was not with the *author* of *Lucius*, that the freemen of Massachusetts had any thing to do, but with his *reasonings*.” But let me tell this writer, *Lucius* used no *reasonings* whatever—and the freemen of this state wanted none of his *abuse*.

But, Mr. Oswald, I have my doubts of Philadelphiensis’ sincerity—“Russell, he says, deserves to be born aloft by a mob, as an object of *hatred* and *contempt*, and hung in effigy,”—For what?—“For doing more *prejudice* to the new constitution, than its enemies can do by the violence of their *accusations*, however well they may be founded”—though to save appearances he afterwards calls it a “tyrannical government,” and prays Heaven to forbid its establishment.

If sincere in his “accusations,” though he might hug himself, in his fancied security, from the distance between this town and Philadelphia, and supposing himself, sheltered thereby, call to his support in attacking “the wisdom of our wise men”—misrepresentation and deceit—It is the duty of a freeman, to expose him, if discovered—To expose him therefore, and to convince the public of the deception, I have troubled you with this letter, which if inserted, will oblige Your very humble servant, B. RUSSELL.

Boston, 20th November, 1787.

*American Herald, 17 December*⁹

☞ The Printer of this is still determined to keep his paper open to all parties, and influenced by none—He considers a FREE PRESS, not as his own, but as public property:—And he could not consistently complain of a single restriction upon it, if he would be the weak and wicked accomplice to any act, which he should undoubtedly condemn in another.—He ardently wishes for a good Fœderal Government; but he considers a FREE press as its basis, as its means, and as its object.—When this liberty is gone, there is nothing left.—He does not PRETEND to determine on publick ground what is right or wrong as it respects the community; and he will never refuse any DECENT speculation a place, though he should even lose SOME MORE of his customers—He is willing to combine with his brethren to check the growth of scandal and opprob[r]ious personality, and hopes, that HIS paper is not often dishonored and corrupted by its pestilential breath.—He is for MEASURES, and not MEN.—But while he has a type, HIS paper shall be FREE as air, let his own private interest suffer as it may.

Massachusetts Centinel, 22 December

☞ To the query of our correspondent *Leonidas*, we reply, that to republish ALL the suggestions, refutations, replies and rejoinders, with which the southern papers are filled, neither our duty to our CORRESPONDENTS, nor the limits of our paper, will permit—With respect to original speculations, we aver, that no piece on the great topick, the American Constitution, has been sent us, which we have refused to insert—and this we repeat, that the *fears* of the *weak*, and the *insinuations* of the *designing*, may be done away:—Our correspondent suggests, that *our* interest in, and regard for, the preservation of the Liberty of the Press, ought to induce us to oppose the adoption of the new constitution:—We reply, that as we know that no power given to Congress by this constitution can be even *tortured* to extend to the infringement of this privilege, to oppose it on that ground, would be wicked and absurd.—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. In conducting our paper we know no party:—Early to communicate to the publick all the official objections to the constitution—the remarks on these objections—the official communications, and speeches in its favour—the animadversions thereon—ALL decent original correspondence on the subject—the most cool and apposite speculations, on both sides the question, from other papers, and regular and authentick accounts of proceedings thereon in the several States, has been our AIM—and we are happy that our conduct therein, has met the approbation of the publick—whose encouragement will stimulate us to perseverance in what its patronage so emphatically pronounces the “*ways of well-doing*.”

1. Reprinted: *Connecticut Journal*, 10 October; *Cumberland Gazette*, 18 October.

2. For Russell's defense of his policy, see Russell to Eleazer Oswald, *Philadelphia Independent Gazetteer*, 4 December.

3. Reprinted: *Pennsylvania Packet*, 25 October; *Philadelphia Independent Gazetteer*, 26 October; *Pennsylvania Journal*, 27 October (without the paragraph in parentheses); *New Jersey Brunswick Gazette*, 6 November.

4. James 1:5.

5. For this article and the alleged identity of its author, see *Massachusetts Gazette*, 9 October.

6. Oswald (1755–1795), a former lieutenant colonel in the Continental Army, 1777–78, was the fiercely Antifederalist publisher of the *Philadelphia Independent Gazetteer*, which he established in 1782. He also owned the London Coffee House. Russell wrote Oswald because on 7 November Oswald had printed “*Philadelphiensis*” I (Benjamin Workman), which, among other things, criticized the publication policy that Russell had announced on 10 October. (See CC:237–A for “*Philadelphiensis*.”) On 5 December “*Philadelphiensis*” responded to Russell in the *Gazetteer* (CC:237–C).

7. Exodus 7:8–12.

8. Society of the Cincinnati.

9. The *New York Journal*, 27 December, printed an item praising the printer of the *American Herald* for his independence in publishing both Federalist and Antifederalist material. Because he had printed Antifederalist articles, the printer had "lost several of his customers" (III below).

William Cranch to John Quincy Adams Boston, 5 October¹

William Cranch (1769–1855) and his cousin John Quincy Adams (1767–1848) were graduated from Harvard College in July 1787. The former was studying law with Thomas Dawes, Jr., of Boston, the latter with Theophilus Parsons of Newburyport. (Both Dawes and Parsons became delegates to the state Convention and voted to ratify the Constitution in February 1788.) Cranch was admitted to the bar in 1790. In 1801 President John Adams, Cranch's uncle, appointed him a judge of the Circuit Court of the District of Columbia, and in 1805 he became chief judge of that court, serving in that capacity until 1855.

On 5 October Cranch wrote Adams expressing his opinion on the Constitution. Adams received Cranch's letter on 9 October and answered it five days later. Cranch responded on 26 November and Adams ended this exchange of letters on the Constitution on 8 December (both III below). Cranch supported the Constitution, while Adams opposed it. In January 1788 Cranch attended the debates in the Massachusetts Convention and became even more attached to the Constitution. He was convinced that Adams would become a supporter of the Constitution if he attended these debates (Cranch to Adams, 22, 27 January, III below). Adams, however, maintained his objections to the Constitution until it was ratified by the Massachusetts Convention. On 31 January he described himself as "a strong *antifederalist*," but once ratification became certain he concluded that "any further opposition to it at present would be productive of much greater evils" (to Oliver Fiske, III below). After the state Convention ratified, Adams confided to his diary on 7 February that he had been "converted, though not convinced. My feelings upon the occasion have not been passionate nor violent, and as upon the decision of this question I find myself on the weaker side, I think it my duty to submit without murmuring against what is not to be helped. In our Government, opposition to the acts of a majority of the people is rebellion to all intents and purposes . . ." (III below). On 16 February he wrote Cranch that he was "a strong *federalist*," but that he "should make a poor disputant in favor of that side" (Mfm:Mass.).

In July 1827 Cranch returned the letters of 14 October and 8 December 1787, and 16 February 1788 to Adams, who was then President of the United States. Adams noted in his diary: "The fortieth year is revolving since my own Letters were written; and now their best use is to teach me a lesson of humility, and of forbearance—I was so sincere, so earnest, so vehement in my opinions, and time has so crumbled them to dust, that I can now see them only as monumental errors—Yet the Spirit was such as even now I have no reason to disclaim—A Spirit of Patriotism of Order and of Benevolence" (9 July 1827, Adams Family Papers, John Quincy Adams Diary, MHI).

Why, John, do you complain of my unintelligibleness? Did I not tell you that I was going to write nonsense?—

But now a few queries concerning this said foederal Constitution— We will pass the first & 2d section of Article 1st.—But concerning the Senate in section 3d. Quere 1st. Whether the division of the Senate be not making the Machine much more complicated, without deriving a competent advantage. Where is the benefit of having 3 Classes?² The senate I suppose is intended to be the aristocratic part of the Constitution. This is the most powerful branch of the Legislature. Perhaps this division is intended to Limit & confine their power, by changing them so often as to prevent their forming any Combinations. I do not know but in this view it may be of advantage. But at present I cannot but think that it is a needless innovation upon the simplicity of the three orders.³ If instead of diminishing by these means the power of the Senate, they had added to the power of the president by giving him an absolute negative upon the other two branches, it would in my humble opinion have made the Constitution much more simple. 2. Whether the President ought not to be able to defend himself from the encroachments and attacks of the other two branches. 2. [*sic*] Whether this can be done by any method except by giving him a negative. Sect 8. is very extensive. The powers therein granted to Congress are large & such as are necessary for the Connexion of the States. Would it not be better if the same President should be able to hold his Office for a longer time than 4 year[s] out of eight or in some such way. The same person may now hold the Office as long as he lives if the people will choose him. And when a man has once got seated for 20 or 30 years it will be very difficult to turn him out. These are only a few of the objections which I might perhaps find in reading the Constitution over again. I have got but half thro yet. But it is now so dark that I can not see to write at all. I saw Charles this afternoon. Your Mother has sent a piece of Cloth for a Coat for you. My mother wishes to know whether you would have it sent—

1. RC, Adams Family Papers, MHi.

2. The “3 Classes” refers to the Constitution’s provision (Article I, section 3) dividing the first U.S. senators into three equal (as far as possible) groups. The first group would serve for two years, the second for four years, and the third for six years. In this way, the Senate’s staggered method of electing one-third of its membership every two years was created.

3. The “three orders” refers to the three elements in free governments—democratic, aristocratic, and monarchical—that John Adams discussed in the first volume of his *Defence of the Constitutions* (CC:16). These three orders were represented in the new Constitution by the House of Representatives, the Senate, and the President, respectively.

Massachusetts Gazette, 5 October¹

“This is the period to try men’s souls.”

The true friends of America, are friends to good government—the friends to good government are friends to the plan proposed by the convention—and the plan proposed by the convention is, without doubt, the wisest and best ever devised for the government of a free and a brave people.

1. Reprinted: *Essex Journal*, 10 October; *Newport Herald*, 11 October; *Cumberland Gazette*, 18 October; *Connecticut Gazette*, 19 October; Middletown, Conn., *Middlesex Gazette*, 22 October. The three out-of-state newspapers omitted the first sentence, a paraphrase from Thomas Paine’s “The American Crisis” I (1776).

Massachusetts Centinel, 6 October¹**FEDERAL CONSTITUTION.**

(As this subject is of the greatest national importance, we esteem it a duty to lay before our readers, at one view, as well the candid remarks and observations made upon it in different parts, as the most authentic information concerning its progress, &c. And it gives us the highest pleasure to premise, that its reception in every quarter from which we have obtained intelligence, is highly pleasing and satisfactory.)²

From a NEW-YORK PAPER, of Sept. 29.

[1] [“]YESTERDAY Congress resolved *unanimously*, eleven States being present, that the NEW CONSTITUTION is to be transmitted to the Legislatures of the several States, in order to be submitted to a Convention of Delegates to be chosen by the people, agreeably to the mode prescribed by the Convention.”³

From PHILADELPHIA PAPERS, Sept. 26, &c.

[2] We hear from Delaware and New-Jersey, that the federal government has been received in each of those States with universal satisfaction. And it is said a majority of the citizens of New-York, where it was made publick last Friday, expressed their hearty concurrence in it.⁴

[3] In the city and neighbourhood of Philadelphia, a petition to our Assembly to call a convention in order to adopt this government, has been almost unanimously signed.⁵ The zeal of our citizens in favour of this excellent constitution has never been equalled, but by their zeal for liberty in the year 1776. Republicans, Constitutionals, Friends, &c. have all united in signing this petition. It is expected the new government will abolish party, and make us, once more, Members of one great political Family.⁶

[4] The inhabitants of the old world (says a correspondent) have long been looking at America, to see whether liberty and a republican form of government are worth contending for. The United States are at last about to try the experiment. They have formed a constitution, which has all the excellencies, without any of the defects, of the European governments. This constitution has been pronounced by able judges to be the *wisest, most free and most efficient*, of any form of government that ancient or modern times have produced. The gratitude of ages, only, can repay the enlightened and illustrious patriots, for the toil and time they have bestowed in framing it.⁷—

[5] The nearer the American States can bring their constitutions to the form of the federal government, the more harmony they will always have with Congress, and the more happily will they be governed. Where this is not the case, comparisons will often be drawn to the disadvantages of the state government, which will lessen the principle of obligation and obedience in its citizens. For instance—who will not prefer, by every art, a Court to try a cause, where the Judges are appointed during *good behaviour*, to one in which the Judges are appointed for *three, five or seven years*.⁸

[6] It is remarkable, that while the federal government lessens the power of the *states*, it increases the privileges of *individuals*. It holds out additional security for liberty, property and life, in no less than *five* different articles, which have no place in any one of the state constitutions. It moreover provides an effectual check to the African trade, in the course of one and twenty years. How honourable to America—to have been the first Christian power that has borne a testimony against a practice, that is alike disgraceful to religion, and repugnant to the true interest and happiness of society.⁹

[7] GEORGE WASHINGTON, Esq. has already been destined, by a thousand voices, to fill the place of the first President of the United States, under the new frame of government. While the deliverers of a nation in other countries have hewn out a way to power with the sword, or seized upon it by stratagems and fraud, our illustrious Hero peaceably retired to his farm after the war, from whence it is expected he will be called, by the suffrages of three millions of people, to govern that country by his wisdom (agreeably to fixed laws) which he had previously made free by his arms.—Can Europe boast of such a man?—Or can the history of the world shew an instance of such a voluntary compact between the *Deliverer* and the *delivered* of any country, as will probably soon take place in the United States.¹⁰

[8] The Americans in Europe have been remarked for *loving* their country and hating their *governments*. They will hereafter, we hope, be distinguished for loving their country, their government, and their rulers, with the same warm and supreme affection.¹¹

[9] Danger from the influence of GREAT MEN (concludes our Correspondent) is only to be feared in single governments, where a trifling weight often turns the scale of power. In a compound government, such as that now recommended by the Convention, the talents, ambition, and even avarice of great men, are so balanced, restrained and opposed, that they can only be employed in promoting the good of the community. Like a mill-race, it will convey off waters which would otherwise produce freshes and destruction, in such a manner as only to produce fruitfulness, beauty and plenty in the adjacent country.¹²

[10] We are informed that the constitution proposed by the late federal convention promises to be highly popular with the citizens in New-York; and that the distinguished person from whom an opposition was predicted, has expressed himself in terms favourable to the plan.¹³ Perhaps there never was a subject, indeed, upon which men were more unanimous, for even those who cavil at the system itself, are impressed with the necessity of adopting it.¹⁴

[11] The cloud which gathers in the European hemisphere, serves, as a foil, to set off the lustre of the prospect that opens upon America. While the ancient establishments of the world, are rent with civil discord and national contention, this infant empire deliberately examines her present wants and weakness, in order to provide for her future strength and glory. Thus the dotage of our parent continent is stained with wild ambition and fantastick pride, while the vigorous youth of the confederated states, expands under the influence of reason and philosophy.¹⁵

Original paragraphs.

⟨The Supreme Executive of this Commonwealth, by Thursday evening's mail, received from Congress the CONSTITUTION proposed by the Convention, to be communicated to the Legislature as early as possible the next session—and have recommended that a Convention be called for the purpose of adopting the same⟩

Says Shakespear,

—“There is a tide in the affairs of men,
Which taken at the *full* leads on to fortune:

But if neglected the remainder of their lives
Is spent in *shallows* and in *misery*.”¹⁶

This observation applies with equal force to nations as to individuals; and as the tide of our national EXISTENCE as freemen, appears at near the full, it must be the wish of every *good man* that it may be immediately improved—that the several bodies through which the glorious fabric, the American Constitution, *must pass*, would not by unnecessary delays lose the critical moment, and precipitate the empire into those “shoals and miseries” which must be the inevitable consequences of missing the tide.¹⁷

1. The first paragraph printed below appeared in square brackets in the *Massachusetts Centinel* under a Boston dateline of Saturday, 6 October. It was followed immediately by eleven brief paragraphs that were first printed in New York City and Philadelphia newspapers; these paragraphs have been numbered. Paragraph one was first published in the *New York Daily Advertiser*, 29 September (CDR, 351); paragraphs 2–9 in the *Pennsylvania Gazette*, 26 September (CC:101); paragraph 10 in the *Pennsylvania Herald*, 25 September (CC:Vol. 1., pp. 582–83); and paragraph 11 in the Philadelphia *Independent Gazetteer*, 26 September (CC:98). All paragraphs were widely reprinted in five to ten Massachusetts newspapers. (See notes 3–4, 6–12, 14–15.)

The only Massachusetts newspaper to print all eleven paragraphs was the *Massachusetts Centinel*. Ten paragraphs appeared in the *Salem Mercury* and *Hampshire Chronicle*, 9 October; nine in the *Worcester Magazine*, 11 October, and *Boston Gazette*, 8, 15, 22 October; eight in the *American Herald*, 8 October; seven in the *Essex Journal*, 10 October; six in the *Massachusetts Gazette*, 5 October, and *Cumberland Gazette*, 11, 18 October; four in the *Independent Chronicle*, 4, 11 October; and two in the *Hampshire Gazette*, 10 October.

The eleven paragraphs from New York City and Philadelphia newspapers were followed immediately by others under the heading “*Original paragraphs*.”

2. Reprinted: *Newport Herald*, 11 October; *New Hampshire Gazette*, 13 October.

3. Reprints by 22 October (18): N.H. (3), Mass. (7), R.I. (2), Conn. (3), N.Y. (2), S.C. (1).

4. Reprints in whole or in part by 22 October (23): Vt. (1), N.H. (2), Mass. (6), R.I. (3), Conn. (3), N.Y. (3), Pa. (1), Md. (2), Va. (1), S.C. (1). The Constitution was published in the *New York Daily Advertiser* and *New York Packet* on 21 September.

5. For these petitions, which were signed by more than 4,000 inhabitants of the city of Philadelphia and the counties of Montgomery and Philadelphia, see RCS:Pa., 62, 64, 64–65, 65, 67, 130, 134, 137–38.

6. Reprints by 15 October (24): Vt. (1), N.H. (1), Mass. (6), R.I. (3), Conn. (3), N.Y. (3), Pa. (2), Md. (2), Va. (2), S.C. (1).

7. Reprints by 25 October (37): Vt. (2), N.H. (3), Mass. (8), R.I. (2), Conn. (7), N.Y. (4), N.J. (2), Pa. (4), Md. (2), Va. (2), S.C. (1).

8. Reprints by 15 October (18): N.H. (1), Mass. (5), R.I. (2), Conn. (3), N.Y. (1), N.J. (1), Pa. (1), Md. (2), Va. (2).

9. Reprints by 18 October (27): Vt. (1), N.H. (2), Mass. (8), R.I. (3), Conn. (4), N.Y. (2), N.J. (1), Pa. (2), Md. (2), Va. (2).

10. Reprints by 25 October (44): Vt. (2), N.H. (4), Mass. (10), R.I. (3), Conn. (7), N.Y. (7), N.J. (1), Pa. (4), Md. (3), Va. (1), S.C. (1), Ga. (1).

11. Reprints by 5 November (26): Vt. (1), N.H. (1), Mass. (9), R.I. (3), Conn. (7), N.Y. (1), N.J. (1), Pa. (1), Md. (1), Va. (1).

12. Reprints by 25 October (21): N.H. (1), Mass. (8), R.I. (2), Conn. (4), N.Y. (1), N.J. (1), Pa. (1), Md. (1), Va. (1), S.C. (1).

13. A reference to Governor George Clinton.

14. Reprints by 16 October (26): N.H. (3), Mass. (9), R.I. (3), Conn. (1), N.Y. (2), Pa. (3), Md. (2), Va. (2), S.C. (1).

15. Reprints by 30 October (20): N.H. (3), Mass. (6), R.I. (1), Conn. (2), N.Y. (4), N.J. (1), Va. (2), S.C. (1).

16. Adapted from the words of Brutus in William Shakespeare's *Julius Caesar*, Act IV, scene 3, lines 216-19. "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 and in miseries."

17. The entire text under the subheading "*Original paragraphs*" was reprinted in the *Newport Herald*, 11 October; *New Hampshire Gazette*, 13 October; and *Pennsylvania Packet*, 16 October. The text in angle brackets was reprinted in the *Salem Mercury*, 9 October; the *Cumberland Gazette* and *Worcester Magazine*, 11 October; and in five other newspapers by 16 October: N.H. (2), R.I. (1), Conn. (2).

The Grand Constitution

Massachusetts Centinel, 6 October¹

THE
GRAND CONSTITUTION:
Or, *The PALLADIUM of COLUMBIA:*
A NEW FEDERAL SONG.
Tune—"Our Freedom we've won," &c.

From scenes of affliction—Columbia opprest—
Of credit expiring—and commerce distrest,
Of nothing to do—and of nothing to pay—
From such dismal scenes let us hasten away.

Our Freedom we've won, and the prize let's maintain

Our hearts are all right—

Unite, Boys, Unite,

And our EMPIRE in glory shall ever remain.

The Muses no longer the cypress shall wear—
For we turn our glad eyes to a prospect more fair:
The soldier return'd to his small cultur'd farm,
Enjoys the reward of his conquering arm.

"Our Freedom we've won," &c.

Our trade and our commerce shall reach far and wide,
And riches and honour flow in with each tide,
Kamschatka and *China* with wonder shall stare,
That the *Federal Stripes* should wave gracefully there.

"Our Freedom we've won," &c.

With gratitude let us acknowledge the worth,
 Of what the CONVENTION has call'd into birth,
 And the Continent wisely confirm what is done
 By FRANKLIN the sage, and by brave WASHINGTON.
"Our Freedom we've won," &c.

The wise CONSTITUTION let's truly revere,
 It points out the course for our EMPIRE to steer,
 For oceans of bliss do they hoist the broad sail,
 And *peace* is the current, and *plenty* the gale.
"Our Freedom we've won," &c.

With gratitude fill'd—let the great Commonweal
 Pass round the full glass to Republican zeal—
 From ruin—their judgment and wisdom well aim'd,
 Our liberties, laws, and our credit reclaim'd.
"Our Freedom we've won," &c.

Here Plenty and Order and Freedom shall dwell,
 And your *Shayses* and *Dayses* won't dare to rebel—
 Independence and culture shall graciously smile,
 And the *Husbandman* reap the full fruit of his toil.
"Our Freedom we've won," &c.

That these are the blessings, Columbia knows—
 The blessings the Fed'ral CONVENTION bestows.
 O! then let the People confirm what is done
 By FRANKLIN the sage, and by brave WASHINGTON.
Our freedom we've won, and the prize will² maintain
By Jove we'll Unite,
Approve and Unite—
And huzza for Convention again and again.

1. Reprints by 13 December (15): N.H. (3), R.I. (1), Conn. (1), N.Y. (3), N.J. (1), Pa. (3), Va. (2), S.C. (1).

2. Three reprints substituted "we'll"; another used "well."

Christopher Gore to Rufus King
Boston, 7 October (excerpt)¹

. . . The federal plan is well esteemed and as far as can be deduced from present appearances the adoption will be easy—it is cause of speculation that our friend Mr Gerry did not sanction the plan with his name. . . .

1. RC, King Papers, NHi. Gore originally misdated the letter "November 5," but overstruck it with October 7. The letter was postmarked at Boston on 7 October and docketed by King as "Oct. 7. 1787."

James Madison to Edmund Randolph
New York, 7 October (excerpt)¹

. . . We hear nothing decisive as yet concerning the general reception given to the Act of the Convention. The Advocates for it come forward more promptly than the Adversaries. The Sea Coast seems every where fond of it. The party in Boston which was thought most likely to make opposition, are warm in espousing it.² It is said that Mr. S. Adams objects to one point only, viz. the prohibition of a Religious test.³ Mr. Bowdoin's objections are said to be agst. the great number of members composing the Legislature, and the intricate election of the President.⁴ . . .

1. RC, Madison Papers, DLC. Printed: Rutland, *Madison*, X, 185–86. Madison (1751–1836), a Virginia delegate to Congress, and Randolph (1753–1813), that state's governor, were closely associated in the movement to strengthen the central government. As delegates to the Constitutional Convention, Madison signed the Constitution, while Randolph refused to sign. Both men spoke in favor of and voted to ratify the Constitution in the Virginia Convention in June 1788.

2. Probably a reference to the supporters of John Hancock.

3. The Constitution's prohibition of a religious test was not among the objections Adams discussed in his 3 December letter to Richard Henry Lee (III below). In February 1788 Adams voted to ratify the Constitution after the state Convention adopted recom-mendatory amendments to it.

4. On 28 October Theodore Sedgwick reported that Bowdoin was "decidedly" in favor of the Constitution (III below). Representing Boston, Bowdoin voted to ratify the Constitution in the state Convention in February 1788.

Joshua B. Osgood to George Thatcher
Brownfield, 8 October (excerpt)¹

. . . I flatter myself that the proposed Constitution will be adopted which will give Energy to Government ristore Confidince between Men & by which Money will be obtainable by the Possession of real Estate [when?] [I] will find it in my Power [to?] command Cash sufficient for my purposes; If this should not be the case I am persuaded I can raise Money from Lumber next year to make payment of a Quarter of the Debt.

1. RC, Letters to George Thatcher, 1780–1800, MeHi. Osgood (1753–1791), a graduate of Harvard College (1772) and a militia officer during the Revolution, was a merchant in Fryeburg, Maine, who owned large tracts of land. The entire letter is concerned with Osgood's inability to pay a debt to a Mr. C. Russell.

Hartford American Mercury, 8 October

Extract of a letter from a gentleman in Boston, to his friend in this City, dated Sept. 27, 1787.

“The proceedings of the Convention, is such a candid and judicious Plan to make us happy in a Fœderal Government, that I hope the Sciences will raise their drooping heads—It is allowed to be one of the most unexceptionable productions, that can be, in its nature and magnitude.”

**Chesterfield Town Meeting: Instructions to Representative
9 October¹**

Instructions of the town of Chesterfield, in the County of Hampshire, and Commonwealth of Massachusetts, to Col. BENJAMIN BONNEY,² their Representative in the Great & General Court of said Commonwealth.

SIR, You are chosen to represent this town, in the Great and General Court of this Commonwealth, in tumultuous, and unsettled times; in times also, where judicial dispensations of the holy government are in execution,³ on this State, which evidently indicates some heinous cause; either in a general abuse of divine benignity; or in particular breach of faith, and violence of most sacred bonds; we wish you, sir, to fix your eye in the public indications, and labour to trace out the malignant cause; and then that you urge such measures to be adopted, as may remove the cause, and so occasion the distressful effects to cease.

Our remote situation from the centre of public operations, deprives us of that knowledge of them, which would be necessary for our being very particular in our instructions to you on this occasion.

Permit us therefore, sir, only to refresh your memory by suggesting a few objects, to which we insist you should closely attend, as,

1st. That you not only make strict justice the inviolable rule of all your exertions in your present public capacity; but that you particularly exert yourself to detect the cause and source of a public reproach on the State, viz. that there is no confidence to be placed in its promises; and then that you labour in all your motions, to extricate it from the scandal.

2d. That you impress your mind very deeply, with just views, of the absolute importance of the rigorous and successful prosecution of husbandry and Fishery, to the general emolument of the State, and the honour, happiness, and prosperity, of all its inhabitants; and that you keep it in your eye, that the industrious, in these two branches are the support of the Commonwealth, and of course, that the whole weight

of your influence may be for the case in encouragement of the labouring part of the community; and for the general use, and improvement of our own manufactures, and for this purpose we enjoin on you, to move and urge, that taxes be less on poles, & estates, and increased on all luxurious superfluities; that virtue, industry and frugality may be encouraged; and idleness, foppery, and effeminating luxury, may be discouraged and avoided.

3d. It is apprehended, and we suppose on good ground, that the Commonwealth has done much more than its proportion in the late war; and if so, we endure the burthen of debt, which ought in part to be born by other States in the union; we direct you sir, to scrutinize this affair, and if it appears to be fact, that you move for our delegates in Congress to be called upon, to investigate the whole affair, and settle this state's just proportion; that in future we may not be subjected to a demand for more than our just part of the national debt.

4th. Whereas the state of New-York, hath refused to concur with other states, in federal measures,⁴ and some other states, induced (perhaps) by that example, have neglected it; by which the public finances are extremely deranged: and whereas the traders in these western counties of the State, deal much at New-York; so their duties, and imposts, drawn from this state, are constantly to the emolument of that state, so that that state accumulates wealth and is agrandized at our expence.⁵ Now as a means of redress of these unequal, and injurious circumstances, we enjoin it on you, sir, to insist on additional duties, and imposts, on all importations, (of foreign articles) from such delinquent states, into this state; so that our wealth, may be no longer transferred to balance the debt of other states, to the impoverishment of this.

5th. As a revision of the Confederation of the United States, is now on the carpet; the plan of which perhaps may be laid before the General Court; we enjoin it on you, sir, not only to exercise a faithful patronage, and guardianship to the dear bought liberties of the people; but also to keep an attentive regard to all the great national objects, by which divine Providence has dignified our land, and to which we are solemnly bound to give the most watchful and zealous attention.

1. On 9 August the town meeting of Chesterfield voted to instruct the town's representative (Colonel Benjamin Bonney) to the House of Representatives and chose a committee of five to draft the instructions. The town meeting accepted the committee's report on 9 October. On the 24th the *Hampshire Gazette* printed the instructions, and on 6 November they were reprinted in the *Pennsylvania Packet*. The instructions have been transcribed from the *Hampshire Gazette*.

2. Bonney, a militia officer during the Revolutionary War and a longtime selectman, represented Chesterfield in the state House of Representatives, 1780-81, 1787-92. In

August 1786 he was chairman of a Hampshire County convention of fifty towns that drew up a long list of grievances against the state government.

3. Possibly a reference to the tender act of June 1787 which extended an earlier act suspending suits for debt.

4. A reference to New York's adoption of the Impost of 1783, which was rejected by Congress because of the restrictions imposed by New York.

5. During the 1780s the annual income from the New York state impost was between \$100,000 and \$225,000, figures representing from one-third to more than one-half of the state's annual income. Connecticut and New Jersey registered similar complaints about the New York impost. (For estimates of the amounts paid by the inhabitants of Connecticut and New Jersey, see RCS:NJ., 122; and RCS:Conn., 322, 470, 544, 576.)

Massachusetts Gazette, 9 October¹

The following remarks are handed to us by a correspondent as being very serious difficulties in the way of the new confederation, notwithstanding the pains which have been taken to prove, that it could not contain any thing wrong.—

“A confederation, for purposes merely national, would undoubtedly be exceedingly beneficial to these states. Every one should, however, be indulged in a free, but decent, examination of every proposed form.

“In general, publick business would go on smoothly when the mode of doing it is conformable to the habits of the people, and when employment is found for their activity. Let us upon these principles review the newly proposed federal constitution.

“The several states are to be represented by a small number of persons, who, during the long period for which they are to be chosen, will be invested with almost every branch of legislative authority, and will generally reside without the states represented by them.

“Their authority will extend not only to the foreign commerce but to the internal economy of the states. They are to keep up armies within the states at all times, and to have the sole power of calling the militia into service, excepting the case of foreign invasion. The states therefore lose the right of compelling the obedience of their own subjects.

“No state will be able to pay its debts otherwise than by a dry tax; imposts and excises being applied wholly to continental purposes. The several states are not allowed to certify their own debts, even without making their bills a tender.

“Titles of land in many cases are to be tried by a continental court. This gives the national government unequal authority in different states, and creates different interests. Some states will lose their whole jurisdiction over real estates; and the large state of Vermont will be excluded from the union.

"These are great difficulties and ought to be well weighed before the system is adopted, which will forever put it out of our power to remedy them, otherwise than by force of arms. Our people are every day coalescing under a wise and moderate, but firm, government. Let us not hastily divide them.

"Thanks are due to the gentlemen who have come so near the truth in a matter of such importance to us all. But it will probably be found necessary to have this system carefully revised and corrected, before it will be perfect, and be likely to promote the happiness of any state in the union; as it does not at present conform to their established habits."

1. Reprinted in the *Cumberland Gazette*, 25 October; *American Herald*, 29 October; and in seven other newspapers by 31 December: N.Y. (3), Pa. (2), Va. (1), S.C. (1). Some of the readers of the *Massachusetts Gazette* requested the identity of the writer of this item, and on 16 October the editor informed them that the author was not concerned in the present administration of John Hancock, nor did he seek a position in a future administration. The editor also noted that the writer, disturbed by harsh attacks upon the opponents of the Constitution, did not want to receive similar treatment ("The Boston Press and the Constitution," 4 October–22 December).

Addressing the matter of the author's identity, "W. X." charged that "The writer of those wicked and absurd paragraphs, it is said, has been lately ousted from an office he sustained in a literary society. His talents for mathematical investigations have been lately evinced by some geometrical improvements, communicated to a celebrated Academy." The writer, declared "W. X.," was also "driving after military distinction" (*Massachusetts Centinel*, 24 October). These are allusions to James Winthrop, the probable author of the "Agrippa" essays. Before Winthrop resigned his position as librarian of Harvard College in the summer of 1787, he submitted to the American Academy of Arts and Sciences in Boston some faulty solutions to some unsolvable geometric problems. Nevertheless, in 1793 he published his solutions in the Academy's second volume of *Memoirs* and was widely criticized (Brooke Hindle, *The Pursuit of Science in Revolutionary America, 1735–1789* [Chapel Hill, N.C., 1956], 331). During Shays's Rebellion, Winthrop joined the troops of General Benjamin Lincoln and actively helped to suppress the rebels.

For other commentaries on these paragraphs, see *Massachusetts Centinel*, 13 October, and "Harrington," *American Herald*, 15 October (both below); and "An American," *Massachusetts Centinel*, 17 October (Mfm:Mass.).

Nathan Dane to Caleb Strong New York, 10 October¹

Your's of the 7th. Ulto.² came safe to me—I think the New Constitution Stands a fair chance to be accepted in all the States—tho many sensible men have several objections to it—they thinking however that it is the best thing which can, probably, be obtained at present, are of opinion it should be adopted—many parts which, on examination, appear to be rather undefined and some parts unguarded may be amended by attention in organizing the system—if the departments of

the New Government, especially in the first instance, shall be filled with men of abilities and honest views, I think it may work very well and make the people of these States happy—and was the probability of having such men in the administration greater than it is, our prospects would be more pleasant—You have seen, I suppose the resolution of Congress relative to the New Constitution—it was considered as an entire New System, on its passage from the Convention to the people, and altogether extraneous to the powers of Congress—the warmest friends of it appeared to be extremely impatient to get it thro Congress, even the first day that it was taken up—they wanted Congress to approve of it, but objected to any examination of it by paragraphs in the usual mode of doing business—very few members wanted any alterations and after two days debates Congress unanimously agreed the proper measure was to transmit it to the States to be laid before Conventions of the people—had Congress been of opinion that it was a subject within their Cognizance, and taken time to examine it as so respectable a body ought always to do [in] such important Cases—I think it is highly probable that Congress would have very fully approved of the plan proposed and on the principles which actuated the Convention—the zeal with which the adoption of this Constitution is hurried especially in some Seaport towns, may give it a temporary currency—but this to me is very questionable policy—I think the parties in Pennsylvania by their intemperate conduct on both sides are in a fair way to throw the State into the greatest disorder and confusion³—I need not add as I hope to see you in Massa. in a few weeks—

Your affecta. friend

1. RC, Strong Manuscripts, MNF. Two weeks earlier, Dane had opposed the Constitution in the congressional debates on transmitting it to the states that he discusses in this letter (CC:95).

2. Strong's letter of 7 September has not been located. He had left the Constitutional Convention in mid-August.

3. A reference to the actions taken in calling a state convention to consider the Constitution. See "The Massachusetts Reprinting of the Address of the Seceding Assemblymen of the Pennsylvania General Assembly," 23 October–8 November.

Henry Van Schaack to Caleb Strong Pittsfield, 10 October (excerpt)¹

I have just finished my letter of recommendation, in favor of my Colleague, to our friend Parsons. I now take the liberty of introducing Capt Bush² to your particular acquaintance—He will endeavour to do that which is right—Tender Laws paper emissions &ca. he abhors. He will, I doubt not, endeavor to do that which seems right to him—If he

is as Independant in his principles as he is in his circumstances the Captain will make a very good member indeed. He is a cautious man and will be at a loss what course to Steer in this new business: but I confide in you and others, my friends, that you will guide him Safe to the haven of public tranquility. My friend will look up to you for political instruction.

I hope my bar friends will not be too zealous, I mean not shew themselves so, in favor of the new fœdral arrangements—Great precaution should be taken in the appointment of Convention Gentlemen. Cool temperate but firm men ought to be held up and withal possess the confidence of the people. Who are they? you will say—That I submit to you and others who are better acquainted than I am in the commonwealth. I hear J. B.³ 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.—

When matters are getting to maturity in the Legislature I shall be glad of a line from you pointing out what is most proper to be done on the present occasion of political danger. This subject engages my whole attention as well as abundance of anxiety. I shall wish myself, during the present Session, a thousand times with you—but you know, from what I said last night, that there is an impropriety in it. . . .

1. FC, Henry Van Schaack Scrapbook, Newberry Library, Chicago. Printed: Henry Cruger Van Schaack, *Memoirs of the Life of Henry Van Schaack* . . . (Chicago, 1892), 155–56. The name of the recipient does not appear on the letter; Caleb Strong was so identified by Henry Cruger Van Schaack. Henry Van Schaack (1733–1823), a native of Kinderhook, N.Y., had become wealthy in the fur trade. During the Revolution, he was a Loyalist who tried to remain neutral. Nevertheless, he was banished to Hartford, Conn., and then was allowed to go into Massachusetts. After the war, he settled first in the Berkshire County town of Richmond and then in Pittsfield, where he lived for more than twenty years before returning to Kinderhook. In 1787 Van Schaack was elected, along with David Bush, to represent Pittsfield in the state House of Representatives. It was the first such appointment for both men. As Van Schaack's letter indicates, however, only Bush attended the legislature which began meeting on 17 October.

2. David Bush, one of Pittsfield's first settlers in 1749, was elected moderator, treasurer, selectman, assessor, and highway surveyor at the town's first meeting in 1761. As a militia captain, Bush questioned whether he should fight against Great Britain, but he sided militarily with Whigs when Pittsfield was endangered. He represented Pittsfield in the House of Representatives, 1787–89, and was elected to the state Convention, but did not vote.

3. John Bacon, a justice of the peace and of the quorum of Berkshire County, was not elected to the state Convention. See IV below, Stockbridge section.

**Jonathan Williams, Sr., to Benjamin Franklin
Boston, 10 October¹**

I recd. your kind favour by Mr. Wouters your Friend a Worthy young Man I thank you for the Incl[ose]d F[ederal] Plan of Government² I think under our present surcomstance the best that Could be formed, but its a question whether the Spirit temper & genius of the people of America will Comport with it that is Whether it is not too Good or too free for So Great a people but a majority I dont in the least doubt & I pray *God* that there may, if not we must be an undon people I think we have none aganst it but those that now are & allways have been Enemies to the freedom of this Country Tories indeed & they are exerting all there Influnce against it (as you will se by Our papers there begining) as much as they dare god forbid they should succeed nine tenths of all I am aquaind with are much in favour of it—we find that our Son is arrvd at Phila.³ we all most hartley wish that you & he may Come *together* his Youth may Serve your body & your wisdom his Mind & I assure you that you boath will meet a most harty Welcom from All Your friends as Well as from Your Most dutyfall Nephew & Most H[umble] Servant
[P.S.] aunt Mecom is Exceding well for an old woman & in good Spirits⁴—

1. RC, Franklin Papers, PPAmP. Williams (1719–1796), a Boston merchant, was married to Franklin's niece, Grace Harris. Franklin (1706–1790), the American minister plenipotentiary to France from 1778 to 1785, had been President of the Supreme Executive Council of Pennsylvania since October 1785. He represented Pennsylvania in the Constitutional Convention and signed the Constitution.

2. This copy of the Constitution, inscribed to Jonathan Williams, Sr., Esq., was the six-page Dunlap and Claypoole version that was given to members of the Constitutional Convention (CC:76). In 1996, the first four pages of the copy sent to Williams were in the Gilder Lehrman Collection at the Pierpont Morgan Library in New York City.

3. From 1776 to 1778, Jonathan Williams, Jr., was commercial agent in the port of Nantes for the American commissioners in France, of whom Franklin was one. Williams returned to America with Franklin in 1785. In October 1787 he was in Philadelphia. (For more on him, see CC:Vol.4, pp. 359–60.)

4. Franklin wrote more letters to Jane Mecom, his youngest sister and favorite sibling, than to anyone else.

“A”

Essex Journal, 10 October¹

Mr. PRINTER, ⟨So evident are the traces of wisdom and sound judgment in the Constitution lately formed by some of the best characters

in the United States, that I cannot avoid anticipating our future happiness, should it be adopted.)

I have neither leisure nor abilities to display the harmony of all its parts in their various connexions: I would only just observe, that we are all feelingly sensible that several European nations, particularly Great Britain, not only can, but have enacted such laws, as not only shut *their* ports against us, but, which is intolerably humiliating and distressing, have, in a sense, confined our shipping to our own harbours, refusing to take any of our produce, however necessary to themselves, but what they are the carriers of, which is the cause of an almost universal stagnation of business among all classes of men; and as this town depends principally on *Ship-building* for its subsistence, there is not a town in the Union, perhaps, which suffers more severely on this account.

The British are sensible of our national difficulties, and undoubtedly rejoice at them, well knowing we have no government, which has sufficient energy to counteract their measures, or redress our own grievances—for it is true enough, we now lie at the mercy of those whose tender mercies we have experimentally found to be cruelty in the extreme—I only mean to say, they make use of the advantage which our want of government gives them, whereas, should this frame of Government (which is a General Court of the United States, and of the same nature, nearly, with that of this state) be adopted, (it will set all the springs of action in motion. The government will be able to counteract the oppressive acts of other nations respecting our trade, our own ships and seamen will be employed in exporting our own produce—This will revive ship-building; and we may soon expect to see our rivers lined, as heretofore, with new ships; this gives employment to carpenters, joiners, black-smiths, and even to every species of tradesmen—and not only so, but timber and lumber of every kind, as well as every other produce of the country will find a free vent—to which I may add this happy and agreeable circumstance, that we shall be one people, and governed by the same general laws from New-Hampshire to Georgia.)

Time would fail to enumerate all the advantages of an energetic government, such an one as would raise us from the lowest degree of contempt, into which we are now plunged, to an honorable, and consequently equal station among the nations. I shall therefore close, by cautioning my countrymen to be on their guard against a certain class of men, whose only hopes of subsistence are founded on a distracted government, and universal confusion—such men there are, and they will spare no pains to influence those honest well-minded persons, who have not leisure to read and think for themselves.

Newbury-port, Sept. [i.e., October] 10.

1. Reprinted in the *New Hampshire Gazette*, 13 October, and *Albany Gazette*, 8 November. The former prefaced its reprint: "Having lately met with the following in a late Newbury Paper, and the great consequence the ideas therein contained are to every State in [the] Union, gives it merit to a place in your paper." On 22 October the *Boston Gazette*, dropping the pseudonym "A" and instead crediting the item to a correspondent, reprinted only the text in angle brackets, and by 30 November this text was reprinted six more times: R.I. (1), Conn. (1), N.Y. (1), Pa. (2), Md. (1).

William Heath Diary
Roxbury, 11 October¹

Wind northerly fair and warm in the middle of the day, The Evening Cool.—By latter accounts from Europe the probability of a war in Holland is greater than by the former accounts.—and in France great discontents prevail among the People The King having imposed Sundry Taxes Imposts &c. The Parliament of Paris refused to enregister them The Queen it is said had been insulted in the opera house and by the mob in the streets on her return to the Palace—Discontents and commotions are said also to be takeing place in the German Empire Happy will it be for america if the People of the united States adopt the Excellent Constitution which has been formed for them,—and keep themselves out of the troubled waters of Europe in such Case they will not only enjoy Political felicity themselves but prove an assylum to the distressed of all nations who may come hither to enjoy peace plenty and prosperity,—which may be out of their reach in their own Countrys.—

1. MS, Heath Diaries, MHi. Heath (1737–1814), a Roxbury farmer, represented that town in the House of Representatives, 1770–74, and the First and Second Provincial congresses, 1774–75. During the Revolution he was a major-general in both the Massachusetts militia and the Continental Army. Heath served in the state Senate from Suffolk County in 1784–85, 1791–93, and from Norfolk County in 1793–94. He was judge of probate for Norfolk County, 1793–1814. He voted to ratify the Constitution in the state Convention in February 1788.

John Quincy Adams Diary
Newburyport, 12 October¹

The day pass'd as usual, except, that I had some political chat with Mr. Parsons.² he favours very much the federal constitution, which has lately been proposed by the Convention of the States. Nor do I wonder at all that he should approve of it, as it is calculated to increase the influence, power and wealth of those who have any already. If the Constitution be adopted it will be a grand point gained in favour of the aristocratic party: there are to be no titles of nobility; but there will be great distinctions; and those distinctions will soon be hereditary, and we shall consequently have nobles, but no titles. For my own part I am

willing to take my chance under any government whatever, but it is hard to give up a System which I have always been taught to cherish, & to confess, that a free government is inconsistent with human nature.

1. MS, Adams Family Papers, MHi.

2. Theophilus Parsons, with whom Adams was reading law, represented Newburyport in the state Convention, where he voted to ratify the Constitution in February 1788.

John Quincy Adams Diary

Newburyport, 13 October (excerpt)¹

Captain Wyer² was in the office this afternoon, a couple of hours; very zealous for the new Constitution. Was desirous of having a town-meeting to instruct their representatives upon the occasion. quite enthusiastic, and so are many other people. . . .

1. MS, Adams Family Papers, MHi. Printed: Allen, *JQA Diary*, II, 303.

2. Possibly William Wyer, a Newburyport shipmaster.

Francis Dana to Rufus King

Cambridge, 13 October¹

I was honoured on the 7th. inst. with your very obliging favour of the 2d enclosing the Act of Congress² mentioned in it. I feel myself much indebted to your attention and friendship in getting this business finally settled, after the many official embarrassment[s] which had so long delayed it—My health, tho' not yet confirmed, is still much mended. I never had more occasion to lament the want of it, as it alone prevented my attending the grand Convention where I shou'd have had the satisfaction of participating with you & others in the happiness of proping up a fallen Empire if not of establishing it on the strongest foundation May your labours not be rendered abortive by the wickedness or folly of any of our own Citizens

I am Dear Sir Your much obliged friend & obedient humble Servant

1. RC, King Papers, NHi.

2. On 2 October Congress adopted a resolution allowing Dana, the former American minister to Russia, the sum of about \$2,410 for the expense of hiring John Quincy Adams to be his secretary at the embassy in St. Petersburg from 1781 to 1783 (JCC, XXXIII, 588–89).

Massachusetts Centinel, 13 October¹

Mr. Russell,

*"It is impossible but that offences will come."*²

The above sentence of holy writ occurred to me on reading some paragraphs in the *Massachusetts Gazette* of Tuesday last. The late Continental Convention could not entertain the idea of *suiting* the AMERICAN CONSTITUTION to the *whims, caprices, prejudices* and *self-interest*

of every individual in the United States—Such an anticipation would have been as absurd as the conduct of the old man in the fable, who set out to carry his ass to market.³

This paragraphist observes, “That a Confederation for purposes *merely national*, would undoubtedly be exceedingly beneficial to these States.”—What his ideas of a nation are, is difficult to ascertain. If the nation is composed of individual States, it evidently follows that a confederation must fall short of answering any *national purpose*, except it has influence on the concerns of particular States—and here the Confederation under which we at present are *languishing, fainting and expiring*, discovers its total inefficiency—The new Constitution is happily calculated not only to restore us to animation and vigour, but to diffuse a *national spirit*, and inspire every man with sentiments of dignity, when he reflects that he is not merely the individual of a State, but a CITIZEN of AMERICA. This leads to his second paragraph, respecting, “the mode of publick business, being conformable to the *habits* of the people”—Is this *antifederalist* to be informed at this time of day, that the “habits” of the citizens of America are very dissimilar?—And that this is owing in a great measure to the disuniting and discordant principles of the separate Constitutions of the States, and the want of a federal Government?—It is in vain to expect a *national trait* in our characters, or a similitude of *habits*, but as the effect of a *national efficient government*—Virtue or good habits are the result of good laws—and from the excellent American Constitution those *habits* will be induced, that shall lead to those *exertions, manufactures and enterprizes*, which will give a scope to the American genius, and “find employment for their activity.”

His third paragraph contains the basest anti-federal insinuations and suspicions—Although the Representative body is by the new Constitution to be much *larger* than at present, he represents it as a “small number;” and the period for which they are chosen every one knows is short enough to acquire that legislative knowledge which the great concerns of such an extensive government must require—Fatal experience has evinced the absurdity of a rapid rotation of publick officers; and a more frequent recurrence to elections would deprive us of the whole advantage of a national government: But the Congress of the United States “is to be invested with almost every branch of Legislative authority”—Well, in the name of reason, why should they not?—Does this paragraphist mean to treat the publick as children or as fools? Are we to exist as a nation without laws, and without legislators?—And another dreadful circumstance with him is, the Congress will not set in ALL the States at one and the same time!—How long are we to be troubled by such ridiculous cavillings of moonshine politicians?

Fourthly—Congress by the new Constitution are to regulate commerce, external and internal—“a consummation devoutly to be wished”—“But they are ‘NOT’ to keep up standing armies within the States at all times,” although this paragraphist wickedly and falsely asserts it—Look at the Constitution, see if the supreme power has there delegated to it greater authority in this respect than what the very nature of things requires? How the States lose the right of compelling the obedience of their own subjects, I cannot devise—it is true we resign those rights that are incompatible with our NATIONAL INTEREST, and no others.

Fifthly—This paragraphist asserts that no state will be able to pay its debts but by a dry tax—Where he acquired this knowledge I cannot determine—the Constitution says no such thing—It is true that the right (not an exclusive one by the bye) of levying Impost and Excise is to be vested in the Congress, and if the domestick debts of the States are put upon a continental establishment, as justice, policy, and the facilitating publick business evidently point out, this bugbear of a dry tax vanishes—What the paragraphist means by the States not having a right to certify their own debts, he must write more paragraphs to explain.

His Sixth paragraph is equally enigmatical respecting lands—That the Continental Government will operate unequally for a time may be true—but this is an evil merely temporary, and better to be indured, than no government—this State will have an equal chance, and time and experience will doubtless effect an equality—That the State of Vermont *will be* excluded from the union is a meer assertion, or rather vile incendiary insinuation—one of the group that certain restless spirits are anxious to disseminate, for the sole purpose of *dividing* the people, and keeping themselves in power.

His Seventh paragraph is full of that mean suspicion which has too long prevailed, and been one chief mean of bringing the whole continent into its present deplorable circumstances. That “we are every day coalescing under a wise and moderate, but firm government,” all our senses contradict:—But that the good people through the States are earnestly desiring such a government, is undoubtedly a fact—The people appear to be united in sentiment, that the American Constitution will give them such a government—why then, in the name of honesty, should they be plagued with the groundless surmises and falsehoods of those who fear for themselves, but for the publick have no bowels of compassion? Why should any man be so vain, so self-sufficient, as to palm his individual judgment upon the people, as superiour

to that of the concentered wisdom of America, in its late glorious CONVENTION.

1. This essay responds to a correspondent whose objections to the Constitution appeared in a series of brief paragraphs in the *Massachusetts Gazette*, 9 October.

2. Luke 17:1. The verse ends: "but woe *unto him*, through whom they come."

3. Probably a reference to a fable by Aesop entitled "The Miller, His Son, and Their Ass," the moral of which is "He who tries to please everybody pleases nobody." Not only did the miller fail to please anybody, but he also ended up losing the ass.

Massachusetts Centinel, 13 October¹

Mr. RUSSELL, Every *unalienable* right of the free citizens of these States is sacred; and it is political suicide to resign the full exercise of these rights—one of which is to *think for ourselves*—upon this principle the AMERICAN CONSTITUTION is to be submitted to the discussion of CONVENTIONS chosen by the people for that purpose.—The *truly honourable* Continental Convention, after debating upon every *possible* consequence and attendant of the new constitution, UNANIMOUSLY agreed upon the form handed to the people. It is difficult to conceive of an objection that can be started, which was not thoroughly canvassed in the debates of that honourable body.

FOUR MONTHS CLOSE APPLICATION to the important business of their appointment, has produced a constitution which can be equalled by no form of government upon earth; nothing short of inspiration can excel it—and we ought to remember that had Heaven's own finger penned a constitution for us, there can be no doubt but objections to it would be raised by many persons.

Although the AMERICAN CONSTITUTION is to be submitted to the consideration of POPULAR CONVENTIONS, it can certainly be of no service to the common interest, to have the publick mind *prejudiced* and *harrassed* by fears, surmises, jealousies, and carpings previous to the meeting of these Conventions. There always was, and forever will be, a number of restless, ambitious, interested persons, who find their account in disseminating the seeds of discord, mistrust and faction. The speculations of *such persons* ought to be discountenanced, and if under a *specious garb* they are obtruded upon the publick eye, they ought to be read with caution, and the motives of their authours strictly scrutinized. The proposal in the last CENTINEL, that the names of those who wish to advance any thing to the publick, upon this great subject, should, if required, be disclosed, is *fair* and *equitable*:²—By this mode we may escape a great deal of imposition—and the *secret motives* of the writers may be so accurately traced, as to defeat the designs of those who pretend to be FEDERALISTS, but are at heart *bitterly averse* to a

continental government. It is almost universally conceded, that the present is the critical period with us, and upon the adopting an efficient federal government at THIS CRISIS, is suspended the very existence of LIBERTY.—Mutual harmony and good-will, patience and liberality of thinking and conducting, will work out our political salvation, and lead to a peaceable and cordial adoption of the American Constitution.

But if a *suspicious* spirit should predominate; and because we cannot penetrate into *future ages*, and see that the rulers of the people that may *then exist*, will be *perfect beings*, we will not trust ourselves at the *present time*, with ourselves, or which is the same thing, with men from *among ourselves*—we may complain of the evils we suffer without any hope of redress, and when anarchy and confusion shall have totally ruined the States, they will fall an easy prey to some despot.—From such delusion the Lord in his mercy deliver America, and let all the people say, AMEN.

1. Reprinted: *Pennsylvania Packet*, 23 October; *Pennsylvania Herald*, 24 October; *Poughkeepsie Country Journal*, 31 October; *Winchester Virginia Gazette*, 16 November; *Charleston Columbian Herald*, 13 December.

2. See *Massachusetts Centinel*, 10 October, in "The Boston Press and the Constitution," 4 October–22 December.

John Quincy Adams to William Cranch Newburyport, 14 October¹

Since politics is the word, let politics rule the roost. I have now before me the plan for the federal constitution, and will at length discuss it with you;—your objections so far as they go may be valid or not, but mine, are not to any like particulars merely but to the whole plan itself—but as the objections to the whole can only arise, from summing those to its different parts, I will go through in order.

In the § 2. of Article 1. it is said that the representatives shall be chosen every second year by the people. but why every second year? why cannot the elections be annual? why may not the people of any state at any time recall their representatives, for misbehaviour, and send others? under these restrictions we have hitherto sent delegates to congress, and we have never found any inconveniency in consequence of them. Our delegation has always been exceeding good, and the people have never abused their power in this respect by recalling a member without sufficient cause: they have indeed never used it all; because it has never been necessary to use it. and where is the necessity of making

alterations, where no defect is proved? It may be said there is an essential difference, between a member of congress at present who is elected by the legislature, and a representative, who will be elected by the people: this may be: but the probability is that they will be the same persons. Who does our legislature appoint as members of congress? Men of reputation, & influence; known all over the Commonwealth. And who else, can the people ever elect to serve as their representatives in a future congress?—

§ 4. Why must congress have the power of regulating the times, places, and manner of holding elections; or in other words, of prescribing the manner of their own appointments. This power is insidious, because it appears trivial, and yet will admit of such construction, as will render it a very dangerous instrument in the hands of such a powerful body of men.

§ 9. How will it be possible for each particular State to pay its debts, when the power of laying imposts or duties, on imports or exports, shall be taken from them—By direct taxes, it may be said. But such taxes are always extremely unpopular, and tend to oppress the poor people. Besides which the Congress will have power to lay & collect such taxes of this kind as they shall think proper, by which means the people, will naturally complain of being doubly taxed, and their grievances will become real instead of being imaginary, as they have been hitherto.

With respect to the Powers granted to the Congress in the 8th: § I cannot think with you, that they are necessary for preserving and maintaining the union.—It is yet to be proved that such powers are necessary for any body of men at the head of the union; but if this point be admitted, it is a great uncertainty, whether such a Congress as is proposed ought to have these powers.—The Senate you say, is to be the aristocratic branch of the legislature.—It ought then, not only to be a body totally distinct from the house of representatives, but they ought to be men of a different description; men of more, influence, either from their, talents, reputation or opulence; but as I have already observed, the representatives chosen by the People, will be naturally men of the same kind and description with those chosen by the legislature; and consequently the two bodies of men will be too much alike, their interests will be too much united, for them to be the checks upon one another, which they are intended to be; their interests will be alike, but will they be the interests of the people? It is easy to answer this question in the affirmative; but not so easy perhaps to prove it. And if the interests of Congress and the interests of the people should ever greatly

militate, what would be the consequences?—Can you without shuddering, answer this question?²

It is said that after all the powers of this Congress, are not more extensive than those of our State Legislature; and therefore that they are not more dangerous. In the first place I deny the fact, and in the second place, if that were true the conclusion would be false.—The sixth article of the Confederation is full of great restraints upon our State legislature,³ from which the Congress will be wholly exempted: every one of our sister States, is a powerful check upon our own legislature: but what checks would they be to the powers of our Congress? you might as well attempt with a fisherman's skiff to stem a torrent. but admit that the powers are the same; in whose hands are they deposited? In this state 400,000 men are represented by near 300. at Congress 3000,000 will be represented by 65. here there are 31 senators & 9 counsellors; there, there would be only 26 Senators.—will any one pretend to say that the same powers, would not be more dangerous in this Congress?

But to crown the whole the 7th: article, is an open and bare-faced violation of the most sacred engagements which can be formed by human beings. It violates the *Confederation*, the 13th: article of which I wish you would turn to, for a complete demonstration of what I affirm; and it violates the Constitution of this State,⁴ which was the only crime of our Berkshire & Hampshire insurgents.⁵

As a justification for this, it is said, that in times of great distress and imminent danger, the Constitution, of any country whatever must give way; and that no agreements can be put in competition, with the existence, of a nation: but here, in order to apply this proposition, which is undoubtedly true, two points are to be established: the first, that we are now in this tremendous situation, where our very national existence, is at a stake; the second that no better remedy can be found than that of a revolution.—The first it appears to me, no man in his Senses, can pretend to assert: our situation it is true is disagreeable; but it is confessedly growing better every day, and might very probably be prosperous in a few years without any alteration at all. but even if some alteration be *necessary*, where is the necessity of introducing a *despotism*, yes, a *despotism*: for if there shall be any limits to the power of the federal Congress, they will only be such as they themselves shall be pleased to establish.

These are my general objections to the scheme: they may be erroneous; or they may be not the most important: but I confess they are such as make me anxious for the fate of my country.—If you think me too presuming for mistrusting a plan proposed by men of so much

experience and abilities, as are the members of the late convention, I can only say that my opinion depends not upon my will.—I will moreover confess to you that the defence of the Constitutions,⁶ is an authority in my mind, and has had considerable influence upon my opinions.—*Many* passages of that book, will, if true, make very much against the proposed constitution; and I fear the author will be not a little chagrined, when he finds what a revolution has taken place in the sentiments of his countrymen, within these seven years. However, if the federal Congress is to be established in the manner proposed, I can only say that my earnest wish is, that all my fears may be disappointed.

1. In October 1982 the recipient's copy of this letter, a reply to Cranch's letter of 5 October, was owned by the descendants of Mr. Eugene DuBois of Oyster Bay, N.Y. A nineteenth-century transcription, with minor variations, is in the Adams Family Papers, Charles Francis Adams Miscellany, Vol. 327, MHi. See also Cranch to Adams, 26 November, and Adams to Cranch, 8 December (both in III below).

2. Compare the preceding with the entry that Adams made in his diary for 12 October.

3. For the numerous restrictions placed upon the states by Article VI of the Articles of Confederation, see CDR, 88–89.

4. Article XIII of the Articles of Confederation requires that amendments to the Articles be approved by Congress and ratified by every state legislature. The Constitutional Convention abandoned these procedures in providing for the adoption of the new Constitution. Article VII of the Constitution does not require congressional approval but provides that the Constitution should go into effect among the ratifying states when adopted by nine state conventions. With respect to the state constitution, Adams possibly has in mind Article IV of the Declaration of Rights which states that "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" (Appendix I).

5. Shays's Rebellion.

6. The reference is to John Adams's *Defence of the Constitutions* (CC:16). After reading the *Defence*, John Quincy Adams wrote to his father on 30 June 1787, lamenting that in Massachusetts the House of Representatives had become too powerful and that some people wanted to "abolish the senate, as an useless body." He expressed "great hopes that the defence of the constitutions, will produce an alteration in their sentiments; it will certainly have great weight" (Adams Family Papers, MHi).

American Herald, 15 October

A Correspondent observes, that, "If the form of government prescribed by the convention be rejected, it is by no means probable, the states can ever convene another body of men on the same business; & even, if it were possible, another convention, in all respects equal to the present, cannot be found.

“Although I sincerely believe, the body of the citizens of the United States honestly wish to adopt, and further such measures as appear to them well calculated to promote the general good, yet, if by any means, or for any reason they should be induced to reject the proposals of the convention, there are in this country, like all others, ambitious, aspiring, and intriguing men, who stand ready to avail themselves of the advantages which the confusion, naturally and unavoidably resulting from such a rejection would put in their hands—The variety of evils that would necessarily be produced by such an event, it were in vain to attempt to describe: Imagination can better suggest them.

“The reasons therefore, for accepting the form of government, proposed by the convention, independent of its merit, are many and great; so great, that if their be reasons sufficient to reject it, they must be weighty indeed.”

Harrington

American Herald, 15 October¹

Federal Politicks.

Mr. POWARS, *Be so good as to give the following Answer to the Remarks of a Correspondent in the Massachusetts Gazette of Tuesday last, on the New Federal Constitution.*

This Writer *seems* to acknowledge, that a Federal Government, for national purposes, is essential to the happiness and best interests of the States: This is unquestionably true; and I am sorry to find any man so lost to the happiness and interest of his country, as to endeavour to blast the only prospect, now left to the citizens of America of uniting, and becoming one nation, but through blood and slaughter: For while the preservation of the people’s dearest liberties, and their controul of the sovereign power, is evidently made the leading object of the Constitution now under our consideration, the defects of it (if there are any) must be *trifling* indeed:—Every *real* patriot, therefore, will feel himself contented in the full enjoyment of those blessings, which must constantly flow from the influence of this political *luminary*, without suffering his curiosity, like that of the philosopher, who darkens his telescope to discover the specks upon the disk of the sun, to cast a shade over the whole horizon: I however, agree with him, that in a *free government*, every man should be indulged in a decent examination of every public measure: But while the question is, Whether we shall politically *exist* or *not*, Whether we shall adopt a *free government*, or have *none at all*; in short, Whether we shall be *just, happy and great*, or *wicked, wretched, and contemptible*; I cannot but applaud the manly resolution of

some printers, in refusing to publish any thing on this important subject, but what the authors are ready to avow.²—The people ought to know who addresses them, that they may be able to judge of the motives of the man; if the sentiments proceed from a heart long and decidedly attached to the liberties of America, there cannot be a doubt, but they will be attended to by the people with their usual candour, and deliberated upon with their native good sense. But if the author be of an equivocal character, or a known enemy to the interests of the Union, it is but right that his *secret intentions* should be drag[g]ed to light, and his machinations against the people's liberties be exposed to the public eye. This correspondent begins with observing, that the *mode* of doing public business ought to be conformable to the *habits* of the people: If he means by this expression, that the *form* of government ought to be consonant to the genius of the people, I heartily agree with him; and am happy to assure him that (however *his* wishes may be to erect a Monarchy, or establish an Aristocracy in America) the people of this country have been too long habituated to a form of government purely *Republican*, ever to submit to any other; but if his meaning is, that the *administration* of government ought to be eternally the same, whether convenient or not, I apprehend he is equally mistaken in the disposition of his countryman; they are too enlightened, at this day, to be attached to old customs, merely because they were the customs of their fathers; and while new modes of transacting the affairs of state have been suggested to them, and found more conducive to the general interest, they have always been ready and willing to make the change. And perhaps in this instance, America is without a parrallel. The citizens, persuaded that all human institutions must be imperfect, have ingrafted into their constitutions of government this principle of alteration and change. They reason, deliberate and decide, and on conviction amend, alter and improve. WE scarcely see an instance, in any country, where the most trifling alteration in habits and manners has been effected without bloodshed and carnage. This is undoubtedly owing to the superior good sense, and better information of the people at large, in matters that so nearly concern their individual peace and safety. But let us examine his objections—The first is, that “the number of the representatives will be small.”—This I suspect was rather hastily made; for he ought to have considered, that the *freedom* of the citizen does not consist in the number of the persons delegated to make laws for him, but in his being *equally* represented in the legislature by *men of his own choice*, and in the members of that body, bearing their proportion of the burthens they impose, in common with himself, and in these essential points of security the new Constitution is unequivocally

clear. And in point of *convenience*, we all know from dear-bought experience, and an exhausted treasury, that 65 members in one branch of the legislature, and 28 [i.e., 26] in the other, are much better calculated to deliberate with coolness upon, and dispatch with efficiency, the affairs of a nation, than an unweildy, jarring and clamorous assembly, composed of three times that number; while the ordinary addition of expense in the support of the latter, would be enormously enhanced by the impediments and delay which would be necessarily occasioned by the debates of so numerous a lot of men; besides which, they are to leave room for the admission of future members in consequence of the increase of inhabitants, and the addition of other States to the Union.

His next objection is, "That the period for which they are to be chosen is too long." But when this writer considers (for he does not appear to have reflected much) the great distance which most of the members have to travel from their respective States to the Seat of Government, the time and practice necessary to acquaint them with the rotene of business, he will acknowledge the period of their existence to be quite short enough, if it is intended they should be of any service to their country. But says this ingenious writer, "they, will be invested with almost every branch of legislative authority."—And pray Mr. Correspondent, why not, if the powers given to them are restricted to *national* concerns, why should they not have complete authority to carry the result of their deliberations into effect; or would this gentleman wish to see the New Congress in the situation of the Old, the SOVEREIGN POWER of the nation soliciting the several branches of it, to give a sanction to their *recommendations*, and Bellisarius-like, *begging* for every penny necessary to their support.³

But "they will reside without the States represented by them."—And here I must candidly acknowledge, that the Convention, with all their wisdom, have not provided, that the members of the legislature should be able to attend Congress, and be at home at the same time; but then a similar difficulty arises in Massachusetts, and there is scarcely a representative from either of the eastern counties that has brains enough to conceive, that while he is attending the General Court at Boston, he is, in fact, resident in the Province of Main[e], and probably this is the reason why they wish to be separated.—The Correspondent, will not, I hope, consider it an insult, if I next proceed to give him a few flat denials. It is *not true* "that the authority of Congress will extend as well to the internal œconomy of the States as to foreign commerce." For with regard to the internal regulation of their domestic affairs, between citizen and citizen, each State is left in the full enjoyment of their

complete *sovereignty and independence*—uncontrollable by, and unamenable to, any power upon earth. And this gentleman is called upon to point out the instance, in which Congress are not restricted to matters *merely national*, or which in its consequences may not effect the whole Union.—He is also called upon to show in what instance any “State will lose their jurisdiction over real estates,” provided they lay within their own limits, and the title thereof is contested by two of its own citizens; he is also called upon to show how “the State of Vermont is excluded from the Union,” because the contrary is directly true, and the mode of their admission with that of other new States is expressly provided for.—It is *not true* “that Congress are to keep up armies within the States *at all times*,” but they are made the judges when it is necessary for the common defence, that an army should be raised, and how long the public safety requires their being kept in pay.—And pray, is it not presumable that a body of men, in which every individual of the United States is equally represented, should be as competent to the determination of the common necessities of the Union, as thirteen different legislatures of jarring interests? And are not the people much safer in lodging this power in the hands of the former, in order to prevent the latter from “commanding the obedience of their *subjects*” (*a republican* would say *citizens*) to contravene the interests of the Union, and to involve their country in the horrors of civil war.—It is *not true* “that no State will be able to pay its debts otherwise than by a dry tax”—because it is *not true* “that imposts and excises are applied *wholly* to continental purposes.”—The fact is, that Congress have the *exclusive* right of laying duties by way of impost, and have only a *concurrent* authority with the legislatures of the several States to raise a revenue by way of excise.

Upon the whole,—notwithstanding this Writer’s attack upon this beautiful Fabrick of human ingenuity, I feel persuaded it will not be less the CHARM AND ADMIRATION OF THE WORLD;—and in its happy union of *energy* in *government*, *sponsibility* in the *rulers*, and *perfect freedom* in the *people*, it beggars the annals of all ages.

1. “Harrington” answers a correspondent whose objections to the Constitution appeared as a series of brief paragraphs in the *Massachusetts Gazette*, 9 October. “Harrington” was possibly Perez Morton (1751–1837), a graduate of Harvard College (1771), a lawyer, and a vigorous and active Revolutionary patriot who had delivered the moving oration at the April 1776 funeral of fallen hero, General Joseph Warren. On 7 November “Nauticus,” writing in the *Massachusetts Centinel*, speculated on the individuals being considered as state Convention delegates from Boston, using the metaphor of vessels and their captains. One of the candidates he listed was “the *Harrington*, Capt. M.” Peter Martin and Jonathan Mason, Jr., were also candidates whose last name began with the letter “M.” For “Nauticus” and the numerous candidates whose names appeared in Boston’s newspapers, see IV below, Boston section.

2. See *Massachusetts Centinel*, 10 October, in "The Boston Press and the Constitution," 4 October–22 December.

3. Belisarius (505?–565) was the most successful general to serve under the Byzantine emperor Justinian the Great (483–565). After Belisarius was accused of conspiring against the emperor in 562, he was imprisoned and his property was confiscated. A year later he was restored to favor. Centuries later a Greek poet invented a fable in which Belisarius was blinded after his property was confiscated. He lived in Constantinople as a beggar with a label on his hat that read: "Give an obolus [an Ancient Greek coin, or any small coin] to poor old Belisarius." In 1767 Jean François Marmontel (1723–1799) published the famous novel *Bélisaire*, perpetuating the myth.

Boston Gazette, 15 October¹

A correspondent observes,—there are no objections that may be raised against the *federal Constitution*, proposed by the late Honorable Convention, but what may be urged against any form of government whatever—and to reject this constitution, is little short of reverting to a state of nature, and every man's saying, "*to your tents O Israel.*"²

The *husbandman*, the *mechanick*, the *sailor*, the *labourer*, the *trader*, the *merchant* and the *man of independent fortune* are all equally concerned in forwarding the American Constitution; for nothing short of a firm efficient continental government can dissipate the gloom that involves every man's present prospect, and give permanence to any plans of business or pursuit that can be laid.—The *husbandman* finds no encouragement to encrease his stock and produce, for he finds no vent for them—the *mechanick* stands idle half his time, or gets nothing for his work but truck—half our *sailors* are out of business—the *labourer* can find no employ—our *traders* involved in debt, while they can command nothing that is due to them—our *merchants* have been sinking money ever since the peace, for want of a commercial treaty, and the wealth of those few individuals who have large sums in cash by them, lies dormant for want of encouragement to loan it, under the security of just and equal laws.—All these evils will gradually subside, till they finally disappear, if we have but wisdom and firmness speedily to adopt the New Federal Constitution.

1. Reprinted in the *Hampshire Chronicle*, 23 October; *Hampshire Gazette*, 24 October; in part in the *American Herald*, 7 January 1788 (reprinted from the Providence *United States Chronicle*, 3 January 1788); and in whole or in part in nineteen other newspapers by 3 January: N.H. (3), R.I. (2), Conn. (1), N.Y. (3), N.J. (2), Pa. (4), Md. (2), Va. (1), S.C. (1).

2. 1 Kings 12:16.

Boston Gazette, 15 October¹

Should the arts of evil and designing men, *fraudulent debtors*, *anti federalists*, *insurgents*, &c. so far prevail as to effect a rejection of the

AMERICAN CONSTITUTION, which GOD forbid, it may be seriously asked—Whether it is probable that America will ever be able to collect ANOTHER CONTINENTAL CONVENTION that will undertake to form a Constitution for us? We certainly cannot expect to be so fortunate as ever to concenter again, so bright a constellation of *patriots, heroes and legislators*.

1. Reprinted seven times by 7 November: N.J. (2), Pa. (3), Md. (2).

John Quincy Adams Diary
Haverhill, 17 October (excerpt)¹

. . . We dined at Mr. Duncans. I chatted with Mr. Symmes² upon the new Constitution. we did not agree upon the subject. while we were talking Mr. Bartlett³ came in, and was beginning to attack me. I told him I wish'd to change the subject; as I felt utterly unequal to the task of opposing two persons of whose judgment I had so high an opinion, as Mr. Symmes & Mr. Bartlett. Bartlett laugh'd and said I was very polite. "Adams," says Symmes, "you shall go home with me, and take a bed to-night."—And I found that France is not the only Country where *Yorick's secret*⁴ has its influence. . . .

1. MS, Adams Family Papers, MHi. Printed: Allen, *JQA Diary*, II, 304–5. In the late afternoon of 16 October Adams went from his Newburyport residence to Haverhill with William Cranch, his cousin, and Leonard White. That night James Duncan, Jr., a Haverhill merchant, invited Adams and Cranch to dine with him the next day.

2. Probably the Reverend William Symmes, Sr., of Andover, or his son. At this time, William, Jr., an Andover lawyer, was like Adams a critic of the Constitution, although he voted to ratify the Constitution in the state Convention in February 1788.

3. Probably Bailey Bartlett, a Haverhill merchant and member of the Massachusetts House of Representatives, 1781–84, who voted to ratify the Constitution in the state Convention in February 1788.

4. The "secret" was flattery. See Mr. Yorick [Laurence Sterne], *A Sentimental Journey through France and Italy* (2nd edition, London, 1768), II, 155. "I stepp'd hastily after him: it was the very man whose success in asking charity of the women before the door of the hotel had so puzzled me—and I found at once his secret, or at least the basis of it—'twas flattery." Quoted from a chapter entitled "The Riddle Explained." See also pp. 117–18 in a chapter entitled "The Riddle." The first edition of *A Sentimental Journey* appeared in February 1768; the second in March.

Massachusetts Centinel, 17 October¹

The General Court of this Commonwealth meet this day, at the State-House in this town.

Perhaps a greater opportunity for the display of *philanthropy* and genuine *patriotism*, was never presented, than that now offered to the Legislature of this Commonwealth.

The AMERICAN CONSTITUTION comes under their cognizance at a most auspicious moment—*freely, impartially*, and as men who feel for their country, may they take up this momentous subject—and may the God of their Fathers inspire them with those disinterested and honest principles which shall enable them to decide upon this great business, not merely as citizens of Massachusetts, but as members of the great AMERICAN FAMILY. Their constituents repose the fullest confidence in their superiour judgment, their publick spirit, and anxiety to discharge their duty as men that must give an account at the supreme tribunal of Heaven.

May they therefore keep their minds unprejudiced and open to conviction—a *predetermined* spirit on this occasion will preclude the admission of knowledge, and deprive the people of the blessings of INDEPENDENCE, PEACE, LIBERTY and SAFETY, those great objects for which rivers of blood have been shed, and millions of treasure expended—these blessings appear to be suspended on our acceptance of that stupendous effort of human wisdom, the AMERICAN CONSTITUTION.

1. Reprinted: *Hampshire Chronicle*, 23 October; *New York Daily Advertiser*, 25 October; *Cumberland Gazette*, 25 October; *Poughkeepsie Country Journal*, 31 October; *Pennsylvania Packet*, 2 November.

One of the People

Massachusetts Centinel, 17 October¹

Mr. RUSSELL, As I think it of the last consequence to the character and future happiness of this and the other states of America, that the federal constitution should be adopted as unanimously and speedily as possible, and as I know the dæmon of discord is now abroad, permit me through your paper to convey to the publick a few hints which I think may not be unseasonable.

That there ever was a party in this State inimical to the revolution is a well known fact. Had a real love of government, and regard for the welfare of this country been the principles on which their conduct was founded, and by which it was regulated, great allowance would readily have been made by every candid mind for any appearance of error of judgment, or difference in the mode of conduct which such principles might have inspired. Had this party been sincere in their pretensions, though averse to take a part against the British government, while they thought themselves its lawful subjects; they could not hesitate now (the separation from the English government is completed) as decidedly to take a part with those who are now endeavouring to establish

a system on which every thing dear to America depends, as they formerly did with those, who at that time declared a love of their country, and a wish to support what they then called a just government, were their only motives.

Thank Heaven! this party has at last discovered its cloven foot. I have devoted a great part of my time since the proceedings of convention have been published, to collect the sentiments of this class of gentry, and as I think I have fully and clearly possessed myself of them, I shall lay them before the publick, with a view not only to establish the marks by which the members of this faction may be known, but at the same time to put my countrymen on their guard against their artful, false and diabolical attempts to deceive and mislead the unwary, and as far as in their power to prepossess the minds of the good people of this state against that most excellent constitution for a federal government which is about to be proposed for our acceptance.

I shall proceed to their observations—In the first place I have heard many of them freely acknowledge (thinking all friends present) their fears lest the Americans should be wise enough to accept the constitution, for should this be the case, say they, our hopes of ever seeing this country again under a British government, will be forever at an end—they readily allow that should it be adopted, this country will have it in its power to compel the British to accede to an equitable commercial connection—That Congress will be empowered effectually to blunt the edge of the famous British Navigation Act, at least as far as it respects this country.—They add, that the credit of America will be greatly increased in the opinion of all the commercial world; and what, say they, will be of all the most mortifying circumstance, it will blast all the hopes which in the course of the last winter we so fondly and gladly entertained.

Such are the sentiments of the more open and daring enemies of this country at this time—others of the same party, who possess more art, as much ignorance, but not less malice, inform you when you ask their opinion of the new constitution, either that they have not yet read it with sufficient attention—that they are not proper judges—or that it appears to them, such a system of perfection is more than we ought to aim at, at present; and that it is their opinion, such noble regulations are rather calculated for a country that has had a long career of glory and greatness, than for one which is but wishing to make a beginning—and many of them add they do not believe it will go down, as they doubt whether there is yet virtue enough in America to support so good a government.

Another class of the same set are constantly endeavouring to point out what they pretend to conceive to be the defects of the new government—one tells you the President is to have too much power—another adds that the senatorial influence of the different States is too equal—and a third that the members of the house are not properly proportioned to the property and numbers of the States, with numberless other remarks of a similar nature, in which, though involuntarily they pay the greatest of compliments to the whole system.—Would those malignant, ignorant, and short-sighted triflers, for a moment but compare the acknowledged abilities, and well-tryed integrity of the late members of Convention, with their own characters, either for knowledge or political honesty, modesty alone (if they had any) would compel them to silence, and prevent their thus exposing the weakness of their heads, and the badness of their hearts.—There is no doubt in Convention every possible objectionable clause was removed by the august body who had the management of the business, as far as was any way compatible with the good of the great whole, that being the leading object of all their deliberations. I suspect the writer whose seditious scrawls you so judiciously excluded from your paper on Wednesday last, was a tool of this party. The Printers of this town and State have given repeated evidence of their patriotism, and I am not without hopes you will all unite at this critical moment, in refusing to publish the productions of any one on the federal government, unless he will leave with you his name, that so any one may, if he wishes, convince himself, from the known character of the man, whether he writes from conviction, or to vent his malice, and injure this country.²

Let him who has any rational objections to urge, stand forth like a man; he will be heard with attention, and his arguments will be allowed their full force. But at this time it is necessary we should not only hear but see the speaker. The reasons are obvious.

⟨Having lately been through [a] great part of this State, I can assure the publick, that at least nine tenths of its inhabitants are now ready and willing to receive the new government:—Many express the greatest impatience to have the General Court meet together, that so they may proceed upon the business with such speed as may give this State an opportunity to do themselves the honour of being the first in the union to accept it, as they were first to repel the unconstitutional attempts of a British parliament.⟩ All eyes are now placed on our patriotick Chief Magistrate; should he warmly take the right side on this important occasion, (and none doubt but he will) he will rear to himself a name next only to a *Washington*—(Let it but appear that a HANCOCK, a

WASHINGTON, and a FRANKLIN approve the new government, and who will not embrace it?)

I would earnestly beg my countrymen when they listen to any one who harangues on the subject before us, that they carefully endeavour to find out what his character was during the war with Great-Britain—what his sentiments were last winter, and what his general thoughts are upon the subjects of paper money, tender acts, &c. From an acquaintance with these particulars, they will be enabled to determine with sufficient accuracy what credit is due to his assertions; what reliance ought to be placed on his opinions; and from these circumstances they may at once determine whether a love of his country, and a wish for its prosperity; or a desire to see us divided among ourselves, that so we may become an easy prey to our enemies, are the motives of his conduct.

(I have conversed much with all classes of people on the subject of the federal government, and find that all throughout the State agree in the opinion, that if we do not adopt it, our credit, our character, nay our existence as a nation, is at an end:—But that on the contrary, if we are wise enough to know in this our day the things which make for our peace, we shall at once ratify and confirm it—we shall then behold America with extended arms, inviting the numerous, oppressed and distressed inhabitants of Europe; we shall see them flocking to America; our woods and waste lands will become at once valuable, and in great demand, the present proprietors would of course be greatly benefitted thereby; every European ship which should enter our ports, would, by properly laid duties, assist in paying off our debts;—our taxes will consequently diminish—our national character will rise—arts and sciences will be cultivated with redoubled ardour—every kind of business will increase—and in a word, this continent will soon become, under the new government, the delight and envy of the European world.)

The disaffected to the federal constitution may depend on it, they had more attention paid at this time, to their remarks, prophesies and invectives, than they are aware of;—they have now a hint to be cautious how they proceed, for the oppositions they make, or try to make at this time will soon produce their final downfall, and forever exclude them from any appointment of either honour or profit under its establishment. The writer has no view but to serve his country, to that end he is determined to continue his observations, and as occasion may offer, will lay them before the publick.

1. On 24 October the *Hampshire Gazette* reprinted the text in angle brackets and by 26 November these excerpts were reprinted in whole or in part in seven other newspapers: Conn. (1), N.Y. (1), N.J. (1), Pa. (3), Md. (1).

2. See "The Boston Press and the Constitution," 4 October–22 December.

Ship News, 17 October–24 November

"Ship News" was a common literary device in Massachusetts newspapers, and, in fact, it was employed so often in the fall of 1787 that "Ezekiel," *Independent Chronicle*, 25 October, said "we are sick of all sorts of news-paper wrangling—'ship news'—letters to and from 'Shays and Shattuck'. . . ." Many of the allusions to persons appearing in the published items are obscure. Two identifiable persons are James Warren and James Winthrop, Antifederalists singled out by Federalists for especially harsh criticism. Also identified were Governor John Hancock and his political ally James Sullivan.

Massachusetts Centinel, 17 October

SHIP NEWS EXTRAORDINARY.

We hear that a Fleet of Observation¹ will soon be fitted out to lay in the mouth of *Convention* streights, in order to watch the motions of the several squadrons destined that way. In consequence of which a survey of the fleet was immediately ordered; and on the strictest examination which could be taken, the report was as follows—

The *Deception*, an old ship which has been stationed in the south channel from the year 1776, is found to be very defective, notwithstanding she makes so goodly an outside appearance, not only her planks, but her timbers from her wale to her floor timbers, are a perfect honey-comb; she is otherwise much damaged, by missing stays, and going hard on *F——'s Bank*—and we hear is condemned.

The *Winter-Hill*² was found to be very *weak* in her *upper works*, and no ways fit for a ship of force.

The *Trim*³ was found to be a ship that could not beat to windward, but whenever a heavy gale came on she was always obliged to bear away, and oftentimes would sail no other way than before the wind, to the very great *damage* and *delay* of the fleet. It was therefore determined to improve her as a stationed *hospital-ship*.

The *Tully* being ordered abroad was not surveyed—but we learn, that she has lately foundered on Constitution Rock, off Insurgent-Bay.⁴

Massachusetts Gazette, 19 October

AUTHENTICK SHIP-NEWS.

The account of the SHIPS in the last Centinel was certainly premature, as there are none of them in bad order, and some of the number

in the best state possible; most of them being built of the firmest American oak, well found, and fit for active and immediate service against the real enemies of the country. There are others, indeed, of the fleet, unluckily, in a very different situation. Among this number are,

The MYSTERY, built in Salem dock, and employed some years ago, in the *tory squadron* against the American navy. In his cruise, the captain finding, contrary to his sanguine expectations, no profit to be got, determined to cruise against the side he was sent out to encounter. In this service she made the worst weather imaginable. She came near being wrecked on *Impost Shoals*, in the expedition against the British; in which her hands were suspected of having a concealed predeliction if they were not in pay to their original employers.

It is very remarkable of this ship, that she makes such lee-way, as often to create great mistakes in her reckoning. It is said, that she is condemned by the carpenters as incapable of further service.

The old ship COMET may, perhaps, be put in commission again, though extremely damaged in her hull during her last voyage, owing to the stupidity of the pilot, who was totally unacquainted with the channel, and who had unluckily imposed himself on the captain. It is said, the error was not perceived till it was too late to repair the mischief.

The tender GRIPEWELL, with the painter's arms on her stern, has carried away her masts under a press of sail, which she was unable to support. One of the knee timbers of this slight built corsair was destroyed in consequence of a severe attack from a *fire-ship* on her first voyage, by which she was irreparably ruined for any but the transport service. It is proposed to sell her rigging to repair her bottom, as at present no sailors will risk themselves on board her.

The droger FREE REPUBLICAN, a square-stern, heavy sailer, after every attempt to be got into service, was found totally unfit for any use. As soon as she was got under sail, she run foul of some of the best ships in the fleet and was shattered in her main timbers. She shamefully struck her colours on the fire of a first gun. Her consort is of true fabrick, and built by the best American workman: but this has only made her appear the more notoriously defective. It is said, her crew have been half starved for want of provision, owing to the rapacity of her purser, who has defrauded them of their wages to fill his own pockets.

This small squadron under their commodore in the *Comet*, have made various predatory incursions on the private property of individuals,⁵ very much to their dishonour, as well as in direct opposition to

the rules of legitimate warfare, and are in some danger of a statute for piracy being put in immediate execution against them.

*Massachusetts Centinel, 20 October*⁶

More SHIP NEWS.

The *Constitution fleet*, consisting of thirteen ships appearing off the harbour of Boston, all the ships at their moorings were dressed, and a most cheerful salute was fired. One squadron moored at a little dark cove on the south-side of King-Road, hoisted their signals, as if *they* were the only pilots on the coast appointed to conduct the fleet in. The rest of the ships, including the Admiral, Vice-Admiral and Commodores, contended that this squadron were not appointed pilots on this occasion, but that they were laid by in disgrace, for having run the ship Massachusetts down in a gale of their own brewing the last year. However,

The SALEM, a *very particular ship*, having more *head* than *hold*, came to sail, but soon run aground on a mud bank, and bilged—this ship always sailed by the *needle* of *cunning*, and had a track of her own—she shuns the channel of wisdom, marked on the chart of experience, and never yet made a good cruise—When she found herself aground, she broke her casks of powder, and threw them into the water, that the fleet might not find the way in.

The R—Y⁷ a ship which had formerly belonged to the *enemy*, attempted to come to sail; but this ship is so constructed that she never sails a knot, unless other ships are before her heaving the lead, she therefore came to anchor on seeing the Salem aground.

The FOPLING *frigate* came to sail at the first sight of the fleet, but being a taunt-rigged vessel, and not having depth of hold sufficient enough to take in ballast, she overset in the channel of conceit, and wrecked the GENERAL,⁸ an *old good first rate ship*, which was unwise enough to follow her deviating and unexperienced track.

The boat called the CRAZY PILOT had rum in bulk, in her hold, and could not come to sail—in the afternoon she is always on her beams end. The motions of the rest of this useless squadron, were not observed—but more may be heard of them hereafter.

The TRIM and the TULLY, two ships in the government's employ, went out to conduct in the welcome fleet by the most easy channel, and in such a manner as to prevent their getting aground, or running down other ships, or running across one another—whereupon the SALEM and the FOPLING, with the muzzles of their bow chaces but just above water, kept up a fire after, but did not injure them.

We hope soon to see this important fleet well moored in the road of the United States—but are very sure that the useless squadron will retard their access to their desired haven.

*Independent Chronicle, 25 October*⁹

SHIP NEWS.

The ship *Constitution* yesterday morning made sail to observe the motion of the antifederal fleet. She was attacked at the entrance of the harbour by a *small* ^(a)shaving-mill from a neighbouring port, which like a musketo played under her stern with a buzzing from *small* arms for some time, owing to the *Constitution* having miss'd her stays; but this *slight* built machine was sunk by the first broad-side of our new federal ship.

(a) *Shaving-mill is a name for a little piratical boat, which appeared on our eastern coast in the late war, and pillaged without discretion.*

Massachusetts Gazette, 30 October

MORE SHIP NEWS.

This morning, three revenue officers were sent on board the *Mystery*: this has occasioned much speculation, as her captain has never been accused of smuggling, except in one instance after the war, when he and captain Whackum were strongly suspected. However that may be, we are assured from good authority that the revenue officers are ordered to remain on board, and that nothing will be suffered to be taken out without an order for them, signed and sealed. The revenue officers have had a particular caution to be upon their guard, lest the goods are obtained by *surprize*, which *might afford matter for derision* at a future day.

The *Roxbury*, clump-built and a dull sailer, has been *cut down* in the dock, and will, we are informed, be sold at publick auction, as she can no longer be employed with safety in government service. When she was first commissioned, it was supposed she would be of great use to the fleet of observation:¹⁰ but it has been discovered that she was by no means calculated for the station; *and as her place is not a good one*, she is to be sold, and her captain will take the command of the *Federal*, a fine American-built ship.

The *Chuff cutter*,¹¹ lately returned into port, from a cruise in Middlesex channel, where, in chasing the *galley Shattuck*,¹² one of the enemy's vessels, got strained by carrying too much sail; and running upon a

reef of rocks near Concord bay, got her *bottom very much bruised*.—She has undergone an examination of the carpenters, who have pronounced her unfit for any important service, and she is now employed in carrying manure to the publick islands in the harbour.

*Independent Chronicle, 1 November*¹³

SHIP NEWS.

The new ship *Federal Constitution*, that lately arrived into this port, being suspected of having *contraband* goods on board; a number of disaffected inhabitants went on board to search her, and found to their great joy, the following packages, viz.

One trunk, marked *perpetual*.

One folio volume, marked, *no bill of rights*.

One ditto, *no annual elections*.

One chest of powers, containing, *imposts, excises, and internal taxes, armed with military force*.

One ditto, containing the *federal standard and thirteen stands of arms, all stamped with peace*.

One small box, containing the habeas corpus act, and the escutcheon of the Supreme Judicial Federal Court, triumphant; thirteen beautiful Constitutions pendant, with an *Eagle* extended to the several cities and corporations that surrounded it; in the frontispiece, *union*.

One *budget of new fashioned ideas*.

Elated with their success, they entered their complaint and protest to the custom-house officers, who immediately ordered a court of inquiry. The court immediately assembled at the *star-chamber*, in their robes—the packages were brought forward and examined in due order.

1st. The trunk marked *perpetual*; upon searching of which they found it filled with biennial elections.

2d. The folio volume, marked *no bill of rights*, upon opening of which they found it a *blank volume*, but the officers of the ship who attended the trial, informed the Hon. Court, that they had a manifest of the cargo, and an invoice of every article on board, which they presented their honours for inspection.

3d. The other volume, containing *no annual elections*, was next brought forward, the officers of the ship plead that it was not *contraband*, and requested a trial by their country.

4th. The chest of powers, &c. was next brought on; this they plead was for the ship's use, and therefore was not liable to seizure, and assured the Hon. Court, that no key on board the ship could unlock

the little trunk where the military force was kept, except the trunk containing the biennial elections was first broke open, for this key was always secured in that trunk.

5th. The trunk containing the federal standard, &c. &c. was brought forward; the officers of the ship objected to the legality of seizing the ensigns of the ship; that they were bound to many foreign ports upon commercial business; that it was absolutely necessary to carry arms for fear of pirates, &c. and requested their honors to take notice that their arms were all stamped with peace, that they were never to be used but in case of an hostile attack, that it was in the law of nature for every man to defend himself, and unlawful for any man to deprive him of those weapons of self defence.—Next was brought forward the trunk containing the habeas corpus act, and the escutcheon of the Supreme Judicial Federal Court, &c.—the lustre of this admirable portrait, the uniformity and exactness which display'd itself in every likeness, so dazzled the eyes of every spectator, and so attracted the attention of all—that the officers of the ship with the consent of the spectators, hussled the habeas corpus out of the sight of the Court, and was carried off unnoticed.

The informants were now sick of the prosecution, but would not give up till they had opened the last budget, which contained, instead of *new fashioned* ideas, a packet of letters to the different nations of Europe, Asia, and Africa, and as they were wrote in different languages, the informants requested they might not be read, and that they might have leave to withdraw any further prosecution.

Massachusetts Gazette, 9 November

SHIP NEWS.

The Pettiaugre, M——,¹⁴ being the property of better than 150 owners, laying in the Dock, little better than a mere hulk, and generally supposed to be entirely unfit for any further service except that of a *fire-ship*; nevertheless, not twelve months ago, (more than three-quarters of the owners being sick) a small part of them got together, and concluded to send her on a cruise to *Legislation-Bay*, on a twelve month's voyage; and though she had no compass or quadrant on board, and being entirely destitute of rudder or helm, yet keeping close in company with a number of *frigates* and *tenders* from her vicinity, she was at last safely moored in the bay aforesaid, where, after about five week's siege, she returned to her own port in the same manner she came, with a very leaky bottom: as soon as she returned home, her owners, having all recovered, met together, and agreed she should be drawn

up and stript of her rigging, and that her hull, being entirely unfit for any kind of service, should be taken no further care or notice of.

The news of this agreement (some how) getting aboard her, she slipt her cable, and, without any anchor or ballast, put out to sea, and 'tis said she is engaged as one of the *pilot-boats* to the new ship *Federal Constitution*, the master of which is advertised to place no dependance on or confidence in said Pettiaugre, for if he does he will repent his ill-judged confidence.

Massachusetts Centinel, 24 November

SHIP NEWS.

The *Chuff Cutter*, which was said to have been condemned by the carpenters as unfit for any further service, having *her bottom very much bruised* by running on a reef of rocks near Concord bay, and has since been employed in carrying manure to a certain Island in the harbour;¹⁵ is now fitting out by the antifederal carpenters for a *tender* to the ship W——n, which is anchored in M——n road,¹⁶ laden with *inflammables* and other stores for the antifederal fleet. This ship has been remarkable for taking large cargoes on board at every wealthy port she puts in at, and never making any remittances; so that she is now obliged to join the enemy's fleet, in hopes by the junction, she may stand a better chance to discharge her portage and bills, and other debts, without being stripped of her rigging.—The *Chuff Cutter* is employed by her to carry *inflammable* and private dispatches, such as hand-bills¹⁷ &c. to the antifederal fleet, and to watch the motion of the *well-built ship Constitution*; and she has often been seen to fall under the W——n's stern to receive instructions for that purpose.—Last Sunday in particular she was observed to weigh anchor in Cambridge bay,¹⁸ and to be pressing under crouded sail for M——n road; in order, as was supposed, to make returns of her success, and to take on board new dispatches—but it is to be hoped that this *tender* will miss her stays, and be obliged to veer about again as she often has done.

Nov. 20, 1787.

1. On 27 October the *Massachusetts Centinel* printed a verse by "Eugenio" entitled "An Epistle," in which "the *Fleet of Observation*" was identified as "*the stone-house club*." "Eugenio" asked his friend "Pat": "Has RUSSELL [the printer of the *Centinel*] more *Ship-News* to-day?/Pray do the *Fleet of Observation*,/Still occupy their quondam station,/In that *smug cove*, where, out of view,/They see what other cruisers do?" For the Stone House Club, see From Henry Knox, September, note 2.

2. Winter Hill (in present-day Somerville) was in the northern part of the town of Cambridge.

3. "More Ship News," *Massachusetts Centinel*, 20 October, described "Trim" and "Tully" as "two ships in the government's employ." According to Noah Webster, to trim was to "temporize or fluctuate between two." "Trim" was probably Governor John Hancock, a

cautious (and notorious) fence straddler who sometimes feigned illness (the gout) to avoid making difficult decisions or choices.

4. "Tully" was probably James Sullivan, a member of the Executive Council (see note 3) and Hancock's political ally. Sullivan had disapproved of the methods of the Shaysites and had been willing to take the field against them, but, as an executive councillor, he later helped to obtain clemency for them. For the identification of Sullivan as "Tully," see Amory, *Sullivan*, I, 397, 398. "Tully" was the anglicized version of the clan name of Marcus Tullius Cicero, the great Roman orator and essayist.

5. A reference to tender laws and other debtor legislation. The "commodore" was possibly James Warren who was often criticized for supporting such legislation and who had served on the (Continental) Navy Board, Eastern District (1777-82).

6. Reprinted: *New Hampshire Gazette*, 27 October.

7. Probably a reference to someone who lived in the town of Roxbury. See also "More Ship News," *Massachusetts Gazette*, 30 October, at note 10.

8. Probably General James Warren.

9. On 24 October, the day before this item appeared, Dr. Daniel Kilham of the port town of Newburyport vigorously attacked the Constitution in the debates in the House of Representatives on the resolutions for calling a state convention to consider the Constitution. For his speech, which appeared in the *Independent Chronicle* on 25 October, see "Massachusetts Calls the State Convention," 18-25 October (II below). For items similar to the one printed here, see *Essex Journal*, 31 October (III below).

10. For the meaning of "fleet of observation," see note 1.

11. Historian Charles Warren believed that "*Chuff Cutter*" refers to James Winthrop of Cambridge, the former librarian of Harvard College, a leading Antifederalist, and a friend of James Warren. " 'Chuff,' " stated Charles Warren, "is probably used here in the sense of a 'rude, coarse, churlish fellow' [Sir James] (Murray), an allusion to Winthrop's peculiar and unconciliatory manners" ("Ratification," 150n). Sir James Murray was the editor of the *Oxford English Dictionary*. Noah Webster declared that in New England, the word chuffy "expresses that displeasure which causes a swelling or surly look and grumbling, rather than heat and violent expressions of anger" (John Russell Bartlett, *The Dictionary of Americanisms* [1849; New York, 1989], 80).

12. Job Shattuck was one of the principal leaders of Shays's Rebellion.

13. Reprints by 28 November (4): Pa. (2), Md. (1), Va. (1).

14. "Pettiaugre" is a corruption of piragua, "an open flat-bottomed schooner-rigged vessel; a sort of two-masted sailing barge, used in America and the W[est] Indies" (*Oxford English Dictionary*). "M——" is probably a reference to Massachusetts.

15. For "*Chuff Cutter*," see note 11.

16. The "ship W——n" refers to General James Warren, a close friend of Winthrop and a supporter of tender laws, and "M——n road" refers to the town of Milton, where Warren lived.

17. For a handbill, possibly written by Winthrop, see "Truth: Disadvantages of Federalism Upon the New Plan," 14 November (III below).

18. The town of Cambridge was home to both Winthrop and Elbridge Gerry, another prominent Antifederalist.

Elbridge Gerry to James Warren New York, 18 October¹

I expected e'er this to have been in Massachusetts but am detained here longer than I expected—I inclose some papers on the subject of the Constitution to be reprinted if you think it convenient. I know not

who the authors are of the anonymous peices & it is a Matter of no consequence to the public, the Sentiments are in many respects just. my opinion with respect to the proposed constitution, is, that if adopted it will lay the foundation of a Government of *force & fraud*, that the people will bleed with taxes at every pore, & that the existence of their liberties will soon be terminated. the wealth of the Continent will be collected in pennsylvania, where the Seat of the fœderal Government is proposed to be, & those who will use the greatest address in obtaining an acceptance of this despotic System, will hereafter scourge the people for their folly in adopting it.

I shall submit on my return, or by Letter, if I should not leave this City in a few Days, my Reasons to the legislature for dissenting from the Convention, & shall write them by post a short Letter to this effect²—

P.S. As the object of the Supporters of the Constitution, is to carry it thro by Surprise, it is hoped that the Legislature of Massachusetts will not propose a Convention till the next Session, & thus give to the people an opportunity to consider of the Constitution before they are called on to adopt it—Colo R H Lee³ informs me, the Judges, all the Bar, & some many of the principal Gentlemen of Virginia are high against this System—

1. RC, Sang Collection, Southern Illinois University. On 30 June 1981 this letter was offered for sale by Daniel F. Kelleher Co., Inc., of Boston. The name of the addressee is missing, but the verso of the letter is endorsed: "Mr Gerry's Lettr/18 Oct 87" in James Warren's handwriting.

2. On this same day, Gerry sent the Massachusetts General Court a letter that included some of his reasons of dissent. (See Elbridge Gerry to the General Court, 18 October, immediately below.)

3. Richard Henry Lee represented Virginia in Congress, where his amendments to the Constitution had been rejected on 27 September (CC:95). Upon request, he sent Gerry a copy of these amendments two days later. For more on Lee and his amendments, see Samuel Adams to Richard Henry Lee, 3 December, note 1 (III below).

Elbridge Gerry to the General Court New York, 18 October

In the last days of the Constitutional Convention, Elbridge Gerry (along with George Mason and Edmund Randolph, both of Virginia) tried but failed to correct what he believed were flaws in the new Constitution. Gerry enumerated his objections to the Convention on 15 September, and, along with his two Virginia colleagues, refused to sign the Constitution on 17 September, the day the Convention adjourned. (See "Elbridge Gerry in the Constitutional Convention," 12–17 September, above; and "George Mason and the Constitution," 20 November–3 December, III below.)

After the Constitutional Convention adjourned, Gerry left Philadelphia and joined his wife and daughter at the home of his wife's family in New York City, where he remained until at least 27 October. (There is some reason to believe that Gerry might have written the "Federal Farmer" pamphlet during his stay in the city.) While Gerry was in the city, he forwarded the Constitution to John Adams in London on 20 September, stating that he would have signed the document if it had contained checks on peacetime standing armies and on Congress' excessive powers. On 28 September the Confederation Congress resolved to send the Constitution to the states with a recommendation that the state legislatures call conventions to consider ratifying it (CC:95). The next day, in response to Gerry's request, Virginia delegate Richard Henry Lee sent him a copy of the proposed amendments to the Constitution that Lee had presented during the congressional debates on 27 September (CDR, 342).

On 18 October—the day after the Massachusetts General Court convened—Gerry sent a personal letter to his friend James Warren, speaker of the House of Representatives, informing him that he planned to write "a short Letter" to the General Court explaining why he had not signed the Constitution. He suggested that the General Court wait until its next session (February 1788) before calling a state convention. On the same day that Gerry wrote Warren, he transmitted a copy of the Constitution to the General Court ("pursuant to his commission"), and in a letter—he allegedly had promised fellow Constitutional Convention delegate Rufus King he would not write—he briefly outlined his objections to the Constitution. (See Henry Jackson to Henry Knox, 5 November, III below.) Near the end of his letter to the legislature, Gerry said: "I have been detained here longer than I expected, but shall leave this place in a day or two for Massachusetts, & on my arrival shall submit the reasons (if required by the Legislature) on which my objections are grounded." At about the time that Gerry wrote Warren and the legislature, King and Nathaniel Gorham, the two Massachusetts signers of the Constitution who had been attending Congress, left New York City for Boston, arriving on 20 October.

The General Court convened on 17 October and the next day Governor John Hancock presented the official printed copy of the Constitution received from Congress. On the 20th a joint committee of the House of Representatives and the Senate reported resolutions calling a state convention. On 22 October the House assigned the 24th for the attendance of Gorham and King as delegates to Congress (not as delegates to the Constitutional Convention) "to give such information to the House as they may think proper," and for considering the resolutions calling a state convention. (On the same day Gorham also took his seat in the House as Charlestown's lone representative.) On the 25th both houses adopted the resolutions. (See "Massachusetts Calls a State Convention," 18–25 October, II below.)

No evidence exists that either Gorham or King gave his reasons to the House of Representatives for signing the Constitution. Both men, however, lobbied for the Constitution. On 28 October King informed Henry Knox that "last Evening I spent in preaching on the Report of the Convention to the Representatives of Main[e]" (III below). On the same day Theodore Sedgwick, a House member from Stockbridge, reported that King "is engaged & I believe

doing good." Gorham sought Benjamin Franklin's permission on 30 October to publish his last speech in the Constitutional Convention, in order to influence "some few honest men" who opposed the Constitution. (See "The Massachusetts Printing of Benjamin Franklin's Last Speech in the Constitutional Convention," 3–18 December, III below.)

On 31 October Gerry's letter to the legislature was read in the Senate and on 2 November in the House of Representatives. The House also debated "upon the propriety" of a motion to have the letter printed but approved "a motion that the subject in debate subside." Whereupon, the letter was sent back to the Senate. (See "Massachusetts Calls a State Convention," 18–25 October, II below.) James Madison, a Virginia delegate to Congress, wrote George Washington that "Mr. Gerry has presented his objections to the Legislature in a letter addressed to them, and signified his readiness if desired to give the particular reasons on which they were founded. The Legislature it seems decline the explanation, either from a supposition that they have nothing further to do in the business, having handed it over to the Convention; or from an unwillingness to countenance Mr. Gerry's conduct; or from both these considerations. It is supposed that the promulgation of this letter will shake the confidence of some, and embolden the opposition of others in that State; but I cannot discover any ground for distrusting the prompt & decided concurrence of a large majority" (18 November, CC:271). Edward Carrington, another Virginia delegate to Congress, declared that Gerry's letter was submitted "in such terms as to work some probable Mischief. what will be the extent is not known, but the circumstance occasions alarm to the Friends of the measure" (to William Short, 11 November, LMCC, VIII, 680).

The *Massachusetts Centinel* printed Gerry's letter on 3 November under the heading "Hon. Mr. GERRY's objections to signing the National Constitution," followed by this statement: "The following Letter, on the subject of the American Constitution, from the Hon. ELBRIDGE GERRY, Esq. one of the Delegates representing this Commonwealth in the late Federal Convention, to the Legislature, was on Wednesday last read in the Senate and sent down to the House of Representatives, where it was yesterday read and sent up. As it contains opinions on a subject of the first importance to our country at this day, we have obtained a copy of it for insertion—and are happy to have it in our power thus early to communicate it to the publick."

Gerry's letter was printed in ten of the eleven remaining Massachusetts newspapers. Reprintings appeared in the *American Herald*, 5 November; *Boston Gazette*, 5 November; *Massachusetts Gazette*, 6 November; *Salem Mercury*, 6 November; *Essex Journal*, 7 November; *Independent Chronicle*, 8 November; *Cumberland Gazette*, 9 November; *Hampshire Chronicle*, 13 November; *Worcester Magazine*, 15 November; and *Hampshire Gazette*, 21 November. Six of these newspapers also reprinted the *Centinel's* preface in whole or in part. The *Boston Gazette*, *Hampshire Chronicle*, and *Hampshire Gazette* laid the letter "before our Readers for their serious Perusal." The letter was reprinted in forty-one newspapers by 4 January 1788: N.H. (1), Mass. (10), R.I. (2), Conn. (6), N.Y. (4), N.J. (1), Pa. (9), Md. (3), Va. (3), N.C. (1), Ga. (1); in the November issue of the nationally circulated *Philadelphia American Museum*; and in two Richmond, Va., pamphlet anthologies appearing in December (CC:350).

Federalist Henry Jackson was infuriated by Gerry's "infamous" letter, and on 5 November he told Henry Knox that Rufus King would remain in Boston until Gerry arrived so that he could counteract anything Gerry might say to the legislators. (See also Jackson to Knox, 11 and 18 November, all in III below.) On 7 November, by which time Gerry probably had arrived in Massachusetts, the House of Representatives assigned a seat for him, but there is no record that he ever addressed or attended that body. "A Federalist" and "A Friend for Liberty" requested that King and Nathaniel Gorham publish their reasons for signing the Constitution; while "Propriety" disagreed, declaring that "It is *measures*, and not *men*, that are to be *investigated, adopted, amended, or rejected*, as *in themselves they appear* to be good, or bad" (*Boston Gazette*, 5 November, and *Massachusetts Centinel*, 14 and 24 November, all in III below).

Whether in response to these newspaper writers, to a request from other Federalists, or to their own concern about Gerry's influence, King and Gorham drafted a point-by-point response to Gerry's objections that, however, was never published (III below, post-31 October). Gorham later regretted not having published a reply because Gerry's letter "has done infinite mischief" (to Henry Knox, 4 December, III below). The lack of a published response possibly prompted Christopher Gore, a Boston delegate to the state Convention, to ask King for his "own observations on the Constitution" and for "answers to mason's & Gerry's objections" (9 December, IV below, Boston section. For Mason's objections in Massachusetts, see "George Mason's Objections to the Constitution," 21 November–19 December, III below.). Gore believed that Gerry's letter had "done harm" (to King, 30 December, IV below, Boston section).

In the Essex County town of Ipswich, however, Gerry's letter was not permitted to do harm. On 3 December Ipswich elected four delegates to the state Convention. The town selectmen, acting at the behest of opponents to the Constitution, issued a warrant on 19 December to the town constable ordering him to notify the freeholders and other inhabitants that a town meeting would be held on 25 December to take into consideration the Constitution and Gerry's objections to it, and to decide whether to instruct the town's convention delegates. At the town meeting on 25 December, the voters rejected motions to consider either the Constitution or Gerry's objections, as well as a motion to instruct the town's delegates. Only the vote on considering the Constitution was recorded, 61 for and 102 against. Ipswich's four delegates voted to ratify the Constitution in the state Convention. (See IV below, Ipswich section.)

For some Massachusetts criticisms of Gerry's letter, see "A Dialogue between Mr. Z and Mr. &," *Massachusetts Centinel*, 7 November; "Thomas a Kempis," *Massachusetts Centinel*, 10 November; "A Correspondent," *ibid.*; "A. B.," *Massachusetts Centinel*, 14 November; *Cumberland Gazette*, 15 November; "One of the People," *Massachusetts Centinel*, 17 November; "Atticus" III, *Independent Chronicle*, 22 November; and "A Federalist," *Boston Gazette*, 3 December. For Massachusetts defenses, see "Agrippa" I, *Massachusetts Gazette*, 23 November; and *Cumberland Gazette*, 30 November. (See III below for all items cited in this paragraph.)

Outside Massachusetts, Oliver Ellsworth, a Connecticut delegate to the Constitutional Convention, wrote the principal response to Gerry's letter as "Landholder" IV–V, *Connecticut Courant*, 26 November, 3 December (CC:295, 316).

“Landholder” accused Gerry of expressing his objections “in such vague and indecisive terms, that they rather deserve the name of insinuations, and we know not against what particular parts of the system they are pointed.” He rejected Gerry’s assertions that the people were not adequately represented in Congress, that some of its powers were ambiguous, that the President would have excessive influence over Congress, and that the judiciary would be oppressive. “Landholder” VI, VIII, *Connecticut Courant*, 10 and 24 December, charged Gerry with not raising his objections during the Constitutional Convention and with consulting other Antifederalists before writing his objections. It was asserted that Gerry’s objections stemmed solely from the Convention’s rejection of his proposal to redeem Continental currency, which he allegedly held in large amounts. Lastly, Gerry was accused of seeking favor with Shaysites (CC:335, 371).

“Landholder” IV–VI were reprinted in the *Massachusetts Centinel*, 5, 15, 19 December; the *Worcester Magazine*, 13, 27 December; and the *Hampshire Gazette*, 19, 26 December, 2 January 1788. Excerpts from VI appeared in the *Salem Mercury*, 25 December, and the *Essex Journal*, 2 January. Number VIII was published in the *Hampshire Chronicle*, 1 January, *Massachusetts Centinel*, 2 January, and *Hampshire Gazette*, 23 January; and in part in the *Salem Mercury*, 8 January. Gerry answered “Landholder’s” charges in the *Massachusetts Centinel* on 5 January (III below).

Gerry’s 18 October letter to the General Court has been transcribed from the manuscript letter in the Miscellaneous Legislative Papers, Senate Files, No. 636, in the Massachusetts Archives. It was addressed to “The Honble Samuel Adams Esqr president of the Senate” and “The Honble James Warren Esqr, Speaker of the House of Representatives of Massachusetts.” For the text of the letter as printed in the *Massachusetts Centinel* on 3 November, see CC:227–A. There are no significant differences between the manuscript printed here and the *Centinel* version.

Gentlemen

I have the honor to inclose, pursuant to my Commission, the constitution proposed by the foederal Convention.¹

To this system I gave my dissent, & shall submit my objections to the honorable Legislature

It was painful for me, on a subject of such national importance, to differ from the respectable Members who signed the constitution: but conceiving as I did, that the liberties of America were not secured by the system, it was my duty to oppose it—

My principal objections to the plan, are that there is no adequate provision for a representation of the People—that they have no security for the right of election—that some of the powers of the Legislature are ambiguous, & others indefinite & dangerous²—that the executive is blended with & will have an undue influence over the legislature—that the Judicial department will be oppressive—that treaties of the highest importance may be formed by the president with

the advice of two thirds of a *quorum* of the Senate—& that the System is without the Security of a Bill of rights. these are objections which are not local, but apply equally to all the States—

As the Convention was called for “the *sole & express* purpose of revising the articles of confederation, & reporting to Congress & the several Legislatures such alterations & provisions as shall render the fœderal constitution adequate to the exigencies of Government, & the preservation of the union,”³ I did not conceive that these powers extended to the formation of the plan proposed, but the Convention being of a different *opinion*, I acquiesced in *it*, being fully convinced that to preserve the union, an efficient Government was indispensibly necessary; & that it would be difficult to make proper amendments to the articles of confederation.

The Constitution proposed has few, if any *fœderal* features, but is rather a system of *national* government: nevertheless, in many respects I think it has great merit, & by proper amendments, may be adapted to the “exigencies of Government” & preservation of Liberty.

The question on this plan involves others of the highest importance 1st Whether there shall be a dissolution of the *fœderal* Government? 2dly Whether the several State Governments shall be so altered, as in effect to be dissolved? and 3dly Whether in lieu of the *fœderal & state* Governments, the *national* constitution now proposed shall be substituted without amendment? never perhaps were a people called on to decide a question of greater magnitude—should the Citizens of America adopt the plan as it now stands, their liberties may be lost: or should they reject it altogether Anarchy may ensue. it is evident therefore that they should not be precipitate in their decisions; that the subject should be well understood, lest they should refuse to *support* the Government, after having *hastily* accepted it.

If those who are in favour of the Constitution, as well as those who are against it, should preserve moderation, their discussions may afford much information & finally direct to an happy issue.

It may be urged by some, that an *implicit* confidence should be placed in the Convention: but however respectable the members may be who signed the constitution, it must be admitted, that a free people are the proper Guardians of their rights & liberties—that the greatest men may err—& that their errors are sometimes, of the greatest magnitude.

Others may suppose, that the constitution may be safely adopted, because therein provision is made to *amend* it: but cannot *this object* be better attained before a ratification than after it? and should a *free* people, adopt a form of Government, under conviction that it wants amendment?

And some may conceive, that if the Plan is not accepted by the people they will not unite in another: but surely whilst they have the power to amend, they are not under the necessity of rejecting it.

I have been detained here longer than I expected, but shall leave this place in a day or two for Massachusetts, & on my arrival shall submit the reasons (if required by the Legislature) on which my objections are grounded

I shall only add, that as the Welfare of the union requires a better Constitution than the confederation, I shall think it my duty as a Citizen of Massachusetts to support that which shall be finally adopted, sincerely hoping it will secure the Liberty & happiness of America

I have the Honor to be Gentlemen with the highest respect for the honorable Legislature & yourselves, your most obedt & very hum servt
E Gerry

1. For the 10 March 1787 resolution of the Massachusetts legislature appointing delegates to the Constitutional Convention, see Appendix II.

2. In an essay that Gerry published in the *American Herald* on 18 April 1788, the “indefinite and dangerous” powers of Congress referred to “the unlimited power of Congress, to keep up a standing army in time of peace, and their entire controul of the militia” (CC:691).

3. For the congressional resolution of 21 February 1787, see CC:1.

**Samuel Henshaw to Henry Van Schaack
Northampton, 18 October (excerpt)¹**

Your's of the first of Septr. was handed me by Mr. C. Strong as He was going on to Berkshire—and yours of the 11th. Inst. [is?] this Moment delivered to me by Col[one]l Lyman²—I should have answered the first mentioned before this time had I not expected to have had the pleasure of your Company on Saturday & Sunday last on your way to Boston: but by your last it appears you do not intend going to Court this Session;³ and of course will deprive me of an interview I had much at Heart—

But my Friend where is your Patriotism? Can a Friend to his Country desert her cause at such an important crisis as the present? You ask “what I think of the new birth”—? Tis not a birth, my dear Sir, 'tis a Foetus only—and you ought to go & help Mid-wife it into existance,—The Mother is in labour—the pangs are convulsive, and unless the most skillful help is at hand She will suffer an abortion—

But to be serious—I fear our General Court will not advise the People to chuse a Convention for the purpose of ratifying the Constitution proposed—I have talked with some who mean to oppose it, & I know of others that will—The Devil is yet in them, and if you, & the Friends

to this child of Heaven, do not appear to nurture it, it will be crucified ere it is born, & will never become the Saviour of its Country—

But I suppose “necessity, hard necessity” has prevented you from finishing your “Homespun Clothes,” and therefore you cannot “go down clothed as a Farmer ought to be”—But my Friend, rather than run the hazard of ruining your Country, you had better once more “ape the fine Gentleman in the Metropolis” with foreign cloth on your back, silk stockings on your legs &c &c. And tho’ they may not be quite so “substantial” as Homespun, yet I dare say, they will keep you warm & please the Boston Ladies, and if your dress should look a little queer, a little deranged for a Farmer, yet you may tell them, that “hard necessity” is the cause, and that you have no “hankering after the leeks & onions of Europe”—

Indeed my dear Sir, I can see no reasonable excuse for your staying at Home—“and the only compensation you can make to your Country for not having your Homespun clothes done is to turn Patriot,” and to go & save a tottering Empire.—But to be serious again, and the Devil is in it, if a poor deranged Priest can’t be serious once in away, in Politics, if not in religion, I say to be serious—If the United States adopt the Constitution proposed I shall bless God & my Country, and sing Hallelujah—but if they reject it, I will curse & quit this western World!—Life & Death, Freedom & Slavery, Glory & Contempt are now set before us, and if we will, if the People will, they may be great & Happy—But if they will not, may God damn the rascals—not eternally, but till they reform. But from their deserved Fate good Lord deliver us who wish to obey thy Law—the Law of truth & righteousness! AMEN! . . .

1. RC, Henry Van Schaack Scrapbook, Newberry Library, Chicago. Endorsed: “Northampton 18th Octobr./7th November 1787/Samuel Henshaw Esqr./recd. by Mr DeBlois/answered 15 Novembr 1787.” Henshaw (1744–1809), a graduate of Harvard College (1773) and a former clergyman, was a Northampton lawyer and a justice of the quorum for Hampshire County. He had represented Milton in the state constitutional convention of 1779–80 and the state House of Representatives in 1780–81. In November 1787 he was chairman of the committee that drafted the instructions for the Northampton delegates to the state Convention to consider the Constitution.

2. Probably William Lyman, Northampton and Easthampton’s delegate to the state House of Representatives.

3. Although a Pittsfield delegate to the state House of Representatives, Van Schaack did not attend the October 1787 session.

Cumberland Gazette, 18 October

In a former paper, speaking of the Federal Constitution, we prayed that the whispers of opposition might be silenced,¹ &c.—It was an hasty,

perhaps an erroneous petition.—If the proposed Constitution be good, free discussion will do it no harm—if imperfect, it may do lasting harm to us and to our posterity, unless its imperfections are exposed, and remedies pointed out.—We say not this from a spirit of anti-federalism—or from an opinion that the Constitution in question is probably, but only that it may *possibly* be defective in some particulars.—We would observe, however, that it has been violently opposed in the Assembly of Pennsylvania by a number of its members; particulars of which we shall publish next week.²

1. See *Cumberland Gazette*, 4 October.

2. On 25 October the *Gazette's* entire first page and half of its second page contained a reprinting of a newspaper account of the proceedings of the Pennsylvania Assembly for 28 and 29 September and the text of the address of the seceding members of the Assembly. (See "The Massachusetts Reprinting of the Address of the Seceding Assemblymen of the Pennsylvania Assembly," 23 October–8 November.)

Solon

Independent Chronicle, 18 October

Mess'rs ADAMS and NOURSE, *Please to give the following a place in your impartial and very useful paper.*

All eyes waited, for the bursting forth of the rays of political wisdom, from that illuminative body, the illustrious federal convention, and it is ardently hoped, that every rational American, will gladly receive, candidly examine, wisely adopt, and perseveringly pursue, such salutary measures as have been planned for them, which appear calculated to establish the United States of America, a Free, Independent, prosperous, and happy Nation, revered and respected, at home and abroad. And such I presume will be the conduct of my enlightened fellow countrymen.

But it is not a little extraordinary to have observed some late *paragraphs* in the *public papers* on this head. Surely they have not been *calculated* for a *meridian of freedom*, nor do they *tend to convince*, and *unite*, an enlightened people. The more *truth is investigated*, the more *invincible* will it *appear*. *Wisdom is justified of her children*, whatever may be the *aims of designing men*; but *severe censures* on those who may *differ* from us in *opinion*, a *spirit of undue zeal*, or *bigotry*, are *unnecessary* in a *good cause*, and can never *rationally support a bad one*. Such conduct is not only *impolitic*, but *contrary to scripture, nature, and reason*. The *Jews* under the *Mosaic dispensation*, had *life and death, blessing, and cursing, set before them*; the *manner of the King depicted*, and they *left to determine* what they would *chuse*.—Under the *gospel*, *he who taught, as man never before taught, pointed* the *Jews* to *search the scriptures for evidences of his mission*, and the *apostles* endeavoured to *persuade men, commended* those of one

city, as more *noble* than some others, because they *readily received* the word, and daily *searched* the *scriptures*, whether those things were *so*. And exhorted to try the spirits.

The able framers of the Constitution of this Commonwealth, (a Constitution not only *beautiful on paper*, but for rendering the people *free* and *happy* if duly *adhered to*, and *administered*) in their *address* to their *constituents*, begin, "Having had your appointment and instruction, we have undertaken the arduous task of preparing a civil Constitution for the people of Massachusetts Bay; and we now submit it to your candid consideration.—It is your *interest* to revise it with the greatest care and circumspection, and it is your undoubted *right*, either to propose such alterations and amendments as you shall judge proper, or to give it your own sanction in its present form, or totally to reject it."¹—And there is every ground to evince, that the *illustrious* Convention in their *address* to the United States, *in Congress assembled*, have said every thing which *wisdom* and *propriety* could dictate.²—I am aware of the delicacy of the subject, nor should I thus early have touched my pen, had it not been for some paragraphs which have appeared in the public papers, which *tend to damp* a spirit of enquiry, and a *freedom* and *independence* of *sentiments*, which are so *essential* to the *existence* of free Governments.³

A spirit of *investigation*, and a *freedom*, and *independence* of *sentiments*, should never be *checked* in a *free* country, on the most momentous occasions. Hence it is, that *wise*, and *free* States, *provide* for the *liberty of the press*, as one of the *bulwarks of freedom*. It is when men *consent* to forms of Government, that they should express their sentiments respecting them. *Oppugnance*, afterwards, will be *treason* and *rebellion*; and altho' the most *consummate wisdom*, and *national prudence*, may *mark* the system of Government which is recommended by the late Convention, and it be *cheerfully* adopted, yet should a *spirit* of examination, and *freedom* of *sentiments*, be *suppressed* or *severely censured*, in *our country*, some *future* convention, *less wise* and *less virtuous*, may take *encouragement* therefrom to *introduce* a *monarchy*, an *aristocracy*, or a standing army, *in time of peace*, too often the *engines of despotism*, and *restringent* to the *rights* and *liberties* of mankind.—*Heaven* grant, that the *wisdom*, the *valour*, and the *virtue*, of the *people* of the *United States of America*, may *forever* prevent the *introduction* of *either* of them.

1. In March 1780 the state constitutional convention sent an address to the people accompanying that body's proposed state constitution. The text in quotation marks represents the first paragraph of the address. (See Oscar and Mary Handlin, eds., *The Popular Sources of Political Authority: Documents on the Massachusetts Constitution of 1780* [Cambridge, Mass., 1966], 434.)

2. For the 17 September letter of the President of the Convention (George Washington) to the President of Congress, see CDR, 305-6; and CC:76.
3. See "The Boston Press and the Constitution," 4 October-22 December.

The Worcester Speculator V Worcester Magazine, 18 October

The "Worcester Speculator" series began on 13 September. Numbers I-IV considered topics such as the nature of man, society, laws, and government. Isaiah Thomas, the printer of the *Worcester Magazine*, continued the series after he changed the format of his magazine into a newspaper called the *Massachusetts Spy*. The series lasted at least until 13 November 1788, when the *Spy* published the thirty-eighth number. In addition to the fifth essay, essays seven and eight are printed in III below under 15 and 22 November.

According to Isaiah Thomas, the "Worcester Speculator" series "was furnished by a society of gentlemen in the county of Worcester. A selection from these numbers, all the composition of the late Reverend Doctor [Nathan] Fiske of Brookfield, together with some other pieces by that gentleman, was afterwards printed in two duodecimo volumes, entitled *The Moral Monitor*" (Isaiah Thomas, *The History of Printing in America* [New York, 1970], 278n. The first edition was published in 1810; the second edition which is cited here first appeared in 1874.). Since essays V, VII, and VIII were not printed in *The Moral Monitor*, it is unlikely that the Reverend Fiske wrote them.

The Moral Monitor, totaling about 600 pages, was printed by Isaiah Thomas, Jr., in Worcester in 1801 (Shaw-Shoemaker 502). Volume I begins with a "Biographical Sketch of the Life of the Author" (i.e., Nathan Fiske) which states: "Not satisfied with the faithful performance of his duties strictly professional, he exercised his talents in various ways. The following fact gave rise to a number of periodical publications, many of which are to be found in these volumes. In 1787, a number of young gentlemen of Brookfield desirous to attain to an habit of accurate thinking, to improve their style of composition and to acquire an ease and pertinence of public speaking, formed themselves into a society for these important purposes, and invited their minister to preside in their meetings. To see youth in the path of literary and virtuous attainments was to him a continual feast. The evenings appropriated to the objects of this association, he spent with pleasure and satisfaction. It was proposed in the society to publish a series of essays on various useful subjects and each member agreed in turn to furnish his number. This they performed for some time, but professional and other pursuits of business diverting the attention of individuals, the task fell principally upon Dr. FISKE and at last was left solely in his hand. . . . These essays appeared in the *Massachusetts Spy*, under the title of THE WORCESTER SPECULATOR. . . ."

Nathan Fiske (1733-1799), a Harvard graduate (1754), was minister of what is now the First Congregational Society of Brookfield from 1758 to 1799. He preached the Convention sermon to the state's Congregational clergy in 1788, and eight years later he delivered the Duddleian Lecture at Harvard (Evans 30426). In 1792 Harvard awarded him the degree of doctor of divinity. In addition to contributing to the *Worcester Magazine* and *Massachusetts Spy*, Fiske

also wrote essays for the *Massachusetts Magazine*. He used such pseudonyms as "The Neighbour," "The General Observer," and "The Philanthropist." In 1794 Isaiah Thomas published twenty-two of Fiske's sermons (Evans 26795).

The "Worcester Speculator" V (printed here), which had been received by the *Worcester Magazine* at least a week before it was printed, was reprinted in the *Pennsylvania Packet*, 25 October. The text in angle brackets alone was reprinted in the *Pennsylvania Mercury*, 26 October; New Jersey *Brunswick Gazette*, 6 November; and Winchester *Virginia Gazette*, 9 November.

Every thing that is accomplished by human art, changes and decays. Man, the lord of all below, is weak, fickle, and inconsistent; like the wind, turned from his course by the smallest obstruction. As an individual is liable to variation, and exposed to misfortune, so is an empire. As the former tarnishes his fair rising reputation by suffering his unruly passions to hold the reins; so the latter, by an indulgence of internal tumults, sinks from the summit of grandeur and fame, to the obscure vale of poverty and disgrace. As the welfare and happiness of the one, demand a strict regulation of the passions; so the peace and harmony of the other, require a due subordination of subjects to government. There ought to be regularity and system in every thing; more especially in national affairs. America sensibly feels the truth of this observation: Her disordered, convulsed situation, too evidently evinces it. How great the contrast between her present character, and that which she sustained at the conclusion of the late important war!—When an honourable peace was established between Great Britain and the United States, every true son of America experienced a heart expanding with joy; every patriotick bosom heaved with a laudable pride, which bid him rank Columbia among the first nations of the earth. With all orders of men, from the hoary head to the mirthful youth, her growing grandeur was the topick of conversation. The patriotism, the perseverance, the wisdom and the bravery of Americans, were instanced to show to what a length of worth and dignity the noble faculties of human nature might be extended: At foreign courts, whenever a sage politician wished to communicate the idea of an infant country advancing with hasty strides to majesty and empire, he quoted America. But alas! it is now far otherwise. The fair page of American history is indelibly tarnished; the censure of foreigners is now no less flagrant than of late was their applause; their smiles of approbation are converted into frowns of contempt. Unless there is a speedy alteration in our political fabrick, it will soon be esteemed, in Europe, an insult of the grossest nature to call a man an *American*. Independence and Liberty who landed a few years since on these then innocent, injured shores, fully confident that they should not only be cheerfully received, but protected in their noble

prerogatives until the latest ages, are now preparing to return. They expected to find the climate of America salutary to their constitutions, and congenial to their dispositions: But to our eternal disgrace, they were disappointed. At their arrival they were embraced with cordiality, and treated even with extravagant attention and respect. Every one enthusiastically proclaimed, that he would cheerfully yield half his property for their maintenance and protection: But the ardour of hospitality soon began to abate: Presently the *welcome* guests noticed a degree of indifference and coldness in their *sanguine* hosts. Many after informing fair Liberty that they had been in an error; that they mistook her for Licentiousness; begged her pardon, bid her adieu, and with the utmost warmth of affection, flew to the shrine of their darling goddess. By and by Independence and Liberty perceived themselves of little consequence. This treatment caused them to lament that they ever took residence in these climes. The violence done them last winter was too great for them to brook: They seriously determine before long, to seek refuge in foreign realms. Alas! my countrymen, they are now hastening to depart, and with them the emaciated, disordered matron *Publick Faith*. What will be the disgraceful story they will tell? Will they not with propriety relate, that the sons of *famed Columbia* are very well calculated for "*hewers of wood and drawers of water*,"¹ to other nations; but totally unfit to maintain the dignity and enjoy the blessings of an independent free government?—What is to be done? The grand important question, which calls for our serious attention, is, how to restore the *declining matron* to health, and persuade her, with Independence and Liberty, to forbear to depart. What entreaties will induce them to give up the idea of leaving us?—I am convinced, that while the present form of federal administration continues, nothing will be an inducement. (The system of government lately formed must be adopted. Every man of sense and observation knows, that America cannot exist as a nation, in her present condition. It is a very critical moment with her. Her alternative is either to adopt the system published by the Grand Convention, or dwindle into nothing. If this system is rejected, the probability is, that any one would be that human art is capable of forming. Some object to it for its excess of freedom. They proclaim that it is idle to alter the federal government unless an absolute rigorous one is introduced in its stead. That the one proposed is too popular; that it will not be a sufficient *barrier* against sedition. Others oppose it for reverse reasons. They say that it is calculated to wrest from them their liberty, and expose them to the dominion of great and ambitious men—"Let no man judge rashly."—It behoves us all, with calmness

and deliberation, to consider and realize our dangerous condition. Let us remember that we are justly indebted to foreign powers: That France kindly extended her hand to save us from the revenge of Albion: That gratitude dictates, and justice demands, a compensation: That it is now in our power to lay a foundation for the future prosperity and glory of our country: That while Mars stalks over Europe with his horrible retinue, is the fortunate period for America to open her ports to all nations, and establish a regular, extensive commerce: That we cannot all be politicians, therefore ought to confide in those whose fidelity and abilities we have experienced: That the system which is presented us, was formed by the best and wisest men that perhaps ever met in Council: That the great Washington, the political saviour of America, presided: And that a Convention, composed of good men from every State, after deliberately debating on every part of our political situation, is capable of judging what system of confederation is best calculated to restore our publick faith, and secure our liberty and independence. With anxious expectation have the people of this Commonwealth waited the result of the Convention: Nothing but a prospect of being relieved by that, has inclined them to remain for a few months past so peaceable; and if the system now digested and proffered, is not accepted, that a horrid civil war will speedily break out, and fill America with blood and slaughter, is almost beyond a doubt. May heaven avert it.)

1. Joshua 9:21.

**Elisha May to David Daggett
Attleborough, 19 October¹**

I Received your Friendly Letter of the 2d Instant in which you mention that massachusetts will wrangle about the doings of the Grand Convention—the Petty Convention that were Chosen last year² have reassumed the Subject of opposing every thing that tends to promote the Happiness of America—though they have not been rechosen in any of the Towns but presume to act upon their old appointments a few of them met not long since at Taunton and voted to oppose the plan drawn for our Political Salvation—Rehoboth Bishop³ was one of their number—however I trust their Schemes will be Blasted or over Ruled for [a] good many of the People seem in some measure to be alarmd at their Conduct—and numbers of the late Insurgents are now opposed to their measures and I believe Attleboro would be very Plyable were it not for those sons of confusion who are Continually filling their Ears with misrepresentations against every Legal measure that is Proposed

but as a Haughty spirit goes before a fall I Conclude their Triumphant will be short—I am much Inclined to think if Information be true that the Proposed Constitution will meet the approbation of the Majority of the People—our Representative⁴ I am informed approves of it so far as his Penetrating Genius can Comprehend it—but as he was Chosen to represent Grievances if there should be any they will not fail of being Discovered and Exposed to Pub[li]ck view—for you Sir know his very Phiz Represents Grievancies—your Friends in Attleboro are well—nothing remarkable further to write Excuse my Hurry in writing this and Please to Continue your Favours by writing every opportunity and accept my thanks for the last letter And permit me to Subscribe my self your Real friend and very humble Servt
NB late at night and no more Paper or I should have said Something about Rhode Island—but nothing Can be said in their favour

1. RC, Daggett Papers, Bienecke Rare Book and Manuscript Library, CtY. This letter, delivered by “Mr. D. Read,” was endorsed as received on 28 October. May (1738?–1811), a Bristol County justice of the peace, represented Attleborough in the state House of Representatives, 1778–80, 1781–85, 1788–89, and the state constitutional convention, 1779–80, and Bristol County in the state Senate, 1785–87, 1790–97. He voted to ratify the Constitution in the state Convention in February 1788. Daggett (1764–1851), a native of Attleborough and a graduate of Yale College (1783), settled in New Haven after graduation, taught school, and became a lawyer in 1786. The next year he delivered the Fourth of July oration in that town (Mfm:Conn. 14). He was first elected to the Connecticut House of Representatives in 1791, the beginning of a long and distinguished political and judicial career on both the state and federal levels.

2. May refers to a Bristol County convention held in July 1786, at which eight towns recommended that a statewide convention be called to consider changes in the state constitution, such as abolishing the state Senate and making the annual salaries of government officials dependent on the people. They also petitioned the General Court for a temporary suspension of civil suits and tax collection and an emission of state paper money. The meeting and petition touched off the calling of many conventions (Taylor, *Western Massachusetts*, 136–37). In the state Convention in February 1788 Bristol County delegates voted 12 to 10 against ratification of the Constitution.

3. In the spring elections in 1787 Phanuel Bishop was elected to the state Senate from Bristol County, but the Senate refused to seat him, declaring that since voters had spelled his first name several ways they had cast their votes for different candidates (Hall, *Politics Without Parties*, 248n). He was then elected to represent Rehoboth in the state House of Representatives, and in November he was elected to the state Convention, where he voted against ratification of the Constitution in February 1788. May’s unhappiness was understandable because the spring 1787 elections in Bristol County had gone poorly for conservatives, including himself. He was badly defeated in his reelection bid for a Senate seat (*ibid.*, 243).

4. Attleborough was represented by William Stanley, whose wife was a second cousin of David Daggett.

Henry Jackson to Henry Knox
Boston, 21 October (excerpt)¹

My dear Harry—

. . . The Constitution as proposed will most certainly be adopted by this State—was it left with the present Legislature, it would be *accepted* by a very *large* majority—this is the opinion of many influential Men in the assembly. . . .

1. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York. Jackson (1747–1809), a Boston merchant and a former colonel in the Continental Army, was brevetted a brigadier general by Congress in 1783. A close friend and business agent of Knox's, Jackson was treasurer of the Massachusetts Society of the Cincinnati from 1783 until his death.

John De Witt I
American Herald, 22 October¹

To the *Free Citizens* of the *Commonwealth of Massachusetts*.

Whoever attentively examines the history of America, and compares it with that of other nations, will find its commencement, its growth, and its present situation, without a precedent.

It must ever prove a source of pleasure to the Philosopher, who ranges the explored parts of this inhabitable globe, and takes a comparative view, as well of the rise and fall of those nations, which have been and are gone, as of the growth and present existence of those which are now in being, to close his prospect with this Western world. In proportion as he loves his fellow creatures, he must here admire and approve; for while they have severally laid their foundations in the blood and slaughter of three, four, and sometimes, ten successive generations, from their passions have experience[d], every misery to which human nature is subject, and at this day present striking features of usurped power, unequal justice, and despotic tyranny, America stands completely systemised without any of these misfortunes.—On the contrary, from the first settlement of the country, the necessity of civil associations, founded upon equality, consent, and proportionate justice have ever been universally acknowledged.—The means of education always attended to, and the fountains of science brought within the reach of poverty.—Hitherto we have commenced society, and advanced in all respects resembling a family, without partial affections, or even a domestic bickering: And if we consider her as an individual, instead of an undue proportion of violent passions and bad habits, we must set her down possessed of reason, genius and virtue.—I premise these few

observations because there are too many among us of narrow minds, who live in the practice of blasting the reputation of their own country.—They hold it as a maxim, that virtues cannot grow in their own soil.—They will appreciate those of a man, they know nothing about, because he is an exotic; while they are sure to depreciate those much more brilliant in their neighbours, because they are really acquainted with and know them.

Civil society is a blessing.—It is here universally known as such.—The education of every child in this country tends to promote it.—There is scarcely a citizen in America who does not wish to bring it, consistent with our situation and circumstances, to its highest state of improvement.—Nay, I may say further, that the people in general aim to effect this point, in a peaceable, laudable, and rational way. These assertions are proved by stubborn facts, and I need only resort to that moment, when, in contest with a powerful enemy, they paid such an unprecedented attention to civilization, as to select from among themselves their different conventions, and form their several constitutions, which, for their beautiful theoretical structure, caught the admiration of our enemies, and secured to us the applause of the world.—We at this day feel the effects of this disposition, and now live under a government of our own choice, constructed by ourselves, upon unequivocal principles, and requires but to be well administ[e]red to make us as happy under it as generally falls to the lot of humanity. The disturbances in the course of the year past cannot be placed as an objection to the principle I advance.—They took their rise in idleness, extravagance and misinformation, a want of knowledge of our several finances, a universal delusion at the close of the war, and in consequence thereof, a pressure of embarrassments, which checked, and in many cases, destroyed that disposition of forbearance, which ought to be exercised towards each other. These were added to the accursed practice of letting money at usury, and some few real difficulties and grievances, which our late situation unavoidably brought upon us. The issue of them, however, rather proves the position for, a very few irreclaimables excepted, we find even an anxiety to hearken to reason pervading all classes—industry and frugality increasing, and the advantages arising from good, wholesome laws, confessed by every one.—Let who will gain say it, I am confident we are in a much better situation, in all respects, than we were at this period the last year; and as fast as can be expected, consistent with the passions and habits of a free people, of men who will think for themselves, coalescing, as a correspondent observes in a late paper, under a firm, wise and efficient government.² The powers vested in Congress have hitherto been found inadequate.—Who are

those that have been against investing them? The people of this Commonwealth have very generally supposed it expedient, and the farmer equally with the merchant have taken steps to effect it.—A Convention from the different States for that sole purpose hath been appointed of their most respectable citizens—respectable indeed I may say for their equity, for their literature, and for their love of their country.—Their proceedings are now before us for our approbation.—The eagerness with which they have been received by certain classes of our fellow citizens, naturally forces upon us this question? Are we to adopt this Government, without an examination?—Some there are, who, literally speaking, are for pressing it upon us at all events. The name of the man who but lisps a sentiment in objection to it, is to be handed to the printer, by the printer to the publick, and by the publick he is to be led to execution.³ They are themselves stabbing its reputation. For my part, I am a stranger to the necessity for all this haste! Is it not a subject of some small importance? Certainly it is.—Are not your lives, your liberties and properties intimately involved in it?—Certainly they are. Is it a government for a moment, a day, or a year? By no means—but for ages—Altered it may possibly be, but it is easier to correct before it is adopted.—Is it for a family, a state, or a small number of people? It is for a number no less respectable than three millions. Are the enemy at our gates, and have we not time to consider it? Certainly we have. Is it so simple in its form as to be comprehended instantly?—Every letter, if I may be allowed the expression, is an idea. Does it consist of but few additions to our present confederation, and those which have been from time to time described among us, and known to be necessary?—Far otherwise.—It is a compleat system of government, and armed with every power, that a people in any circumstances ought to bestow. It is a path newly struck out, and a new set of ideas are introduced that have neither occurred or been digested.—A government for national purposes, preserving our constitution entire, hath been the only plan hitherto agitated. I do not pretend to say, but it is in theory the most unexceptionable, and in practice will be the most conducive to our happiness of any possible to be adopted:—But it ought to undergo a candid and strict examination. It is the duty of every one in the Commonwealth to communicate his sentiments to his neighbour, divested of passion, and equally so of prejudices. If they are honest and he is a real friend to his country, he will do it and embrace every opportunity to do it. If thoroughly looked into before it is adopted, the people will be more apt to approve of it in practice, and every man is a TRAITOR to himself and his posterity, who shall ratify it with his signature, without first endeavouring to understand it.—We

are but yet in infancy; and we had better proceed slow than too fast.—It is much easier to dispense powers, than recall them.—The present generation will not be drawn into any system; they are too enlightened; they have not forfeited their right to a share in government, and they ought to enjoy it.

Some are heard to say, “When we consider the men who made it, we ought to take it for sterling, and without hesitation—that they were the collected wisdom of the States, and had no object but the general good.”—I do not doubt all this, but facts ought not to be winked out of sight:—They were delegated from different States, and nearly equally represented, though vastly disproportionate both in wealth and numbers. They had local prejudices to combat, and in many instances, totally opposite interests to consult. Their situations, their habits, their extent, and their particular interest, varied each from the other. The gentlemen themselves acknowledge that they have been less rigid upon some points, in consequence of those difficulties than they otherwise should have been.—Others again tell you that the Convention is or will be dissolved; that we must take their proceedings in whole or reject them—But this surely cannot be a reason for their speedy adoption; it rather works the other way. If evils are acknowledged in the composition, we ought, at least, to see whose shoulders are to bear the most; to compare ours with those of other States, and take care that we are not saddled with more than our proportion: That the citizens of Philadelphia are running mad after it, can be no argument for us to do the like:—Their situation is almost contrasted with ours; they suppose themselves a central State; they expect the perpetual residence of Congress, which of itself alone will ensure their aggrandizement: We, on the contrary, are sure to be near one of the extremes; neither the loaves or fishes will be so plenty with us, or shall we be so handy to procure them.—

We are told by some people, that upon the adopting this New Government, we are to become every thing in a moment:—Our foreign and domestic debts will be as a feather; our ports will be crowded with the ships of all the world, soliciting our commerce and our produce: Our manufactures will increase and multiple; and, in short, if we STAND STILL, our country, notwithstanding, will be like the blessed Canaan, a land flowing with milk and honey. Let us not deceive ourselves; the only excellency of any government is in exact proportion to the administration of it:—Idleness and luxury will be as much a bane as ever; our passions will be equally at war with us then as now; and if we have men among us trying with all their ability to undermine our

present Constitution, these very persons will direct their force to sap the vitals of the new one.—

Upon the whole, my fellow countrymen, I am as much a federal man as any person: In a federal union lies our political salvation—To preserve that union, and make it respectable to foreign opticks, the National Government ought to be armed with all necessary powers; but the subject I conceive of infinite delicacy, and requires both ability and reflection. In discuss[ing] points of such moment, America has nothing to do with passions or hard words; every citizen has an undoubted right to examine for himself, neither ought he to be ill treated and abused, because he does not think at the same moment exactly as we do. It is true, that many of us have but our liberties to lose, but they are dearly bought, and are not the least precious in estimation:—In the mean time, is it not of infinite consequence, that we pursue inflexibly that path, which I feel persuaded we are now approaching, wherein we shall discourage all foreign importations; shall see the necessity of greater œconomy and industry; shall smile upon the husbandman, and reward the industrious mechanic; shall promote the growth of our own country, and wear the produce of our own farms; and, finally, shall support measures in proportion to their honesty and wisdom, without any respect to men. Nothing more is wanted to make us happy at home, and respectable abroad.

1. This is the first of four unnumbered essays published by "John De Witt" in the *American Herald* between 22 October and 3 December 1787. The fourth essay was published in two installments.

2. Possibly a reference to an item appearing in the *American Herald* of 8 October, that was reprinted from the *Pennsylvania Gazette* of 26 September. See *Massachusetts Centinel*, 6 October, 4th paragraph (above).

3. See "The Boston Press and the Constitution," 4 October–22 December.

William Lyman to Joseph Clarke

Boston, 23 October¹

Tomorrow is the day assigned to take into Consideration the Expediency of a State Convention and I flatter myself the measure will be unanimous as all opinion of the fœderal System will be avoided[.] The House now Consists of about One Hundred & fifty Members of whom not more than Eight or Ten are from Either the County of Hampshire or Berkshire and in the senate there is no One from the Counties aforesaid[.] this Inattention in them is surprizing even to me[.] this session it is said will be very short which I very much Doubt[.] Mr Gorham & King are also to be before the House tomorrow for the

purposes of information[.] Gorham takes his seat as a Member from Charlestown—

This brief Sketch I beg you to excuse as I have attended but two Days[.] if agreeable I will be particular in a future opportunity

1. RC, Odd Papers, Folder 3, MNF. Lyman (1755–1811), a 1776 graduate of Yale College and a Northampton merchant, was a major and aide-de-camp to General William Shepard during Shays's Rebellion. He represented Northampton and Easthampton in the state House of Representatives, 1787–88, and Hampshire County in the state Senate, 1789–90. As a Republican, Lyman sat in the U.S. House of Representatives, 1793–97. Clarke was a Northampton merchant, who had been adopted and educated by Joseph Hawley, a prominent Northampton lawyer and a leader in the revolutionary movement against Great Britain.

Lycurgus

Massachusetts Gazette, 23 October¹

MR. ALLEN, I was a little surprised this morning by reading in your Gazette, the following piece of information, viz. "A correspondent proposes, that the *Federalists* should be distinguished hereafter by the name of WASHINGTONIANS, and the *Anti-federalists*, by the name of SHAYITES, in every part of the United States."²

Who this correspondent is, where he resides, or what is his occupation or character, is no part of my business to determine or inquire; but I think he exhibits to publick view the most distinguishing parts of the true characteristicks of the *narrow-hearted man*, and the *peddling politician*.

I am as firm a Federalist, and as great an admirer of the proposed *Federal Constitution*, as he is; but I have not the most remote idea of stigmatizing my honest neighbour, who, for the want of due consideration, the means of information, or, it may be, a capacity, does not see the propriety of what our SOLONS have proposed for our approbation.

My neighbour has the same right to the exercise of his judgment in this matter as I have; and no person, but an unmasked tyrant, would openly stigmatize him with the most opprobrious character which language is capable of painting, for his exercising, or at least enjoying or possessing it: and I am heartily sorry to see so good a cause as the proposed Constitution attempted to be supported by such unjust, ridiculous, impolittick means: for such observations can only serve to sink the author into contempt, and the proposed Constitution into disrepute, as far as it has any operation.

I expect you will publish this in your next, that the publick may know there are admirers of the proposed Federal Constitution who are not such narrow-contracted, bigotted, and even *moon-struck* politicians.

Boston, October 19.

1. Reprinted: *Pennsylvania Packet*, 1 November; *Charleston City Gazette*, 11 December.
2. First published in the *Pennsylvania Gazette*, 10 October (CC:Vol. 1, p. 584), this item was reprinted in the *Massachusetts Gazette* on 19 October.

Editors' Note

The Massachusetts Reprinting of the Address of the Seceding Assemblymen of the Pennsylvania Assembly 23 October–8 November

The Constitutional Convention adjourned on 17 September. The Pennsylvania Assembly received a printed copy of the Constitution from its Convention delegates on the 18th, the same day that the Convention's secretary left for New York City to present another printed copy and the engrossed Constitution to the Confederation Congress. Firmly in control of the Pennsylvania Assembly, Federalists wanted to call a state convention by the 29th, the day the Assembly intended to adjourn; Antifederalists wanted to wait until after the state elections in October when they might control the new Assembly. Believing that Congress would not transmit the Constitution to Pennsylvania before the Assembly adjourned, Antifederalists used the argument that Pennsylvania should act "federally" by awaiting the official notification of Congress before the Assembly called a ratifying convention.

On the morning of 28 September the Assembly passed a resolution calling a state convention, but it recessed before providing for the election of delegates and the place and date of the convention's meeting. When the Assembly reconvened in the afternoon, it lacked the necessary two-thirds for a quorum because nineteen delegates, most of them Antifederalists, had absented themselves. At 7 A.M. on the 29th, a Federalist assemblyman received unofficial word that Congress had adopted a resolution on 28 September transmitting the Constitution to the states for their consideration (CC:95). The Assembly reconvened at 9:30 A.M. and, although lacking a quorum, it read Congress' resolution and ordered two of its officers to "require" the return of the absent members. Aided by a mob, the officers returned two members and a quorum was attained, whereupon, the Assembly passed the remaining resolutions and adjourned *sine die*.

Dismayed by the Assembly's actions, most of the seceding assemblymen signed an address, dated 29 September, giving their version of the events of 28–29 September and outlining their objections to the Constitution. (For the complete text of the address, see RCS:Pa., 112–17; and for a long excerpt, see CC:125–A.) Eleazer Oswald of the Philadelphia *Independent Gazetteer* printed the address as a broadside on 2 October, and the next day he printed it in his newspaper. On 8 October

six Federalist assemblymen published a reply to the address in the *Pennsylvania Packet* (RCS:Pa., 117–20).

Both the address of the seceding assemblymen and the reply of the six assemblymen circulated widely. By 8 November the address was reprinted twelve times in Pennsylvania and sixteen times outside the state. Five of these sixteen reprintings occurred in Massachusetts: *Massachusetts Gazette*, 23 October; *Essex Journal*, 24 October (lengthy extract); *Cumberland Gazette*, 25 October; *Hampshire Chronicle*, 30 October; and *Independent Chronicle*, 8 November. (On 13 October the *Massachusetts Centinel*, without identifying the address, had reprinted a very brief extract indicating that three delegates to the Constitutional Convention had refused to sign the Constitution. See Mfm:Mass.) The *Independent Chronicle* prefaced its reprinting: “At the particular desire of a number of respectable Gentlemen, who are anxious that a free discussion on both sides of the question, relative to the important subject of national Government, should be had, and in order to discover the impartiality of our paper in this respect,—we are induced to insert the following address of the sixteen dissenting Members of the Pennsylvania Assembly, together with the reply thereto.” The *Cumberland Gazette* described the address as “*Further interesting Intelligence.*”

By 26 November the reply of the six assemblymen was reprinted seven times in Pennsylvania and nine times outside the state. Three of these nine reprintings appeared in Massachusetts: *Massachusetts Gazette*, 23 October; *Hampshire Chronicle*, 30 October; and *Independent Chronicle*, 8 November. Each of the three newspapers also printed the address of the seceding assemblymen in the same issue as the reply.

James Wilson’s 6 October speech to a Philadelphia public meeting, which was reprinted several times in Massachusetts, was partly a response to the address of the seceding assemblymen. (See “The Massachusetts Reprinting of James Wilson’s Speech of 6 October Before a Philadelphia Public Meeting,” 24 October–15 November.) The most comprehensive criticism of the address was a pamphlet by “A Citizen of Philadelphia” published on 18 October (Evans 20871). Pelatiah Webster, the author of the pamphlet, sent a copy to former Massachusetts governor James Bowdoin on 16 November (Bowdoin-Temple Papers, MHi). (For a long excerpt from this pamphlet, see CC:125–B.)

Monitor

Hampshire Gazette, 24 October¹

To the PUBLIC.

My Countrymen, That important period has now arrived in which political life and death, for the last time, is set before you. It is now in

your power to chuse, whether you will be free and happy, or enslaved and miserable. Various innovations and changes have happened in your political system within the last few years—various amendments have been assayed to no purpose—all attempts hitherto made to establish you in independence and happiness, have been blasted, have proved inadequate to the great purposes for which government is instituted, and have issued in disgrace, disappointment and contempt. Government, that bulwark of common defence, has at sundry times, within a few years past, been seen tottering on its basis, being shaken to its very centre by those frequent commotions which have been produced by the hostile invasions of lawless and ambitious men, intending, no doubt, to lay it level with the dust, and introduce anarchy, confusion, and every disorder. Harrassed and worn out with tumults and distractions, and weary of so many fruitless endeavours to secure the rights and protect the citizens of the United States, from the wicked assaults and lawless ravages and depredations of unprincipled men, and finding the confederation of the thirteen States unequal to the great ends for which it was adopted; that the power delegated to that august body, the Congress, was insufficient any longer to hold you together, and that a speedy dissolution under the old administration was inevitable: therefore, that the union may be cemented with an invincible firmness; that a federal government may be formed upon a permanent foundation, endowed with energy sufficient to carry into execution every act and resolve necessary to maintain justice and equity and to support the majesty and dignity as well as the privileges of a free people; and that an effectual barrier may be set to guard your rights against every invasion, foreign and domestic, and to fix you in a lasting peace upon just and righteous principles, accompanied with its concomitants, national glory and felicity. For these invaluable purposes (after every other effort, as I before observed proved abortive) as the dernier resort, you had recourse to a Convention of delegates from the several states, in which the wisdom thereof, as you may reasonably suppose, was collected—the honourable Members were gentlemen of unexceptionable characters, well acquainted with political concerns, and fully possessed with the danger of the present deranged situation of your public affairs—endowed not only with wisdom and knowledge, but firmness and integrity, equal to the arduous task to which they were called, and their well known affection for and to the interest of your country, must heighten your esteem of their qualifications.

From an assembly of such worthy characters, with the illustrious Washington at their head, what may you not expect? yea, and what raised expectations could you have entertained that are not more than

gratified in their result, which now lies before you—the result, not of an ordinary sagacity, but of uncommon wisdom—the result, not of a rash, hasty, and premature judgment, but of calm reasoning, cool deliberation, and a fair, candid and impartial discussion, on every article proposed, together with their supposed consequents, good and ill; every objection having been thoroughly examined and weighed; those obstacles arising from the separate interests of the different states duly considered, the plan was adopted not by one or two states only, or a bare majority, but the unanimous consent of twelve. I will not suggest it to be clear of every possible defect, for that is incompatible with the mutable uncertain state of human nature; and so long as men govern, errors and mistakes will happen: But this I aver, that it exceeds your most sanguine rational expectations. Permit me then to enjoin it as an indisputable duty on you to accept it. It will be your wisdom to comply with it, your safety and interest call for it. I presume your feelings debate it, and what is more, Heaven itself demands it, for your salvation and national existence depend on it. God forbid, that you should be so lost to your duty and interest, at this late hour, as to spurn the last opportunity which an indulgent Providence, 'tis likely, will ever grant you, to save your sinking country from tumbling into ruin. Suffer me to urge it upon you—not to be dictated by sinister motives—renounce all selfish, mean-spirited and contracted views, and fix your eyes upon the general good, and let those generous and liberal sentiments possess your minds, as shall animate you cheerfully to lay aside some advantages that respect you individually, when they stand in the way to the common interest, for yourselves are sharers in public benefits: and should you discover some inconveniences that will accrue to you from your local situation (as undoubtedly you will, the local interests of the different parts of this extended country being necessarily different) you will by no means suffer that consideration to gain the ascendancy over your reason, so far as to influence you to reject the proposed plan of government; or, mark it, the moment you reject it, you involve yourselves and posterity in ruin. Should you now refuse to embrace this golden opportunity to establish your independency upon such a permanent and unshaken foundation (as it is now in your power to do) as shall preserve inviolable your dear bought privileges, bought at the expence of many invaluable lives and much precious treasure. You may with propriety apply to yourselves an observation of one of the wisest of men, viz. “He that being often reprov'd hardeneth his neck, shall suddenly be destroyed, and that without remedy;”² which respects nations as well as individuals, that have been repeatedly reprov'd by such disasterous events and threatening commotions, and dangerous

violences as have again and again distracted your country, greatly tending to the dissolution of your government; yea, you in vain, when too late, will see your folly, when a melancholy gloom hath overwhelmed you, and your remediless distresses have overtaken you. But should you be so happy as to adopt the proposed plan of government, as I presume you will, (for I am persuaded there is virtue yet remaining among you, and some vestiges of that zeal for liberty which glowed in every American in times past, which on a fresh occasion like this, will revive and manifest itself) you may with pleasure anticipate those agreeable prospects that are opening upon you—the congratulations of your benevolent allies, which will soon reach your ears—the satisfaction it will yield to the friends of your independence throughout the world, and the joy that will leap in the breast of every well-wisher to your national interest in the union. Your fame shall outlive you—your memory will be sweet to your progeny, and generations yet unborn will feel their souls inspired with gratitude to you for that firmness, integrity and resolution, which has marked your way in obtaining, preserving, and handing down unsull[i]ed to them, those inestimable blessings which they shall hold in quiet possession. Let such motives stimulate you to embrace that which alone will disappoint and chagrin your malevolent enemies, rear the hopes of your timorous and cheer the drooping spirits of your despairing friends, and then will you amply compensate the pains taken by the MONITOR.

1. Reprinted: *Massachusetts Gazette*, 30 October; *Pennsylvania Journal*, 3 November.

2. Proverbs 29:1.

Massachusetts Centinel, 24 October¹

—Let us hear what great and good men say on the subject of our new government—Dr. *Rush*, of Philadelphia—and who shall say he is not a good and a great character, thus concludes his speech on this important subject—“The necessary consequences of this event (the adoption of the Federal Constitution) will be the advancement of commerce, agriculture, manufactures, arts and sciences, the encouragement of emigration, the abolition of paper-money, the annihilation of party, and the prevention of war: And, *were this the last moment of my existence, my dying request and injunction to my fellow citizens would be, to accept and support the offered constitution.*”

1. This item was a variation of a *Pennsylvania Herald*, 9 October (extra) report of a speech that Benjamin Rush made before a public meeting in Philadelphia on 6 October, following a speech delivered by James Wilson. (See RCS:Pa., 174–75.) The *Massachusetts Centinel*'s version was reprinted in the *New York Morning Post*, 1 November; *State Gazette of*

South Carolina, 24 December; and *State Gazette of North Carolina*, 7 February 1788. (The *Pennsylvania Herald's* version of Rush's speech was reprinted throughout America, including three times in Massachusetts: *Essex Journal*, 7 November; *Hampshire Gazette*, 14 November; and *Worcester Magazine*, 15 November.)

“W. X.”

Massachusetts Centinel, 24 October¹

Mr. RUSSELL, Many of our fellow citizens were alarmed with the insinuations of an anti-federalist, handed to the publick in a late paper. The writer's apology, instead of composing has encreased their fears, and excited their curiosity to know who is the man that would blast the glorious prospect of a well-toned, national government. The writer of those wicked and absurd paragraphs, it is said, has been lately ousted from an office he sustained in a literary society. His talents for mathematical investigations have been lately evinced by some geometrical improvements, communicated to a celebrated Academy. But not contented with those qualities which he possesses, he ridiculously affects those which nature has denied him. Hence we find him, at all times and in all places, advancing his political sentiments, which are frequently erroneous, sometimes absurd, and always unentertaining. Hence, also, we see him driving after military distinction—and we wish him much pleasure in his mad career, so long as it interferes not with the interest of the community. In his political flights we wish him to be more cautious.—His opinions, though absurd, may be adopted by some, and his misrepresentations, though glaring, deceive those who embrace sentiments, without examining their foundation. The most inconsistent and trivial objections may throw stumbling-blocks in the way of the weak. They may afford topicks to those who are ever disposed to complain of every kind of government, which answers the end of its institution, the protection of our persons and property from violence and rapacity.

1. “W. X.” criticizes the writer of several paragraphs (probably James Winthrop) published in the *Massachusetts Gazette*, 9 October.

Editors' Note

The Massachusetts Reprinting of James Wilson's Speech of 6 October Before a Philadelphia Public Meeting 24 October–15 November

On the evening of 6 October James Wilson, a former Pennsylvania delegate to the Constitutional Convention, “delivered a long and eloquent speech” before “a very great concourse of people” at a public

meeting at the Pennsylvania State House called to nominate candidates to represent the city of Philadelphia in the Pennsylvania Assembly. Wilson, one of the most frequent speakers in the Constitutional Convention, answered some of the major criticisms made against the Constitution, and his widely circulated speech became one of the most influential and controversial Federalist statements. The most controversial part of his address concerned his concept of reserved powers. Wilson declared that “in delegating foederal powers . . . 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 . . . every thing which is not given, is reserved.” Wilson used this idea to demonstrate that a bill of rights was unnecessary. As an example, he declared that the freedom of the press could not be violated by Congress because it had not been given any power over the press (CC:134).

On 9 October Wilson’s speech was published in an “extra” issue of the *Pennsylvania Herald* and reprinted in the regular issue of the *Herald* the next day. On 24 October the *Massachusetts Centinel* reprinted the speech from the *Herald* of the 10th, with this preface: “How much to be preferred are the sentiments and observations of a gentleman, who comes forward with his name, and who is acquainted with the great principles of the subject on which he treats, to the *envenomed suggestions*, the *dark surmises*, and *cabalistical inuendoes* of *secret plodders*, the baseness of whose designs is equal only to their ignorance.” (The printer of the *Centinel* had recently adopted a policy of refusing to publish any anonymous articles whose authors did not leave their names with him, a policy which caused an immediate uproar. See “The Boston Press and the Constitution,” 4 October–22 December.) Wilson’s speech was also reprinted in the *American Herald*, 29 October; *Essex Journal*, 31 October and 7 November; *Cumberland Gazette*, 1 November; *Hampshire Gazette*, 14 November; and *Worcester Magazine*, 15 November.

Despite the importance of Wilson’s speech, there are few major public or private Massachusetts criticisms of it. For examples of these criticisms of Wilson, see “John De Witt” II and IV, *American Herald*, 29 October, 19 November, and 3 December; and Thomas B. Wait to George Thatcher, 22 November, and 8 January 1788 (all III below). Massachusetts newspapers, however, reprinted five major out-of-state critiques of Wilson:

- “Centinel” II (Philadelphia *Freeman’s Journal*, 24 October, CC:190), in the *American Herald*, 19 November;
- “A Republican” I (*New York Journal*, 25 October, CC:196), in the *Massachusetts Centinel*, 3 November. (This reprinting was prefaced with

this statement by "Inimicus Tyrannis": "In your Centinel of the 24th ult. you published a speech of Mr. J. Wilson of Philadelphia.—I send you a New-York paper, from which I wish you to insert a letter to that Gentleman");

- "Brutus" II (*New York Journal*, 1 November, CC:221), in the *Independent Chronicle*, 30 November;

- "Cincinnatus" I (*New York Journal*, 1 November, CC:222), in the *Massachusetts Gazette*, 16 November, and *Hampshire Gazette*, 5 December; and

- "An Officer of the Late Continental Army" (*Philadelphia Independent Gazetteer*, 6 November, RCS:Pa., 210–16), in the *Massachusetts Centinel*, 21 November, *Hampshire Chronicle*, 27 November, *Worcester Magazine*, 27 December, and *Hampshire Gazette*, 9 January 1788.

Few Federalists responded to these criticisms of Wilson. On 19 December, two weeks after it reprinted "Cincinnatus" I, the *Hampshire Gazette*, published "Anti-Cincinnatus" (III below). On 3 January 1788, one week after it reprinted "An Officer," the *Worcester Magazine* responded with its reprinting of "Plain Truth" (RCS:Pa., 216–23).

Ezekiel

Independent Chronicle, 25 October¹

To every Politician, of every condition, outs & ins, and those that never were in, nor ever will be,

HARK'E!

Good folks love peace and harmony; we are sick of all sorts of newspaper wrangling—"ship news"—letters to and from "Shays and Shattuck"—abusing past and present rulers, &c. &c. &c. Now is the time to let patience, and sober reason, have their perfect work—for we have a great work to do, an Empire of freedom to build and perpetuate. This is the *twelfth* year of our *national age*, and we are a sturdy youth, but have all the levities natural to our age, and therefore we must put on our "*considering caps*"—Let us one and all lay aside the sin of wrangling, which "so easily besets us," and seek every one the things that make for peace and union. Let all the States act like brethren of one good family,—every one regarding the interest of his brother—and then will every one be prosperous and happy. In the whole creation, cannot be found a people so highly favoured of GOD; nor in the volume of ages, can we find a nation, at our age, so great. The eyes of the world are upon us: The wealth, the learning, and the people of the East, are bending their course to this new world. In this fertile region of peace and plenty, under the serene sky of virtuous freedom, and

encircled with the beneficent smiles of the KING ETERNAL, the pinions of HOPE cannot rise too high! Is it in human folly, can it be in the heart of Americans, to disagree upon the National Government, after their wise and tried Patriots have laboured four long months to form one to make them happy? HOPE replies, they will not hesitate to adopt the system;—FEAR trembles, and lisps, and stammers;—JEALOUSEY says, beware of the snake in the grass;—OLD CONTINENTAL HONOUR OF 1775, bids us confide in each other as brethren, and mend the system hereafter, if experience should discover that emendations were necessary;—COMMON-SENSE, observes, that as we cannot exist without a National Government, and *distrust* is the *canker-worm* that corrodes the tender cords of the Union—this *bane* of society, should be guarded against as the poison of ASPS,—as a *cancer* at the heart: THIS has been the *evil genius* of America.—But may the Powers above, point their lightning against all political and moral vices, until our minds are pure as the light,—and write, with a Sun-beam, UNION upon our souls!

1. "Ezekiel" was reprinted in the *Salem Mercury*, 6 November, and *Essex Journal*, 7 November, and in six other newspapers by 14 April 1788: Conn. (3), N.Y. (1), Pa. (1), S.C. (1).

Cumberland Gazette, 25 October

By a letter from Boston we learn, that the Federal Constitution meets with opposition from several characters of note in that town. The length of time for which the President is to be chosen, and the extensive powers that are to be vested in the Judicial Court of the United States, are both objected to by those Gentlemen; who further say—that to adopt the Constitution in its present form, would be paving the way to an Aristocracy.

The letter above referred to was written by an intelligible gentleman, and contained further and more particular information on the important subject therein mentioned; which with pleasure we should have published: But unfortunately, the letter, on its arrival in this town, fell into the hands of a genuine Federal Enthusiast, who, like all other Enthusiasts, is equally an enemy to free discussion, and to a free press.

II. MASSACHUSETTS CALLS A STATE CONVENTION 18–25 October 1787

Introduction

On Wednesday, 17 October, the General Court convened at the State House in Boston. A joint committee of the two houses informed Governor John Hancock that each house had a quorum and was “ready to receive any communications which His Excellency may be pleased to make.” The next day the governor addressed a joint session of the legislature and delivered to it the official four-page broadside version of the Constitution authorized by Congress and Congress’ 28 September resolution recommending that the states call conventions to consider the Constitution (CC:95). Noting that it was not within the duties of his office “to decide upon this momentous affair,” the governor refrained from making any specific comments about the Constitution.

The Senate and House of Representatives on the 19th each referred Hancock’s speech to a joint committee of five—Cotton Tufts and Benjamin Goodhue represented the Senate; Samuel Holten, Theophilus Parsons, and Charles Jarvis the House. Later that day the joint committee submitted its report to the Senate, recommending (1) that a state convention meet at the State House in Boston to consider the Constitution, (2) that inhabitants qualified to vote for state representatives be qualified to vote for delegates to the convention, (3) that each town and district have the same number of delegates as it had in the House of Representatives, and (4) that copies of these resolutions, the Constitution, and related documents be printed and that a copy be sent to the selectmen of each town and district. The report did not set the date for the meeting of the convention.

The Senate debated the joint committee’s report on 20 October. It set Wednesday, 12 December, as the meeting date of the convention, adopted four other amendments, and sent the amended report to the House of Representatives, which made 24 October the date of consideration.

On 24 October hundreds of spectators filled the galleries and overflowed onto the floor, where they were allowed to occupy vacant seats. Daniel Kilham of Newburyport objected to the haste with which the proposed state convention was being called and charged that the Constitutional Convention had exceeded its authority by proposing a new

Constitution designed to be ratified by only nine states, not all of the states as required by the Articles of Confederation. Kilham was answered by Theophilus Parsons, also of Newburyport, Charles Jarvis of Boston, Eleazer Brooks of Lincoln, and Thomas Dawes of Boston. William Widgery of New Gloucester proposed that the Constitution be submitted directly to the people who would vote on it in town meetings. This method of considering the Constitution would ease the financial burden on impoverished towns. To obviate Widgery's proposal, Nathaniel Gorham of Charlestown suggested a conditional resolution that, if the House approved the Senate's resolutions, delegates to the state convention would be paid from state funds. The House accepted Gorham's resolution, changed the meeting date of the convention to Wednesday, 9 January, and approved the resolutions by a vote of 129 to 32. Phanael Bishop of Rehoboth then proposed that the convention meet in Worcester rather in Boston. Another motion substituted York, Maine, as the convention site. Daniel Cony of Hallowell, Maine, spoke against both locations and convinced both men to withdraw their motions. On 25 October the Senate concurred in the House amendments with one minor change which the House accepted later in the day. Governor Hancock signed the resolutions and issued a proclamation establishing 29 November as a day of public thanksgiving. The proclamation called upon the state's ministers and inhabitants to pray that God would "give all needed Wisdom to the [convention] Delegates" and that "the Result of their Deliberations, may be the Happy Establishment of such a Government, as may be adapted to the common Safety and Happiness."

The legislature ordered that the resolutions calling the convention and the accompanying documents be published and transmitted by "expresses" to the sheriffs of the several counties. The governor's proclamation was printed by 1 November, and by 6 November, a thirty-two-page pamphlet containing the resolutions and the accompanying documents was published. On 19 November the first convention delegates were elected.

On 31 October and 2 November the Senate and House of Representatives, respectively, read Elbridge Gerry's letter of 18 October to the General Court explaining why he had not signed the Constitution in the Constitutional Convention. For the text of Gerry's letter, its publication, and the responses to it, see Elbridge Gerry to the General Court, 18 October (I above).

Senate Proceedings, Thursday, 18 October (excerpt)¹

. . . His Excellency the Governor came into the Senate Chamber, and directed the Secretary to request the attendance of the House of Representatives, who also came in, when his Excellency made a Speech to both Houses, which he afterwards delivered to the President—The House having withdrawn, his Excellency withdrew—

The Secretary came in, and laid upon the Table, the papers refer'd to in the Governors Speech. . . .

1. MS, Senate Journal, 152, M-Ar.

House Proceedings, Thursday, 18 October (excerpt)¹

. . . The Secretary came down and said that His Excellency was in the Senate Chamber and requested the attendance of the House Whereupon the House went up to the Senate Chamber where His Excellency delivered the following Speech viz. . . .

1. MS, House Journal, 156, M-Ar.

**Governor John Hancock to the General Court
18 October (excerpts)¹**

Gentlemen of the Senate & Gentlemen of the House of Representatives—

I have directed the Secretary to lay before you several Letters which I have received in the recess of the Court. . . .

The General Convention having compleated the business of their appointment, & having reported to Congress, "A Constitution for the United States of America," I have received the same from that Honorable Body, & have directed the Secretary to lay it, together with the Letter accompanying it, before the Legislature, that measures may be adopted for calling a Convention in this Commonwealth, to take the same into consideration: It not being within the duties of my office to decide upon this momentous affair, I shall only say, that the Characters of the Gentlemen who have compiled this System, are so truly respectable, & the object of their deliberations so vastly important, that I conceive every mark of attention will be paid to the report. Their unanimity in deciding those Questions wherein the general prosperity of the Nation is so deeply involved, & the complicated rights of each seperate State are so intimately concerned, is very remarkable, & I persuade myself that the Delegates of this State when assembled in Convention,

will be able to discern that, which will tend to the future happiness & security of all the people in this extensive Country. . . .

I have not gone minutely into all the communications which are necessary to be made, but shall by particular messages make such as may be for the publick interest; & shall be very ready to unite with you in all measures tending to a proper regulation of our Finances, the promoting of Virtue & Knowledge, to the establishing of good order & government, securing the liberties & increasing the happiness of the United States in general, & those of this Commonwealth in particular—
 Council Chamber
 John Hancock

October 17th. 1787

1. DS, Miscellaneous Legislative Papers, House Files, No. 2572, M-Ar. The manuscript is docketed: "Govr's Spee[ch] 2572/Octr. 18. 1787/(Entd.)." Other official copies are in the manuscript House Journal, 156–60, in the Massachusetts Archives, and in the *Resolves of the General Court* . . . [17 October–24 November 1787] (Boston, 1787), 47–49 (Evans 20517). The speech was printed in the *Massachusetts Gazette*, 19 October; *Massachusetts Centinel*, 20 October; *Boston Gazette*, 22 October; *American Herald*, 22 October; *Salem Mercury*, 23 October; *Essex Journal*, 24 October; *Independent Chronicle*, 25 October; *Worcester Magazine*, 26 October; *Hampshire Chronicle*, 30 October; *Hampshire Gazette*, 31 October; and *Cumberland Gazette*, 1 November. It was also reprinted in the November issue of the *Philadelphia American Museum* and in nine other newspapers by 5 November: R.I. (2), Conn. (4), N.Y. (1), Pa. (2). The paragraph on the Constitution alone appeared in seven other newspapers by 24 November: N.H. (1), R.I. (1), Conn. (1), N.Y. (1), N.J. (1), Pa. (1), Md. (1).

Newspaper Commentaries on Governor John Hancock's Speech of 18 October

Massachusetts Centinel, 20 October¹

On Wednesday last, the Hon. General Court met at the State-House in this town—and on Thursday his Excellency communicated the new Constitution to them, which with his Excellency's speech, was committed to a large and respectable Committee of both branches.

From the very handsome manner in which our worthy Governour speaks of the new Constitution—and from the observations of several respectable gentlemen of the Legislature, yesterday on it, we anticipate an early day being fixed on by the General Court for the meeting of our Convention—that this State may have the great honour and singular happiness of being the first to adopt a system, second to none in the world.

American Herald, 22 October (excerpt)²

The honourable the General Assembly of this Commonwealth, having convened in the State-House in this town, on Wednesday last, agreeably to adjournment—His Excellency, on Thursday, made the Speech

published in our paper of this day, to the two Houses, in the Senate chamber. This address, we have the pleasure of informing the publick, has, in general, given the utmost satisfaction to persons of all sentiments, for the judicious manner it has noticed the various, interesting and important subjects it contains, but particularly, the proceedings of the late Fœderal Convention—A copy of which, with the letters accompanying it, was laid, by the Secretary, before the honourable the Senate.—As it was not in the commission of his Excellency, on this occasion, nor agreeable to the example, or representation of Congress, it was impossible that he should have descended into the merits of the question, with any regard to propriety; but yet, from the way in which it has been mentioned, it must be apparent, that our worthy and patriotick Governour has no predeliction against it; on the other hand, some few have doubted, whether his observations do not imply too decided a partiality in its favor. . . .

*Pennsylvania Herald, 31 October*³

Governor Hancock in his address to the legislature of Massachusetts speaks in high terms of the framers of the new constitution, whose characters, however, he rather treats as a recommendation to a deliberate and candid discussion of the merits of that work than as a conclusive evidence of its merits. This is certainly the proper light in which that point should be placed.

Examiner

Hampshire Gazette, 21 November (excerpt)

Mr. BUTLER, Please to publish in your *impartial* and *independent* paper, the following REMARKS ON HIS EXCELLENCY'S SPEECH, and oblige, Z. T.

As the Speech of His Excellency the Governor to the Legislature, at the opening of the present session, has been published for the perusal and information of the people, it naturally becomes a subject of attention and animadversion; and as freedom of sentiment, in speaking and writing upon the public acts and doings of the servants of the people, is an inherent right of the subject: it is designed to offer at this time some remarks upon this speech, and if in the course of these observations facts should be recited and embellished that may amount to a contradiction of some parts of it, they are extorted by the very extraordinary details which it contains.

His Excellency is pleased to inform the Legislature that he had "directed the Secretary to lay before them several letters received in the recess of the court"—these communications are doubtless in point, and

a perseverance in *this line of conduct*, so strictly and scrupulously adhered to by his *late Excellency* Governor Bowdoin, will tend to the promotion of the public interest—"Not so the former days!"

We are next informed that "the General Convention has completed the business of their appointment;" his Excellency then adds, "it is not within the duties of his *office* to decide upon this momentous affair." If he means that he was not authorised by virtue of his office, to give a *sanction* to the American Constitution, he inform[s] us of a self-evident truth; but if his meaning is that his *station* gives him a right to *reserve his opinion*, till the *public sentiment* is fully ascertained; we have to regret the circumstance that deprives the people of so important a directory in a matter that affects their essential interests. It is devoutly to be wished that a *similar* caution may not actuate every man in a public station; for if those who ought to be "eyes to the blind and feet to the lame,"⁴ withheld their opinions and superior intelligence from the people, at this momentous juncture, we have to anticipate every degree of perplexity in adopting the form of federal government now proposed, or any other that may be offered to the consideration and acceptance of the people. . . .

1. Reprinted: *Cumberland Gazette*, 25 October; *New Hampshire Gazette*, 27 October; *New York Daily Advertiser*, 27 October; *New York Independent Journal*, 27 October; and *Albany Gazette*, 1 November. The first paragraph only (with slight variations) appeared in the *New York Packet*, 26 October, and the *Hudson Weekly Gazette*, 1 November

2. Reprinted: *Providence United States Chronicle*, 25 October; *Providence Gazette*, 27 October. For the remainder of this item, see "Newspaper Reports on Senate Proceedings," 19–20 October.

3. Reprinted: *Philadelphia Evening Chronicle*, 3 November; *Charleston Columbian Herald*, 22 November.

4. Job 29:15. "I was eyes to the blind, and feet was I to the lame."

Senate Proceedings, Friday, 19 October (excerpt)¹

. . . Governors Speech of yesterday read & committed to Cotton Tufts & Benja. Goodhue Esqrs. with such as the Honble. House may join, who are directed to sit immediately and report forthwith—

sent down for concurrence—

came up concurred & Dr. Holten Mr Parsons & Dr Jarvis are joined. . . .

1. MS, Senate Journal, 154, M-Ar. Although the Senate Journal does not record it, the Senate received the joint-committee's report on this day. (See "Newspaper Reports on Senate Proceedings," 19–20 October.) According to Senator Isaac Stearns' diary, the consideration of the report had been made the order of the day for 20 October (Mfm:Mass.).

House Proceedings, Friday, 19 October (excerpts)¹

Met according to adjournment

The Hon. A. White Esqr. brought down a copy of the Governour's Speech and the following papers accompanying viz . . . a letter from the Secretary of Congress inclosing a report of the convention which set at Philadelphia, with a Resolve of Congress thereon, dated Sept. 28th. 1787. . . . also sundry letters from the Secretary of Congress inclosing a state of the representation in Congress, & their journals—with the following order thereon viz In Senate Octo. 19. 1787. Read and committed with the papers accompanying to Cotton Tufts & Benja. Goodhue Esqrs. with such as the Honble. House may join, who are directed to sit immediately, & report forthwith

Sent down for concurrence

Read and concurred and Dr. Holten, Mr. Parson[s] & Dr. Jarvis were joined . . .

1. MS, House Journal, 162, 163, M-Ar.

**Report of the Joint Committee with Senate
and House Amendments, 19–25 October¹**

The committee of both Houses appointed to take into consideration His Excellencies speech & the papers accompanying the same have attended that service in part, & have agreed to report the following resolution—& they ask leave to sit again— Cotton Tufts pr. order Commonwealth of Massachusetts

In Senate

October 19 1787—

Whereas the Convention lately assembled at Philadelphia have reported to Congress a Constitution for the United States of America in which convention were represented the States of New-Hampshire Massachusetts Connecticut New York New-Jersey Pennsylvania Delaware Maryland Virginia North-Carolina South-Carolina and Georgia which Constitution was unanimously approved of by the said States in convention assembled; and whereas that Convention resolved that the said constitution should be laid before the United States in Congress assembled, and that it was their opinion that it should 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—

And whereas the United States in Congress assembled by their resolution of the 28th. of September last unanimously 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 whereas the said constitution has been transmitted to the Legislature of this Commonwealth accordingly

It is therefore resolved that it be, and it is hereby recommended to the people of this Commonwealth that a convention of Delegates be chosen agre[e]ably to and for the purposes mentioned in the resolution of Congress aforesaid to meet at the State-House in Boston on the ^Aday of and that the constitution so reported be submitted to the said convention for their assent and ratification and that the said convention assenting to and ratifying the same give notice thereof to the United States in Congress assembled in conformity to the resolves of the said convention in that case made and provided.

And it is further resolved that the Select-Men of the several Towns and districts within this Commonwealth be and they are hereby directed to convene as soon as may be the inhabitants of their several Towns and Districts qualified by law to vote in the election of representatives for the purpose of chusing delegates to represent them in the said convention.

And to preserve an equality to the people in their representation in the said Convention ^Bit is recommended to ^Cthe several towns and districts ^Dto elect respectively ^Ethe same number of Delegates as by law they are entitled to send representatives to the General Court.

And it is further resolved that the Secretary immediately procure to be printed a sufficient number of copies of these resolutions, as also of the said Constitution with the Resolutions of the Convention & their letter to the President of Congress accompanying the same, and also of the resolution of the United States in Congress assembled thereupon, and that he transmit ^Fa copy of the same as soon as may be ^Fto the Select-Men of the several Towns and Districts within the Commonwealth—^G

In Senate Oct. 20. 1787—Read and accepted with amendments at A, B, D, E & F—& Resolved accordingly—

Sent down for concurrence

S Adams President

A. dele[te] "day of" & ins[er]t. *second wednesday of "December" next*—

B. dele from B. to C. & inst. *that*

D. dele "to"

E. inst. *by ballot not exceeding*

F. inst. by Expresses to the Sheriffs of the several Counties within this Commonwealth with positive directions to be by them or their Deputies without delay, *personally* delivered to the Selectmen of each Town & District within their respective Counties—

And it is further Resolved, that the Selectmen or the major part of the Selectmen of each Town or District shall certify the Election of such person or persons as may be appointed by their respective Towns or Districts as a Delegate or Delegates to the Convention aforesaid—

I. And it is further Resolved, that the several delegates of the said Convention be allowed for their travel & attendance out of the public treasury the same pay as will be allowed to the Representatives therefor this present session, & that the same be defrayed at the public expence—

And it is further resolved that his Excellency the Governour be & he hereby is requested with advice of Council to issue his warrant upon the Treasurer directing him to discharge the pay-roll of the said Convention out of any monies which will then be in Treasury—K—

And it is further resolved that if there shall not be sufficient monies then in the treasury for that purpose, the Treasurer is hereby authorised & directed to borrow sufficient monies therefor on such funds of the Government as are not appropriated—

In the House of Representatives October 22. [24] 1787—

Read and concurred with the amendments of the Honble Senate at B. D. E & F. and non concurred the amendment at A and the House propose further amendments vizt.

At A dele “day of” and insert “*Second Wednesday of January next*”

At H dele “*a Copy*” and insert “*three copies*”

At I insert as on the Paper marked I—& the House propose to dele from F to G.

Sent up for Concurrence

J Warren Spker

In Senate Oct. 25. 1787—

Read & concurred with a further amendment on the amendment of the House at K—

Sent down for concurrence

S Adams Presid

K inst. not appropriated

In the House of Representatives Octo 25. 1787

Read & Concurred

J Warren Spker

Approv'd

John Hancock

1. MS, Resolves, 1787, chapter 9, M-Ar. This document, first presented to the Senate on 19 October, consists of (1) the report made by the joint committee of five appointed to report on that part of Governor Hancock's speech respecting the Constitution and (2) the actions taken by both houses of the legislature on the report. The Senate proposed five amendments ("A," "B," "D," "E," and "F") on 20 October; while the House proposed three (an alteration to "A," "H," and "I") on the 24th. The Senate came back with another alteration ("K") on the 25th, with which the House concurred on the same day. Governor Hancock then signed the resolves. These amendments are marked in the manuscript with superscripts, and the texts of the amendments are written at the end. To assist the legislators in locating the letters, the clerks also included the superscript letters in the left margins. A photographic facsimile of this document is on Mfm:Mass.

Senate Proceedings, Saturday, 20 October (excerpt)¹

. . . Report of Committee of both Houses on that part of the Govr. Speech which respects the proposed Constitution—

Read and accepted with amendments at A, B, D E & F—

sent down for concurrence²

adjourned to Monday mornng. 10. oClock

1. MS, Senate Journal, 159, M-Ar.

2. The House of Representatives assigned 24 October as the date for consideration.

Newspaper Reports of the Senate Proceedings of 19–20 October

Boston Gazette, 22 October¹

Last Friday [19 October] a Committee of the two Branches of the Legislature, appointed to consider that part of his Excellency's communications, which related to the Constitution, proposed by the late Convention of the States, laid their report before the Hon. Senate; who after debating thereon, with that freedom, good humour, and candour, which forever does honour to a Republican Assembly, agreed to the same, with some amendments, and sent it the day following [20 October] to the Hon. House of Representatives, for their concurrence.²—The substance of the resolutions of the Senate, as we are informed, is a recommendation to the several towns and districts within the Commonwealth, to elect Delegates not exceeding the numbers they are empowered respectively by law to send, as Members to the House of Representatives, and an order to the Secretary to transmit printed copies of the papers received from Congress relating to the subject, together with the resolutions, to the Sheriffs of the counties, by *express*, with positive directions to them, by themselves, or their deputies, *personally* to deliver them to the Selectmen of every town and district within their respective counties.

American Herald, 22 October (excerpt)³

. . . On the same day it was delivered, the [Governor's] speech was committed to a respectable Committe[e] of both Houses, consisting of Doctor Tufts and Mr. Goodhue on the part of the Senate, joined by Doctor Holten, Mr. Parsons, and Doctor Jarvis on the part of the House.⁴ The report of this Committee, as it respects the Fœderal Constitution, recommending a State Convention in the month of December has been approved by the Senate and, on Saturday last, was sent down to the House for their concurrence—when 10 o'clock, on Wednesday next, was assigned as the time to take this important subject into consideration. It appears that there is scarcely a gentleman in the House of Representatives, who has uttered even a doubt as to the propriety of this Convention being called. We indeed, humbly suggest, whether it is not the right of the people, that it should be called; as the Grand Convention have thought proper that in this case, the respective Legislatures should be merely the vehicle, by which their opinions should be conveyed to the people, for their assent and concurrence. In this view, no material debate can be expected, touching the merits of the great question, when the report of the Committe[e] comes in order before the House. . . .

1. Reprinted: *Independent Chronicle*, 25 October; *Hampshire Chronicle*, 30 October; *Salem Mercury*, 30 October; *Hampshire Gazette*, 31 October; *Worcester Magazine*, 1 November; and *Cumberland Gazette*, 1 November. It also appeared in seven other newspapers by 5 November: R.I. (1), Conn. (5), Pa. (1). The *Boston Gazette's* report was reprinted with some changes in the *Massachusetts Gazette*, 23 October, which in turn was reprinted in the *Massachusetts Centinel*, 24 October, and in eight other newspapers by 24 December: N.H. (1), Conn. (1), N.Y. (1), Pa. (1), Md. (2), N.C. (1), S.C. (1). For the *Boston Gazette's* report, see Mfm:Mass.

2. The Senate debate on these resolutions apparently took place on Saturday, 20 October, not Friday, the 19th, the day the report was submitted to the Senate.

3. Reprinted: Providence *United States Chronicle*, 25 October; *Providence Gazette*, 27 October. For the first part of this item, see "Newspaper Commentaries on Governor John Hancock's Speech of 18 October."

4. The Governor's speech was delivered on 18 October and it was committed to a joint committee of the two houses on the 19th.

House Proceedings, Wednesday, 24 October (excerpts)¹

. . . The house agreeably to assignment proceeded to consider the report on that part of the Governor's Speech which relates to the calling a convention to consider of, and if they judge proper to adopt and confirm the federal constitution and after the same was largely debated the question was put whether a Convention should be called for that purpose it passed in the affirmative. . . .

The report of the Committee of both Houses for calling a State Convention to consider of the federal Constitution was read & further amended and passed the House for calling a Convention to meet on the second wednesday of January next—sent up for concurrence. . . .

1. MS, House Journal, 176, M-Ar.

Newspaper Reports of the House Proceedings and Debates of 24 October

Massachusetts Centinel, 27 October¹

HOUSE of REPRESENTATIVES, Oct. 24, A.M.

The order of the day, for considering the question, *Whether the House will concur with the Hon. Senate, in a Resolve to call a Convention, agreeably to recommendation of Congress, to assent to and ratify the newly proposed system of Federal Government, being called for, (and soon after "the question", also)*

Dr. KILHAM² (*member for Newbury-Port*) rose, and observed, that times of zeal were times of infatuation, and men were apt then to do what they might afterwards repent of:—It was hardly to be supposed, he said, that the thirteen States could unite in sentiment; that some, however, were so zealous as to think we could all be driven into a resolution with the same ease with which a planter could drive his slaves; that some indeed had said that unless the new government was pressed into immediate adoption, it would never be accepted; which was one reason why he was against a premature transmission of it to a State Convention.—A man, says the Doctor, may well enough gamble for a guinea, and on an equal chance; but in the present case our ALL is at stake. It is *inexpedient* to forward the proposed government, because the minority may hereafter fairly enough insist, that the government whose adoption they did not consent to, cannot bind them, and because that minority may consist of all the inhabitants of the four nonconcurring States, and many of the other nine, confusion and civil war may be the consequences. It is *unjust* to patronize the new government because it goes to the destruction of the most solemn compacts between men—The old confederation expressly providing that no alteration shall be made unless the same be agreed to in a Congress of the United States, and be afterwards confirmed by the Legislatures of every State.—(*The Resolution of Congress recommending the appointment of the federal Convention, being read*)³ the Dr. made some observations on the Convention's assuming powers not delegated to them by their commission, and concluded with moving that the resolution of Congress, accompanying the new constitution be read at the table. Which done,

General BROOKS⁴ (*member for Lincoln*) observed, that the consideration of the merits of the new constitution—and the consideration of the question to call a convention, were distinct questions—the latter of which only was then before the House—so far then as the gentleman from Newbury-Port had entered into the former, so far had he been out of order.—Having premised this, the General confined his observations to the Doctor's objections to calling a State Convention; and sat down with saying,—Sir, the gentleman is of opinion, that confusion and civil war will be the consequences of proceeding with the Constitution in the line marked out by the Convention—But, for my part, Mr. Speaker, I think, after Twelve States have appointed Deputies for the sole purpose of forming a system of federal government, adequate to the purposes of the union—after these deputies have met, and have deliberated four months on the subject—and after they have unanimously recommended a system to be considered by the people—if this House prevents the result of their deliberations from coming before the people in the manner they have so unanimously recommended, I think it will be much more likely to occasion the evils the gentleman appears so much afraid of.

Mr. DAWES⁵ (*member for Boston*) rose, he said, principally to remark on one observation of Dr. KILHAM, which was, that an adoption of the proposed government, would be an unjust violation of compact contained in the last article of the old confederation.—The people, said he, will consider this point, with all the other proceedings, when in State Convention—and we have no right to deprive them of this privilege; unless *we* will undertake to think for *them* in this instance, which they never employed us to do, and which they have reserved for themselves. As to the last article of the old confederation, the people of all the states when assembled in their conventions, may think it not unlike that law of the old Romans which contained a clause prohibiting any future repeal; but which succeeding legislatures found a way to annul, by repealing that very prohibitory clause. To say that the people have no right to do this, if it shall appear to them that the old confederation is inadequate to all the purposes of national government, is just saying, that we had no right to oppose the British power when it became oppressive, and that we are all now in one great rebellion.—As to the melancholy picture of civil war, and all its horrors, with loss of liberty, &c. which the gentleman predicts as consequences flowing from the circumstance of only nine states acceding to the measure—the probability of such a minority of States does not yet appear, and if it did, such consequences are by no means inevitable.—Revolutions have been effected by the minority of a people, and yet have ended in the

happiness of the whole—Writers have said, that the Princes of the house of Hanover were brought in, and established on the throne of England, by only one third part of the people, notwithstanding which civil liberty has flourished in that country ever since, much higher than in former periods—but the probability is, that the proposed government will meet the wishes of almost all the people, of almost every state in the union—But we have now nothing to do with the merits or demerits of the new Constitution. I am, Sir, for a concurrence with the Senate.

Dr. JARVIS⁶ (*member for Boston*) rose, and observed to the house, that he should not have given his sentiments on the subject, to delay the decision of the house on the question before them, but it was necessary he thought to apologize to the gentleman from Newbury-Port, for requesting his attention to what he conceived was the real point in debate; which he should by no means have done, but that he wished to prevent all controversy at this time on the merits of the Constitution lately submitted to the publick. I wish, says the Doctor, to encourage an improper zeal, or precipitancy on this occasion, as little as the gentleman who has risen in opposition to a concurrence with the Senate—though it appears impossible, that we can refuse to the people what I think is their unquestionable right. As to the inconveniencies and dangers which the gentleman has suggested, I do not think, proceeded the Doctor, that he has reasoned with his usual metaphysical precision, on this point—It is deducing a *positive* conclusion from a *possible* inconvenience—any event may be *possible*, and it would be difficult to determine what may happen from any situation in the compass of human nature. But, be this as it may, our business simply appears to be, to discharge our duty, and to adopt the mode pointed out, both by the late Federal Convention, and by Congress; and *merely* to recommend the plan submitted to the people for their consideration.—I have no doubt, they will consider it with that good sense, candour and moderation, which they have invariably discovered. At any rate, I consider this house but as a vehicle by which this all-important object is to be conveyed to our constituents. As their agents and substitutes we cannot refuse it to them, and I hope we shall accordingly determine, to refer it where it ought to be referred—to the bosom of the people.

Mr. PARSONS (*member for Newbury-Port*) rose to make an observation on part of what fell from his colleague—The worthy gentleman, he said, expressed much fear, lest, if we adopt the method recommended by the Convention, the minority should make a law to govern the majority—But, Mr. Speaker, (says he) I will ask the gentleman whether

the case is not *possible* in this Commonwealth? He believed the gentleman would confess it was.—And were the consequences so much dreaded? With respect to the question in debate, he asked, whether this House were the only persons in the Commonwealth adequate to discuss the merits of the proposed constitution—or whether it was not in the power of the people to elect others of equal respectability, knowledge and probity to represent them in Convention?—He trusted it was—and as the people alone were the proper and immediate judges of the system proposed by the Federal Convention, he hoped there was not a person in that house who would dare attempt an abortion of so noble a conception.

Mr. WEDGERY. (*member for New-Gloucester*) Mr. Speaker, I am in favour of the new Constitution being laid before the people—I do not think there is a gentleman within these walls who will object to it—But, Sir, I am against the manner in which it is to be brought before them. In discussing the Constitution in a State Convention, every part of the Commonwealth will not have an equal chance—The poverty of some towns, Sir, I know to be such, that they cannot sustain the expense of sending members to Convention—I wish therefore, Sir, that the several towns may be directed to consider the Constitution in town-meeting, and to return the number of votes for and against it, into the Secretary's office.

Mr. GORHAM. (*member for Charlestown*) adverted to the expensiveness of the method suggested by the gentleman from New-Gloucester—and to remedy the evil complained of by the gentleman, and that every town in the Commonwealth might be enabled to be represented in the Convention, offered to the chair a conditional Resolve, providing, if the House should concur with the Honourable Senate to call a Convention, for the payment of the pay-roll of the members who may compose the same, out of the publick treasury.—Which being read, was agreed to.

The question being now called for from every part of the house, it was put, and the numbers were,

Yeas 129

Nays 32

After the blanks were filled up, and the final question being put, Mr. BISHOP (*member for Rehoboth*) moved, that the words "State-House in Boston," in the first part of the resolve, be erased, and the words "Court-House in Worcester," be inserted—after a short debate on this motion, in which the disapprobation of the House of it, for a variety of striking reasons, was very evident—another motion was made, that "Old-York," should be substituted: On which Dr. CONY⁷ (*Member for*

Hallowell) rose, and judiciously observed, that as a happy unanimity had been preserved in discussing the other parts of the question—as gentlemen, in every part of the House, had discovered conceding and accommodating dispositions—and as Worcester was one, and Old-York another *extreme*, and as Boston was nearly a *medium* to them, he hoped the gentlemen would withdraw their motions, that the harmony might be continued through the whole.—Which, to the honour of the gentlemen, were immediately done—and the question agreed to.—On which the House adjourned.⁸

*Independent Chronicle, 25 October*⁹

Ten o'clock, yesterday, being the time assigned by the Honorable House of Representatives, for considering the Question, whether the House would concur with the Senate in a resolve, to call a Convention according to recommendation of Congress, for the acceptance of the newly proposed plan of Federal Government? Mr. Parsons, moved for the orders of the day, when the resolve which was sent down from the Senate, was opened and debated. Dr. Kilham, rose and argued very warmly upon the impropriety of being in a hurry about a measure of so much consequence to the community; and said that he understood, many people thought the new system would not go down, if not suddenly pushed, which was one reason why he was against the measure. He observed upon the right the Legislatures had to appoint the late Convention, upon the commission under which our Members went to the Convention, and upon the question, how far they had abided by that commission. Dr. Kilham, dwelt some time also, upon the right of either Convention or people, to absolve the old Confederation, unless in the way stated in the articles themselves. Mr. Parsons and Dr. Jarvis, in what they observed, appeared to express the sense of the House, that so far as Dr. Kilham, slid into the merits of the proposed government, so far he was out of the question, which was in fact, only whether the House would concur with the Senate, to call the Convention. General Brooks, made a more particular reply to Dr. Kilham's observations, and pointed out clearly, that what the Dr. had said, was matter, much better to be before the Convention, than before that House; and that the Dr. was premature, as he was zealous in his reflections upon the subject. Mr. Dawes, rose and said, that he should not have arisen, but to combat one idea of Dr. Kilham, which he thought had not been observed upon by the other gentlemen, which was, "that an adoption of the new Constitution, would be an unjust breach of the old compact." Mr. Dawes remarked, that he was sorry Dr. Kilham disputed the

people's rights, so warmly; and that the Dr. was so much against the people's being permitted to think for themselves. Mr. Dawes said, that as to the clause in the old Confederation, that it could not be annulled or altered, but in a certain way; he thought it not unlike that law of the Romans, which contained a clause prohibiting any future repeal,—but which succeeding Legislatures soon found a way to annul, by repealing that very prohibitory clause. Mr. Dawes ridiculed Dr. Kilham's expectation of civil war and misery being the consequence of only nine States acceding to the new measures; and said that some writers had thought that the house of Hanover, was brought to the English Throne by not more than a third of the people, and yet that civil liberty, never flourished higher than in the administration of that house; whereas he said, "the probability was, that the proposed government would take place, if at all, by the wishes of almost all the people of all or most of the States." Many other observations were made by the above and other gentlemen, but we have neither recollection nor opportunity to add further, only that the question for a concurrence being put, it passed in the affirmative, by a majority of 129 out of 161 voters.

By this resolution, the Convention is to meet at the Court-House in Boston, the second Wednesday in January. The Senate had determined the meeting at an earlier period, but this was over-ruled in the House, in consideration of the necessity of sufficient time being allowed to the people to consider and digest a system of government with which the prosperity and happiness of the people of this country, is so ultimately connected. The Members of the Convention are to be chosen in the same manner, by the same description of persons, and to receive the same pay as Representatives, with this difference, that the sums due to them in consequence of their services, are to be defrayed from the public treasury, out of any money that shall be there, anterior to the sitting of the Convention, from any unappropriated funds under the controul of government. (The words of this resolution correspond exactly with the words of the resolution of the federal Convention, and of Congress, empowering the respective Legislatures to call a Convention; and this mode of expression, we suppose, is wisely calculated to prevent those difficulties that might otherwise have arisen.)

We have the pleasure of assuring our readers, that (the utmost candour and good humour subsisted on this interesting occasion.—The galleries were crowded, and hundreds of spectators were admitted on the floor, and on the unoccupied seats of the House, drawn thither by their extreme curiosity and impatience to know the result of this novel and extraordinary debate. On the whole, every thing terminated to the entire satisfaction of this numerous concourse of citizens;)¹⁰ and we can

only hope and believe, from the unanimity on this, that the same liberality and candour will prevail, when this town will be honoured by its being the seat of as august a Body, as ever sat in this Commonwealth, to amend the defects and imperfections which have so long been complained of in the former Confederation, and to secure peace, liberty and safety to this extensive Continent.

1. The *Centinel's* report of the debates was prefaced: "The Printer attended in the gallery of the House of Representatives for the purpose of taking notes of the debate which took place on Wednesday last, but from the unusual crowd of citizens who also attended to hear it—he was hindered—and has depended on his memory for the sketch he now presents to his readers, which however, from information since collected, he believes, pourtrays the most prominent features of it."

2. Daniel Kilham (1753–1841), a graduate of Harvard College (1777), a former physician, and the owner of an apothecary shop in Newburyport, represented that town in the state House of Representatives, 1787–88.

3. For the text of this resolution, adopted by Congress on 21 February 1787, see CDR, 185–88.

4. Eleazer Brooks (1726–1806), a former brigadier general of militia, was a member of the state House of Representatives, 1774, 1775–78, 1780, 1787–88; state Senate, 1780–87, 1788–91; and governor's Council, 1791–99. He was a delegate to the state constitutional convention, 1779–80, and a delegate to the state Convention, where he voted to ratify the Constitution in February 1788.

5. Thomas Dawes, Jr. (1758–1825), a graduate of Harvard College (1777) and a Boston lawyer, was a member of the state House of Representatives, 1787–89, and a justice of the Supreme Judicial Court, 1792–1802. He voted to ratify the Constitution in the state Convention in February 1788.

6. Charles Jarvis (1748–1807), a graduate of Harvard College (1766), a member of the state constitutional convention (1779–80), and a prominent physician, represented Boston in the state House of Representatives, 1787–96. In February 1788 he voted to ratify the Constitution in the state Convention.

7. Daniel Cony (1752–1842), a physician, was a militia officer, 1775–77, and a delegate to the first convention on the separation of Maine from Massachusetts in 1786. He represented Hallowell in the state House of Representatives, 1786–89, was a member of the state Senate, 1790–91, 1794–95, and served on the governor's Council, 1796–97.

8. A summary of this last paragraph, naming only Phanael Bishop of Rehoboth, was published in the *Worcester Magazine* on 1 November (Mfm:Mass).

9. This report was reprinted in whole or in part in the *Massachusetts Gazette*, 26 October; *American Herald*, 29 October; *Boston Gazette*, 29 October; *Salem Mercury*, 30 October; *Hampshire Chronicle*, 30 October; *Essex Journal*, 31 October; *Hampshire Gazette*, 31 October; *Worcester Magazine*, 1 November; *Cumberland Gazette*, 1 November; and in thirteen other newspapers by 27 November: N.H. (2), R.I. (2), Conn. (5), N.Y. (1), Pa. (2), S.C. (1). The account in the *Massachusetts Gazette* is headed: "Substance of the Debates in the House of Representatives, on Wednesday last, on the Subject of calling a State Convention." See also note 10 (below).

10. The text in angle brackets in this and the preceding paragraph was reprinted in the *Massachusetts Centinel* on 27 October, the same day on which it printed its report of the debates. This text was preceded in the *Centinel* by this sentence: "By the resolution agreed to by the House on Wednesday last, the Convention is to meet at the State-House in Boston, the second Wednesday in January." The text in angle brackets also appeared

in the *New Hampshire Mercury*, 1 November, Philadelphia *Independent Gazetteer*, 8 November, and *Pennsylvania Journal*, 10 November.

**Private Commentaries on the House
Proceedings and Debates of 24 October**

Nathaniel Gorham to Henry Knox
*Boston, 25 October*¹

The House yesterday concurred with the Senate in the Convention business—only altering the time of meeting from the 12th. of December to the second Wednesday of January—the numbers present 161—voted for the question 129—Killam of Newbury Port was very troublesome² but he was so nice & so much upon the hair split[t]ing plan that no body knew exactly what he would be at—write me what you hear respecting the business from the Southward—

Henry Jackson to Henry Knox
*Boston, 28 October (excerpt)*³

My dear Harry

. . . on Wednesday last the Question was debated in the House whether they would concur with the Senate to call a Convention agreeably to the Recommendation of Congress, after two hours debate the Question was call'd & the numbers were Yeas 129—Nays 32—both houses have accord[ing]ly agreed, on the 2d Wednesday in Jany. next, for the Meeting of the Convention in the State house in Boston—for the debate I refer you to yesterday[']s paper, which is inclosed⁴—if you can form the least judgment from the present disposition of the people there is not the least doubt but the New Constitution will be accepted in the State by a very large Majority of the People—

Mr. Gorham & Mr. King are exceedingly pleased with the rescption it has met with here—if it should be approved of by the States will there be a Military establishmt—If so I hope you will think of me—as that is the only situation in which I shall ever be happy. . . .

1. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York.

2. On 29 October John Quincy Adams wrote in his diary: “. . . I went and spent the evening with Dr. Kilham at his lodgings: he has made himself rather unpopular, by opposing the submission of the federal Constitution, to a State Convention, and I think he is perfectly right, in preferring his independency to his popularity” (Adams Family Papers, MHi).

3. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York.

4. Probably the *Massachusetts Centinel* of 27 October, in "Newspaper Reports of House Proceedings and Debates of 24 October."

Senate Proceedings, Thursday, 25 October¹

came up concurred with amendments²

Concurred with further amendments³

sent down for concurrence

1. MS, Senate Journal, 159, M-Ar. These proceedings, along with the Senate's proceedings later on 25 October, were recorded in a blank space left by the clerk on the journals after the proceedings for 20 October. For a photographic facsimile of the Senate's proceedings, see Mfm:Mass.

2. For the House amendments at "A," "H," and "I," see "Report of the Joint Committee with Senate and House Amendments," 19–25 October.

3. For the Senate amendment "K," see *ibid.*

House Proceedings, Thursday, 25 October (excerpt)¹

. . . The hon. Tristram Dalton bro't down the report of the Committee on the Governor's message (for calling a Convention to consider the federal Constitution) as further amended by the hon. Senate²—Read and concurred. . . .

1. MS, House Journal, 180, M-Ar.

2. For the Senate's amendment "K," proposed earlier on 25 October, see "Report of the Joint Committee with Senate and House Amendments," 19–25 October.

Senate Proceedings, Thursday, 25 October¹

came up concurred

1. MS, Senate Journal, 159, M-Ar. These proceedings, along with the Senate's earlier proceedings on 25 October, were recorded in a blank space left by the clerk on the journals after the proceedings for 20 October.

Resolutions Calling the State Convention, 25 October¹

COMMONWEALTH of *Massachusetts*.

IN SENATE.

October 20, 1787.

Whereas the Convention lately assembled at Philadelphia, have reported to Congress a Constitution for the United States of America, in which Convention were represented, the States of *New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina* and *Georgia*, which Constitution was unanimously approved of by the said States in Convention

assembled; and whereas that Convention resolved that the said Constitution should be laid before the United States in Congress assembled, and that it was their opinion, that it should 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.

And whereas the United States in Congress assembled, by their resolution of the twenty-eighth of September last, unanimously 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 whereas the said Constitution has been transmitted to the Legislature of this Commonwealth accordingly.

It is therefore *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, to meet at the State-House in Boston, on the second Wednesday of January next, and that the Constitution so reported be submitted to the said Convention, for their assent and ratification; and that the said Convention assenting to and ratifying the same, give notice thereof to the United States in Congress assembled, in conformity to the resolves of the said Convention in that case made and provided.

And it is further *Resolved*, That the Selectmen of the several towns and districts within this Commonwealth, be, and they are hereby directed, to convene as soon as may be, the inhabitants of their several towns and districts, qualified by law to vote in the election of Representatives, for the purpose of chusing Delegates to represent them in said Convention.

And to preserve an equality to the people in their representation in the said Convention, that the several towns and districts, elect respectively by ballot, not exceeding the same number of Delegates, as by law they are entitled to send Representatives to the General Court.

And it is further *Resolved*, That the Secretary immediately procure to be printed a sufficient number of copies of these resolutions, as also of the said Constitution, with the resolutions of the Convention, and their letter to the President of Congress, accompanying the same; and also of the resolution of the United States in Congress assembled, thereupon; and that he transmit three copies of the same, as soon as may

be, by expresses, to the Sheriffs of the several counties within this Commonwealth, with positive directions to be by them, or their Deputies, without delay, *personally* delivered to the Selectmen of each town and district within their respective counties.

And it is further *Resolved*, That the Selectmen or the major part of the Selectmen of each town or district, shall certify the election of such person or persons, as may be appointed by their respective towns or districts, as a Delegate or Delegates to the Convention aforesaid.

And it is further *Resolved*, That the several Delegates of the said Convention, be allowed for their travel and attendance, out of the public treasury, the same pay as will be allowed to the Representatives therefor this present session, and that the same be defrayed at the public expence.

And it is further *Resolved*, That his Excellency the Governour be, and he hereby is requested, with advice of Council, to issue his warrant upon the Treasurer, directing him to discharge the pay-roll of the said Convention, out of any monies which will then be in the treasury, not appropriated.

And it is further *Resolved*, That if there shall not be sufficient monies then in the treasury for that purpose, the Treasurer is hereby authorized and directed, to borrow sufficient monies therefor, on such funds of the government as are not appropriated.

Sent down for concurrence,

SAMUEL ADAMS, President.

In the *House of Representatives*, October 25, 1787.

Read and concurred,

JAMES WARREN, Speaker.

Approved,

JOHN HANCOCK.²

True Copies.—Attest.

JOHN AVERY, jun. Secretary.

1. The official resolutions are transcribed from the thirty-two-page pamphlet "Published by Order of Government" by Adams and Nourse, the printers to the General Court and publishers of the *Independent Chronicle*. Entitled *The Constitution or Frame of Government, for the United States of America . . .* (Evans 20801), this pamphlet also included the Constitution, the 17 September resolutions of the Constitutional Convention, the 17 September letter of the President of the Convention to the President of Congress (CC:76), and the 28 September resolution of Congress recommending that states call conventions to consider the Constitution (CC:95). The printers made an effort to make their pamphlet readable by using large type and descriptive headings in the text, such as legislative, executive, and judiciary powers, powers of Congress, restrictions upon Congress, restrictions upon respective states, amendments provided, and general regulations. An advertisement in the *Massachusetts Centinel*, 3 November, announced that, in two days, copies

of this pamphlet would be on sale at the printing office of Adams and Nourse. Other advertisements in the *Massachusetts Gazette* and *Independent Chronicle*, 6 and 8 November, respectively, declared that the pamphlet had just been published and that it was for sale at the printing office of Adams and Nourse.

Express riders carried the pamphlets to county sheriffs who distributed them to town selectmen. The sheriff of Cumberland County, Maine, received pamphlets on 8 November (*Cumberland Gazette*, 9 November, Mfm:Mass). The use of expresses to distribute these pamphlets was perhaps what "Centinel" XII had in mind when he declared that the delegates to the Massachusetts Convention "were elected by express in the first moments of blind enthusiasm" (*Philadelphia Independent Gazetteer*, 23 January 1788, CC:470).

Only five newspapers printed the resolutions: *Independent Chronicle*, 1 November; *Hampshire Gazette*, 7 November; *Worcester Magazine*, 8 November; *Pennsylvania Packet*, 12 November; and *Cumberland Gazette*, 15 November. A one-paragraph summary of the resolution calling for the distribution of the official printed resolutions to the county sheriffs was printed in the *Massachusetts Centinel*, 3 November (Mfm:Mass.) and reprinted in the *Essex Journal*, 7 November, and Providence *United States Chronicle*, 8 November.

Other official copies of the resolutions are in Court Records, 1787-1789, vol. 48, pp. 6-8, M-Ar, and *Resolves of the General Court . . .* (Boston, 1787), 51-52 (Evans 20517). An official copy of the resolutions accompanied the Massachusetts Form of Ratification that was sent to the Confederation Congress in February 1788. That copy is not extant but it was itself copied into the manuscript volume entitled "Ratifications of the Constitution" at the National Archives, Washington, D.C.

2. On the same day that he signed these resolutions, Governor Hancock issued a proclamation declaring Thursday, 29 November, as a day of public Thanksgiving. He asked the state's ministers and inhabitants to pray that God would give "Wisdom to the Delegates." See Governor John Hancock: Proclamation for a Day of Public Thanksgiving, 25 October.

**Governor John Hancock: Proclamation for a Day of
Public Thanksgiving, Boston, 25 October¹**

Commonwealth of Massachusetts.

By His EXCELLENCY

JOHN HANCOCK, Esquire,

Governour of the Commonwealth of MASSACHUSETTS.

A Proclamation,

For a DAY of PUBLIC THANKSGIVING.

The Mercies which we are constantly receiving at the Hands of ALMIGHTY GOD, ought ever to remind us of our dependence upon, and obligations to HIM; and as the Business of the Year is now drawing towards a Conclusion, it becomes our special Duty, according to the laudable Usage of this Commonwealth, in a Public and social Manner, gratefully to acknowledge the manifold Bounties of DIVINE PROVIDENCE, conferred upon us in the course thereof.

I HAVE THEREFORE THOUGHT FIT, by and with the Advice of the COUNCIL, to appoint, and DO HEREBY appoint THURSDAY, the *Twenty-ninth* day of *November* next, to be set a part, and observed as a DAY of

PUBLIC THANKSGIVING,—that all the People of this Commonwealth, may at one Time, and with one Voice, devoutly express their Gratitude to our Great BENEFACITOR, for HIS innumerable Benefits; particularly that in the course of the Year past, HE hath been pleased to favour the People with an uncommon Measure of Health; to restore Peace and Tranquility to this Commonwealth in so great a Degree; to order the Seasons so favourably, that the Labour of the Husbandman has been crowned with an abundance of the Produce of the Earth; to increase our Fisheries, and enlarge our Manufactures and Commerce, and graciously to direct and succeed the Administrations of Government,—and above all that HE has mercifully continued to us the Light of the Blessed GOSPEL, together with the full Enjoyment of our invaluable Privileges, religious and civil.

And I DO HEREBY exhort all Ministers of the Gospel, within this Commonwealth, with their several Congregations, to assemble on that Day, in their several Places of religious Worship; and in a Solemn and Public Manner, to render their unfeigned Thanks to ALMIGHTY GOD, for these and all other of HIS Mercies:—And I further recommend to Ministers and People, to accompany their *Thanksgivings*, with devout and fervent Prayers to the Great GOVERNOUR of the World—that, notwithstanding our Ingratitude, and manifold Transgressions, HE would continue HIS gracious Providence over us;—that HE would prosper our Public Councils,—and particularly, that, at this Important Crisis of our Public Affairs, HE would give all needed Wisdom to the Delegates, that may be appointed to take under Consideration the proceedings of the late Continental Convention,—and that the Result of their Deliberations, may be the Happy Establishment of such a Government, as may be adapted to the common Safety and Happiness;—and finally, that Peace and Concord, Truth and Justice, Benevolence and undefiled Religion, may universally prevail.

And it is earnestly recommended, that the said DAY be religiously observed, and that all unnecessary Labour be suspended thereon.

GIVEN at the COUNCIL-CHAMBER, in BOSTON, the Twenty-fifth Day of October, in the Year of our LORD, One Thousand Seven Hundred and Eighty-Seven, and in the twelfth Year of the INDEPENDENCE of the UNITED STATES of AMERICA.

JOHN HANCOCK.

By his Excellency's Command,

With the Advice and Consent of the Council

JOHN AVERY, jun. Secretary.

GOD save the Commonwealth of MASSACHUSETTS!

1. Transcribed from the broadside version of the proclamation (Evans 20507) that was printed by Adams and Nourse, printers to the General Court. The proclamation was reprinted in the *Massachusetts Gazette*, 2 November; *Massachusetts Centinel*, 3 November (excerpts); *American Herald*, 5 November; *Salem Mercury*, 6 November; *Essex Journal*, 7 November; *Hampshire Gazette*, 7 November; *Worcester Magazine*, 8 November; *Pennsylvania Packet*, 12 November; and *Cumberland Gazette*, 15 November.

The General Court Receives Elbridge Gerry's Letter 31 October–2 November

*Senate Proceedings, Wednesday, 31 October (excerpt)*¹

. . . Letter from Elbridge Gerry Esqr, inclosing a Constitution proposed to the several States—
read & sent down. . . .

*House Proceedings, Thursday, 1 November (excerpts)*²

. . . The hon. Josiah Thacher Esqr. brot down . . . a letter from Elbridge Gerry Esqr. addressed to the hon. Samuel Adams Esqr. President of the Senate and the hon. James Warren Esqr. Speaker of the House of Representatives informing them of his dissent to the federal Constitution and stating his reasons therefor—In Senate—Read and Sent down. . . .

*House Proceedings, Friday, 2 November (excerpt)*³

The Letter from the hon. Elbridge Gerry Esqr. as entd. yesterday was read

a motion was made and seconded that the said letter be printed the House then debated upon the propriety thereof, and upon a motion that the subject in debate subside it passed in the affirmative⁴—the Letter was then sent up to the senate. . . .

1. MS, Senate Journal, 186, M-Ar. For Gerry's letter of 18 October explaining why he had not signed the Constitution in the Constitutional Convention, see Elbridge Gerry to the General Court, 18 October (I above).

2. MS, House Journal, 217, M-Ar.

3. *Ibid.*, 222.

4. The next day the *Massachusetts Centinel* published Gerry's letter. See Elbridge Gerry to the General Court, 18 October (I above).

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

Introduction

Public Commentaries on the Constitution

After the General Court called a state ratifying convention, the public debate over the Constitution intensified in the Massachusetts press. Much of the material in Massachusetts newspapers continued to be reprinted from outside the state, especially from Philadelphia and New York City newspapers. Not until mid-November did Massachusetts writers contribute substantially to their own state's newspapers. The total number of original and reprinted items published by Federalists in Massachusetts exceeded that of their opponents. Federalist material often directly responded to Antifederalist items. Massachusetts Antifederalists published a greater number of substantive articles than the state's Federalists, but the latter had a considerable advantage in terms of essays reprinted from the newspapers of other states and in the reprintings of both original and out-of-state short pieces.

The material reprinted from the newspapers of other states probably had a greater impact on the public debate in Massachusetts than the original items that Massachusetts writers contributed to the state's newspapers. Original substantive pieces, whether Federalist or Antifederalist, were not usually reprinted in other Massachusetts newspapers, while substantive pieces reprinted from other states, often appeared in the newspapers of several of the state's towns. Short items—particularly squibs—were even more widely reprinted, whether or not they originated in Massachusetts. (For the position of each Massachusetts newspaper on the Constitution, see "Note on Sources," above.)

A major exception to the lack of the widespread reprinting of Massachusetts items involved Elbridge Gerry, one of the state's most prominent political figures and a former delegate to the Constitutional Convention. Gerry's 18 October letter to the General Court (I above) explaining why he did not sign the Constitution was first published in the *Massachusetts Centinel* on 3 November and then reprinted in virtually every state newspaper. For months, this important document drew many public and private comments.

The opinions of political leaders from outside Massachusetts, both Federalists and Antifederalists, also circulated in Massachusetts, sometimes widely. Among the disseminated Federalist pieces were: Pennsylvanian Benjamin Franklin's last speech in the Constitutional Convention, first printed in the *Boston Gazette* on 3 December (below) and reprinted in eight Massachusetts newspapers; the 26 September letter of Connecticut Constitutional Convention delegates Roger Sherman and Oliver Ellsworth to the governor of Connecticut, *New Haven Gazette*, 25 October (CC:192); Pennsylvanian James Wilson's speech of 6 October (see I above under 24 October); reports asserting and denying the opposition to the Constitution of New Yorker John Jay, the Confederation Secretary for Foreign Affairs, Philadelphia *Independent Gazetteer*, 24 November and 7 December (CC:290 A-B); speeches in the Pennsylvania Convention by James Wilson on 24 November (pamphlet, 28 November, CC:289; RCS:Pa., 339-50; and below under 12 December) and by Benjamin Rush on 12 December, *Pennsylvania Herald*, 15 December, and *Pennsylvania Gazette*, 19 December (CC:357; and RCS:Pa. 592-96); New Hampshire President John Sullivan's 5 December speech to the New Hampshire legislature, *New Hampshire Spy*, 11 December, and *New Hampshire Mercury*, 30 January 1788 (CC:339 A-B); George Washington's 14 December letter to Charles Carter, *Maryland Journal*, 1 January (CC:386-A); and various Federalist speeches (including that of Oliver Ellsworth) in the Connecticut Convention in early January 1788, *Connecticut Courant*, 7, 14 January (CC:413, 428).

Among the circulated writings of out-of-state Antifederalist leaders were: George Mason's objections to the Constitution (first printed in the *Massachusetts Centinel*, 21 November, and reprinted in six newspapers, below); Richard Henry Lee's 16 October letter to Virginia Governor Edmund Randolph proposing amendments to the Constitution, Petersburg *Virginia Gazette*, 6 December (CC:325); the amendments proposed by Robert Whitehill in the Pennsylvania Convention on 12 December, *Pennsylvania Herald*, 15 December (RCS:Pa., 597-99); Governor Randolph's 10 October letter to the Virginia House of Delegates explaining his refusal to sign the Constitution (pamphlet, c. 27 December, CC:385); *Genuine Information* I (Luther Martin), Baltimore *Maryland Gazette*, 28 December (CC:389); and the 21 December letter of New York Constitutional Convention delegates Robert Yates and John Lansing, Jr., to New York Governor George Clinton, New York *Daily Advertiser*, 14 January 1788 (CC:447). The address of the seceding members of the Pennsylvania General Assembly, first reprinted in Massachusetts on 23 October, continued to be reprinted (see I above under 23 October).

The principal out-of-state Federalist newspaper articles and pamphlets (or excerpts from them), almost entirely pseudonymous, that were reprinted in Massachusetts were: "Marcus," *New York Daily Advertiser*, 15 October (CC:162); "A Citizen of America" (Noah Webster), *An Examination into the Leading Principles of the Federal Constitution . . .*, 17 October (CC:173; and Mfm:Pa. 142 for the text of the pamphlet); "One of the People," *Pennsylvania Gazette*, 17 October (RCS:Pa., 186–92); "An American Citizen" IV (Tench Coxe), Philadelphia broadside, 21 October (CC:183–A); "A Slave," *New York Journal*, 25 October (CC:197–A); *The Federalist* I–III, V, IX, XI, XIII–XV, XXIII (Alexander Hamilton, John Jay, and James Madison), *New York Independent Journal and New York Packet*, 27 October–18 December (CC:201, 217, 228, 252, 277, 291, 300, 310, 312, 352); "Foreigner" I, *Philadelphia Independent Gazetteer*, 2 November (CC:225); "A Landholder" I–IX (Oliver Ellsworth), *Connecticut Courant*, 5 November–31 December (CC:230, 254, 272, 295, 316, 335, 351, 371, 397); "The Prayer of an American Citizen" (Mathew Carey), *Philadelphia American Museum*, 7 November (CC:235); "Plain Truth," *Philadelphia Independent Gazetteer*, 7 November (CC:Vol. 2, pp. 519–20); "Uncus," *Maryland Journal*, 9 November (CC:247); "Plain Truth: Reply to An Officer of the Late Continental Army," *Philadelphia Independent Gazetteer*, 10 November (RCS:Pa., 216–23); the meeting of Pittsburgh inhabitants on the Constitution, *Pittsburgh Gazette*, 17 November (CC:270–A); "A Countryman" II, V (Roger Sherman), *New Haven Gazette*, 22 November, and 20 December (CC:284, 361); "New England" to Richard Henry Lee, *Connecticut Courant*, 24 December (CC:372); "One of the People," *Maryland Journal*, 25 December (CC:377); "The New Roof" (Francis Hopkinson), *Pennsylvania Packet*, 29 December (CC:395); "An Old Man" (Thomas Duncan?), *Carlisle Gazette*, 2 January 1788 (CC:407); and "Philanthropos" (Tench Coxe), *Pennsylvania Gazette*, 16 January (CC:454). Lastly, two Philadelphia Federalist pamphlets written by "A Citizen of Philadelphia" (Pelatiah Webster)—*Remarks on the Address of Sixteen Members of the Assembly of Pennsylvania . . .*, 18 October (CC:125–B) and *The Weaknesses of Brutus Exposed . . .*, 8 November (CC:244)—circulated in Massachusetts. The latter was offered for sale in the *Independent Chronicle* in late November and early December.

The reprinting of "A Landholder" was particularly extensive. Eight Massachusetts newspapers published one or more numbers (in whole or in part) of "A Landholder," with the *Hampshire Gazette* reprinting numbers I–VIII, and the *Massachusetts Centinel* and the *Worcester Magazine* numbers IV–VI, and VIII. Essays IV–VI responded to Gerry and Mason.

The major out-of-state Antifederalist items, almost entirely pseudonymous, that were reprinted in Massachusetts were: "Centinel" I, II, III, and X (Samuel Bryan), Philadelphia *Independent Gazetteer*, 5 October, 8 November, and 12 January 1788, and the Philadelphia *Freeman's Journal*, 24 October (CC:133, 190, 243, 443); "An Old Whig" I, IV, VII, Philadelphia *Independent Gazetteer*, 12, 27 October, and 28 November (CC:157, 202, 301); "A Republican" I, *New York Journal*, 25 October (CC:196); "M. C.," *Pennsylvania Herald*, 27 October (CC:203); "Brutus" I-V, VIII, and IX, *New York Journal*, 18 October-13 December, 10 and 17 January (CC:178, 221, 264, 306, 343, 437, 455); "Cincinnatus" I and IV (Arthur Lee), *New York Journal*, 1 and 22 November (CC:222, 287); "An Officer of the Late Continental Army" (William Findley?), Philadelphia *Independent Gazetteer*, 6 November (CC:231; and RCS:Pa., 210-16); "A Son of Liberty," *New York Journal*, 8 November (CC:197-B); "Philadelphiensis" II, III, and V (Benjamin Workman), Philadelphia *Freeman's Journal*, 28 November, 5 December, and Philadelphia *Independent Gazetteer*, 19 December (CC:302, 320, 356); "Many Customers," Philadelphia *Independent Gazetteer*, 1 December (RCS:Pa., 306-9); "Alfred," Philadelphia *Independent Gazetteer*, 13 December (CC:345); and "An Address to the Minority of the Pennsylvania Convention," *Carlisle Gazette*, 2 January 1788 (CC:408).

Two out-of-state Antifederalist pamphlets were reprinted in Massachusetts. In late December or early January Edward Eveleth Powars of the *American Herald* probably reprinted *Letters from the Federal Farmer*, a pamphlet first printed in New York in November 1787 (CC:242). Powars first advertised its sale on 7 January (see "The Circulation of the Letters from the Federal Farmer in Massachusetts," 28 December 1787-7 January 1788). On 1 February the *Massachusetts Gazette* reprinted excerpts from the *Letters*. Sometime in mid-to-late January or early February Powars also reprinted in pamphlet form "The Dissent of the Minority of the Pennsylvania Convention" (Samuel Bryan), first published in the *Pennsylvania Packet*, 18 December (CC:353).

Lengthy excerpts from an important out-of-state item—"A True Friend," 6 December (CC:326), a Virginia broadside seeking to reconcile Federalists and Antifederalists—were reprinted in two Massachusetts newspapers in January 1788.

Massachusetts newspaper essayists continued to be personal and harsh, dredging up the past political "crimes" of their opponents. They painted dire pictures of what conditions would be like if the Constitution were adopted or rejected. Beginning in mid-November, however, the debate became more substantive as essayists produced more systematic, rigorous, and lengthy analyses of the Constitution. Such production continued through the Massachusetts Convention. Surprisingly,

Massachusetts writers, unlike those in Pennsylvania, New York, and Virginia, produced only one original broadside and no original pamphlets prior to ratification by Massachusetts on 6 February 1788. "A Columbian Patriot" (Mercy Warren), the first of only two original pamphlets on the Constitution published in Massachusetts, did not appear until about three weeks after the state Convention ratified the Constitution. The second Massachusetts pamphlet, that written by "A Native of Boston" (Jonathan Jackson), was not struck until mid-August 1788 after eleven states had adopted the Constitution. (For more on these two pamphlets, see "Note on Sources," above.)

The principal Federalist items originating in Massachusetts were: "A Dialogue Between Mr. Schism and Mr. Cutbrush," 29 October; "A Dialogue Between Mr. Z and Mr. &," 31 October, and 7 November; "Poplicola," 31 October; "Examiner," 2, 9, and 20 November; "A. B.," 14 November; "Worcester Speculator" VII, 15 November; "Cassius" I-VI (James Sullivan?), 16, 23, 27, and 30 November, and 14, 18, 21, and 25 December; "One of the People," 17 November; "Monitor," 21 November; "Atticus" III-IV, 22 November, and 27 December; "Truth," 24 November; "One of the Middling-Interest," 28 November, and 5 December; "Valerius," 28 November; "An American," 30 November and 6 December; "A Federalist," 3 December; "Anti-Cincinnatus," 19 December; "Candidus" (spurious), 26 December; "Remarker," 27 December, 17 January 1788; "A. B.," 2 and 9 January; "Honorius," 3 January; "Remarker ad corrigendum," 3 January; "Junius" (James Sullivan) 4, 22, 25, and 29 January; "Mark Antony," 10 January; "Amor Patriæ," 29 January; and "A Real Federalist," 1 February.

The major Antifederalist items originating in Massachusetts were: "John De Witt" II-V, 29 October-3 December; "Vox Populi" (Abraham Holmes?), 30 October, 6, 13, 16, and 23 November; "Portius," 12 November; "Truth" (a broadside), 14 November; "Agrippa" I-XVI (James Winthrop), 23 November-5 February 1788; "A Federalist," 26 November; "One of the Common People," 3 December; "Candidus" I-III (Benjamin Austin, Jr.), 6, 20 December, and 3 January; "Cornelius," 11 and 18 December; "Poplicola," 24 December; "Helvidius Priscus" I-IV (James Warren?), 27 December, 10 and 22 January, and 5 February; "The Republican Federalist" I-VI (James Warren?), 29 December-6 February; "Samuel," 10 January; an unidentified writer to the Massachusetts Convention, 14 January; "The Yeomanry of Massachusetts," 25 January; "Hampden" I-II, 26 January and 2 February; "Massachusettsensis," 29 January; "O," 4 February; and "A Watchman," 7 February.

In addition to the major Federalist and Antifederalist items, both original and reprinted, Massachusetts newspapers printed the proceedings of out-of-state public meetings promoting the ratification of the

Constitution; items speculating on the prospects of ratification in Massachusetts and other states; reports on the summoning of state conventions; items on the election of convention delegates in other states; articles identifying, praising, and criticizing such leading out-of-state Federalists as George Washington, Benjamin Franklin, Alexander Hamilton, and Henry Laurens, and such well-known out-of-state Antifederalists as George Mason, Patrick Henry, and George Clinton; comments on the publication and circulation of Federalist and Antifederalist literature; announcements of ratification by other states; the proceedings and debates of the Pennsylvania and Connecticut conventions; reports that the Delaware and Pennsylvania conventions had offered land for the new federal capital; and accounts of celebrations of ratification by other states. (See, for example, "George Mason and the Constitution," 20 November–3 December; "George Washington and Benjamin Franklin in the Constitutional Convention," 19–21 November; and "The Raising of the First Three Pillars to the Federal Superstructure," *Massachusetts Centinel*, 26 December.)

Massachusetts newspapers were also filled with items on the election of delegates to the Massachusetts Convention, such as articles praising and attacking candidates, election tickets, and election returns, and with material respecting the Convention, such as reports of proceedings and debates and commentaries upon them. (See IV and V below.)

Private Commentaries on the Constitution

Both Federalist and Antifederalist letters and diaries are numerous. For substantive Antifederalist letters, see those written by Samuel Adams, Samuel Osgood, William Symmes, Jr., Thomas B. Wait, and Mercy Warren; for two penned by Federalists, see Joseph Barrell's and Nathaniel Peaslee Sargeant's letters. Another excellent Federalist document is the response of Constitutional Convention delegates Rufus King and Nathaniel Gorham to fellow delegate Elbridge Gerry's objections to the Constitution. Also valuable is the completion of the exchange of letters by two law students—John Quincy Adams (Antifederalist) and his cousin William Cranch (Federalist).

The Massachusetts letter writers and diarists analyzed, praised, and criticized the provisions of the Constitution; explained why it had to be adopted, rejected, or amended; predicted what might happen if it was ratified or rejected; described the actions of the legislature in calling a state convention; speculated on the prospects of ratification in Massachusetts and other states; considered the impact of the newspaper literature on the Constitution and speculated about the authorship of newspaper articles; identified, praised, or attacked the supporters and

opponents of the Constitution; commented on the elections of delegates to the state Convention and the meaning of these elections; predicted the action of the state Convention; and evaluated and described the personnel and actions of that body. (Many letters and diaries on the state Convention elections and on the Convention proceedings and debates are printed in IV and V, below.)

Letter writers from other states, such as Tench Coxe, James Madison, Charles Tillinghast, and George Washington, were keenly interested in the progress of ratification in Massachusetts and its impact on other states. Massachusetts men, such as Henry Knox, Samuel Osgood, and Samuel A. Otis, were Confederation officeholders or members of the Confederation Congress in New York City, who kept informed about Massachusetts, passed on news about other states, and gave their opinions on the Constitution. George Thatcher of Maine, a Massachusetts delegate to Congress, received many letters from Maine correspondents, analyzing the Constitution and discussing the prospects for its ratification. John Adams, American ambassador to Great Britain, and his wife Abigail expressed their opinions on the Constitution.

Rufus King to Henry Knox
Boston, 28 October¹

Dr. Genl.

Genl. Jackson² will send you the Resolve for calling a convention and tell you every thing relative to the situation of public affairs with more precision and particulars than is in my power.

I am laboring in my way—and I doubt not that others labor against me—but I cannot discover any person of consequence in this quarter who stands wrong—last Evening I spent in preaching on the Report of the Convention to the Representatives of Main[e],³ they had received some ill impressions, I hope and believe that I removed some Difficulties—on the whole, judging from the conversation I hear & bear a part in & from the complexion of a numerous House of Reps. I think if the Question was before this Legislature that it wd be carried by a great majority—but what may happen between this Time & the meeting of the Convention I know not—the Judges of the supreme Court are in favor—Dana is zealous in favor of the plan—Cushing the Chief Justice gave a solemn charge last week in *Bristol* to the Grand Jury, enlarged upon our distressed situation, the Danger of Anarchy, and the well founded fear that we might yet lose our Freedom for want of Government and concluded in favor of the adoption of the Report

of the Convention—this Charge will be repe[a]ted on Tuesday at Cambridge—

1. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York.

2. On 28 October General Henry Jackson, a frequent correspondent of Knox's, sent him a newspaper account (probably the *Massachusetts Centinel*, 27 October) of the debates in the Massachusetts House of Representatives on 24 October on the call of a state convention (II above).

3. King was a native of Scarborough, Maine, who settled in Newburyport after he was graduated from Harvard College in 1777.

From Theodore Sedgwick

Boston, 28 October (excerpt)¹

On Wednesday the House concurred in a vote of Senate, to call a convention on the subject of the report of the feederal convention, to meet in this town on the 2nd. Wednesday of Jany.—The majority on this occasion was very great²—The measure will however meet with great op[p]osition. on my way down I was very inquisitive to know the disposition of the people & found the insurgents pretty generally opposed it. The subject must be managed with great care & caution. The late & present Governor³ are decidedly in favor of it—the Chief justice⁴ is charging the grand juries in its favor. Killum⁵ was the member who supported the opposition. Mr. King is here from N York. He is engaged & I believe doing good.⁶—

I have just received a letter from Mr. Bacon.⁷ he seems still much interested on the great subject. his influence must if possible be counteracted. much mischief would be produced by his being in the convention. . . .

1. FC, Sedgwick Papers, MHi. This incomplete letter, in Sedgwick's handwriting, is unsigned; it is probably a retained copy.

2. The vote in the state House of Representatives was 129 to 32.

3. James Bowdoin and John Hancock, respectively.

4. William Cushing.

5. Daniel Kilham, a member of the state House of Representatives from Newburyport. See "Massachusetts Calls a State Convention," 18–25 October (II above).

6. See Rufus King to Henry Knox, 28 October.

7. Probably John Bacon. See Henry Van Schaack to Caleb Strong, 10 October, at note 2 (I above).

John De Witt II

American Herald, 29 October¹

To the FREE CITIZENS of the COMMONWEALTH of MASSACHUSETTS.
In my last address upon the proceedings of the Fœderal Convention,

I endeavored to convince you of the importance of the subject, that it required a cool, dispassionate examination, and a thorough investigation, previous to its adoption—that it was not a mere revision and amendment of our first Confederation, but a compleat System for the future government of the United States, and I may now add in preference to, and in exclusion of, all others heretofore adopted.—It is not TEMPORARY, but in its nature, PERPETUAL.—It is not designed that you shall be annually called, either to revise, correct, or renew it; but, that your posterity shall grow up under, and be governed by it, as well as ourselves.—It is not so capable of alterations as you would at the first reading suppose; and I venture to assert, it never can be, unless by force of arms. The fifth article in the proceedings, it is true, expressly provides for an alteration under certain conditions, whenever “it shall be 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 Congress.”—Notwithstanding which, such are the “*heterogeneous materials from which this System was formed,*” such is the difference of interest, different manners, and different local prejudices, in the different parts of the United States, that to obtain that majority of three fourths to any one single alteration, essentially affecting this or any other State, amounts to an absolute impossibility. The conduct of the Delegates in dissolving the Convention, plainly speaks this language, and no other.—Their sentiments in their Letter to his Excellency the President of Congress are—That this Constitution was the result of a spirit of amity—that the parties came together disposed to concede as much as possible each to the other—that mutual concessions and compromises did, in fact, take place, and all those which could, consistent with the peculiarity of their political situation.² Their dissolution enforces the same sentiment, by confining you to the alternative of taking or refusing their doings in the gross. In this view, who is there to be found among us, who can seriously assert, that this Constitution, after ratification and being practised upon, will be so easy of alteration? Where is the probability that a future Convention, in any future day, will be found possessed of a greater spirit of amity and mutual concession than the present? Where is the probability that three fourths of the States in that Convention,³ or three fourths of the Legislatures of the different States, whose interests differ scarcely in nothing short of every thing, will be so very ready or willing materially to change any part of this System, which shall be to the emolument of an individual State only? No, my fellow-citizens, as you

are now obliged to take it in the whole, so you must hereafter administer it in whole, without the prospect of change, unless by again reverting to a state of Nature, which will be ever opposed with success by those who approve of the Government in being.

That the want of a Bill of Rights to accompany this proposed System, is a solid objection to it, provided there is nothing exceptionable in the System itself, I do not assert.—If, however, there is at any time, a propriety in having one, it would not have been amiss here. A people, entering into society, surrender such a part of their natural rights, as shall be necessary for the existence of that society. They are so precious in themselves, that they would never be parted with, did not the preservation of the remainder require it. They are entrusted in the hands of those, who are very willing to receive them, who are naturally fond of exercising of them, and whose passions are always striving to make a bad use of them.—They are conveyed by a written compact, expressing those which are given up, and the mode in which those reserved shall be secured. Language is so easy of explanation, and so difficult is it by words to convey exact ideas, that the party to be governed cannot be too explicit. The line cannot be drawn with too much precision and accuracy. The necessity of this accuracy and this precision encreases in proportion to the greatness of the sacrifice and the numbers who make it.—That a Constitution for the United States does not require a Bill of Rights, when it is considered, that a Constitution for an individual State would, I cannot conceive.—The difference between them is only in the numbers of the parties concerned; they are both a compact between the Governors and Governed, the letter of which must be adhered to in discussing their powers. That which is not expressly granted, is of course retained.

The Compact itself is a recital upon paper of that proportion of the subject's natural rights, intended to be parted with, for the benefit of adverting to it in case of dispute. Miserable indeed would be the situation of those individual States who have not prefixed to their Constitutions a Bill of Rights, if, as a very respectable, learned Gentleman at the Southward observes, "the People, when they established the powers of legislation under their separate Governments, invested their Representatives with every right and authority which they did not, in explicit terms, reserve; and therefore upon every question, respecting the jurisdiction of the House of Assembly, if the Frame of Government is silent, the jurisdiction is efficient and complete."⁴ In other words, those powers which the people by their Constitutions expressly give them, they enjoy by positive grant, and those remaining ones, which they never meant to give them, and which the Constitutions say nothing

about, they enjoy by tacit implication, so that by one means and by the other, they became possessed of the whole.—This doctrine is but poorly calculated for the meridian of America, where the nature of compact, the mode of construing them, and the principles upon which society is founded, are so accurately known and universally diffused. That insatiable thirst for unconditional controul over our fellow-creatures, and the facility of sounds to convey essentially different ideas, produced the first Bill of Rights ever prefixed to a Frame of Government. The people, altho' fully sensible that they reserved every tittle of power they did not expressly grant away, yet afraid that the words made use of, to express those rights so granted might convey more than they originally intended, they chose at the same moment to express in different language those rights which the agreement did not include, and which they never designed to part with, endeavoring thereby to prevent any cause for future altercation and the intrusion into society of that doctrine of tacit implication which has been the favorite theme of every tyrant from the origin of all governments to the present day.

The proceedings of the Convention are new handed to you by your Legislature, and the second Wednesday in January is appointed for your final answer. To enable you to give that with propriety; that your future reflections may produce peace, however opposed the present issue of your present conduct may be to your present expectations, you must determine, that, in order to support with dignity the Fœderal Union, it is proper and fit, that the present Confederation shall be annihilated:—That the future Congress of the United States shall be armed with the powers of Legislation, Judgment and Execution:—That annual elections in this Congress shall not be known, and the most powerful body, the Senate, in which a due proportion of representation is not preserved, and in which the smallest State has equal weight with the largest, be the longest in duration:—That it is not necessary for the publick good, that persons habituated to the exercise of power should ever be reminded from whence they derive it, by a return to the station of private citizens, but that they shall at all times at the expiration of the term for which they were elected to an office, be capable of immediate re-election to that same office:—That you will hereafter risque the probability of having the Chief Executive Branch chosen from among you; and that it is wholly indifferent, both to you and your children after you, whether this future Government shall be administered within the territories of your own State, or at the distance of four thousand miles from them.—You must also determine, that they shall have the exclusive power of imposts and the duties on imports and exports, the power of laying excises and other duties, and the

additional power of laying internal taxes upon your lands, your goods, your chattels, as well as your persons at their sovereign pleasure:—That the produce of these several funds shall be appropriated to the use of the United States, and collected by their own officers, armed with a military force, if a civil aid should not prove sufficient:—That the power of organizing, arming and disciplining the militia shall be lodged in them, and this thro' fear that they shall not be sufficiently attentive to keeping so respectable a body of men as the yeomanry of this Commonwealth, compleatly armed, organized and disciplined; they shall have also the power of raising, supporting and establishing a standing army in time of peace in your several towns, and I see not why in your several houses:—That should an insurrection or an invasion, however small, take place, in Georgia, the extremity of the Continent, it is highly expedient they should have the power of suspending the writ of Habeas Corpus in Massachusetts, and as long as they shall judge the public safety requires it:—You must also say, that your present Supreme Judicial Court shall be an Inferior Court to a Continental Court, which is to be inferior to the Supreme Court of the United States:—That from an undue bias which they are supposed to have for the citizens of their own States, they shall not be competent to determine title to your real estate, disputes which may arise upon a protested Bill of Exchange, a simple note of hand, or book debt, wherein your citizens shall be unfortunately involved with disputes of such or any other kind, with citizens either of other States or foreign States: In all such cases they shall have a right to carry their causes to the Supreme Court of the United States, whether for delay only or vexation; however distant from the place of your abode, or inconsistent with your circumstances:—That such appeals shall be extended to matters of fact as well as law, and a trial of the cause by jury you shall not have a right to insist upon.—In short, my fellow-citizens, previous to a capacity of giving a compleat answer to their proceedings, you must determine that the Constitution of your Commonwealth, which is instructive, beautiful and consistent in practice, which has been justly admired in Europe, as a model of perfection, and which the present Convention have affected to imitate, a Constitution which is especially calculated for your territory, and is made conformable to your genius, your habits, the mode of holding your estates, and your particular interests, shall be reduced in its powers to those of a City Corporation:—The skeleton of it may remain, but its vital principle shall be transferred to the new Government: Nay, you must go still further, and agree to invest the new Congress with powers, which you have yet thought proper to withhold from your own present

Government.—All these, and more, which are contained in the proceedings of the Fœderal Convention, may be highly proper and necessary.—In this overturn of all individual Governments, in this new-fashioned set of ideas, and in this total dereliction of those sentiments which animated us in 1775, the Political Salvation of the United States may be very deeply interested, but BE CAUTIOUS.

1. Reprinted: Providence *United States Chronicle*, 8 November. For “John De Witt’s” first essay, see *American Herald*, 22 October (I above).

2. See the President of the Convention to the President of Congress, 17 September (CC:76).

3. Under Article V of the Constitution, amendments were to be ratified either by the legislatures or conventions of three-fourths of the states. Amendments could be proposed by two-thirds of both houses of Congress or by a constitutional convention called by Congress at the request of two-thirds of the state legislatures. The Constitution does not consider what kind of vote was necessary in this constitutional convention to propose amendments.

4. See James Wilson’s 6 October speech to a Philadelphia public meeting (CC:134, p. 339). For the publication of this 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).

Lycurgus

American Herald, 29 October

A writer on the Fœderal Constitution in the CENTINEL of the 20th inst. tells us a story of *Dr. Franklin’s* confidence of General *Pepperell’s* expedition against *Cape-Breton*, in 1746; and when the *Dr.* was interrogated, with regard to the ground of his confidence: gave the following, viz. *that all the praying people were on his side*; from which this writer concludes—*that the new Government of the United States will be adopted, since the ministers, and christians of all denominations are now ingaged in praying for it; and there is good reason to believe that no prayers have as yet been offered against it.*¹

I was really in hopes that my eyes would not have been disobliged any more with an observation of so ill natured an aspect.—Has it come to this, that no person of any denomination is a *Christian*, except those who pray for the adoption of the proposed Federal Constitution? If that constitution is as good as its most zealous devotees can imagine, I can by no means suppose that it will be considered at the *last day* (or ought to be at any other time) as a test of *Christianity*.

In a free government all such *scurrilous* reflections cannot be perused without horror, nor the author thought of without pity as well as contempt; and the man who, when a question of the utmost consequence is before the public for their discussion and examination, shall presume

publicly to *unchristianize* all such as do not pray for *their* particular system would do well to consider, whether his approbation will do any service to any system which he may espouse.

For my part I am rejoiced to see the different systematics offer their sentiments to the public, and the reasons which induce them to embrace such sentiments; and I take it to be a privilege which of *right* they ought to enjoy, and a *duty* which they ought to perform.

If the constitution is good, it can receive no damage from examination, but will, like silver, by rub[b]ing appears brighter and brighter, and the people be led to accept of the same with more unanimity, for its being fully investigated and understood: But if it will not bear examination no person of the least degree of honest intentions can wish it adopted; and that person (let his station in life be ever so dignified or his occupation be what it may) who wishes to prevent an *open, free, candid, and impartial* examination of such a momentous question, discovers a disposition better calculated for the Meridian of *Constantinople* than *America*, and would make a better figure as a *Janizary* than a member of a free republican government.

Boston, October 24.

1. This "story" first appeared in the *Pennsylvania Gazette*, 10 October. It was reprinted in the *Massachusetts Centinel*, 20 October, and in four other Massachusetts newspapers: *Boston Gazette*, 22 October; *Cumberland Gazette*, 25 October; *Hampshire Gazette*, 31 October; and *Essex Journal*, 7 November. It reads: "When General PEPPERELL went from Boston against Cape Breton, in the year 1745, there were many different opinions as to the probability of his success. Dr. FRANKLIN, who happened to hear some of these opinions, gravely said, that he was certain General Pepperell would succeed, and gave as a reason for it, that *all the praying people in the country were on his side*. For the same reason, we may assert that the new government of the United States will be adopted, since the Ministers and Christians of all denominations are now engaged in praying for it, and there is good reason to believe that *no prayers* have as yet been offered up against it."

A Dialogue Between Mr. Schism and Mr. Cutbrush Boston Gazette, 29 October

Boston newspapers sometimes printed satirical "dialogues" on local politics. In addition to the one printed here, the *Massachusetts Centinel* published three others in the debate over the Constitution before the meeting of the state Convention on 9 January 1788. (See "A Political Dialogue," 24 October [CC:189, between "Mr. Grumble" and "Mr. Union"]; and "A Dialogue Between Mr. Z and Mr. &," 31 October, and 7 November, both below.) The one that appears immediately below was reprinted in the *Pennsylvania Herald* on 10 November.

The "*General*," first referred to by "Mr. Schism," was James Warren of Milton, an old revolutionary who was criticized for supporting tender laws and paper money, opposing the proposed federal impost, sympathizing with the

demands of the Shaysites, and attacking the repressive measures taken against them by the state legislature. Warren also came under attack because Federalists believed that he had written and had encouraged others to write newspaper essays criticizing the Constitution. Criticism of Warren was severe because he had seemingly switched sides in the ongoing political conflict between former governor James Bowdoin and the popular Governor John Hancock. Hence, the Bowdoinites viewed him as a traitor.

"A Dialogue Between Mr. Schism and Mr. Cutbrush" was among the first of the attacks on Warren during the public debate over the Constitution. The attacks continued through the spring of 1788, becoming scurrilous in January 1788 after Warren had begun to publish his moderate and well-argued essays under the pseudonyms of "Helvidius Priscus" (27 December) and "The Republican Federalist" (29 December). Although Warren was not a member of the state Convention, Federalists were convinced that his opposition to the Constitution had to be negated. Perhaps not even Elbridge Gerry, who had refused to sign the Constitution and published a letter explaining his position, was as vilified in the Massachusetts press, although James Winthrop, a prolific Antifederalist propagandist and Warren's alleged collaborator, was also roughly handled. Samuel Adams, another important Antifederalist, was not often criticized because he refused to state his position publicly. Federalist opposition to Warren persisted after the Constitution was ratified and in the spring elections in 1788 he was defeated in his bid to become lieutenant governor.

On 25 April 1788 John Quincy Adams visited Milton and met with Mercy Warren. A strong opponent of the Constitution, Mrs. Warren had published in February, under the pseudonym "A Columbian Patriot," a lengthy pamphlet attacking it (CC:581). After his visit, Adams confided to his diary that "The Genl.'s political character has undergone of late a great alteration. Among those who were formerly his friends he is extremely unpopular; while the insurgent and antifederal party (for it is but one) consider him in a manner as their head; and have given him at this election many votes for lieutenant governor.—Mrs. Warren complained that he had been abused shamefully, & very undeservedly; but she thought me too federal to talk freely with me" (Allen, *JQA Diary*, II, 395).

About two months later, Adams noted that General Warren "was formerly a very popular man, but of late years he has thought himself neglected by the People; his mind has been soured, and he became discontented, and querulous: he has been charged with using his influence in favour of Tender acts and paper money; and it has even been very confidently asserted, that he secretly favoured the insurrections and rebellion of the winter before last. whether his conduct has been misrepresented or not, is a point that must for the present remain undetermined. But he has certainly given some reason for suspicion by his imprudence; and when in a time of rebellion a man openly censures the conduct in general, and almost every individual act of an administration, an impartial public will always judge, that such a man cannot be greatly opposed to a party who are attacking the same measures.—Mrs. Warren however positively declared there was no truth in those allegations, & was very confident, that they were nothing more than the suggestions of the general's

enemies, whose malignity was unaccountable, but whose utmost spite and envy could not disturb his happiness

'For all the distant din this world can keep

Rolls o'er his grotto and but sooths his sleep.['']"

(*ibid.*, 5 July 1788, 425–26. The two lines of verse are quoted from Alexander Pope, *The First Satire of the Second Book of Horace* [1733; revised 1739], lines 123–24.).

Mess'rs. EDES. *The following DIALOGUE lately fell into my hands; if you think proper, please to publish it.*

Mr. *Schism*. Good morning Mr. *Cutbrush*,—What's the News?

Mr. *Cutbrush*. Nothing very strange, except, they say the New Constitution, that they call the Federal Government, is come.

Mr. *Schism*. And what say the people of your town to it?—I hope they will not be in a hurry to pass their judgments; there is a *darn deal* of jockeying now a days about.—

Mr. *Cutbrush*. Why no, they don't seem to be much in a hurry as you say; and it is best they should consider before they determine, especially about a matter of so much consequence;—however, I hope they will not think too long neither.—Much learning makes some people mad; and it seems as if *some folks* would be very well pleased if they could make the people MAD ENOUGH to reject this new Plan of Government.

Mr. *Schism*. I find friend *Cutbrush*, you are at the old point; you and I can never agree in politicks. Now I am for the people's having time sufficient to mature matters in their *own mind*, and to find out the secret design of this famous Continental Convention—for although their plan is a right noble one, yet I fear a snake in the grass, wherever our great men get their heads together—What says our good friend the *General* to this scheme of a *national* Government?

Mr. *Cutbrush*. Why as to the *General*, you know *him* as well as I do—you know he is a Friend to *Tender Laws* and an Enemy to *Imposts*—the reason of the *first* every body can tell, and as to the *latter* he seems to be mistaken in his Scheme, for *dry Taxes* are held in mortal detestation now a-days. There is no doubt for these reasons that he is a bitter enemy to the Federal Government—But as he has been *out* in his Politics for a number of years past, it is not expected that he will be able to make many proselytes.

Mr. *Schism*. Perhaps *you* may be mistaken—the *General* is an old *tried* WHIG—always uniform, except it may be in his *personal* Enmity—but a man is at liberty to alter his sentiments. If he should oppose the Continental Plan of Government as he no doubt will, he will gather up his Popularity he thinks: and if he can defeat the friends to that system he will establish himself—and bid defiance to his enemies and creditors:

For my part I have no notion of a man's being obliged to strip himself to pay his Debts, so as to be rendered ineligible to any Posts in the Service of his Country.

Mr. *Cutbrush*. But what, friend *Schism*, ought we to think of a man who pretending to be a *friend* to the Constitution of his Country, opposes a *Federal System* of Government, which all good men admire, because he *pretends to think* that it strikes at the Sovereignty of his *own State*, and *that Constitution* which he would not support. For my part I abhor such characters, and think they have justly *lost* their Popularity, and the Confidence of their Townsmen, and hope their secret movements and selfish schemes will be narrowly watched and properly exposed.

Mr. *Schism*. But what Mr. *Cutbrush* will become of us poor Debtors, if we are deprived of *Tender Acts* and *Suspension Laws*? What will become of the *Sovereignty* of this State, if we are deprived of the right of doing what we *please*?—If this Federal Government should be adopted we may never hope to see a *Bankrupt Law* to our minds—and the *Great Men* will swallow us all up as a *Porpoise* does a *School of Mackrel*.

Mr. *Cutbrush*. And what Mr. *Schism* will become of the whole CHURCH AND STATE, if we do not have an *alteration* in Government?—The General may cant till his heart aches, there are TEN persons thrown into distress by these accursed *Tender Acts* and *Suspension Laws*, to ONE that is relieved by them—and you may as well expect to turn a stream up hill, as try to hire a Dollar of our rich men, so long as the Government remains in its present deplorable situation.—I do not know how you have made out, Mr. *Schism*, by your running about and sowing sedition; attending conventions at *nine shillings*^(a) a day, &c. but for my part, with all my industry at home, I can but just live, & I see no prospect of things mending under our present situation; and to live and die without hope, is terrible Mr. *Schism*.—It appears to me, Mr. *Schism*, and to almost all my neighbours, that the American Constitution is that *little article* HOPE, left at the bottom of *Pandora's* box of evils, which are so thick upon us at this day.—And if this last resort of the wretched should fail us, I tremble for the consequences.—The last Winter's campaign was but a sample of that horrid scene of *war*, *anarchy* and *bloodshed*, which would open upon us—for despair makes men mad indeed.

Mr. *Schism*. As to your reflection about my attending *Conventions*, Mr. *Cutbrush*—you have said enough upon that subject before—The *General* and all our *friends* know that we were *oppressed*, and ought to be *relieved*; and I hope in God, that we are not to have our State *regulating* Conventions taken away by this Federal Government—we have carried *many points*, and there are *many more* to carry—No, Mr. *Cutbrush*, if our

friends do but sound the horn loud enough, there will be a *goodly* number flock to the standard of *Regulators*—We have not fought for liberty to be ruled by any set of men whatever.

Mr. *Cutbrush*. So you at last have thrown off the mask, better have no government than one that shall make knaves do honestly—But I trust the good sense of my countrymen will see the fatal issue of your scheme, and that of all Antifederalists, as they call them.—Every rank of *peaceable, well disposed, industrious* Citizens, now looks up to the NEW CONSTITUTION as to their last refuge from misery—And its base and *unprincipled* opponents, must and will be considered as the worst enemies of their country.—So good bye to ye, and an honester disposition, friend *Schism*.

(a) Actually paid to Members of Conventions.¹

1. During the 1780s, county conventions representing many towns were a favorite means of putting political pressure on the state legislature. These conventions developed political programs or nominated candidates for the state Senate.

Boston Gazette, 29 October¹

A correspondent observes, That some persons affect to call in question the RIGHT of the late Continental Convention to make a Constitution for the States.—But the great enquiry with every friend to the Country is, Whether PATCHING up the CONFEDERATION could possibly have brought it to be a Constitution ADEQUATE to the great purposes of a NATIONAL GOVERNMENT? It is evident that the Convention thought it NEVER COULD be worked into shape: like a mass of broken Glass, there is no possible way to form it into vessels, but by consolidating the parts, and blending the whole over anew.—

AMERICA is at this distressing period, like the Merchant in the Gospel seeking GOODLY PEARLS: that PEARL to us, is an EFFICIENT Federal Government.—Of what consequence is it to us, WHERE, or HOW this JEWEL is discovered? if it descends from above, or if men INSPIRED from above, produce for OUR ACCEPTANCE, this inestimable Pearl, shall we cavil about the medium through which it is presented to us? We have “sold all that we had,” that is, we are as men destitute of every blessing attendant on good Government; but as a COMPENSATION for all our TOILS, LOSSES, SACRIFICES, WARS and BLOODSHED, behold the PEARL OF GREAT PRICE put into our hands; let us not be like the fool into whose hands such a price is delivered, who hath no heart to improve it. All power is derived from the people, THAT is its only legitimate source.—The AMERICAN CONSTITUTION is accordingly to

be presented to THE PEOPLE for their adoption or rejection; this will give it its proper BASIS; and may a spirit of serious enquiry and consideration pervade all ranks of people, that they may discern "the things that belong to their peace, before they are hidden from their eyes."²

If proper attention is paid by the people at large, to the general character and conduct of the OPPONENTS to the AMERICAN CONSTITUTION, it will greatly subserve the cause of truth and freedom: many persons will and do declaim against it, who so far from having attentively EXAMINED IT, have never read it.—A few questions will forever silence such characters, if they are not destitute of modesty; others will oppose it from a spirit of meer contradiction, and to be singular, such persons ought to be despised for their levity in trifling with so momentous a subject; such characters are every where to be met with; they never could be considered as the friends of mankind—But the SELFISH MOTIVES which will actuate the greatest number of enemies to this Constitution, cannot be reckoned; however, so far as any person's opposition can be traced to an INTERESTED, PARTIAL OR LOCAL inducement, no credit ought in justice to be given to their observations. Great art will be used to varnish over the secret springs of opposition, but a retrospective examination of a man's PRINCIPLES, CONDUCT and SITUATION, will lead to the fullest investigation of his views and designs.

1. Reprinted nine times by 29 November: N.H. (1), R.I. (1), Conn. (2), N.Y. (1), Pa. (2), Va. (1), S.C. (1).

2. Luke 19:42.

William Frost to George Thatcher York, 30 October (excerpt)¹

I Saw in the Papr. you were moving on to join the Honoble. Congress,² wish you great Success and every thing that is agreable & that you & I may Soon See the happy Day when the Federal Head &c may be Established that once more we may be Augonized [i.e., organized] together that Plain Simple Justice may once more take place among mandkind upon the Face of the Earth in a Quite Easy & Peacable manner which is I am very Sensible the only foundation for it and think Seriously that August Assembly the Honoble. the Federal Convention has exactly Pointed it out Right. . . .

1. RC, Letters to George Thatcher, 1780–1800, MeHi. Frost (1747–1827), a Continental Army officer and commissary and a York farmer, was register of deeds for York County, Maine, from 1786–1816.

2. On 27 June 1787 the state legislature appointed Thatcher a delegate to Congress. A report in the *Massachusetts Centinel*, 24 October, indicated that the legislature had received a letter from him, accepting his appointment and promising to be in Congress at the start of the federal year in November.

Editors' Note

Nathaniel Gorham to Benjamin Franklin Boston, 30 October

For this letter, see "The Massachusetts Printing of Benjamin Franklin's Last Speech in the Constitutional Convention," 3–18 December.

Nathaniel Gorham to Henry Knox Boston, 30 October¹

Things look pretty well though there is an opposition preparing—but I do not think it will be sufficient to answer the intention of some—

Mr. A has not declared himself Gl. W.² is undoubtedly against it—in Essex I hear of none except Mr Kilham³—in Middlesex the two Prescotts⁴ & James Winthrop are the only persons of note who are decided against it—Gov Hancock Mr. Bowdoin & Parson Stillman will be of the convention from Boston—the choice of the latter will undoubtedly be attended with good consequences in attaching the Baptists—

Inclosed is a Letter for Doctor Franklin⁵ in which I have requested a copy of a Speech he made in the convention in order to publish it—I will thank you to forward the Letter to him—& to send the answer to me if he incloses one to you for me—remember me to Mrs. Knox

1. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York.

2. Gorham refers to Samuel Adams and James Warren.

3. Daniel Kilham, one of Newburyport's delegates to the state of House of Representatives, spoke on 24 October against the resolution calling for a convention to consider the Constitution. For his speech, see "Massachusetts Calls a State Convention," 18–25 October (II above). For reaction to Kilham's actions, see the *Essex Journal*, 31 October, and John Quincy Adams Diary, 1 December. For another attack on Kilham, see "Cato's Soliloquy Parodied," *Massachusetts Gazette*, 16 November.

4. Probably General Oliver Prescott, Sr., a physician, and his brother Colonel William Prescott, Sr., a farmer, both of Groton, in Middlesex County. Both men were prominent revolutionaries and were politically active after the Revolution.

5. See Gorham to Benjamin Franklin, 30 October, in "The Massachusetts Printing of Benjamin Franklin's Last Speech in the Constitutional Convention," 3–18 December.

Vox Populi

Massachusetts Gazette, 30 October¹

As the proposed Federal Constitution is now before the impartial publick, for their approbation or disallowance, I conceive it to be the

duty, as well as the PRIVILEGE of each and every citizen of this commonwealth to investigate the matter fully, and ripen his mind for a suitable answer to the important question; and when he has thus furnished his own judgment, I conceive he has, at *least*, a right to hold up his sentiments to publick view, and throw all the light he is capable of before the publick; and in case of any doubt in his own mind with regard to said Constitution, or any part thereof, he may undoubtedly worth such doubts before the publick, that they may be publickly taken up and obviated.

These things premised, I beg leave to lay before the candid publick the first clause in the fourth section of the first article of the proposed Constitution.—

“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.”

By this clause, the *time, place* and *manner* of choosing representatives is *wholly* at the disposal of Congress.

Why the Convention, who formed the proposed Constitution, wished to invest Congress with such a power, I am by no means capable of saying; or why the good people of this commonwealth should delegate such a power to them, is no less hard to determine.—But as the subject is open for discussion, I shall make a little free inquiry into the matter.

And, first. What national advantage is there to be acquired by giving them such a power?

The only advantage which I have heard proposed by it is, to prevent a partial representation of the several states in Congress; “for if the time, manner and place were left wholly in the hands of the state legislatures, it is probable they would not make provision by appointing time, manner and place for election; in which case there *could* be no election, and consequently the federal government weakened.”

But *this* provision is by no means sufficient to prevent an evil of *that* nature; for will any reasonable man suppose, that when the legislature of any state, who are annually chosen, are so corrupt as to break thro’ *that* government which they have formed, and refuse to appoint time, place and manner of choosing representatives—I say, can any person suppose, that a state, so corrupt, would not be full as likely to neglect, or even refuse, to choose representatives at the time and place and in the manner prescribed by Congress? Surely they would.—So it could answer no good national purpose on *that* account; and I have not heard any other national advantage proposed thereby.

We will now proceed, in the next place, to consider *why* the people of this commonwealth should vest Congress with such a power.—

No one proposes that it would be any advantage to the people of this state; therefore, it must be considered as a matter of indifference, except there is an opportunity for its operating to *their* disadvantage: in which case, I conceive it ought to be disapproved.

Whether there is danger of its operating to the good people's disadvantage, shall now be the subject of our inquiry.—

Supposing Congress should direct, that the representatives of this commonwealth should be chosen all in one town, (Boston, for instance) on the first day of March—would not that be a very injurious institution to the good people of this commonwealth?—Would not there be at least nine-tenths of the landed interest of this commonwealth intirely unrepresented? Surely one may reasonably imagine there would. What, then, would be the case if Congress should think proper to direct, that the elections should be held at the north-west, south-west or north-east part of the state, the last day of March? How many electors would there attend the business?—And it is a little remarkable, that any gentleman should suppose, that Congress could possibly be in any measure as good judges of the time, place and manner of elections as the legislatures of the several respective states.

These as objections I could wish to see obviated:—And I could wish the publick inquiry might extend to a consideration, whether or no it would not be more conducive, to prevent a partial representation, to invest Congress with power to levy such a fine as they might think proper on states not choosing representatives, than by giving them this power of appointing time, manner and place.

It is objected by some, that Congress could not levy, or, at least, could not *collect*, such a fine of a delinquent state. If *that* is the case, Congress could not collect any tax they might think proper to levy, nor execute any order whatever; but at any time any state might break through the national compact, dissolve the federal constitution, and set the whole structure afloat on the ocean of chaos.

It is, therefore, proposed to the publick to consider, whether the said clause in the fourth section of the first article can answer the only purposes for which it is said to have been provided, or any other which will prove any advantage either to the nation or state.

Boston, Oct. 29.

1. "Examiner" answered "Vox Populi" in the *Massachusetts Gazette* on 2 November and this touched off a debate between the two. See "Vox Populi," "Examiner," and "Vox Populi," *Massachusetts Gazette*, 6, 9, 13, and 16 November, respectively. "Examiner" responded in the *Gazette* on the 20th. The *Gazette* printed another article on the 23rd by

"Vox Populi." Boston merchant Joseph Barrell said that " 'Vox Populi,' 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" (to Nathaniel Barrell, 20 December). The assertion that "Vox Populi" was Abraham Holmes is partially supported by "Cassius" II who maintained that "Vox Populi" was a member of the state House of Representatives (*Massachusetts Gazette*, 23 November). The last essay by "Vox Populi" appeared on 23 November, the day before the legislature adjourned.

Holmes (1754–1839), a native of Rochester, Plymouth Co., represented that town in the state House of Representatives, 1787–91, 1797–98, and in the state Convention where he voted against ratification of the Constitution in February 1788. Barrell probably labeled Holmes as a leader of Shays's Rebellion because he was among the reformers in the legislative session of 1787 who sympathized with the Shaysites.

Massachusetts Gazette, 30 October

During the ratification debate, newspapers regularly reprinted essays, paragraphs, and reports from other newspapers. Often the reprinting newspaper acknowledged its source either specifically by name or more generally through the use of datelines that listed the name of the town or city and the date of the originating newspaper. Occasionally, newspapers took license with reprinted material. Such was the case with the *Massachusetts Gazette*, which on 30 October combined three paragraphs (obtained from other states) to create a different whole. The *Gazette* did not identify the origin of any of these paragraphs. For their identification, see notes 1, 4, and 6. See also the "Note on Sources" for the *Salem Mercury*, a Massachusetts newspaper that probably took more liberties than any other American newspaper in reprinting or citing material from other newspapers.

FEDERAL CONSTITUTION.

Heaven (says a correspondent) seems preparing America for greatness and importance, by graditions, that no nation in the world were ever blessed with. When her rights were infringed by an ungrateful mother, it diffused a spirit of liberty and virtue.—When foreign mercenaries, aided by a parent's sword, threatened havock and desolation, numerous armies, from hidden sources, were brought into existence and led on to victory and success. When the avarice of foreign powers thwarted the natural system of commerce, and eternal corruptions enervated the principles of government, and brought us to the alarming crisis of pusillanimously expecting some bold usurper to assume the reigns and sport with the invaluable rights of men, the goodness of our God was truly apparent in having influenced the people to constitute a convention to remedy these disorders, and in leading them on to

organise a government upon the lasting basis of liberty and order. This is the seed-time of union—the state that should be now unfederal will plunge herself into merited disgrace, if not annihilation.¹

A writer on politicks observes, that doctor Price has been so uniform a friend to the United States, there is no doubt he will take infinite pains to shew us whether we ought, or ought not, to adopt the new constitution, and therefore it is proposed, that not a single thing be said, written, or done upon the subject till that gentleman's opinion arrives. A certain party however will be averse to this plan, as the doctor cannot recommend the conventional work consistently with his enthusiastick encomiums upon the republican systems of the states;²—unless indeed, he pursues the mode invented by our ingenuous minister,³ and under the title of “a defence of the present confederation of America,” writes a treatise in favour of the plan which has been proposed as a substitute.⁴

Perhaps this country (says a writer in a late paper) never saw so critical a period in their political concerns. We have felt the feebleness of the ties by which these United States are held together, and the want of sufficient energy in our present confederation, to manage, in some instances, our general concerns. Various expedients have been proposed to remedy these evils, but none have succeeded. At length a Convention of the states has been assembled, they have formed a constitution which will now, probably, be submitted to the people to ratify or reject, who are the fountain of all power, to whom alone it of right belongs to make or unmake constitutions or forms of government, at their pleasure. The most important question that was ever proposed to your decision, or to the decision of any people under heaven, is before you, and you are to decide upon it by men of your own election, chosen specially for this purpose. If the constitution, offered to your acceptance, be a wise one, calculated to preserve the invaluable blessings of liberty, to secure the inestimable rights of mankind, and promote human happiness, then, if you accept it, you will lay a lasting foundation of happiness for millions yet unborn; generations to come will rise up and call you blessed.⁵ You may rejoice in the prospects of this vast extended continent becoming filled with freemen, who will assert the dignity of human nature. You may solace yourselves with the idea, that society, in this favoured land, will fast advance to the highest point of perfection, the human mind will expand in knowledge and virtue, and the golden age be, in some measure, realized. But if, on the other hand, this form of government contains principles that will lead to the subversion of liberty—if it tends to establish a despotism, or, what is worse, a tyrannick aristocracy; then, if you adopt it, this only remaining

asylum for liberty will be shut up, and posterity will execrate your memory.⁶

1. This paragraph was first printed in the *Newport Herald* on 25 October (CC:198). In addition to the *Massachusetts Gazette*, it was reprinted in the *Hampshire Gazette*, 21 November, and in eleven other newspapers by 28 November: N.H. (2), Conn. (3), N.J. (1), Pa. (4), Va. (1).

2. The Antifederalist writer of this paragraph is referring either to Pennsylvania's Republican party or to an individual in that party (possibly Benjamin Rush or William Bingham, correspondents of Price). Richard Price, an English political theorist, clergyman, and a strong supporter of America during the Revolution, had written: "I have mentioned an enlargement of the powers of Congress. Others have proposed a consolidation of the powers of government in one parliament representing all the states and superseding the particular parliaments by which they are now separately governed. But it is obvious that this will be attended with greater inconveniences and encroach more on the liberty of the states than the enlargement I have proposed of the powers of Congress. If such a parliament is not to supersede any of the other parliaments it will be the same with Congress as at present constituted." Price wanted the United States to "continue for ever what it is now their glory to be—a confederation of states prosperous and happy, without lords, without bishops, and without kings" (*Observations*, 207, 209). *Observations on the Importance of the American Revolution* first appeared in London in 1784. The first American edition was printed in Boston the same year (Evans 18739). Seven more American editions were published in 1785 and 1786.

For examples of widely circulated newspaper items indicating that Price thought the powers of the Confederation Congress had to be increased, see his letters to Benjamin Rush and William Bingham, in the Philadelphia *Independent Gazetteer*, 16 May and 20 June 1787, respectively (CC:22, 38).

3. A reference to John Adams, American minister to Great Britain, who in January 1787 published in London the first volume of his *Defence of the Constitutions* (CC:16).

4. This paragraph was originally printed in the *Pennsylvania Herald* on 20 October. In addition to the *Massachusetts Gazette*, it was reprinted in the *American Herald*, 5 November, and in three New York newspapers by 1 November. The first sentence only appeared in the *Salem Mercury*, 30 October, and *New Hampshire Spy*, 3 November.

5. Luke 1:48. "For he hath regarded the low estate of his handmaiden: for, behold, from henceforth all generations shall call me [Mary, the mother of Jesus] blessed."

6. This paragraph is the third paragraph in "Brutus" I, *New York Journal*, 18 October (CC:178). It was also reprinted in the *New Hampshire Recorder* on 18 December. See also "The Massachusetts Reprinting of the Brutus Essays," 22 November 1787–8 May 1788.

Salem Mercury, 30 October¹

It is a fact, that the internal resources of America never were in so flourishing a state as at present. The wounds of the war are in a great degree healed; the stock on our farms, which had been lessened by it, is replaced; and every traveler agrees, that there are more acres of land under tillage in the several States this year, than were ever known to be cultivated in a season since the first white man sat foot on the continent. Add to this, our commerce, the year past, has taken a more favourable turn than it has experienced at any former period since the

war—the exports of this State, as has been asserted by very good calculators, having exceeded the imports by One Hundred Thousand Pounds. If this be the state of our commerce, under its present innumerable embarrassments, to what a noble height of prosperity must it arrive, under the protection of an efficient national government!

1. Reprinted: *Maryland Journal*, 23 November; *Pennsylvania Packet*, 29 November; *Virginia Journal*, 6 December; *Georgia State Gazette*, 16 February 1788 (excerpts). Three New England newspapers paraphrased the first two sentences and then concluded: "Heaven has smiled singularly upon our harvests, and, in spite of all our grumbling, will enable, if not compel us to pay our just debts" (*New Hampshire Mercury*, 1 November; *New Hampshire Gazette*, 3 November; and Middletown, Conn., *Middlesex Gazette*, 26 November).

Henry Gibbs to Simeon Baldwin
Salem, 31 October (excerpt)¹

. . . I believe the Constitution propos'd by the late Convention is well approv'd by the thinking & disinterested part of the Community but I expect there will be a party of an opposite Character in this & all the States violently to oppose it. . . .

1. RC, Simeon E. Baldwin Collection, CtY. This letter was endorsed as received on 13 November. Gibbs (1749–1794), a graduate of Harvard College (1766), was a Salem merchant. Baldwin (1761–1851), a graduate of Yale College (1781), was a New Haven lawyer and a son-in-law of Roger Sherman, a signer of the Constitution.

Cotton Tufts to Abigail Adams
Boston, 31 October (excerpt)¹

Dear Cousn.

. . . The Genl Court is now sitting—a Resolve has passed for calling a Convention in this Commonwealth to take into consideration the form of a Constitution of Government for the United States &c I cannot make any Conjecture what will be the Issue It has Warm Advocates for and Warm Enemies against it. . . .

1. RC, Adams Family Papers, MHi. Tufts (1732–1815), a Weymouth physician, was active in the opposition to British imperial policy before the Revolution. He was a justice of the peace and quorum for Suffolk County, 1782–93, and Norfolk County, 1794–1801; and a state senator, 1781–82, 1783–92. The recent recipient of an honorary M.D. from Harvard College, Tufts was a charter member of the American Academy of Arts and Sciences and the Massachusetts Medical Society, of which he was also president. An uncle of Abigail Adams by marriage, Tufts administered the business affairs of John Adams, then stationed in London as American minister to Great Britain.

Essex Journal, 31 October¹

A correspondent informs of a ludicrous affair which happened in the town of Boston, on Wednesday last. The circumstances were as follow:

A little politician, somewhat eccentric in his politics, having ascended the height of mount CONSTITUTION, with a view to harrangue, the people below into his own sentiments.—After bellowing sometime with more vociferation than argument, his noddle was suddenly filled with dreadful apprehensions of civil wars and unheard of miseries awaiting the Americans.—Thus agitated, not attending to his steps, he unfortunately slipped into one of the BROOKS,^(a) frequently found there; which immediately precipitated him, by the violence of its stream, to the very bottom, in presence of all his audience. Upon examining the body, there appeared no external wound: though the damage sustained was great, in the loss of the dexter pocket of his political coat in which he was then wrapped, where were deposited two very valuable articles, viz. the esteem of his friends and confidence of his town. Not one trace of the sack or its contents has yet been discovered. Should any person find them, it is desired they may be returned, as they can be of no service to any body but the owner.

Another correspondent informs, That a small Frigate, lately fitted out by the good people of this town for the protection of their liberties, appears to be so much shattered in her *upper works*, by an engagement with the ship *Constitution*, on Wednesday last, that the owners, deeming her unfit for further service, have generally agreed to *condemn* her.²

(a) Should any of our readers suppose it unnatural to assert that Brooks are found on hills, we answer that the *Mount* itself is a Phenomenon in Nature.

1. Reprinted: *New Hampshire Spy*, 3 November; *Massachusetts Centinel*, 7 November; *State Gazette of South Carolina*, 3 December. The *Spy* did not reprint the footnote. This item refers to the debate that took place on Wednesday, 24 October, in the state House of Representatives on the resolution calling a state convention to consider the Constitution. "A little politician," Dr. Daniel Kilham, a Newburyport delegate, attacked both the Constitution and the resolution, and he was answered by, among others, Eleazer Brooks, the delegate from Lincoln. (For reports of the debate, see "Newspaper Reports of House Proceedings and Debates of 24 October," II above.)

2. See note 1 for an explanation of this paragraph. For a similar item, see the *Independent Chronicle*, 25 October, in "Ship News," 17 October–24 November (I above).

Hampshire Gazette, 31 October¹

There are certain periods in human concerns, that are designed in Providence, and no doubt wisely ordered by the Deity to try the patience and fortitude of the members of every community. Whether the object is for the punishment, or the purifying its inhabitants, is not

material, as one or the other of these purposes seem absolutely necessary should take place, in order that individuals should be aroused from the natural sloth and indolence that characterises humanity. The present moment seems to be the most important, and the most critical of any period within the memory of man, and to which every great and important transaction of a public nature has pointed these twenty-five years; and every moment seems to create new matter which will be productive either of building up a great and boundless empire, or circumscribing scanty and narrow limits for the inhabitants of this country, suited only for savage chiefs or barbarous tyrants—the latter will inevitably be the consequence, should we reject the government offered for our acceptance. A change in our system is unavoidable—every countenance indicates the strongest symptoms of a new birth—and nothing but our own folly and madness can prevent our growing up to manhood, and establishing our empire as on a rock.

My countrymen, the happiness of one and all is the same. I consider myself as one of the whole—every member of the community is upon one footing. This new offered government is equal, every individual is a fair candidate for the highest seat in the empire, which is a matter unknown to every other nation in the world, which must be a most powerful incentive and spur to every laudable exertion to be virtuous and learned; which, thanks be to Heaven, is the only sure road to honour and preferment.

1. Reprints by 6 December (6): Vt. (1), N.Y. (1), Pa. (3), S.C. (1).

A Dialogue Between Mr. Z and Mr. & Massachusetts Centinel, 31 October¹

Mr. RUSSELL, *The following SINGULAR DIALOGUE, between two anti-federalists, Mr. Z. and Mr. &. was overheard from a chamber-window not a hundred miles from the State-House, one evening this week—you will please to hand it to the publick for the entertainment of the curious—and oblige yours,* DETECTOR.

Mr. Z.

Enough of that subject for the present.—How do you like the Federal Constitution?

Mr. &. You have an easy answer to that question—you know that it comes diametrically across all my plans, and if it should take effect, my prospects will be entirely blasted, judge therefore if it can receive *my* approbation.

Mr. Z. Well, I am glad to find your sentiments agree with mine—and the question now is, how we shall counteract the measures of those

who are sticklers for what they call an efficient Federal Government, so as to frustrate their expectations?

Mr. S. Yes, that is the question—and for my part I am pretty well determined what methods to pursue.—You know the people of this commonwealth are tinctured with a strong proportion of JEALOUSY—this principle then, must be our FORTE—In all circles, by all means, in publick and in private, by letters, correspondencies, in print, and out of print, let us be careful to extol this FIRST OF VIRTUES in a REPUBLICK. Let us disseminate *surmises, suspicions* and *inuendoes*, let no *characters* escape our animadversions, let us suspect the *motives, views* and *designs*, of the members of the late Continental Convention—let us blow up that scare-crow bubble ARISTOCRACY—let our fears of a STANDING ARMY be *dark and gloomy*—let us terrify the imaginations of the weak and credulous, with horrid ideas of *tax-gatherers and soldiers at their heels*—let us decry *imposts and excises*, as the appendages of tyranny—let us infuse into the minds of the disaffected that the plan is to pay the national debt, *pound for pound*—to cut us off from all *suspension and tender laws*, from any relief by BANKRUPT ACTS, and by this means enabling their rapacious creditors to take poor debtors by the throat—let us inflame the honest and unsuspecting *Farmer, Tradesman* and *Mechanick* with ideas that there is a *combination* among the *rich*, to stifle all free debate upon the great subject of the AMERICAN CONSTITUTION, and that the PRINTERS are leagued to suppress all publications against it; and though the STATE GOVERNMENT is an object of our detestation, and we have exerted ourselves to the utmost to subvert it, and introduce a GLORIOUS ANARCHY—let us conjure up every apprehension of its falling a sacrifice to the *Federal Government*—let us damn this government as an *elective monarchy, aristocracy, and cursed tyrannical system*.—By THESE MEANS we shall throw such stumbling-blocks in the way of your federal men—we shall so *bewilder* and *puzzle* the people, that they never will agree to any thing, and if *confusion* and *bloodshed* insues, so much the better—we shall stand the *best* chance, having anticipated *such scenes*, and taken OUR MEASURES accordingly.

Mr. Z. I find you have not been idle; your imagination is really fruitful, and I think with you that JEALOUSY is our grand resort—*this principle* has wrought wonders already—It was JEALOUSY that prevented granting adequate powers to Congress, some years ago—this *principle* in our good friends of *Rhode-Island* has been the prime cause of ruining the publick credit, and enabling the people to pay taxes at a depreciated rate—this *principle* properly worked up, has brought so many of

our good friends into publick life in the above government, and enabled the *poor distressed debtors there*, to pay off their debts without any difficulty²—*this principle* will keep out every man of property, wisdom and learning from every post in government—and if *now* duly cultivated, will effectually defeat this FEDERAL SYSTEM—FOR ALTHOUGH IT IS NEXT TO A MIRACLE THAT THE CONVENTION HAVE AGREED UPON A SYSTEM OF GOVERNMENT FOR A PEOPLE SO DIVERSIFIED IN MANNERS AND HABITS—and although it is morally impossible for them ever to coalesce under any continental plan, should this fall through, yet that GLORIOUS PRINCIPLE, JEALOUSY, the never-failing resort of the factious and enterprizing, may turn even these considerations to its advantage.—This WONDERFUL UNANIMITY may be construed into an ARISTOCRATICAL COMBINATION, and the TERRIBLE CONSEQUENCES that would result, from a *rejection* of the federal system, may be explained away, as the idle predictions of self interested, aristocratical partizans.

Mr. &. We certainly have hit upon the only successful game that can be played; and if we do but manage our cards dexterously, we may yet give the COUP DE GRACE to this plan, and if by any means this can be effected, the present calm may be prolonged, and we shall continue to retain our consequence, without fear of *sheriffs, attachments* or *creditors*.

Mr. Z. There are yet some difficulties that remain, such as these, to persuade the people to believe us, to keep them from suspecting US in the storm of JEALOUSY that we may raise, and to make them believe that all the miseries they suffer do not proceed from the want of a Federal Government.

Mr. &. Why I acknowledge this is the *toughest part* of our business—however, *perseverance* can do wonders—we must ponder upon the subject—I will see you again, when we may be able to enlarge our plan of operation.—Interim, adieu.

1. For another dialogue between “Mr. Z” and “Mr. &,” see *Massachusetts Centinel*, 7 November.

2. Rhode Island had been attacked for rejecting the federal Impost of 1781, but it was especially condemned for its radical financial policies. In May 1786, for example, the Rhode Island legislature passed an act calling for the emission of £100,000 in paper money which was legal tender for all past, present, and future debts. Under this law a Rhode Island debtor, whose tender of paper money to his creditor was refused, could lodge the currency with a judge. If the creditor again rejected the payment, the judge would advertise the lodgment in the state’s newspapers introduced by the words “Know Ye.” If the creditor remained adamant in his refusal to accept the depreciated paper money, the debt was forever cancelled and the lodgment, minus the judge’s and advertising fees, were forfeited to the state.

Responses to An Old Whig I Massachusetts Centinel, 31 October

On 27 October the *Massachusetts Centinel* reprinted an important Antifederalist essay, "An Old Whig" I, Philadelphia *Independent Gazetteer*, 12 October (CC:157), preceded by this statement: "It having been suggested by an Honourable Member of the Legislature, in the debate on Wednesday last, that a *check* was put to a free discussion of the new federal constitution, by the Printers refusing to insert several pieces on the subject, presented to them; the Printer of the Centinel, as far as the suggestion respects himself, assures the publick, that the gentleman was gros[s]ly misinformed, as the report had not any foundation in truth.—And as a worthy gentleman has requested that the following, from a southern paper, may have a place—he readily inserts it." In its next issue four days later, the *Centinel* published four Federalist responses to "An Old Whig."

The series by "An Old Whig" ran to eight numbers, but only two more of these essays were reprinted in Massachusetts. Number IV, 27 October (CC:202) appeared "by particular desire" under the heading "Anti-federalism" in the *Massachusetts Gazette* on 27 November; and Number VII, 28 November (CC:301) was reprinted in the *Salem Mercury* on 18 December.

Poplicola, Massachusetts Centinel, 31 October

FEDERAL CONSTITUTION.

For the CENTINEL.

An ANSWER to an "OLD WHIG,"

against the Federal Government, in our last.

Mr. RUSSELL, As this gentleman appears to have been among the number of those who have been long wishing for a Federal Constitution, I am sorry he is not happy with the *one* lately offered to the publick for their approbation. Since it seems, however, that his first opinions were in favour of its being adopted, may we not suppose that in this instance his "second thoughts are by no means the best"—When he thinks a third time on the subject, I flatter myself he may change his sentiments again, and may then be as much in favour of the measure as he now is against it.

Be this as it may the signature he has assumed gives him some claim to our attention—I would wish to treat with respect even the failings of a respectable character: But at the same time, his errors should be refuted, lest his example might operate where his arguments would be of small consideration.

What the gentleman considers as a fault, I beg leave to observe, appears to me as an excellence in the proposed constitution.—For I have

no idea of a government being "easily changed."—Would this gentleman wish that the order of society should be inverted, as easily as a lady would alter the fashion of her cloaths. At this rate we should be never at peace—every day would teem with new difficulties, and every suggestion formed by the vanity, interest, or even spleen of an individual, would become the capricious motive to some essential innovation.

As I thus differ from the writer whose objections I am endeavouring to refute, as to the criterion he has assumed of a good constitution, that is, of its being easily changed, let us now see, whether the provision empowering the people to make alterations in case of necessity, are not sufficient for the purpose intended.—And here, it may not be improper to request his excuses, when I take the freedom of observing that his idea of the wise and effectual checks established in the constitution, "being but a 'cunning way' to prevent any alteration at all," is not so polite, nor manly an insinuation as I should have hoped from so respectable a character. Are we to presume that the persons we have entrusted with our most essential concerns, would have had recourse to so mean, and so contemptible an artifice—especially when, for any thing that appears, they and their posterity may be the principal sufferers—For there is certainly no passage in the constitution, which exempts any class of citizens from a full share in all the inconveniences which may attend its operation—so far, however, from the right reserved to the people of recurring to first principles when they shall be generally agreed, being but a trick to deceive us, it appears to me, I confess, the noblest provision of the whole—an honour to the member who suggested it, to the convention who adopted it, and a sure and certain hope of the continuance and immortality of national freedom.

This RIGHT then, reserved to the people of altering the constitution, appears to me to be fully sufficient to guard us against the tyranny or even insolence of our officers:—But if it were not, we are not to forget that these very officers are the creatures of our own choice, amenable to us, and to be recalled at our pleasure. Throwing, however, this last circumstance aside, I am by no means in sentiment with this gentleman, "that no alteration will be ever effected, because the necessary concurrence of opinion, will be invariably wanting"—as it appears clearly to me that this unanimity among the people is not so uncommon an event, nor so difficult of attainment as many may suppose.—If it be in America only, that we have written constitutions of government, founded on solemn deliberation, and adopted without fraud, violence, or bloodshed, it is most infallibly peculiar to this country alone, that the power which has formed, has reserved the right of changing our government when abuses in the administration, or defects in the system

itself, shall render it necessary.—In a very short period, we have seen a great revolution effected by this very *union of will*, in the face of prescriptive authority, supported by a powerful force.—What reason then is there why the same coincidence of opinion may not exist again?—Are we to suppose that the spirit of liberty will be necessarily extinguished, when the present government is carried into effect? Will our posterity become a dishonour to their ancestors? When the rights of human nature are defined and supported, with force, and effect, in every other part of the world, beyond what ever has been known in any former period, must we certainly conclude, that nothing of the kind will be found on this continent? May we not rather presume that the flame of genuine republicanism will become brighter, and more ardent than ever? At this moment, this country exhibits an instance in point, to demonstrate the possibility of this concurrence of feelings and ideas among the people—For I will venture to affirm, from St. Croix to the Missis[s]ippi, that more than three fourths of the people, whether in Convention, or Congress, in the Legislatures, as well, as among those who are in no office, are fully and firmly of opinion, that the old Federal Government, is not sufficient to secure us against dissensions within, or violence from abroad.

With respect to what is said of our legislatures sinking into insignificance or contempt, when the Constitution is adopted, I will now suggest a reason why this must be impossible:—The “great” the “wise” and the “mighty,” says the writer, will be in Congress; but to be there, they must be first chosen by those very legislatures, which he represents to be so very insignificant; or by the people at large—Now to be even known to the people, these “great” and “wise” persons must be in a situation to have their publick conduct observed and approved, by the state they would wish to represent—for this end only, if there were to be no other motives, these very persons would place themselves in publick view—thus the legislatures would become the focus in which such characters would be collected—The importance of these bodies would be consequently sustained, and the people thus knowing their friends, from their enemies, the whole system would move as it ought—In case of extreme necessity, these legislatures of the respective states, would form a formidable barrier against any possible encroachment of the sovereign power; they might establish a communication of councils, throughout the continent; Congress itself would tremble under the frowns of their constituents, and oppression would hide its horrid front, on this happy and united continent.

If then there is no great difficulty in getting the people, or their legislatures to agree; surely, there can be no natural impossibility in

Congress recommending a Convention, provided they should think it eligible. It is always to be remembered that the members of this body are under the instructions of their constituents, and it cannot be forgotten, that the love of popularity, next to the love of interest, is the strongest principle of the human heart—Ambition will find its object, as much in the applause of the world, as in the continuance and extension of any official acquirement, supposing honour and integrity to have no influence.—If the people generally complain, Congress therefore will be full as likely to indulge, as to refuse them this favour, particularly, as they can have it without, and thus but little difficulty will be found.

There is another argument I had nearly forgotten, and that is the degree of liberty admitted as to this power of revision in the new Constitution, which we have not expressed, even in that of Massachusetts—For the citizens of this Commonwealth are only permitted at a given time to revise their Constitution and then only if two thirds are agreed;¹ but in the other case, the citizens of the United States can do it, without any limitation of time.—As this gentleman has observed that people are unwilling to part with the power they have got, it is for this reason, I do not believe the inhabitants of this country, will ever lose sight of the essential privilege of calling their publick servants to account.

Why this writer should conceive the *Liberty of the Press* is endangered by the new Constitution, I cannot think—His other objections, at least, have the appearance of plausibility, but this must be considered as altogether unsupported, as it is a known truth, that in the present Constitution every privilege is left, which is not expressly taken away from the people.²

I wish to see every thing offered against the new government, that the people may thoroughly comprehend it, and not be induced to suppose there is some latent mischief which is not revealed; but at the same time we should not confound the chimeras of a heated imagination, with the force and precision of solid argument.

Examiner, Massachusetts Centinel, 31 October

Mr. RUSSELL, It is the privilege and the duty of every American, to examine with attention the NEW CONSTITUTION—and every one has a right to offer his sentiments respecting it; I therefore shall take the liberty to examine whatever may be published by the numerous writers upon this great subject. In the last Centinel appeared a writer, who calls himself an *Old Whig*, who has said much *about* the Constitution—that “he was disposed to embrace it before he saw it”—that

since, he had numerous doubts and fears, and was particularly alarmed at the “*fashionable language*” which he heard “prevailed much in the mouths of some”—He also tells a story of old *Lycurgus*,³ and then gives a long string of prophesies or assertions, of the evils that will flow from the adoption of the new Constitution:—But as I cannot find one argument, drawn either from reason, or experience, in his whole performance, which militates with the Constitution, we must conclude he had none to offer.—As to his “fears” and *jealousies*, which are not supported by reason, they will not influence a wise people. Sober reasoning, free from jealousy and passion, must determine our judgment in this, as in every other concern.

A Correspondent, Massachusetts Centinel, 31 October⁴

A correspondent remarks that the *same* or *similar* objections to those raised against the *new Constitution*, were offered against the *Confederation*—It was to be an *irreversible decree*,⁵ like the *laws of the Medes and Persians*. Experience has proved the fallacy of such an idea, and those who object to the American Constitution upon this score, do it in meer wantonness, or from calculating the tyrannical views of those who may *chance* to govern us, by their *own* propensities to domination and lust of power.

Response to a Late Writer, Massachusetts Centinel, 31 October⁶

A late writer, who signs *Old Whig*, begins his strictures upon the Constitution by applying the *polite* and *liberal* epithet of CUNNING to the members of Convention—and if the observations of the *antifederalists* in general are critically attended to, they will be found interlarded with similar strokes of *urbanity* and *politeness*—What? the GREAT WASHINGTON and his associates in Convention, descend to *cunning* and *artifice*? “Why smoke the skies not!”

1. According to Chapter VI, Article X, of the Massachusetts constitution, the legislature was to issue precepts in 1795 directing the towns to have their freemen vote “on the necessity or expediency of revising the constitution.” If two-thirds of the qualified voters favored amending the constitution, the legislature was required to call a state constitutional convention (Thorpe, III, 1911).

2. Such an argument was used by Pennsylvanian James Wilson in his 6 October speech before a Philadelphia public meeting which was reprinted in the *Massachusetts Centinel* on 24 October. See “The Massachusetts Reprinting of James Wilson’s Speech of 6 October Before a Philadelphia Public Meeting,” 24 October–15 November (I above).

3. In criticizing the amendment provision of the Constitution (Article V), “An Old Whig” I said: “This appears to me to be only a cunning way of saying that no alteration shall ever be made; so that whether it is a good constitution or a bad constitution, it will remain forever unamended. Lycurgus, when he promulgated his laws to the Spartans,

made them swear that they would make no alterations in them until he should return from a journey which he was then about to undertake:—He chose never to return, and therefore no alterations could be made in his laws. The people were made to believe that they could make trial of his laws for a few months or years, during his absence, and as soon as he returned they could continue to observe them or reject at pleasure. Thus this celebrated Republic was in reality established by a trick” (CC:157, p. 377).

4. Reprinted: *Hampshire Chronicle*, 6 November; *Pennsylvania Packet*, 14 November; *Pennsylvania Journal*, 14 November; *Baltimore Maryland Gazette*, 20 November; *Albany Gazette*, 29 November.

5. Probably a reference to the provisions in the Articles of Confederation that call for “perpetual Union” (twice in the preamble and once in Article XIII); that enjoin the states to observe “inviolably” the Articles (twice in Article XIII); and that require amendments to the Articles to be adopted unanimously by the state legislatures (Article XIII). (See CDR, 86, 93.) “An Old Whig” I argued that no amendments to the Constitution could be adopted under the stringent provisions of Article V. See note 3.

6. Reprinted: *Salem Mercury*, 6 November.

Massachusetts Centinel, 31 October¹

John de Witt, in the last Herald asks—“Where is the probability that a future convention, in any future day will be found possessed of a greater spirit of amity and mutual concession, than the present.”—The answer is plain, such a probability does not exist—and it is little short of a MIRACLE that they should have agreed so *cordially* and *unanimously* upon a plan of government, so highly acceptable to the people, so free from exceptions, and so adequate to our circumstances, and at the same time so auspicious to freedom.—Let not this circumstance be one moment out of our minds—“NOW is the accepted time—NOW is the day of our political salvation.”

1. This item answers “John De Witt” II, *American Herald*, 29 October.

Massachusetts Centinel, 31 October¹

The *essence* and *quintessence* of all that can be objected to the American Constitution are comprised in the address of the Pennsylvania *seceders*, and a complete answer to them and the other antifederalists, may be found in the address of Mr. Willson, of Philadelphia.—It is recommended to speculators on the subject, just to peruse these publications previous to their writing and publishing any thing they may have to offer, it may save much *time, pens, ink* and *paper*, and the publick much unnecessary trouble.

1. For the address of the seceding Pennsylvania assemblymen, see “The Massachusetts Reprinting of the Address of the Seceding Assemblymen of the Pennsylvania Assembly,”

23 October–8 November, and for James Wilson's speech, see "The Massachusetts Reprinting of James Wilson's Speech of 6 October Before a Philadelphia Public Meeting," 24 October–15 November (both I above).

Henry Van Schaack to David Van Schaack
Pittsfield, c. 31 October¹

How goes it with your New Constitution? We have not a word about it here from Boston as yet but it is generally believed our Legislature will agree to a Convention, and from the present appearance of things I believe it will go down. I am called upon to meet people of other towns to give my sense of it and which I have vanity to believe will have some weight as the people in general think well of me. They are doubtless mistaken in my abilities but they are not about the rectitude of my heart. In this important critical time I will advise with candour and moderation for an acceptance of the new System as the only means to secure political quiet. Unless it is adopted God only knows where the evil will end. I hope and trust ~~in God~~ ~~my~~ that my Brothers are all for it and that you will if I am right in my conjecture express yourselves in favor of it. Peters² approbation will have great weight among the better sort of the yeomanry of this County—Some Gentlemen have puffed him up so as that he is spoken of so as to rank with the first characters in the Country for political knowledge. I therefore hope when people from this County converse with him upon this important subject that he will spend some time to explain to them his Ideas upon this great question. adieu Good Night God bless you all and secure to us public tranquility

1. FC, Henry Van Schaack Scrapbook, Newberry Library, Chicago. This draft of a letter, on a half sheet of paper, lacks the date, the place of writing, and the name of the addressee. All of this information was supplied by Henry Cruger Van Schaack, *Memoirs of the Life of Henry Van Schaack* . . . (Chicago, 1892), 157–58. The name of the writer appears only as "HVS" (i.e., Henry Van Schaack). The letter has been placed here at the end of October because Henry Van Schaack, a resident of Pittsfield, had not yet heard that on 25 October the state legislature had adopted a resolution calling a state convention to consider the Constitution. His younger brother David lived in Kinderhook, N.Y. Like Henry and their brother Peter (see note 2), David refused to take an oath of allegiance to the state of New York during the Revolution, thereby losing his rights of citizenship. In May 1786 his New York citizenship was restored by an act of the legislature, on condition that he take an oath of allegiance to the state which he did later in the year.

2. Peter Van Schaack, also Henry's younger brother, was a Kinderhook, N.Y., lawyer and a legal and classical scholar of considerable reputation. During the Revolution he had refused to take an oath of allegiance to the state of New York. In 1778 he went to England to see an oculist and did not return to America until 1785. He was restored to his New York citizenship in 1786 by an act of the legislature.

Rufus King and Nathaniel Gorham

Response to Elbridge Gerry's Objections, post-31 October¹

The provision in the report of the Convention authorises one Rep. for every 30,000 Inhab. ~~taken conformably to the Census~~ ascertained as is there proposed—from the best materials that have been collected the united States at this Time contain 3 mils. of Inhab. comprehending all the Free Inhabitants & $\frac{3}{5}$ only of the Slaves—this number wd. give 100 Rep—it is true that the first house will consist of only 65 Members, but the Congress must cause the Numbers of Inhab. to be taken within 3 yrs, and may do it within one—If the present Numbers will give 100 Reprs. and the Opinion is well founded which we take to be the Case, that the people of america double in 25 yrs, then in 25 yrs. the Number of Reprs may be 200, in 50 years 400, in 75 years 800, and in One Century 1600—it is true that the ~~Compact~~ Rept. does not make it *necessary* that the Members shall be thus increased, in a direct proportion with the increase of the Inhab. but only declares that yy. shall not *exceed* one for every thirty thousand; yy. may be less, yy may be in that proportion. but yy cannot be more numerous—this indeed appears to us a sufficient provision to produce such a Reprn. of the people in the house of Reprs as will completely and safely accomplish the objects of their Appointment

the 2d. objection ~~made by Mr. G.~~ “that the people have no security for the right of Election[”] is in our Judgment as destitute of foundation as the first—Mr. Gerry admits the right of Election to be well deposited he agrees that only the Electors of Representatives to the most numerous Br[anch] of the state Legislature ought to be Electors of Representatives to the federal Govt. and then asserts that the exercise of this Right vested by the Rept. in the Electors is not secured—we are at a loss to know how Mr. Gerry would support this assertion or where the Report is defective on this point—the Time place & manner of electing Representatives must in the first instance be prescribed by the state Legislatures, but the Congress may make or alter the regulations on this Subject, possibly Mr. G. may ground his Objection upon this authority's being vested in Congress—we wish to submit our remarks on this clause to your candid consideration—we agree and have always contended that the people ought to enjoy the exclusive right of appointing their Rep. but we also hold it an important principle that as it is of consequence to the Freedom of the people that they should possess the right of Election so it is essential to the preservation & Existence of the Government that the people should be bound to exercise it for this reason in the Constitution of Massachusetts not only

the persons are clearly designated and their Qualifications ascertained, who may vote for Representatives, but the Genl. Court have a right to compel the Electors to exercise their rights of elections, and thereby to preserve the Government from Dissolution—

If the Time place and manner of electing Representatives to the General Court was left entirely to the several Towns in the Commonwealth and if the constitution gave no power to the Genl. Court to require and compel the Towns to Elect Representatives, there wd. be a manifest defect in the Constitution, ~~and an omission in the Instrument of Government,~~ which agreeably to the Course of human Affairs wd. might in a short period subvert the Government—Town after Town from disaffection or other motives might refuse to elect Representatives, Counties & larger districts might combine against sending members to the General Court, ~~they might be disposed to divide the state, set up for separate states, and the Government might be in this silent manner be totally overthrown~~ and in this silent manner the Govt might be wholly destroyed—If these remarks are just as applying to this State and prove the propriety of vesting as the Constitution has done a power in the Genl. Court to compel the Electors to exercise their right of Election, they are equally just in Relation to Congress, and equally prove the propriety of vesting in that assembly a power to compel the Electors of the federal Representatives to exercise their rights, and for that purpose if necessary to make Regulations concerning the Time place & manner of electing members of the H. of Reps—

It may be said that the State Legislatures are more capable of regulating this Subject than the Congress; that Congress may fix improper places, inconvenient Times, and a manner of electing contrary to the usual practice of the several States, it is not a very probable supposition that a law of this Nature shd. ever be enacted by the Congress but let the supposition be ever so probable as applied to cong. it is thirteen Times more probable that some one of the States may make these inconvenient Regulations yn that Congress should enact them Congress will be interested to preserve the United States entire and to prevent a dismemberment—the individual States may some of them grow rich & powerful; and as the great members of the antient Confederacies have heretofore done, they may be desirous of becoming wholly independent of the Union and therefore may either omit to form any Regulations or Laws, concerning the Time place & manner of electing federal Rep. or they may fix on improper places, inconvenient Times, & a manner of Electing wholly disagreeable to the people. Should either of these cases take place, and no power be vested in Congress to revise their Laws or to provide other Regulations, the Union might be

dismembered and dissolved, without a constitutional power to prevent it But this revisionary power being vested in Congress, the States will make wise & prudent regulations on the Subject of Elections, they will do all that is necessary to keep up a Representation of the People; because they know that in case of omission the Congress will make the necessary provision for this Object—(R Island required by Cong. /& refused/ to send Delegates)

“Some of the powers of the Legis. are ambiguous & others indefinite & dangerous”—this clause contains an imputation so very general that no reply in detail can be attempted without commenting on every sentence wh. forms the Grant of powers to Congress—Most of the sentences are transcribed from the present confederation, and we can only observe that it was the intention and honest desire of the Convention to use those expressions that were most easy to be understood and le[a]st equivocal in their meaning; and we flatter ourselves they have not been entirely disappointed—we believe that the powers are closely defined, the expressions as free from ambiguity as the convention could form them, and we never could have assented to the Report had We supposed the Danger Mr. G. predicts—

The Executive is blended with & will have an undue influence over the Legislature—The same objection might be made agt. the constitution of this State, the executive & legislative powers are connected in the same manner by our constitution as they are said by Mr. G to be blended in the Rept. of the Convention—when the Govr objects to a Bill, it cannot become a law unless $\frac{2}{3}$ of both branches afterwards concur in enacting it, the same must be done by the Congress provided the president objects—but as experience has not proved that our Executive has an undue influence over the Legislature—we cannot think the objection well founded

[“]The judicial Department will be oppressive” a concise examination of the Report on this Subject may refute this unsupported Objection—The president with consent of the Senate will appoint the Judges—the Govr. with advice of Council appoints the Judges of this State—the Senate are in this instance in the nature of a Council to the President and if we have no reason to complain of the manner in wh. the Judges in this Commonwealth are appointed, from the great similarity in the two cases there seems to be no Ground of complaint agt. the manner of appointing the federal Judges—the Judicial Department is divided in to a supreme and inferior Courts—in a few enumerated instances the supreme Court have original & final Jurisdiction—in all the other cases which fall within the federal Judicial, the supreme court may or may not have appellate Jurisdiction as congress shall direct—for the appellate Jurisdiction of the supreme court is subject to such

exceptions and regulations as Congress may think proper to establish or in other words Congress may determine what Causes shall be finally tried in the inferior Courts, and in what causes appeals shall be allowed to the Supreme Court—But it may be said that in a trifling controversy between a Citizen of M. & NH. or between the US. & a Citizen of any individual State, or in any of the cases where the Supreme Court have not original Jurisdiction, that either of the parties may carry the case by appeal from the inferior Court before the supreme Court, and that the place of their Sessions may be at one extreme of the Union, and thereby the Department may become highly oppressive—The same Objection may be raised against the Judicial Department as established in our Constitution—Because the General Court may erect a supreme Court, Courts of common pleas, & Justices Courts, it may be objected, that in a small cause cognizable by a Justice of the peace of the County of Lincoln between an inhabitant of Cumberland and an inhabitant of Lincoln, or in an excise or impost Cause between an Inhabitant of Lincoln & the Commonwealth, that either of the parties may appeal from the Court of the Justice to the S.C. and that their Sessions may be fixed by the G. Court in Berkshire another extreme of the State, & thus the State Judicial may become oppressive—We again refute a remark made on a former occasion that as experience has not shewn this Oppression of the Judicial under the Constitution of this State, and as the General Court have from Time to Time made such laws as have prevented such oppression, we cannot but suppose that the Members of the federal Government will be actuated by motives equally pure, and that they will enact laws in like manner tending to the ease & happiness of the People

☞ Distinction *between the Power to make a law & the law* When made (It is proper on this Subject to observe, that there is a distinction between the power to make a law & the law itself—the report of the convention in this instance partakes of both in some instances it is a law, and in others merely an authority in pursuance of which Congress may enact Laws—)

Treaties of &c may be formed by the President wt. advice of $\frac{2}{3}$ of a Quorum of senate It is not improbable upon mature reflection that you will be of Opinion that the clause as it stands in the report is two 3d. of the senators present—the Senate have power over their own members and can compel their attendance—if the senators are all present, then no Treaty can be formed without the Consent of Nine States or Eighteen Senators, and of the President—Under the present Confedn. Treaties of the highest importance can be formed by the Delegates of Nine States without the concurrence of any other person. so that if the Senators attend the Duties of their Office, and they may

be compelled, instead of its being more easy as Mr. G. suggests to form Treaties it in Fact may be much more difficult than under the present Confederation, and in our Judgment the public Security will not only be increased, but the Objects of Treaties will far more probably be obtained by the powers of forming them being vested in the Prest. & $\frac{2}{3}$ of the present Senators, than by yr. [their] remaining as is provided in the present Confedn. The Report requires the joint consent of both branches of Congress together with ye. Concurrence of the Presidt. to declare war—this is preferable to vesting that power in the President & Senate—and as war is not to be desired and always a great calamity, by increasing the Checks, the measure will be difficult—but as peace is forever to be desired, and can be alone obtained by Treaty it seemed preferable to trust it with the President & Senate—

When the constitution vests in the Legislature “full power & authority to make and ordain all manner of wholesome & reasonable Orders, laws Statutes, ordinances, directions & instructions[”] as is the case with the Consn. of this State (Cap. 1, Ar. 1. Sect. 4.), a Declaration or Bill of Rights seems proper,² But when the powers vested are explicitly defined both as to quantity & the manner of their Exercise a Dec[larati]on or Bill of Rights is certainly unnecessary & improper—

1. MS, King Papers, NHi. This undated document, in King’s handwriting, was probably prepared by Constitutional Convention delegates King and Gorham in response to fellow delegate Elbridge Gerry’s letter of 18 October to the Massachusetts General Court giving his objections to the Constitution and explaining why he had not signed it. Gerry’s letter was read in the state Senate on 31 October, and this document was probably drafted on or after that date. For the text of Gerry’s letter, its publication, and commentaries upon it, see Elbridge Gerry to the General Court, 18 October (I above).

The King-Gorham point-by-point response was not published at the time, even though Federalists had encouraged them to answer Gerry. In the late nineteenth century it was printed in King, *King*, I, 303–8, where it was identified as “notes of a speech in the Convention of Massachusetts.” Charles R. King believed that Rufus King drafted this document in answer to Gerry who had been asked to attend the Massachusetts Convention to answer any questions of fact on the adoption of the Constitution. Max Farrand (who printed an excerpt) later concluded that, if the speech was given in the Massachusetts Convention, it was probably delivered on 24 January 1788. “But,” continued Farrand, “the various points that are taken up are those made by Gerry in his ‘Objections’ to the Constitution” (Farrand, III, 268, 268n).

2. See Thorpe, III, 1894.

Isaiah

Independent Chronicle, 1 November¹

The American Constitution.

Cool heads are clear, the star of wisdom don’t shine in a storm, therefore brethren of the United States, turn your backs upon all *fiery declaimers* for or against the Constitution.—Keep the sky of reason

clear, hold the scale of truth even, and give every argument its *weight*, and no more. Think much, hear much, read some, and talk but little; ask wisdom of GOD, and act as you think in your serious hours will be for his glory, and the happiness of this great nation. Then, "although our Israel should not prosper, you will be happy in your conscious rectitude," and glorious in the sight of the LORD.

1. This item was reprinted in the *Hampshire Chronicle*, 6 November, and *Worcester Magazine*, 8 November, and in six other newspapers by 20 December: N.H. (2), Conn. (1), N.Y. (2), Pa. (1). Two of these other newspapers failed to include the heading, "*The American Constitution.*"

**Henry Warren to Henry Van Schaack
Plymouth, 2 November (excerpts)¹**

. . . but the observations on S H² seem to be merged in the great topic of the day—the *Fæderal Constitution* engages the attention & conversation of all parties—you express your wishes that my Father may be in favour of its adoption—he does not oppose it—but no personal object whatever will ever lead him to swerve from any political system which he adopts—for however he may be mistaken in any of his opinions—he will act from the purest principles of patriotism & integrity.—you will pardon me for saying thus much—but there is a paragraph in your last that I do not fully understand—but I guess its meaning—

you will see by the public papers that a Convention is to be held in Jany—if they view the want of power energy & consistency in the present government on one side they will adopt the *Fæderal Constitution*—if, on the other hand their jealousy might lead them to suppose a dereliction of the extensive privileges & unshackled freedom of the people—a relinquishment of that power which is difficult to acquire & harder to resign, they will reject it—but power is necessary to be lodged somewhere for the government of a great people—& its resting in the body of that people for a long duration is in my opinion ideal—they must voluntar[il]y give it up—or it will be usurped—& as usurpation generally is connected with or leads to despotism—it would be the policy of a wise nation—& the best security to their happiness to delegate part of their power & privileges to preserve the remainder.—

I with you, dread the consequences of a rejection of the proposed system—but are we to dread nothing from its adoption? suppose for a moment, should Massa: Virga. Con: & N Hampshire reject will the other nine States dare attempt to enforce it.—but every person who wishes the peace & tranquillity of his Country will cordially wish it may be swallowed without opposition.—

Forgive me, my good Sir, for venturing thus far on the quicksands of politics, in which I may be ingulphed & will therefore be off immediately. . . .

You have so many friends in the Capital the seat of politics & news who will no doubt give you every information & every paper—that I who am so far distant from both will not attempt so great a gratification to myself—as affording a spark of amusement to a Gentleman I so highly respect.—

[P. S.] Be good enough to inform me if you expect to be at Convention or at Court if it sits in Jany—

1. RC, Henry Van Schaack Scrapbook, Newberry Library, Chicago. Henry Warren (1764–1828), the son of James and Mercy Warren, was a major and first aide-de-camp to General Benjamin Lincoln during Shays's Rebellion.

2. Perhaps a reference to Samuel Henshaw. See Henshaw to Henry Van Schaack, 18 October.

Examiner

Massachusetts Gazette, 2 November¹

MR. ALLEN, Having read with attention the remarks of a writer, in your last paper, upon the New Constitution, whose signature is "*Vox Populi*," I find his objections, like every other writer against the Constitution, are founded on *jealousy* and *distrust*. His particular objections lie against that article which empowers Congress to regulate *elections*, and supposes Congress may put the people to great expense and inconvenience.—But may we not, with equal reason, object to *every* power? Congress would not chuse to alarm the people by an *abuse of this kind*, if they meant to be rogues, as they might by other ways *enrich themselves*, without giving an immediate alarm. But who ever objected to the powers, given to Congress in the Confederation, because they might form what *treaties* they thought proper, and because it was *possible* they might take *bribes* of wealthy nations, and thereby make *themselves rich* at the expense of our nation? Here is a *temptation*; but in the other case I cannot conceive of any.

In short, all such jealousies are incompatible with *any* government; and if we cannot offer a better system, we shall certainly be a divided, miserable people—But glory and happiness await us if we are united.

1. "Examiner" replies to "*Vox Populi*," *Massachusetts Gazette*, 30 October. For the exchange between the two writers, see note 1 to "*Vox Populi*," *Massachusetts Gazette*, 30 October. For praise of "Examiner," see "Cassius" II, *Massachusetts Gazette*, 23 November.

Massachusetts Centinel, 3 November¹

The late Continental Convention have recommended the calling State Conventions for the *sole* purpose of *adopting* or *rejecting* in *toto*,

their plan of government—their idea was that *alterations* made by any *particular* State, if adopted by any *succeeding* Convention (for through that medium *alone* can any variations take place) they would *so far, locallize* the Constitution—In order to our being favoured with a *national* government, we must adopt the proceedings of some *national* assembly, and if we are to wait until every individual or indeed every State, is perfectly united in a plan, it is very improbable that we should ever unite in any system that can be devised.

To look forward to any *future* Continental Convention as a body who may agree upon a system of government for these United States, that would be *universally* acceptable, is placing the object in a circle where it will revolve to the point from whence it first set out.

1. The first paragraph only was reprinted in the *Salem Mercury*, 6 November.

Henry Jackson to Henry Knox
Boston, 5 November (excerpts)¹

my dear Harry

. . . Harry, you will observe in the inclosed Yesterdays News Paper a Letter from *Mr. E. Gerry* Address[e]d to the Legislature of this State.²—he has done more injury to this Country by that infamous Letter than he will be able to make atonement in his whole life & by this act he has *damn'd* himself in the Opinion of every liberal judicious & Federal Man in the Community—you have not an Idea what a turn this Letter has given to the Federal Constitution nor could have given it so severe a stab, what he is a[i]ming at, or what can be his views every one is at a loss to determine, for it is certain he was not under the least obligation or necessity to have addressed the Legislature on this head,³ besides which, he had given his Honor to Mr. K— that he shou[ld] not—*damn him—damn him*—every thing look'd well and had the most favorable appearance in this State, previous to this, and now I have my doubts—this measure will either *sink him* (where he ought to be) or place him at the head of a party in this Commonwealth who are in opposition to all good government—I cannot leave him without once more *damn'g him* [to?] the centre. . . .

Mr. Gorham & Mr. King are here. I gave your compliments to them & they send their love in return.—Mr. K— has not yet been to the eastward.⁴ he will continue until Mr. Gerry arrives, to counteract any impressions he may make on the members of the Legislature previous to their return home. this will be a matter of great conc[ern?] in the choice of the members for the Convention—Mr. Gorham & Mr. King stand high [in?] estimation of all good Men. . . .

1. RC, Chamberlain Collection, MB.
2. A reference to Elbridge Gerry's 18 October letter to the General Court giving his reasons for not signing the Constitution (I above). The letter was first printed in the *Massachusetts Centinel* on 3 November, and it was probably this copy that Jackson sent to Knox. No Boston newspaper printed the letter on the 4th (a Sunday), as Jackson's letter indicates. For more on Gerry's letter, see Jackson's 11 and 18 November letters to Knox.
3. See Elbridge Gerry to the General Court, 18 October, note 2 (I above).
4. Rufus King planned to visit Newburyport. King and his fellow Constitutional Convention delegate Nathaniel Gorham drafted a reply to Gerry's letter that was never published. For this draft, see "Rufus King and Nathaniel Gorham: Response to Elbridge Gerry's Objections," post-31 October.

John De Witt III

American Herald, 5 November

To the FREE CITIZENS of the COMMONWEALTH of MASSACHUSETTS.

CIVIL LIBERTY, in all countries, hath been promoted by a free discussion of publick measures, and the conduct of publick men. The FREEDOM OF THE PRESS hath, in consequence thereof, been esteemed one of its safe guards. That freedom gives the right, at all times, to every citizen to lay his sentiments, in a decent manner, before the people. If he will take that trouble upon himself, whether they are in point or not, his countrymen are obliged to him for so doing; for, at least, they lead to an examination of the subject upon which he writes.—If any possible situation makes it a duty, it is our present important one, for in the course of sixty or ninety days you are to approve of or reject the present proceedings of your Convention, which, if established, will certainly effect, in a greater or less degree, during the remainder of your lives, those privileges which you esteem dear to you, and not improbably those of your children for succeeding ages. Now therefore is unquestionably the proper time to examine it, and see if it really is what, upon paper, it appears to be. If with your eyes open, you deliberately accept it, however different it may prove in practice from what it appears in theory, you will have nobody to blame but yourselves; and what is infinitely worse, as I have before endeavoured to observe to you, you will be wholly without a remedy. It has many zealous advocates, and they have attempted, at least as far as their modesty would permit, to monopolize our gazettes, with their encomiums upon it. With the people they have to manage, I would hint to them, their zeal is not their best weapon, and exertions of such a kind, artful attempts to seize the moment, do seldom tend either to elucidate and explain principles, or ensure success. Such conduct ought to be an additional stimulous for those persons who are not its professed admirers, to speak their sentiments with freedom however unpopular.—

Such conduct ought to inspire caution, for as a man is invariably known by his company, so is the tendency of principles known by their advocates—Nay, it ought to lead you to enquire who are its advocates? Whether ambitious men throughout America, waiting with impatience to make it a stepping stone to posts of honour and emolument, are not of this class? Whether men who openly profess to be tired of republican governments, and sick to the heart of republican measures; who daily ridicule a government of choice, and pray ardently for one of force, are not of the same class? And, whether there are not men among us, who disapprove of it only because it is not an absolute monarchy, but who, upon the whole, are among its advocates?—In such examinations as these, you cannot mispend a proportion of the sixty days.

All contracts are to be construed according to the meaning of the parties at the time of making them. By which is meant, that mutual communications shall take place, and each shall explain to the other their ideas of the contract before them.—If any unfair practices are made use of, if its real tendency is concealed by either party, or any advantage taken in the execution of it, it is in itself fraudulent and may be avoided. There is no difference in the constitution of government—Consent it is allowed is the spring—The form is the mode in which the people choose to direct their affairs, and the magistrates are but trustees to put that mode in force.—It will not be denied, that this people, of any under Heaven, have a right of living under a government of their own choosing.—That government, originally consented to, which is in practice, what it purports to be in theory, is a government of choice; on the contrary, that which is essentially different in practice, from its appearance in theory, however it may be in letter a government of choice, it never can be so in spirit. Of this latter kind appear to me to be the proceedings of the *Fœderal Convention*—They are presented as a *Frame of Government* purely Republican, and perfectly consistent with the individual governments in the Union. It is declared to be constructed for national purposes only, and not calculated to interfere with domestic concerns. You are told, that the rights of the people are very amply secured, and when the wheels of it are put in motion, it will wear a milder aspect than its present one. Whereas the very contrary of all this doctrine appears to be true. Upon an attentive examination you can pronounce it nothing less, than a government which in a few years, will degenerate to a compleat Aristocracy, armed with powers unnecessary in any case to bestow, and which in its vortex swallows up every other Government upon the Continent. In short, my fellow-citizens, it can be said to be nothing less than a hasty stride to Universal

Empire in this Western World, flattering, very flattering to young ambitious minds, but fatal to the liberties of the people. The cord is strained to the very utmost.—There is every spice of the *SIC JUBEO*¹ possible in the composition. Your consent is requested, because it is essential to the introduction of it; after having received confirmation, your complaints may encrease the whistling of the wind, and they will be equally regarded.

It cannot be doubted at this day by any men of common sense, that there is a charm in politicks. That persons who enter reluctantly into office become habituated, grow fond of it, and are loath to resign it.—They feel themselves flattered and elevated, and are apt to forget their constituents, until the time returns that they again feel the want of them.—They uniformly exercise all the powers granted to them, and ninety-nine in a hundred are for grasping at more. It is this passionate thirst for power, which has produced different branches to exercise different departments and mutual checks upon those branches. The aristocratical hath ever been found to have the most influence, and the people in most countries have been particularly attentive in providing checks against it. Let us see if it is the case here.—A President, a Senate, and a House of Representatives are proposed. The Judicial Department is at present out of the question, being separated excepting in impeachments. The Legislative is divided between the People who are the Democratical, and the Senate who are the Aristocratical part, and the Executive between the same Senate and the President who represents the Monarchical Branch—In the construction of this System, their interests are put in opposite scales. If they are exactly balanced, the Government will remain perfect; if there is a prepondency, it will finally prevail. After the first four years, each Senator will hold his seat for the term of six years. This length of time will be amply sufficient of itself to remove any checks that he may have upon his independency, from the fear of a future election. He will consider that it is a serious portion of his life after the age of thirty; that places of honour and trust are not generally obtained unsolicited. The same means that placed him there may be again made use of; his influence and his abilities arising from his opportunities, will, during the whole term encrease these means; he will have a compleat negative upon all laws that shall be general, or that shall favor individuals, and a voice in the appointment of all officers in the United States.—Thus habituated to power, and living in the daily practice of granting favors and receiving solicitations, he may hold himself compleatly independent of the people, and at the same time ensure his election. If there remains even a risque, the blessed assistance of a little well-distributed money, will remove it.

With respect to the Executive, the Senate excepting in nomination, have a negative upon the President, and if we but a moment attend to their situation and to his, and to the power of persuasion over the human mind, especially when employed in behalf of friends and favorit[e]s, we cannot hesitate to say, that he will be infinitely less apt to disoblige them, than they to refuse him. It is far easier for twenty to gain over one, than one twenty; besides, in the one case, we can ascertain where the denial comes from, and the other we cannot. It is also highly improbable but some of the members, perhaps a major part, will hold their seats during their lives. We see it daily in our own Government, and we see it in every Government we are acquainted with, however many the cautions, and however frequent the elections.

These considerations, added to their share above mentioned in the Executive department must give them a decided superiority over the House of Representatives.—But that superiority is greatly enhanced, when we consider the difference of time for which they are chosen. They will have become adepts in the mystery of administration, while the House of Representatives may be composed perhaps two thirds of members, just entering into office, little used to the course of business, and totally unacquainted with the means made use of to accomplish it.—Very possible also in a country where they are total strangers.—But, my fellow-citizens, the important question here arises, who are this House of Representatives? “A representative Assembly, says the celebrated Mr. Adams, is the sense of the people, and the perfection of the portrait, consists in the likeness.”²—Can this Assembly be said to contain the sense of the people?—Do they resemble the people in any one single feature?—Do you represent your wants, your grievances, your wishes, in person? If that is impracticable, have you a right to send one of your townsmen for that purpose?—Have you a right to send one from your county? Have you a right to send more than one for every thirty thousand of you? Can he be presumed knowing to your different, peculiar situations—your abilities to pay publick taxes, when they ought to be abated, and when increased? Or is there any possibility of giving him information? All these questions must be answered in the negative. But how are these men to be chosen? Is there any other way than by dividing the State into districts? May not you as well at once invest your annual Assemblies with the power of choosing them—where is the essential difference? The nature of the thing will admit of none. Nay, you give them the power to prescribe the mode. They may invest it in themselves.—If you choose them yourselves, you must take them upon credit, and elect those persons you know only by common fame. Even this privilege is denied you annually, through fear that you

might withhold the shadow of controul over them. In this view of the System, let me sincerely ask you, where is the people in this House of Representatives?—Where is the boasted popular part of this much admired System?—Are they not couzin germans³ in every sense to the Senate? May they not with propriety be termed an Assistant Aristocratic Branch, who will be infinitely more inclined to co-operate and compromise with each other, than to be the careful guardians of the rights of their constituents? Who is there among you would not start at being told, that instead of your present House of Representatives, consisting of members chosen from every town, your future Houses were to consist of but ten in number, and these to be chosen by districts?—What man among you would betray his country and approve of it? And yet how infinitely preferable to the plan proposed?—In the one case the elections would be annual, the persons elected would reside in the center of you, their interests would be yours, they would be subject to your immediate controul, and nobody to consult in their deliberations—But in the other, they are chosen for double the time, during which, however well disposed, they become strangers to the very people choosing them, they reside at a distance from you, you have no controul over them, you cannot observe their conduct, and they have to consult and finally be guided by twelve other States, whose interests are, in all material points, directly opposed to yours. Let me again ask you, What citizen is there in the Commonwealth of Massachusetts, that would deliberately consent laying aside the mode proposed, that the several Senates of the several States, should be the popular Branch, and together, form one National House of Representatives?—And yet one moment's attention will evince to you, that this blessed proposed Representation of the People, this apparent faithful Mirror, this striking Likeness, is to be still further refined, and more Aristocratical four times told.—Where now is the exact ballance which has been so diligently attended to? Where lies the security of the people? What assurances have they that either their taxes will not be exacted but in the greatest emergencies, and then sparingly, or that standing armies will be raised and supported for the very plausible purpose only of cantoning them upon their frontiers? There is but one answer to these questions.—They have none. Nor was it intended by the makers they should have, for meaning to make a different use of the latter, they never will be at a loss for ways and means to expend the former. They do not design to beg a second time. Knowing the danger of frequent applications to the people, they ask for the whole at once, and are now by their conduct, teasing and absolutely haunting of you into a compliance.—If you choose all these things should take place, by all means

gratify them. Go, and establish this Government, which is unanimously confessed imperfect, yet incapable of alteration. Intrust it to men, subject to the same unbounded passions and infirmities as yourselves, possessed with an insatiable thirst for power, and many of them, carrying in them vices, tho' tinsel'd and concealed, yet, in themselves, not less dangerous than those more naked and exposed. But in the mean time, add an additional weight to the stone that now covers the remains of the Great WARREN and MONTGOMERY;⁴ prepare an apology for the blood and treasure, profusely spent to obtain those rights which you now so tamely part with. Conceal yourselves from the ridicule of your enemies, and bring your New-England spirits to a level with the contempt of mankind. Henceforth you may sit yourselves down with propriety, and say, Blessed are they that never expect, for they shall not be disappointed.

1. "*Hoc volo, sic iubeo, sit pro ratione voluntas.*" "I wish it, I command it. Let my will take the place of reason" (Juvenal, *Satires*, VI, line 223).

2. See the preface to the first volume of Adams's *Defence of the Constitutions*, page iv. The passage reads: "The end to be aimed at, in the formation of a representative assembly, seems to be the sense of the people, the public voice: the perfection of the portrait consists in its likeness." In addition to the fact that the first volume of the *Defence* was distributed and sold in Boston, the entire preface was printed in the *Massachusetts Gazette* on 22, 26, and 29 June 1787. For more on the *Defence*, see CC:16.

3. I.e., first cousins.

4. General Joseph Warren, a Boston physician and Revolutionary patriot, who was killed at the Battle of Bunker Hill on 17 June 1775. Before the war, he was an active writer and orator in the resistance to British imperial policy; he delivered orations commemorating of the "Boston Massacre" in 1772 and 1775. Richard Montgomery was a former British army officer who, before the Revolution, had married a daughter of Robert R. Livingston of New York. In 1775 he was made a brigadier general in the Continental Army and that year he took part in the invasion of Canada. His forces took Montreal, but he was killed on 31 December 1775 in the disastrous American defeat at Quebec.

A Federalist

Boston Gazette, 5 November¹

Messieurs EDES, The REASONS of the Hon. Mr. GERRY for dissenting from so very *large* and *respectable* a MAJORITY of the late Continental Convention have at last reached the publick eye;² and now let every unprejudiced patriotick mind candidly determine—Whether it is possible to conceive that THIRTY-NINE Members out of FORTY-TWO, which was the whole number the Convention consisted of, would have affixed their signatures to a Constitution by which themselves and posterity were to be governed in all generations, so *essentially defective* as this gentleman's letter suggests²—No, it cannot be; and I trust the good sense of the people of this *Commonwealth* will induce them to give the

above idea its full weight and importance, for it is as true as it is ancient, that "in a *multitude* of counsellors there is safety"—and to suffer ourselves to be influenced upon this momentous subject by the opinion of an *individual*, in opposition to so LARGE A MAJORITY of *enlightened, distinguished and decided* PATRIOTS, will be sacrificing the Rights of the people, by adopting the wishes of perhaps an *interested minority* instead of the determination of those whose opinion ought upon every *republican* principle to predominate, viz. the MAJORITY.

As justice to themselves, and a decent regard to the public opinion, seem to require that the hon. Members of the Convention from this State, who not only assented to, but signed the American Constitution, should publish their reasons for so doing: it is expected that we shall shortly be favoured with such a communication—which will doubtless afford much satisfaction and information to the public.³

1. Reprints by 22 November (7): R.I. (2), Conn. (2), N.Y. (1), Pa. (2). For a similar item, see "A Friend for Liberty," *Massachusetts Centinel*, 14 November; and for one that disagrees, see "Propriety," *Massachusetts Centinel*, 24 November.

2. For Elbridge Gerry's 18 October letter to the General Court, which was printed in the *Massachusetts Centinel* on 3 November, see I above, under 18 October.

3. Neither Nathaniel Gorham nor Rufus King, who signed the Constitution for Massachusetts, published his reasons for signing. For the draft of a point-by-point response to Gerry's objections by Gorham and King, see "Rufus King and Nathaniel Gorham: Response to Elbridge Gerry's Objections," post-31 October.

Vox Populi

Massachusetts Gazette, 6 November¹

A CARD.

Mr. *Vox Populi* presents his most respectful compliments to mr. *Examiner*, returns him thanks for the *attention* he has paid his piece on the Constitution—is obliged to him for the candour he has discovered on the occasion, but is under the disagreeable necessity of informing him, that he apprehends he has done nothing towards obviating the doubts and scruples with which his mind was agitated with regard to the *proposed* Constitution.

Mr. *Examiner* was wholly right when he asserts *Vox Populi's* objections to the Constitution were founded on *jealousy* and *distrust*; for all *doubts, scruples* or *objections* against any *form* of government *whatever*, MUST, in the nature of things, be founded in *jealousy* and *distrust*, and NOTHING else.

Mr. *Examiner* doubtless imagined, that the introducing the reprobated words, *jealousy* and *distrust*, would be fully sufficient to *silence* all *Vox Populi's* doubts, but he will be convinced to the *contrary* when he

considers that *jealousy* and *distrust* are by no means so heinous things as some may imagine, for all governments in existence (how ever great *blessings* they are) *originated entirely* from *jealousy* and *distrust*, as did also all *deeds, bonds, receipts, notes, &c. &c. &c.*

And all *mr. Examiner* has said on this subject, will apply with equal force against all the governments established in the world, and even against the *jealous* and *distrustful* practice of taking *deeds, bonds, notes, &c.*

Mr. Examiner proceeds rather to ridicule *Vox Populi's* scruples with regard to the proposed Constitution, by giving an instance where more *danger* lay, than in the article objected to by *Vox Populi*: but can he imagine *that* can be any reason why the constitution should be adopted?

Vox Populi had other objections against the Constitution, but he thought it was best to lay *one* before the publick at first, and see how that would be obviated, and when he considers *mr. Examiner's* *abilities* as well as his inclination, he concludes it is not in his power (and consequently not in the power of any other) to do it.

Had *Mr. Examiner* obviated *Vox Populi's* objections against the afore-said article, he would have proceeded to have asked *Mr. Examiner's* opinion with regard to the propriety or impropriety of nine states establishing a government on the *ruins* of the articles of confederation, which were made in Congress, and after nearly three years examination, were ratified and confirmed by every state; in which it is stipulated and agreed by each state with the whole, and by the whole with each state, that said 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 alteration be agreed to in a CONGRESS of the United States, and be afterwards confirmed by the legislature of every state.*"² He would have asked *Mr. Examiner*, whether it is possible for any number of states *less* than the whole contracting number, to make any, the least alteration in said federal system, without being involved in the guilt of an open and avowed violation of a sacred federal constitution, *a total want of publick faith and destitution of national honour?* Whether a government founded expressly on the principles and idea of unanimity, *can* be dissolved or materially altered by any number of the contracting parties short of the whole? And whether if any thing of that nature is carried into effect by any of the contracting parties, it can be considered in any other point of light than that of a revolt (not to say *rebellion*) against the national Constitution?

Monday morning.

N. B. Is it not possible that the proposed Constitution may be adopted as a system of federal government according to the proposals of the Convention, and have only 706,359 people in favour of it, and 2,346,340 people against it, or in that proportion?

1. "Vox Populi" answers "Examiner," *Massachusetts Gazette*, 2 November. For the exchange between the two writers, see "Vox Populi," *Massachusetts Gazette*, 30 October, note 1.

2. Article XIII of the Articles of Confederation (CDR, 93).

Essex Journal, 7 November

Extract of a letter from a young gentleman at the Westward, to his friend in this town, dated Oct. 14, 1787.

"No, ***, I am yet a poor idle devil, without any regular occupation—But am I to be censured for that? Or shall I attribute it to our skim-milk G——t? O ***, I could thunder out a thousand execrations against—Whom? No less than our G——s, those *kind protectors* of our *lives* and *properties*. But these are treasonable speeches, and, upon a second thought, they remind me of the danger to which I am exposed—a *Pardon* from his Excellency!

—"I now put my trust in higher powers—In the President-General and Grand Congress of the United States. Here I place my present hopes: Should they disappoint me, I shall despair of ever enjoying the protection of good government in this quarter of the globe.

"You will perceive that I am very unfriendly to G——t; perhaps too much so—But possibly I feel more immediately injured than you & many others do. You will better conceive of my feelings when I tell you that to Government, or rather to the want of Government, I impute it in a great measure, that from a patrimony of two thousand, I cannot realize enough to furnish a little country store."—

A Dialogue Between Mr. Z and Mr. & Massachusetts Centinel, 7 November¹

Mr. Z. Well met—come let us retire a few steps, perhaps we may be observed, and as I want to resume the subject we were upon the other evening, we cannot be too private—you know we then determined that JEALOUSY was the main string to touch, in order to effect the overthrow of the new Constitution?

Mr. &. Yes, and it seems we were fortunate in our idea—Observe the *antifederal* publications through the States, they abound in *surmises* and *prophesies*; the passion of jealousy appears to be their main object—with few, or no arguments, these writers wander in the fields of conjecture,

which is boundless, and winking out of sight the solid and permanent advantages which *they know* the people will derive from an adoption of this Constitution, they endeavour to haunt their imaginations with baseless probabilities, which may as well be drawn from any system of government *already established*, as from that proposed to the United States:—But, as the speculations of these people proceed from motives similar to our own, and as there are but comparatively a small proportion of mankind who penetrate beneath the surface of things, if the passions, humours and prejudices of the multitude can be interested to oppose any system, how far soever it may have truth for its basis, it will not succeed.

Mr. Z. There are however many obstacles we have to encounter in prosecuting our plan. It is too evident that this American Constitution has a very powerful and respectable body through the States to support it—The most active and zealous promoters of the revolution, whether in a civil or military line—the great body of the clergy—the independent body of yeomanry—farmers, who are unembarrassed in their circumstances, and have any thing to lose—the whole body of industrious mechanicks—the mercantile and trading interests—in short every man who supposes that the present unsettled state of affairs is owing to the want of government:—Besides these, we have to encounter your men of fortune, and professional men in every line, and those of every rank who are your people of sentiment, and are seriously affected, as they phrase it, with the fatal consequences of rejecting the proposed plan of Continental Government:—From such a combined force we have much to fear—and all our arts must be tried to render abortive their exertions.

Mr. &. True—but after all we need not despair—there is a goodly number who are embarked in the same bottom with us—we may reckon among these—all those who secretly rejoice at our present abject and distressed situation—the secret and inveterate enemies of the late revolution—of these, there are many who hope to see us reunited to Britain, and who know that the most direct method to effect the overthrow of Independency, and bring us back to the British Government, would be to cause a rejection of the new Constitution, as anarchy, confusion and bloodshed would ensue; and then a tyranny would be prefer[r]ed to no Government—add to these your *time-servers* and *popularity-seekers*, who appear to lay *perdue* at present—but if the current should set *against* the system, will undoubtedly go with the stream—there are likewise a goodly number of *paper-money gentry*, *bankrupts*, *land-jobbers*, *state-leeches*, *system-mongers*, *state-tinkers*, *idlers*, and *busy-bodies*—These may be grouped together, and safely reckoned on our side—for

it is evident that an efficient government will render the States impregnable to all the secret and open attempts of *Britain*, and her emissaries—that *honesty* and *abilities* will recommend to offices of trust and importance, to the confusion of all *cunning politicians*; that industry and œconomy will be the only road to fortune, and paper-money jockeys must then go to work—in short I might go over the whole body separate and collective of those who are inimical to the new system, and point out their well-grounded fears, which harrow up their souls, should an efficient government be established, and truth, justice and publick faith again raise their heads through this otherwise devoted continent.—But you must be sensible by this time that this favourite plan must go through a fiery trial before it can be established?

Mr. Z. A fiery trial, indeed! if my poor abilities can be of any service in its opposition—my situation is peculiarly adapted to sow the seeds of jealousy—intelligence from such a source will be received with avidity—and having once kindled a small spark of disaffection, inferiour agents may blow it to a flame—we have already a few hands at work—I am mortified the number is so small—we have but two or three antifederal writers, who move in a circle, and talk *about it*, and *about it*—they keep themselves snug, however, which is much in our favour, for if they were *known*, their views would be seen through, which would effectually ruin the cause they advocate.—However, if they do but persevere and keep themselves out of sight, we have much to expect from their labours?

Mr. &. They keep themselves secreted in general, it is true; but it was an unlucky business the publication of a certain letter with the name at full length²—it may lead to an investigation of motives, that will not do our cause any good. I am really sorry for the accident—however, *labor omnia vincit*.³

1. For an earlier dialogue between “Mr. Z” and “Mr. &,” see *Massachusetts Centinel*, 31 October.

2. Probably a reference to Elbridge Gerry’s 18 October letter to the General Court, which was printed in the *Massachusetts Centinel* on 3 November. See I above, under 18 October.

3. “Labor conquers all things” (Latin).

Massachusetts Centinel, 7 November

APPLICATIONS.

To—the *INS* and *OUTS*.

Unite the roses *red* and *white* together,
Then from one kind and friendly stalk^(a)
They both shall flourish.

SHAKSP.¹

To—the NEW CONSTITUTION.

And trust me, when to gratify private appetite, it is once resolved to sacrifice an innocent creature, it is easy to pick up sticks enough, in any thicket where it has strayed, to make a fire to offer it up with.

STERNE.²

To—WHOM IT SUITS.

To do aught good, never will be our task
But ever to do ill, our sole intent.

MILT.³

To—some of the anti-federal WRITERS.

The Convention,

Did but teach the age to quit their clogs,
By the plain rules of ancient liberty—
When lo! a barbarous noise surrounded them,
Of owls—and cuckows—asses, apes, and dogs.

MILTON.⁴

(a) *The new Constitution.*

1. These lines have not been located in any of William Shakespeare's writings. However, *Richard III*, Act V, scene 5, has these lines: "We will unite the white rose and the red./ Smile heaven upon this fair conjunction,/ That long have frown'd upon their enmity!/ What traitor hears me, and says not amen?" (lines 19–22). The reference is to the Wars of the Roses between the houses of York (the white rose was its badge) and Lancaster (the red rose was its badge) that wracked England between 1455 and 1485. Peace finally came with the defeat and death of Richard III and the accession of Henry Tudor as Henry VII.

2. Laurence 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, 32. This work was first published between 1759 and 1767.

3. John Milton, *Paradise Lost*, Book I, lines 159–60. *Paradise Lost* was first printed in 1667 and then in revised and enlarged form in 1674. In *Paradise Lost*, the last word was not "intent" but "delight."

4. John Milton, *Sonnet XII*, lines 1–4. This sonnet was possibly written in 1644. These lines were also quoted by John Adams at the end of his pamphlet, *Thoughts on Government* (Philadelphia, 1776) (Evans 14639).

"A. B."

Massachusetts Centinel, 7 November¹

MR. RUSSELL, *If you think the following just, you will be pleased to insert it, and oblige your friend,* A. B.

To the ANTIFEDERAL SCRIBBLERS.

Proceed, vile carpers, please the rout,
 Cull ev'ry human foible out,
 Amidst the copious store:
 Like flies that foul corruption love,
 Still from the sounder parts remove,
 And fix upon the sore.
 Behold! your friends around you wait:
 Pale Discord, Faction, Falshood, Hate,
 All ready at your call.
 Thus aided, whilst in *masque* you lie,
 Scorn *proof* and ev'ry power defy:
 Hell will not let you fall.

1. Reprinted: *New Hampshire Gazette*, 21 November; *State Gazette of South Carolina*, 6 December.

Observer**Independent Chronicle, 8 November**

Mess'rs. ADAMS and NOURSE, *Please to insert the following in your paper, if you think it worthy your notice.*

Would not the wisdom of a *Solon*, or of a *Lycurgus*, be lavished on this people in vain, should they, in tenderness to America, make us a visit, and with all their ancient simplicity, shew us our interest? Should we receive, with affectionate deference, the counsel of men, whose natural powers of mind were known to equal theirs, and whose helps in acquiring knowledge in political matters, were no less superior to theirs, than the present age is distant from that in which they lived? I cannot think we should!

Every one has long been convinced, that *something must be done*—that *Congress must have more power*—*trade must be under better regulations, &c.*—Something *has been done*, and what is the consequence? the same which every wise man expected, viz. many are displeased. Parties are awake and active; some whispering or trumpeting one thing, and some another. Many honest men, I believe, fear that the new Constitution will vest Congress with *too much* power: these no doubt are entitled to a hearing; and while honest, deserve no reproach for their sentiments. Others say, *openly*, that the form of Federal Government, proposed to the several Legislatures, is *too popular*. I do not think this opinion just,—but would candidly hear every argument that can be offered for its support. Another class of men, who wish for a monarchical, or a more

severe government, than will result from the proposed plan, are propagating sneers, alarms, sarcasms, jealousies, and the Lord knows what, to prevent its ratification. Our new Constitution is able to bear all these without being much defaced. But the dishonesty of *these* men, affords painful exercise to that moderation which becomes every *American*, at this day. They have touched a very popular string: *They talk as they please*, where they think it safe to use freedom; but *abroad*, in little circles of the vulgar, they say, that "our *liberties* will expire on the day that ratifies this Constitution"—["]this is an altar on which the people are invited to sacrifice their privileges, as freemen, to supercilious tyrants," &c.—enjoining on each hearer *not to mention their names*, with their opinion of the Constitution; they are permitted to spread their *patriotic opinions*, but are desired to *suppress the names* of the persons who *gave* these opinions! Some men DO practice this, "of whom we might hope better things, and things which accompany" *honesty*! What unsufferable villainy! By playing upon this popular whistle, they mean to establish a more rigid form of government, than is now proposed; and their work will be *half* done at least, if they can get this rejected.

I blame no man for speaking his opinion freely: If he disapprove this Constitution, let him speak freely in his turn, nor shall his difference from me, in sentiment, sink him in my esteem. It is desirable to hear all that can be said on both sides of *any* question, half so interesting as this in view. Let all be heard in their place, with calmness and ingenuity; let every objection be fairly and candidly weighed,—and if on the whole, the scale turns against the Constitution (though as an individual, I do not look for another, so well drawn) yet, I will *peaceably* give it up. But, because I am very unwilling to do this, I wish it may be deliberately canvassed by every class of people; and am fully persuaded, that if this is done, there is no probability of its being rejected by Massachusetts, or indeed any State in the Union. It is indeed possible, that our *news-paper zealots*, who extol this performance above the reach of necessity of examination, may very much lessen the majority of the people in favour of it; but I cannot think there is much danger of *their* turning the scale against it: However, let ALL be heard, while they calmly talk this matter over; let no *hard names* be given to honest objectors; if they are ignorant, they will *need* no answer; if men of sense, they will deserve one; but if vicious, artful and designing men, who endeavour by popular insinuations, cuddling behind the curtain, to hoodwink the multitude, thereby to lead them more easily to despotick government,—most certainly we are obliged in fidelity to our country to *expose them*—*not* to conceal their names at *their request*,—but in plain

English, to say *whose* opinions we propagate, then would the *villainy* of this class be branded with deserved infamy.

Independent Chronicle, 8 November¹

It has been frequently remarked, observes a correspondent, that it seems to have been reserved to the people of this country, by their conduct and example, to decide the important question, whether societies of men are really capable or not, of establishing good government from reflection and choice, or whether they are forever destined to depend, for their political constitutions, on accident and force? If there be any truth in the remark, the crisis, at which we are arrived, may with propriety be regarded as the æra in which that decision is to be made; and a wrong election of the part we shall act, may, in this view, deserve to be considered as the general misfortune of mankind.

1. The paragraph printed here is a part of the first paragraph of *The Federalist* 1, New York *Independent Journal*, 27 October (CC:201). It was reprinted in the *New Hampshire Mercury*, 9 November; *Hampshire Gazette*, 14 November; *Pennsylvania Packet*, 20 November; *Pennsylvania Gazette*, 21 November; and Charleston *Columbian Herald*, 6 December.

Independent Chronicle, 8 November¹

We hear from Dorchester, that on Monday the 29th ult. the Militia of that town, and of Milton, turned out and formed a battalion, near Dr. Baker's, in said Dorchester, under the command of Lt. Col. Williams; where they were reviewed by Col. Badlam, who was introduced to the command, by Col. Sumner, after making a speech upon the subject of his resignation: Capt. Robinson's Company appeared compleat in uniform, and after performing their usual firings with the battalion, the whole moved off and marched to Milton, near General Warren's, with their proper guards, and again went through their firings and manœuvres, and made a very respectable appearance. When the troops were dismissed, the officers, accompanied by a number of respectable gentlemen, retired to Vose's-Hall, and after a genteel repast, the following toasts were drank, viz.

- 1st. The United States of America.
- 2d. The Congress.
- 3d. Our illustrious General Washington, and the other members of the Federal Convention.
- 4th. A speedy confirmation of the new Federal Government,—may it be as lasting as it is important.
- 5th. The present and former Governour, and Commonwealth of Massachusetts.

6th. Our glorious Ally the King of France.

7th. Our Ministers at foreign Courts, and foreign Ministers at the Courts of the United States.

8th. Navigation and Trade.

9th. American Manufactures, may their utility increase and pervade the world.

10th. The Arts and Sciences.

11th. Reformation to Insurgents.

12th. Our Virtuous Fair.

13th. The Militia of the United States, may they be a wall of fire to her enemies, and of safety to her friends.

1. Reprinted: Philadelphia *Independent Gazetteer*, 19 November; *Pennsylvania Packet*, 20 November. In the same issue, the *Chronicle* printed a description of a military parade in Charlestown at which "an elegant Standard" was presented to the artillery company. In presenting the standard, Samuel Swan, the deputy quartermaster-general for the Third Division (Middlesex County), said: "Therefore, Fellow Soldiers, I present you this Standard, in the name of the donors, as a token of our affection for your company; relying on your firmness to support and defend it, with that honour and dignity which becomes every true republican, influenced by the noble principles of the New Federal Constitution" (Mfm:Mass.).

Worcester Magazine, 8 November¹

The Federal Constitution is now the subject of conversation from Newhampshire to Georgia. In some places there are persons who appear to be *raving mad*, both for and against the plan. It is but reasonable to observe, that if ever there was occasion for a people to deliberate with calmness, on as important a measure, as ever did, or ever will come under their consideration, now is the time. The federal system ought to have a fair examination—it is a plan of government, not for *one* particular state, but for *all* the states—we therefore should not approve or disapprove of the measure, until we have given it a most thorough and impartial examination, and are enabled to judge how it will operate in other states as well as our own—this ought to induce us not to choose such men for a State Convention as are prejudiced either for, or against, the Federal Constitution:—For every sensible man must know, that, until the united wisdom of the state is obtained, which can be had only by the delegates from each town, we cannot so well determine whether to adopt or reject a measure which affects the continent at large. After the federal system has had an impartial examination in our State Convention, and it should then be thought to answer the great purposes of our Union, and happiness as a people, it is hoped it will be heartily adopted; if, on the contrary, it should be found inadequate to these great ends, it ought to be rejected.

We wish not to prejudice our readers either one way or the other by our publications—we wish them to judge for themselves—it will therefore be needless for us to republish the flighty rhapsodies for, and the ill natured anathemas against, the federal constitution, which have appeared in some newspapers. We mean to give them facts, and to extract from other periodical publications such observations only, as are made by gentlemen who are known to be fully acquainted with the subject—we think it our duty to lay before our readers Mr. Gerry's letter, addressed to the Hon. President of the Senate, and the Hon. Speaker of the House of Representatives of this Commonwealth, together with Mr. Wilson's address to the citizens of Philadelphia. These gentlemen were both members of the Federal Convention, Mr. Gerry from this State, and Mr. Wilson from Pennsylvania. Mr. Gerry appears to be opposed to the plan, and Mr. Wilson is in favour of it—they both candidly give their opinions, and the reasons on which their opinions are grounded;—as they heard every thing for and against the measure thoroughly canvassed in Convention, their opinions are of more consequence, and they appear to have taken up all that is essential for or against the Constitution, that has been noticed by other writers. Mr. Gerry's Letter, and Mr. Wilson's Address, will appear in our next.²

1. The first paragraph was reprinted in the *Cumberland Gazette*, 15 November; *Albany Gazette*, 29 November; and *New Hampshire Recorder*, 4 December.

2. On 15 November, as promised, the *Worcester Magazine* reprinted both documents. For Elbridge Gerry's 18 October letter, which first appeared in the *Massachusetts Centinel* on 3 November, see I above, under 18 October; and for James Wilson's 6 October speech, which was first printed in an extra issue of the *Pennsylvania Herald* on 9 October, see CC:134. See also "The Massachusetts Reprinting of James Wilson's Speech of 6 October Before a Philadelphia Public Meeting," 24 October–15 November (I above).

Cumberland Gazette, 9 November

A gentleman lately from the West-Indies informs, that many persons of property in those islands stand ready to embark for America so soon as a firm and efficient Federal Government shall be established. They have an idea that at present neither their lives or property would be safe among us.¹

*Extract of a letter from a gentleman of distinction at Boston,
to his friend at Biddeford.*

"You must strive hard to recommend the new Constitution. It is a compleat system of government. But I am fearful you will all misapprehend it. This is the case with many this way; notwithstanding it is so easily comprehended if properly attended to."

1. This paragraph was reprinted in the *Worcester Magazine*, 22 November; *New York Morning Post*, 1 December; and *Gazette of the State of Georgia*, 27 December.

Examiner

Massachusetts Gazette, 9 November¹

MR. ALLEN, As mr. *Vox Populi* has favoured me with a political *Card*, some reply may be expected. He informs his readers, that "all governments originate in *jealousy and distrust*." This is a *new idea*, for which he must have the credit, and if *just*, in order to produce a perfect government, the people of America have nothing to do but diffuse, by all possible ways and means, a spirit of universal *jealousy and distrust*, until all confidence in each other ceases, and *then* expect a national government.

This writer asserts, that no alteration can be made in the national government without the consent of *all* the states, *because* the confederation forbids it. If all the states had punctually adhered to the confederation ever since its existence, there would be propriety in applying to it on this occasion: but as it is well known that the states never have acted up to the spirit and principles of the confederation—that some have acted in opposition to it, and others wholly neglected to comply with the requisitions of Congress, founded upon the acknowledged principles of the confederation—at *this time* to plead this broken, neglected, and often violated system, to bar the adoption of a new and efficient government, appears to contradict every principle of common sense.

His last objection, that a small minority may choose the Congress, and thereby govern the majority, can have no weight in the scale of reasoning, as this cannot happen unless the majority neglect all attention to their duty, which would be defect in the people, not in the constitution.

As objections may be made without end, as well as without reason, and as *some* constitution must be adopted, it is justly expected that the *objectors*, should not only pull down, but also build up—shew us a constitution that is free from imperfections?—This favour I beg leave to request of *Vox Populi*—and we have a right to expect it from him, as he is "*the Voice of the People*."

1. "Examiner" answers "Vox Populi," *Massachusetts Gazette*, 6 November. For the exchange between the two writers, see "Vox Populi," *Massachusetts Gazette*, 30 October, note 1.

John Adams to Thomas Jefferson
London, 10 November (excerpt)¹

. . . I forwarded a few days ago, from Mr Gerry, a Copy as I suppose of the Result of Convention.²—It seems to be admirably calculated to preserve the Union, to increase affection, and to bring us all to the same mode of thinking. They have adopted the Idea of the Congress at Albany in 1754 of a President to nominate officers and a Council to Consent:³ but thank heaven they have adopted a third Branch, which that Congress did not. I think that Senates and assemblies should have nothing to do with executive Power. But still I hope the Constitution will be adopted, and amendments be made at a more convenient opportunity.

What think you of a Declaration of Rights? should not such a Thing have preceded the Model?⁴ . . .

1. RC, Jefferson Papers, DLC. Printed: Boyd, XII, 334–35. Jefferson received this letter on 26 November. Jefferson (1743–1826) was the American minister plenipotentiary to France.

2. Elbridge Gerry sent Adams the Constitution on 20 September (I above).

3. The Plan of Union of the Albany Congress (1754) states “That all Military Commission Officers Whether for Land or Sea Service, to Act under this General Constitution, shall be Nominated by the President General But the Approbation of the Grand Council, is to be Obtained before they receive their Commissions, And all Civil Officers are to be Nominated, by the Grand Council, and to receive the President General’s Approbation, before they Officiate . . .” (Leonard W. Labaree et al., eds., *The Papers of Benjamin Franklin* [New Haven, 1959–], V, 392).

4. On 12 February 1788 Adams wrote: “a Declaration of Rights I wish to see with all my Heart. . . . The Press, Conscience & Juries I wish better Secured” (to Cotton Tufts, Misc. Mss., John Adams folder, NHf).

Thomas a Kempis
Massachusetts Centinel, 10 November

Mr. RUSSELL, I don’t trouble the publick much with what I have to say—Therefore may be indulged in requesting some of your ingenious correspondents to inform me whether the lately published letter of the Hon. Mr. G. to the Legislature,¹ was *official* or *officious*. Yours, in haste,
 THOMAS A KEMPIS.

1. See Elbridge Gerry to the General Court, 18 October (I above).

Massachusetts Centinel, 10 November¹

Says a correspondent—

No *religious* test is ever to be required of any officer or servant of the United States. The people may employ *any wise and good citizen* in the

execution of the various duties of the government. In Italy, Spain and Portugal, *no protestant* can hold a publick trust. In England *every presbyterian, and other person not of their established church*, is incapable of holding an office. No such *impious* deprivation of the rights of men can take place under the new federal constitution. The convention has the honour of proposing *the first publick act*, by which any nation has ever *divested itself* of a power, every exercise of which is *a trespass on the Majesty of Heaven*.

The old federal constitution contained many of *the same things*, which from error or disingenuousness are urged against the new one. *Neither* of them have a bill of rights, *nor does either* notice the liberty of the press, because they are already provided for *by the state constitutions*; and relating only to *personal* rights, they could not be mentioned *in a contract among sovereign states*.

The people will remain, under the proposed constitution, *the fountain of power and publick honour*. The President, the Senate, and House of Representatives, will be *the channels* through which the stream will flow—but it will flow *from the people*, and from them *only*. *Every office*, religious, civil and military, will be either their *immediate gift*, or it will come *from them* through the hands of *their servants*. And this, will be firmly guaranteed to them under the state constitutions which they respectively approve; for *THEY cannot* be royal forms, *cannot* be aristocratical, but *must* be republican.

Nothing can be more plain to the eye of reason—or more true, than that the SAFETY of the people is amply provided for in the Federal Constitution, from the restraints imposed on the President—those imposed on the Senate—and from the nature of the House of Representatives—and that of the *security* for national safety and happiness, from every part of the Federal Government.

There is no spirit of arrogance in the New Federal Constitution. It addresses us with becoming modesty, admitting that it *may* contain errors. Let us, fellow citizens, give it a trial: and when *experience* has taught its mistakes, THE PEOPLE, WHOM IT PRESERVES ABSOLUTELY ALL-POWERFUL, can reform them.

1. Reprinted: *New Hampshire Recorder*, 27 November.

Massachusetts Centinel, 10 November¹

Every circumstance conspires to prove this great truth, that the consequence of the people's rejecting the federal Constitution, will be Anarchy in the extreme. If then, only the *possibility* of a transfer of some of our franchises, will be the effect of adopting it—can the enlightened

citizens of America hesitate one moment what course to pursue?—Can they wish an introduction of that baneful progeny of hell, anarchy and misrule—

From whose swell'd eyes there runs a briny flood;
Whose crimson faces gleam with clotted blood;
Around whose heads serpentine elf-locks play;
Whose tatter'd raiments rotten skins betray—
And brandish'd flames their trembling hands obey?

A correspondent asks, are the gentlemen who have withheld their assent from the Federal Constitution, superiour to Washington or Franklin, either in abilities or patriotism—men whose names, born on the wings of fame, are known throughout the world—and whose merit is universally acknowledged—Indeed the good and the great of every nation have been lavish in their panegyrics on their characters—a French philosopher, speaking of our illustrious Fabius, enraptured bids us to “*Begin with the infant in the cradle: Let the first word he lisps be WASHINGTON!*”² While the names of the dissenters scarce are heard without the limits of the respective States they belong to.—LET US THINK ON THIS.

1. The first paragraph was reprinted, in whole or in part, ten times by 24 December: N.H. (1), Conn. (1), N.Y. (3), N.J. (1), Pa. (3), Md. (1). The second paragraph was also reprinted ten times by 24 December: N.H. (1), Conn. (1), N.Y. (2), N.J. (2), Pa. (3), Md. (1). Except for the reprinting in the *New Hampshire Recorder*, 4 December, all of the reprints omitted the last two sentences of the second paragraph. Nine newspapers reprinted both paragraphs.

2. Quoted from a translation of the Comte de Mirabeau's *Reflections on the Observations on the Importance of the American Revolution . . .* (Philadelphia, 1786). 3. Mirabeau's passage was also an epigram on the title page of Noah Webster's *An American Selection of Lessons in Reading and Speaking* (Philadelphia, 1787).

Massachusetts Centinel, 10 November¹

A correspondent observes, that if a late member of the Federal Convention had possessed the gift of *prescience*, he would not have refused his assent to the Constitution agreed upon by that body, as in that case he would not have changed his property in the Continental funds for those upon the State establishment, and consequently suffered himself to be swayed by PRIVATE INTEREST.² How far his objections, under those circumstances, ought to influence the great body of the people, is left to them to judge; especially when many of his objections are founded upon false principles, and the others been thoroughly discussed by that

respectable body, and unanswerable reasons assigned for their admission in the state they are.

1. Reprinted: *New Haven Gazette*, 27 November.

2. Elbridge Gerry, a non-signer of the Constitution, was a large holder of both continental and state securities. The records of the Continental loan office in Massachusetts reveal that in the spring of 1786 he held \$27,720 in continental securities. The records of the Pennsylvania loan office for 1790 and 1791 show that he owned another \$5,200 in continental securities, making a total of \$32,920. The 1790 subscription register for the Massachusetts securities assumed by the federal government give Gerry holdings of about \$16,180. Gerry's principal biographer believes that these state securities were probably acquired after the adjournment of the Constitutional Convention and that they were primarily obtained from individuals (George Athan Billias, *Elbridge Gerry: Founding Father and Republican Statesman* [New York, 1976], 131–35).

Henry Jackson to Henry Knox Boston, 11 November (excerpt)¹

my dear Harry

. . . Mr. Gerrys Letter has done much *mischief* in this State as to the adoption of the proposed Federal Constitution—it has given great strength to the small, *very small* party that were in the opposition—he has gone for the *Vote*, as this measure will either *damn* him, or place him at the head of a *restless and uneasy* junto in the government—his friends and Circle in which he moved in this quarter, are exceedingly displeased with him, and with them he has lost all their confidence.—had he been under the necessity of writing the Letter, every allowance would have been made for him, which was not the case, as it appears to have originated in his officious brain—however *the System* stands firm & well as yet, and have no doubt but it will be finally adopted in this State—this is sentiments of all the leading and influential Men.—

We intend sending a good Representation from this Town to the State convention—Govr. Hancock, Govr. Bowdoin, & Gentlemen of that class and reputation—we shall also send the *Revd. Mr. Stillman*—he is a high Federal Man, & charmed with the proposed plan.—he being at the head of the *Baptists* in this State, and of great influence among them, it is thought policy to choose him one of the Delegates by which means we shall gain that whole *Sect* in favor of it. . . .

1. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York. Knox endorsed this letter as answered on 18 November. Jackson also wrote to Knox about Gerry's 18 October letter to the General Court on 5 and 18 November. See I above, for Gerry's letter.

Portius**American Herald, 12 November¹***To the PEOPLE of MASSACHUSETTS.*

The time is fast approaching, when you are to decide on the most important question that ever fell to the lot of humanity to determine upon.—TIME, which is on the wing, will speedily introduce the second Wednesday of January next, a day which will never be forgotten²—a day big with the fate of, perhaps the rights, properties and privileges of the citizens of this Commonwealth—a day, on the events of which, depends the *interest*, not only of each individual in this Commonwealth, but of their posterity to the latest generation.—And no doubt you will receive either the blessings or the curses of all your unborn posterity, according as you decide, either in favour or against the all important question then to be determined on.

Of what importance then is it, that you previously examine the matter fully; that you duly consider the propriety of the part you then propose to take? You will undoubtedly take the *advantages* which will accrue to you as a people, by the adoption of the proposed Constitution, and put them in *one* scale, and the *disadvantages* you will put in the *other*, and as the preponderation of either scale appears, your conduct will be according.

A subject of such vast magnitude should be taken up with all the cool, dispassionate deliberation the mind of man is capable of: Every thing therefore which has a tendency to raise the passions, or inflame the mind should studiously be avoided, both in our *mental* deliberations, and in our discourses *with*, and communications *to*, others; and wherever this is wanting, we run the greatest danger of forming a wrong determination within ourselves, as well as injuring those we have communication with, and we should do well to remember that it is ten to one if we make use of such means with others, but we shall injure that cause which we wish to support.

As a free member of a free community, I have offered the foregoing observations to my fellow-citizens, and I pray the candid attention of the public to the following observations on the proposed Constitution, and only wish they may be considered with the same candour with which they are offered.

I shall begin my observations with that which I conceive every Constitution should begin with, viz. a *Bill of Rights*; this we search for in vain in the proposed Fœderal System.

When the proposed System came first to my hands, I made diligent search for that article, but searched to no purpose; why it was omitted

was a question of too delicate a nature for me to determine. Since which I have been informed that it was omitted for *two reasons*, the first of which was, "The Congress could exercise no powers, but what were expressly delegated to them, in the Fœderal Constitution, which made a Bill of Rights wholly unnecessary."

However true this objection is, it will apply with equal force to any Constitution whatever; we will take for example the Constitution of this Commonwealth, where we shall find the powers by it vested in the General Court as particularly defined, as those with which Congress is proposed to be vested with, are in the Fœderal Constitution,—yet it was deemed *absolutely* necessary, that our State Constitution should be prefaced with an unalterable Bill of Rights; and I could wish that my fellow-citizens would consider, before they give their decisive determination, whether they have any kind of reason to view a Bill of Rights less necessary *now* than *seven years* ago.—The other reason which has been alledged why a Bill of Rights was *needless* in the Fœderal Constitution, is because "each State has a Bill of Rights of its own," which would be a sufficient safe-guard and protection to its liberties.

This at first blush appears to have a considerable degree of *plausibility* in it: But that plausibility, I think, will vanish if we attend seriously to the matter as precipitately as darkness from before the rays of the sun:—*The Bill of Rights* of this Commonwealth 'tis true is a mound insurmountable by their own legislature, but it is no *barricade* against the operations of a Fœderal Government.

Our Bill of Rights is a rule of conduct to no body but our own rulers and our own citizens, any more than the other parts of our Constitution, or the Acts of our Legislature are: How *insignificant* then is the last excuse for omitting a Bill of Rights in the Fœderal System of Government!

The good people are therefore only desired to consider this simple question, *Is a Bill of Rights necessary in a System of Government?*

Before we attempt to consider the articles of the proposed Constitution, it is needful that we consider one previous matter, which lies with peculiar weight on my mind, and which, if it is not obviated, can not fail of over-throwing the whole structure, and reduce it to the situation of a baseless fabrick of nocturnal reverees. It is this—Congress on the ninth day of July, A. D. 1778, entered into a Federal System of Government, contained in 13 articles of confederation; which articles were sent out to each State for their approbation or disallowance, after near three years deliberation, was approved and confirmed by every State, whereby it became a *complete* System of Federal Government, and

as sacredly inviolable as any System of Government *can be*, and as binding on each State as any human Institution, Contract, Agreement, or Ordinance which can be invented.³ In the last and concluding article it is mutually agreed upon that said *articles 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 a Congress of the United States, and be afterwards confirmed by the Legislature of every State.*⁴

Here the whole System of the United States are sacredly bound to adhere to the said articles of Confederation, until such time as they are altered in the manner aforesaid.—Here too each State individually are holden, sacredly holden to stand to, abide by, and defend said Continental System of Government until the same is altered by the joint consent and act of each State—Here we find too the Commonwealth of Massachusetts, by every tye of *good faith*, by every principle of *compact*, and by every *idea* of national honour, bound inviolably thereby, until Congress shall make alterations therein, and such alterations are *ipso facto* ratified by each and every State's Legislature.

Here is a System of Government as sacred as the nature of the thing will admit of, a National Compact, where each State stipulates with all the rest, and all the rest with each State, in the most solemn and unequivocal manner; and is it within the compass of human ideas to imagine that a System of Government so formed can be torn up by the roots, without the consent of the parties?—Will any say, that if the majority are in favour of such a measure, they may do it?—I answer no, by no means:—Where a Government is instituted upon the idea of a majority, there a majority have undoubtedly a right to make such an alteration as they think proper: But the case is widely different where a System of Government is formed on ideas of unanimity, and where it is expressly stipulated, that it shall receive no alterations but such as are unanimously agreed to. It is a maxim in law, founded on the eternal principles of reason and the fitness of things,—“That no act shall be revoked but with the same solemnity with which it was first enacted.” If that is the case, how can Nine States dissolve a System of Government, which Thirteen had instituted, and which the whole Thirteen pledged their faith to each other should not receive any alterations without the consent and approbation of the whole Thirteen?—This I must imagine will be found a question by no means of easy solution. The Commonwealth of Massachusetts have pledged their sacred honour to stand by and adhere to said Articles of Confederation until they are mutually altered by the joint consent of the Legislature of each

State. Keeping the last idea in view, let me propose the following interrogatory,—How can this Commonwealth give their approbation to a System of Government which impowers Nine States to erase the whole of that article from the Confederation?—Or, in another point of view, what right has this State either at their own instance, or at the recommendation of any body of men whatever, to break through the established Constitution of the United States, and openly set at defiance that System of Federal Government, for the support of which, they had pledged their most solemn engagements and sacred honour?

Supposing Nine States should ratify and confirm the proposed Federal Government, and Four States should reject the same, Would not those Four States, still adhering to the Articles of Confederation, have an undoubted right, both in the sight of GOD and man, to accuse the Nine approving States with the most unequivocal breach of public faith, point-blank *national infidelity*, and I will add, of open REBELLION against the *National Constitution*?—And what confidence could *they*, or any foreign power ever place in those Nine States, thus confederated into a Government, the very *basis* of which is laid in the violation of public faith, and whose existence, as a State, sprang out of a revolt from their own established Government.

These are considerations which I offer to the publick, for their serious, calm, deliberate and dispassionate consideration, previous to considering the Articles of the Constitution, now proposed for their approbation; and that they may be assisted in every stage of their deliberations by HIM whose knowledge is infinite, and led to adopt such measures as he shall own and be pleased to bless, is the earnest and unfeigned prayer of PORTIUS.

Boston, Nov. 3d.

1. Reprinted: Providence *United States Chronicle*, 29 November. The *Chronicle* reprinting was prefaced with this statement by "A Friend to the Confederation": "I have read the Pieces in your last, under the signature of *PUBLIUS*; and altho' I do not agree with him in Opinion concerning the new Constitution, yet I cannot help being pleased with the candid Manner in which he has treated the Subject:—It is the only Way we can come at the Truth—the Ravings of intemperate Zeal will answer no good Purpose, and therefore I wish not to see them published. The following Piece from a late Boston Paper, as it appears to be written without Party Heat, claims a Place in your useful Chronicle,—your inserting it will oblige at least one of your Readers."

2. The second Wednesday in January 1788 was the ninth, the day the state Convention was scheduled to convene.

3. On 9 July 1778 Congress received the engrossed Articles of Confederation. After filling the blanks in the last sentence with the date "ninth" day of "July," delegates from eight of the ten ratifying states signed the document. (Delegates from the two other

ratifying states signed by 24 July.) The new constitution was not considered fully adopted until Maryland became the final state to ratify on 1 March 1781.

4. For Article XIII, see CDR, 93.

Union

Boston Gazette, 12 November

Messieurs EDES,

'Twas Union sav'd us in the trying Hour.

The American Constitution proposed by the late Convention, is an Object that arrests the Attention of the Citizens throughout the United States.—All Ranks are *United* in Sentiment, that an *efficient Federal Government* is necessary—that we at present do not enjoy the Blessings of Independence—that the Confederation is inadequate to the Purposes of the Union—that from its Imbecility have originated those local Prejudices, distinct and clashing Interests, State Politicks, and Domestick Feuds and Animosities, which have greatly abated the UNION of the States, and will eventually Annihilate it, if a better System is not speedily adopted.—The *New Constitution* is very justly the universal Topick; and a more momentous Subject cannot possibly employ our Thoughts.—It is not a *temporary* Business, that requires little or no Attention; it is not the concern of a *City*, a *County*, or a *State*; but the *Freedom, Independence* and *Safety* of the Millions that *now* inhabit, and that will hereafter people this immense Continent, are involved in the issue of our Determination upon this GREAT OCCASION.—Shall we not then be Serious, Attentive and Patient? Shall we not then *Unite* as a Band of Brothers,¹ and take up this Subject with all that Solitude its importance Demands? America has been the theatre for a Display of the Sublime Virtues of Patriotism, Courage and Magnanimity, upon a Scale that the World hath never known. Our UNION has wrought Wonders; it rendered us invincible in the most trying Conflicts, and under the Smiles of Heaven, brought our Enemies to our own Terms, and gave us Independence. This godlike Principle must *now* predominate, that we may enjoy the Blessings which Independence has in reserve. We have penetrated through the Clouds that enveloped our Prospect;—the Day dawns, the Shadows retire, and firm and efficient Federal Government will throw a Glory round this Western Hemisphere, that shall shine with encreasing Lustre till the Conflagration of all Things. These Anticipations can only be realized on the Principle of UNION; this *will lead* to a cordial adoption of the proposed Constitution. Let us therefore, one and all, join Heart and Hand, in Disseminating mutual Harmony and Good Humour—let us hear with patience the Objections that are

candidly offered—let Allowance be made for Prejudices and Weaknesses, let the Friends to the Plan exert themselves to enlighten the Ignorant, confirm the Wavering in just Sentiments, and to obviate the Fears of the Timorous.—Let them at the same Time 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 when found to be sinister, partial, local and selfish, let them be exposed.—Let this be done with Temper and Moderation, but with Firmness.—Upon the Basis of *Truth* and *Right Reason* let us Erect the Pillars of UNION. The American Constitution will be found upon a fair Discussion, the only Centre of Harmony and Publick Happiness; its excellency daily appreciates; its latent Beauties expand the more it is exposed, and its *adequacy* to the exigencies of the *Union* is more and more apparently displayed. Upon a rejection then of this noble Fabrick we may say, “Sweet Hope farewell”—for as to our future Prospect, “*Shadows, Clouds and Darkness* rest upon it.”

1. William Shakespeare, *King Henry V*, Act IV, scene III, lines 60–62. “We few, we happy few, we band of brothers;/For he to-day that sheds his blood with me/Shall be my brother. . . .”

Boston Gazette, 12 November¹

A correspondent observes—Among the objections that have been raised against the proposed Federal Constitution, one is, that existing treaties with foreign powers, will be so far affected by it, that advantages may be taken by those powers, in as much as the organization of *that confederation* with which they contracted will be dissolved. But it may be observed in answer—that the FIRM of the Union will be the same that it formerly was; and that the alteration will be altogether in favour of the contracting parties,—on the part of the United States, in the powers to fulfil and defend, the stipulations being greatly enlarged; and with respect to foreign states, their security and dependence are increased, in proportion to the efficiency of the National Government. In addition to all this, all Treaties now formed are ratified, and made the supreme law of the land, by the New Constitution.

It may be clearly discerned from the general complexion of the New Constitution, that the Convention who framed it, were influenced by the purest republican principles, and appear to have been solicitous to render it as popular as was consistent with the existence of government.

It was reserved for us, in the annals of fate, to open an ASYLUM for the oppressed in every quarter of the Globe; but it remains to complete the noble work, by establishing a government which shall *secure* the

blessings of liberty to ourselves, our posterity, and the emigrant, from tyranny who may fly to these hospitable shores.—Heaven, to all its other favours, now presents the golden opportunity—“A greater gift not God himself can give.”

A form of government for these UNITED STATES, less energetick than that now proposed, would, in all probability, be totally deficient in its most essential requisites; for the boundary line between an *efficient system* and one that would be more popular, though extremely narrow, would be a state of weakness and indecision, or perpetual fluctuation; and to exceed *that line* by relaxing to a more democratical form, would preclude us from the visible effects of any *continental regulations* as at present and expose the UNION to a dissolution, or what is worse, anarchy and confusion.

1. Reprinted in full in the *Pennsylvania Packet* on 27 November and in two installments in the *Pennsylvania Journal* on 24 and 28 November. The first two paragraphs were reprinted in the *Trenton Mercury*, 4 December, and the second and third paragraphs were reprinted in the *Connecticut Gazette*, 16 November, and the Middletown, Conn., *Middlesex Gazette*, 19 November.

Vox Populi

Massachusetts Gazette, 13 November¹

MR. ALLEN, In your paper of this day, I find a piece signed *Examiner*, in which the writer makes a number of remarks on a *Card* which I did myself the honour to hand him, through the medium of your paper, of last Tuesday.²

How far his observations falls short of obviating the difficulties proposed in [the] *Card*, is *cheerfully* submitted to the good sense of your readers, rather than undertake to be judge in that matter myself; but he will doubtless excuse me in making a few observations on his production, and lay them before the candid publick.

He is pleased to call government's originating from^(a) *jealousy and distrust*, “A NEW IDEA;” but I shall challenge mr. Examiner to point out any other principle which could induce a *rational* person to make himself subject to civil government. If I was not *jealous* that some person would injure me in some way, what could I have to induce me to give up my *natural* liberty, and part with part of my natural rights? If I did not *distrust* the rectitude of my fellow-creatures' future conduct towards me, what advantage could I ever expect to reap from a system of jurisprudence? Are not all the advantages which a person can expect to derive from entering into a state of civil government (or at least all he ought to expect) of a negative nature? Are they not all comprehended

in this one general idea, a *prevention of injuries from others*?—I think it is perfectly consistent with the most *finished* diffidence to answer in the affirmative. If that is the case, what kind of necessity, or even propriety, could there be in any person's making himself a subject of a civil government if he was not *jealous* somebody would injure him?

I next find him informing the world that I *assert*, "that no alteration can be made in the national government without the consent of all the states, because the confederation forbids it." Out of regard to the gentleman's nerves I shall forbear asking the Examiner to *quote* the passage, and shall content myself with proposing for his consideration this simple question—Is there no specifick difference between a *quere* and an assertion?

Mr. Examiner then proceeds to evince the contrary, and his argument therefor is full as *new* as my idea of the origination of government was. It is needless to inform the publick, that, because the continental constitution has in some instances not been adhered to, therefore it ceases to be a crime to violate it—and implicitly charges all such as do not agree with him in this *logical* conclusion, with a desitition of *common sense*. If it would not be disagreeable to the *Examiner's* feelings I would just mention, that this ratiocination of his, puts me in mind of a certain clergyman who in company (by way of joke) asked an *Indian woman*, who was present bottoming chairs—"How many commandments are there?" "NINE," answered the old squaw. "Not but *nine!*" said the minister. "No, (rejoined the old native) *there was ten, but you and me broke one to pieces 'tother night, you know, so there is but nine left.*"

In order to set this matter in a just point of light, I will bring an instance, which will forcibly apply in this case. There is in this commonwealth a statute law against *murder*—Suppose that A. should, with *malice prepense*, kill B.—is taken up for the crime—is committed to prison—is indicted by the grand inquest—is brought to the bar—the jury impanelled—the indictment is read—the attorney-general arranges the evidence, which is *plene* proof—opens the matter to the jury—adduces the law—and sits down—The counsel for the prisoner arises—"May it please your honours, and you, gentlemen of the jury—I am for the prisoner at the bar, &c.—the fact of killing I do not deny, neither do I wish to conceal that it was done with *malice prepense*, but my ground of defence is very different—the law on which the indictment is founded, is obsolete, null and void; for it has been violated and broken more than one hundred times since it was enacted, and there remains no force or validity in it." The figure which such a pleader would make at the bar, mr. Examiner, *de facto*, makes on the political and logical theatre!

By the time *mr. Examiner* had got thro' the whole concatenation of his stupendous reasoning, his *mental* powers, by some means, forgot to execute their proper functions, so far as totally to mistake, not only my *ideas*, but my *words*, also; for he tells the publick, that my "*last objection, that a small majority may choose the Congress,*" &c. whereas there was not a syllable about choosing Congress in the whole *card*; 'tis true I proposed this quere to his consideration. "*Is it not possible that the proposed constitution may be adopted as a system of federal government, according to the proposals of the convention, and have only 706,359 people in favour of it, and 2,346,340 against it, or in that proportion?["]*" and I will now add, *and have every person's voice in the United States taken upon the matter?* I proposed this question to set in a proper point of view the mode proposed by the convention for the acceptance of the constitution. I believe it is a maxim in politicks which will ever hold good, that no form of government ever ought to be accepted, unless a major part of the governed are in favour of it; and it is certain that no republican government ever can be established on any other principle; but according to the proposed plan, this federal system may be adopted by *nine* states, and the remaining *four* be unanimous against it; and at the same time these four dissenting states may be a considerable majority of the United States; and at the same time it is also possible that half the people in the approbating states, save nine, may be against it, which will leave a majority of about 22 against seven, disapprobating the constitution; and yet (*amazing*) the constitution be established as a plan of federal government! Is this consonant to the most remote principle of a republican government?

While I am thus intruding on the indulgent patience of the publick, I beg they would forgive me in suggesting one thing to their minds, which I apprehend is closely *connected* with their welfare; I dare say they will indulge me.

In the course of the late war, this commonwealth has involved itself deeply in a state debt, the discharging of which is inseparably joined with every, the smallest degree of the publick faith and honour—and we find, by woful experience, that an expectation of discharging it with the proceeds of a dry tax on *polls* and *estates*, is a *baseless fabrick*; and our only hope of ever discharging it, must be founded on a *new system of taxation*, viz. a suitable impost and excise, as well on *imports* as other superfluities and luxurious articles: is it not then expedient for the citizens of this state to pause a moment, and ask themselves the important question, does policy dictate that we should curtail ourselves of the right of taxing ourselves in the mode appearing most proper?—Must we be confined to a dry tax on polls and estates, when there is

many of us now taxed beyond our present power to pay? When it is no strange sight to see a person taxed more than his whole estate is worth? Must we give up the right of taxing ourselves except in a certain mode which has already sunk the landed interest, the last resort of our wealth, forty *per cent.* and which if persisted in will soon sink it *ninety* if not *ninety-nine* per cent.? I think every idea of policy, every principle of common sense, forbids a measure so pregnant with *political perdition!* I appeal to the good sense of all rational intelligences, whether or not that an individual, who conducted his private concerns upon as uneconomical a system as this, would not be put under guardianship as *insane*. Heavens! will the good sense of the eagle-eyed citizens of Massachusetts ever permit them to divest themselves of the power of adopting their own mode of taxation! Will it ever permit them to be nearly confined to a certain mode which their own woful experience in accents not less majestic than thunder, tells them is altogether impossible to be carried into effect, without bringing inevitable destruction and the most consummate distress on a great part—yea the greater part of the community?

(*The remainder next Friday.*)

(a) I make use of the word *from*, as that was the word in the *Card*, though mr. Examiner has thought proper to barter it away for the word *in*.—Perhaps he thought they were synonymous.

1. The second part of this essay, which was dated "Nov. 9, 1787," was printed on 16 November. The essay replies to "Examiner," *Massachusetts Gazette*, 9 November. For the exchange between these two writers, see "Vox Populi," *Massachusetts Gazette*, 30 October, note 1. For another critic of "Vox Populi," see "Cassius" I, *Massachusetts Centinel*, 16 November.

2. See "Vox Populi," *Massachusetts Gazette*, 6 November.

Hanno

Massachusetts Gazette, 13 November

To the *Inhabitants* of BOSTON.

FRIENDS AND BRETHREN! As the zeal, which for some weeks past has actuated a number among us, to suppress all discussion upon the new plan of government, seems to be daily evaporating; give me leave to call your attention for a moment to your own interest. There is no doubt, but many of the more rigid supporters of the plan act honestly, however mistaken they may be in their principles, it becomes us all to deliberate. Neither all the friends to this plan, nor all the adversaries of it, are rogues, though some of each party may be benefited by having

their opinions adopted. This circumstance certainly ought not to induce to reject an opinion at once; for every publick benefit necessarily includes the benefit of a majority of individuals.

That Philadelphia has an interest in supporting the new plan, which is separate and even opposite to the interest of this town, is pretty apparent. Can it be supposed that they have no desire to render that city the center of all the trade of the continent? And will they not be able to effect it, when the city shall be the residence of that power, which alone is to have *the unlimited controul of all the trade and the constitution of all the states on the continent*. That city will derive additional advantages from being the center of all the continental revenues, while all our resources will be drained to supply them. On the other hand, this town is now the seat of sovereign power. Here we have an influence in legislation, by giving that commercial information to legislators whether they represent the seaports or the inland town[s], which enables them to adopt those regulations, that promote the industry of the former, and furnish the readiest vent for the produce of the latter. By this means the wealth and resources of the state every day increase. When the seat of power is removed, this town, which is now the resort of all nations, and which sends ships to every part of the habitable world, must bow her fair head to a successful rival, and mourn for departed glory.

Perhaps the effects of sudden industry were never more apparent than they now are in every part of the commonwealth. By means of it, the trade of this town, particularly the export trade, is very considerably augmented, beyond what was ever known. Tho' this may, from the increase of business, alone produce an occasional scarcity of cash, the evil will every day diminish by the returns of your voyages. If on the other side, through passion, or over-boiling zeal, we give the *unlimited* right to regulate trade into other hands, these advantages will be forever lost, and the scarcity of money must continue as long as we exist. That commercial regulations, particularly a navigation-act, will be beneficial, is agreed on all hands: but great attention is necessary to perfect a system of trade and revenue, which shall operate equally on all parts of the empire.

It is not my design at present to enter into the particulars of such a system. When any body, well skilled in trade and in legislation, shall propose such a plan, it will be very easy, by means of the General Court, to submit it to Congress, and to request from that august assembly, a recommendation of it to the states. This is a regular way to have our present confederation improved and perfected; and we never need to fear any disadvantages from protecting it. Adopt the proposed plan as

it stands, and we give up all the advantages of situation, resources, and activity, without the possibility of their return.

Massachusetts Gazette, 13 November

IMPROMPTU.

Pray what occasions this confusion?
 Is it the federal constitution?
 Will people now run all distracted
 At what the great Convention's acted?
 And from their wits like fools retire,
 Because their liberties expire?
 I'm sure no hazard can be run
 To do as other folks have done.
 Most people else beneath the sky,
 Long since resign'd their liberty.
 If this be true, it stands to reason,
 Should we refuse it would be treason;
 And if with it we don't comply,
 We, every d-g, deserve to die.

"A. B." to Elbridge Gerry

Massachusetts Centinel, 14 November¹

To the Hon. E. GERRY, Esq.

Your objections to the new Constitution have at last made their appearance before the publick: They have been read before the Senate, commented on by the House, and admired by fools and insurgents: This being the case, you will not be surprised at being informed that they are justly despised by the wise and patriotick, as solely calculated to create disturbances in the community, and prevent the best formed government from being established that ever was offered to a nation.

Your objections are ushered into the General Court in a manner that naturally excites the curious to inquire after your motive, and leaves no reason to doubt that a certain obstinacy, peculiar to ambitious minds when disappointed, was not the least. You begin by saying, *you have the honour to inclose, pursuant to your commission, the constitution proposed by the Federal Convention*—What a singular idea, for one of four commissioners to express in your circumstances! Did you not know that the Congress, whose business it was, had transmitted the doings of the Convention to the General Court?² Surely you did—why then did you take this trouble? It could not be to give them any information, because you

must have known, being a member of Congress too,³ that the same had been sent to them, by Congress, in conformity to the resolve of the Convention⁴—neither could it be necessary to transmit a copy of the constitution merely to inform the General Court, that you had not set your name thereto—for this they must have known by the copy forwarded them by the Congress.—The question again returns—what was your motive for this extraordinary officiousness? I answer, partly obstinacy—as before hinted—and a pretext to introduce your *darling objections, pursuant to your commission*.—Pray were you solely commissioned to this important business of forming a constitution? By this mode of expression, I am naturally led to conclude that all power was given to you; and that no other person had, or could have, any hand in the important affair.—Like the fly upon the axis—you cry out, “what a dust we raise.” As there were three others joined with you in the commission,⁵ it is very singular indeed that you should take upon yourself to write to the General Court in the manner you have—but you, undoubtedly, had a point to carry—you knew, perhaps, there were many in the General Court, who would oppose every thing that looked like a stable government; and that they might break up their session before you could get before them in person.—Therefore the only way to inform them of your desire to take a part with them in put[t]ing a stop to the constitution being received, was to introduce yourself to the General Court by letter, containing the constitution, with your objections.—If this had not been your design, why had you not been still? It is time enough to make your defence when you are accused, or called upon for that purpose.—The man who steps forth, and begins to excuse himself, unasked, before the publick, and before any charge is brought against him, does all in his power to publish his guilt.—The General Court, nor either of the branches, ever demanded the reasons why you did not set your name to the constitution. They and thousands of others, saw your name was not to the doings of the Convention, but they troubled themselves no further about it.—They knew there were but three of their commissioners present when the Constitution was completed; and that two of them had subscribed it—with this they were satisfied.

However, it is best you should have wrote as you did; for it began to be reported about, that you had objections to make against the constitution; and many of the weak, as well as the designing, began to imagine they must be important ones indeed—and though they could not discover any themselves, they took it for granted the constitution was a bad and dangerous one; but yet depended solely upon your ingenuity

to furnish them with arguments against it.—The weak and less informed feared dreadful things were concealed, while the designing hugged themselves in the idea of having some pretence for opposing a constitution, which, if established, must inevitably restore publick credit, national dignity and importance.—But since you have disembogued what lay heavy in your stomach, and cast your budget before the world, the honest find they have nothing to fear, and insurgents but little to hope. For your objections, when weighed in the scales of reason and judgment, are found lighter than a feather; and discover little talents, equal only to skim the surface but unable to penetrate the substance.—They are too general to give information, or direct to a better system—and, to answer them, nothing more is necessary than barely to deny them.

Your first objection, is “*that there is no adequate provision for a representation*["]—this is directly false—for every thirty thousand is entitled to send a representative. You say *that some of the powers of the Legislature are ambiguous, and others indefinite and dangerous*—As this is a general assertion, without any application, it is enough, for the present purpose, to oppose it, by saying, the powers of the Legislature are clear and intelligible, certainly defined, and guarded from every probability of danger; and leave it to you to point out some one instance, at least, of ambiguity, indefinity or danger—But as you have not done this I conclude that you cannot—and had it been in your power to have pointed out wherein the executive is blended with, or can have an undue influence over the legislature, there can be no doubt but you would most readily have put your pen upon these places in the constitution, and thereby have directed your readers to them. Simply to say a thing is bad, is not reasoning, but an endeavour to impose one man’s judgment upon the minds of others. But in this respect, if people are to form their judgments by the opinion of others, and the old proverb be true, that in the multitude of counsel there is safety,⁶ your letter will not have its desired effect, since your judgment upon the constitution stands alone opposed to the judgment of thirty-nine gentlemen whose characters, as to patriotism and knowledge, and consequently the probability of being right, are individually your equals.

The judicial department will be oppressive—Thirty-nine persons, every way your equal, say the judicial department will not be oppressive. It is not in your power to shew that there is any more probability that the judicial power under this proposed Constitution will be oppressive, than that the judicial power under the Constitution of the Commonwealth of Massachusetts will become oppressive and cruel—if there be any weight in your objection, it goes equally against the government of

this State—and yet we find no reason to complain of our Constitution on this account—we find the courts of justice properly arranged: And it has never been once suggested that the Constitution is bad—It is possible, I confess, that the Congress may so dispose of the Courts, as to make great inconveniences and expense to the subject—But if a constitution of government must be rejected because it contains *possible inconveniences*, it may truly be answered that it will forever be impossible to establish any government at all—because [neither] you, nor any other person, can project a constitution that will exclude all possible inconveniences or injuries to the subject.—And I submit it to your better sense, to say—*whether the objection which lays with equal force against every form of government, ought not to lose all weight in the minds of reasonable beings, whose very nature compels them to act upon probability.*⁷

You say *the Constitution has few, if any federal features, but is rather a national government*—Pray, sir, be so good as to inform me, why you enter into this distinction, and of what consequence it is to the great body of the people, whether the Constitution proposed, be a national, or federal one—provided it is calculated to produ[c]e the greatest possible good to the greatest number of the people? The good, or happiness of the people is acknowledged by all republicans to be the sole end of government: And, in my opinion, the only question, the people ought to have in view, is, whether the Constitution proposed to their Confederation, will, according to the degree of probability which wise and rational beings, ought to act upon in the affairs of the greatest consequence, produce this effect.

Yours,

A. B.

1. Reprinted: *Hampshire Chronicle*, 20 November; *New Hampshire Spy*, 20 November; *Essex Journal*, 21 November (excerpts); *Hampshire Gazette*, 28 November; *New York Daily Advertiser*, 4 December. All of these newspapers had already published Gerry's 18 October letter to the General Court, which was first printed in the *Massachusetts Centinel* on 3 November. See I above, under 18 October.

2. On 28 September Secretary of Congress Charles Thomson transmitted the Constitution to the states, along with a resolution of Congress of the same date recommending that the state legislatures call conventions to consider the Constitution (CDR, 340). For the receipt of these documents by the Massachusetts General Court, see "Massachusetts Calls a State Convention," 18–25 October (II above).

3. Gerry had not been a member of Congress since November 1785, although he was in New York City on 28 September, when the Constitution was forwarded to the states by Congress.

4. For the 17 September resolve of the Constitutional Convention, see CC:76 and CDR, 317–18.

5. Nathaniel Gorham and Rufus King signed the Constitution; while Caleb Strong left the Constitutional Convention early. A fourth delegate, Francis Dana, the first of the delegates to be chosen, did not attend the Convention because of ill health.

6. Proverbs 11:14.

7. For a commentary on this paragraph, see "Agrippa" I, *Massachusetts Gazette*, 23 November, at note 3.

A Friend for Liberty

Massachusetts Centinel, 14 November¹

MR. PRINTER, I and a great many more, are only plain countrymen and yet friends to our country—we was all very much pleased with the new [United] States Constitution when we first saw it, and I and all my neighbors was determined to vote for it; but his honour Mr. Gerry's letter has quite alarmed us, for fear our liberties are in danger, and yet we cannot think this to be the case, because so many good men, and great men too, have put their names to it; and yet if Mr. Gerry's account is true, he certainly charges General Washington, and the other members who signed, with wishing to endanger our liberties, and we cannot think this. Now what we want is to have Mr. Gorham and Mr. King, our other two members to convention, to clear up this matter properly,² for as the matter now stands, if what Mr. Gerry has said is true, these gentlemen are certainly as much our enemies as General Washington, and the others who signed it. Now we wish to have these gentlemen to publish something about it, in the news prints, as I believe they are now more read than the bible at this time, about the Convention, and what people say about it. So, Mr. Russell, as I was coming to town, our folks said I had as goods mention a few lines to you, upon this affair, and they thought you would publish it, for they all say until this matter is cleared up, they shall instruct their deputy to vote in the next convention against it, but if these gentlemen will clear up the matter we, I declare, to a man in our town, shall be for the Constitution. And so no more at present,—From sir, your's to serve, A FRIEND for LIBERTY.
Middlesex County.

1. "A Friend for Liberty" comments upon Elbridge Gerry's 18 October letter to the General Court giving his reasons for not signing the Constitution. For this letter, see I above. For a response to "A Friend for Liberty," see "Propriety," *Massachusetts Centinel*, 24 November.

2. Nathaniel Gorham and Rufus King did not publish any response to Gerry. For the draft of their point-by-point rebuttal, see "Rufus King and Nathaniel Gorham: Response to Elbridge Gerry's Objections," post-31 October.

Massachusetts Centinel, 14 November

MR. RUSSELL, *So apropos are the following lines to the antifederalists, that I cannot but wish you to give them a place.* 1775.

The world is naturally averse,
 To all the TRUTH it sees or hears;
 But swallows nonsense and a lie;
 With greediness and gluttony.
 HUDIBRAS.¹

1. From Samuel Butler's *Hudibras*, Third Part, Canto II, lines 804–7 (London, 1678). These same lines were also used in the *Essex Journal*, 21 November.

Truth: Disadvantages of Federalism, Upon the New Plan Boston, 14–24 November

This one-page broadside, signed "Truth," signalled the beginning of the campaign in Boston to elect twelve delegates to the state Convention on 7 December (Evans 45060). Antifederalists had vigorously attacked the Constitution since early October, but their campaign intensified with the publication and distribution of "Truth" on 14 November. The broadside, which lists thirteen reasons for amending the Constitution, was largely an appeal to tradesmen and mechanics, long a political force in Boston. Three of the thirteen reasons played on the fear of the loss of influence of Boston, a theme developed by "Hanno," *Massachusetts Gazette*, 13 November. Federalists reacted sharply to the broadside, and the public debate over the Constitution became more heated and personal. (For the election campaign in Boston, see IV below, Boston section.)

The authorship of the broadside is uncertain. The objections to the Constitution enumerated by "Truth" are very similar to the "Agrippa" essays which began appearing in the *Massachusetts Gazette* on 23 November. An item headed "SHIP NEWS" in the *Massachusetts Centinel*, 24 November (in "Ship News," 17 October–24 November, I above), implies that James Winthrop carried handbills, and that he was under the direction of James Warren. (See also Harding, *Massachusetts Ratification*, 53.)

Although neither the name of the printer nor the place of publication appears on the broadside, it seems to have been printed by Edward Eveleth Powars of the *American Herald*. The *Herald* was the only newspaper to reprint "Truth" during the ratification debate, and the typesetting of the broadside and the newspaper printings are similar. (The Philadelphia *Independent Gazetteer* reprinted "Truth" on 24 September 1788.) The *American Herald's* printing is prefaced: "On the last Wednesday morning [14 November], hand-bills were found posted up in every part of this metropolis, drop[p]ed in the streets, and liberally distributed among our Political Fathers [the state House of Representatives].—They were read with avidity by all ranks of people, and with great satisfaction by most.—As they have had so good an effect in convincing the honest and industrious citizens of Boston of the dangerous tendency of the New Plan, we shall give our readers a copy, as follows."

Between 21 and 24 November, several responses to "Truth" (grouped together here) appeared in the *Massachusetts Centinel* and *Massachusetts Gazette*.

Truth

Boston, 14 November

DISADVANTAGES OF FEDERALISM, *Upon the NEW PLAN.*

1. The *Trade of Boston* transferred to *Philadelphia*; and the Boston Tradesmen *starving*.
2. The *Discouragement of Agriculture*, by the *loss of Trade*.
3. People *indolent, dissolute and vicious*, by the *loss of Liberty*.
4. An infinite *Multiplication of Offices* to provide for *ruined Fortunes*.
5. A *Standing Army*, and a *Navy at all Times* kept up, to give *genteel Employment* to the *idle and extravagant*.
6. *Importance of Boston annihilated*.
7. The *wealthy retiring to Philadelphia* to spend their *Revenues*, while *we are oppressed* to pay *Rents and Taxes to Absentees*.
8. *Liberty of the Press restrained*.
9. *Trial by Jury abolished*.
10. *Habeas Corpus* done away.
11. *Representatives chosen in such a Manner*, as to make it a *Business for Life*.
12. The *Bill of Rights* repealed.

And, 13th. *Religion abolished*.

All these Reasons, and many more, require the Plan to be *amended*, and made *comformable* to the *Circumstances* of the People. The same *Objections* are made in every State. *Rouse* then, and regulate the *Business* so as to be friendly to *Industry, Trade and Arts*. Your *Ships now* go to every Part of the World, and carry your *Produce*. *Then*, they may go to *Philadelphia*.

Thomas a Kempis

Massachusetts Centinel, 21 November¹

Mr. RUSSELL, I love to be short—"The devil is come down, having great wrath because he knows he hath but a short season"²—He instigated *ten lies, fifteen misrepresentations, and fifty surmises*, in one paper of Monday last,³ against the new Constitution—But, *gudgeons* [i.e., gullible people] are scarce, to the confusion of all antifederalists—alias, abettors of anarchy and confusion.

Yours,

THOMAS A KEMPIS.

Massachusetts Centinel, 21 November⁴

A worthy and respectable mechanick of this town, having read one of the hand-bills inserted in Monday's Herald, threw it from him with

indignation, as containing a series of falsehoods, and a gross insult upon the citizens of this town, who are almost unanimously in favour of the proposed Constitution.

A gentleman who was in the gallery at the time the same papers were impudently obtruded into the Representatives' chamber, observed with pleasure that they were trampled under feet with great contempt.

A Bostonian

Massachusetts Gazette, 23 November

Mr. PRINTER, Although the editor of the American Herald chooses to inform the world that he (and perhaps some under the same roof) are anti-federal, I know not what authority he has to represent the whole town of Boston as such. On Wednesday, last week, certain hand bills were found on the floor of the representative's room, and some about the state-house, and a few people accidentally heard of them—scarcely one to be seen at noon. Yet we are told, that these “handbills were found posted up in *every* part of this metropolis, dropped in the streets, and *liberally* distributed among our political fathers;” and that “they were read with avidity by *all* ranks of people, and with great satisfaction by *most*.” So far have they been from having the effect which the Herald asserts, that the direct contrary is the case; as every honest man must now see the base subterfuges, artful insinuations, and direct falsehoods, which the anti-federalists have imposed upon them. These articles, called “The disadvantages of federalism, upon the new plan,” are so bad, as not to merit serious confutation—They answer themselves.

Truth

Massachusetts Centinel, 24 November⁵

Mr. RUSSELL, The following ADVANTAGES which every *honest man* is convinced must result from the adoption of the proposed Constitution, have not been distributed in “hand-bills, nor posted up in every part of the town”—but they are *deeply impressed* on the minds of *every* class of citizens in this metropolis.

1st. The almost annihilated trade of this town, designed by the author of nature to be an emporium of wealth from all parts of the globe, *revived, invigorated* and *expanded* to all quarters of the earth.

2d. The *encouragement* of *agriculture* by this means, and the *produce* now rotting on the farmer's hands, finding ready vent, and an adequate price.

3d. Every spring set in motion, by the innumerable avenues of business that will open upon us, and the present indolence, dissoluteness and ritiousity of manners done away.

4th. An abolition of *sinecures, abilities* brought forward in the publick service—men for offices, not offices for men.

5th. An *army* and a *navy* if necessary, to vindicate the rights of America—in all quarters of the globe.

6th. Boston emerging from her present depressed situation—and feeling her former importance in the general scale.

7th. The wealthy confiding in the honour and justice of the government—*loaning* the surplus of their riches upon reasonable terms—encouraging ARTS, MANUFACTURES and COMMERCE—while rates, taxes and rents, are daily diminishing.

8th. FREEDOM of *speech, writing, publishing* and *printing*, throughout the States; for a Republican Constitution is sacredly guaranteed to them all.

9th. All our *courts, laws, judges, juries, customs, &c. &c.* confirmed by the above article.

10th. HABEAS CORPUS necessarily retained, except in such cases as our own Constitution warrants its suspension.

11th. *Representatives chosen in such manner*, as may enable them to render substantial services to their country.

12th. All the State *Bills of Rights* confirmed.

13th. RELIGION left to its guardian God—all *tests, oaths, and hamperings of the conscience* of our fellow men entirely done away.

These reasons and millions of others, evince the *perfection* of the proposed Constitution, and ensure its cordial adoption, if common sense and common honesty have not forsaken the majority of the people.

1. Reprinted: *New Hampshire Spy*, 23 November (excerpt). For a response to "Thomas a Kempis," see "Legion," *American Herald*, 10 December.

2. Revelations 12:12.

3. The reference is to the *American Herald* of 19 November, in which the broadside signed "Truth" was printed.

4. Reprinted: *Philadelphia Independent Gazetteer*, 3 December.

5. Reprinted: *Hampshire Gazette*, 5 December. The *Centinel* printed "Truth" under the heading "FEDERAL." It was followed by an item from the *Philadelphia Independent Gazetteer*, 29 October (RCS:Pa., 205–6), which the *Centinel* put under the heading "ANTI-FEDERAL."

Thomas Smith to John Dolbeare 15 November (excerpt)¹

I have recd the Bundle, & put your advertisement at the Taverns—
if you chuse I should endeavour to sell the Land—let me know the

lowest price, & if Cash is not immediately paid, (which is not likely) what terms you will take, on good Security—as much better as I can get, I of course shall—if the New Constitution takes place the Tender Law will be at an end—but if Mr. B. is sued whilst it continues, you will be likely to suffer.—perhaps when it is known, on the Sale of the 40 Acres, what Money will be due from him, he then, will be willing to make you secure—I wish to know what Capt. Jacob Clarke says, of the demand of 48/—Capt Atkins certainly may be found—under the disadvantage the Estate is, from the Tender Law, and other Circumstances no refusal to the protraction of Time for the payment of Debts, can in justice be made—the adoption or rejection of the New Constitution will make, in all probability, a material difference in the Value of property²—a Complaint to the Judge of Probate, will give you any relief you may rationally require. . . .

1. RC, Dolbeare Papers, MHi. This letter was addressed to Dolbeare at number 74 Cornhill, Boston, and was endorsed as received on 26 November. The place of writing is not included, but in April 1787 and April 1788 Smith wrote Dolbeare from Barre, a town in Worcester County. From Smith's letters, it appears that he was acting as a business agent of Dolbeare (1752–1830), a Boston merchant who lived in nearby Dorchester.

2. On 1 January 1788 Smith wrote Dolbeare that “my mind is the New Constitution will take place, and then in all probability Real Estate will be heightened, perhaps a good deal, after a while” (Dolbeare Papers, MHi).

**William Symmes, Jr., to Peter Osgood, Jr.
Andover, 15 November¹**

According to my promise I sit down to sketch out my reasons for objecting against ye. Federal Constitution. The essay will doubtless be imperfect; but I design it for your perusal only, & I can safely rely upon your goodness for all necessary allowances.—

I will consider ye. objectionable passages in course as they occur in ye. System, as well for your convenience as my own.

1.—The apportionment of taxes.

It appears to me that this will operate unequally against ye. northern States. Let us suppose that two fifths of ye. slaves in ye. five southern states amount at least to 150,000 persons. What reason can be given why, if taxes must be proportioned by population only, this should be rejected?—That ye. profits of their labour are nothing? I deny ye. fact; for I believe that every negro that cultivates ye. valuable staples, Tobacco, Wheat, Rice, Indigo, &c raises a greater profit to his master than any white can raise from his labour here.—What then?—That ye. southern Nabobs squander it all in Luxuries, & so ye. States there are made if anything, poorer?—Very good—The Convention then have

patronized Luxury, & taxed Industry & Oeconomy. [But?] three fifths include all ye. working slaves. Neither will this answer; for ye. northern States are taxed as much for an infant or a decrepid old man, as for a vigorous youth.

How then shall we be taxed? I say not in proportion to actual wealth at present, but in proportion to a State's advantages for acquiring wealth. The soil & climate of Virginia are better than those of this State—The staples of Virginia are in high demand—Its Rivers ye. finest in ye. world. How rich might Virginia be!—But Virginia is not rich—What then?—Shall a man need no better excuse from taxes than Idleness? He will hardly pay his *private* debts so easily.—

Taxes must certainly grow out of ye. ground. What then is more evident than that ye. best land & ye. best produce (supposing ye. advantages of Commerce to be equal) should pay or (if you please, produce) ye. most?—And are not our long winters in which we consume ye. labours of ye. summer, to be considered? No—But yes, I beg pardon—they *are* considered—We pay ye. more.—

But 2.—The Senate.—

To what great purpose is it that we have an equal representation in ye. House, if we are represented by States in ye. Senate. This is a great grievance in ye. present Congress. That little Delaware should weigh as much in all political debates as this State, is, in a government merely popular, quite ridiculous.—Whose voice are we supposed to hear in all public transactions?—We *accurate* Republicans say, the voice of ye. people. Who are ye. people? We answer, ye. majority.—But a majority of *States* may chuse a President &c This is a close adherence to principles.—“Two Senators from each State, & each Senator to have a vote.” The present Congress *mended & made worse*, for now *seven* States with ~~ye Vice-president's turning vote~~ are competent when before it required ye. sanction of nine. But we shall have a proper House—All will be right there. True!—& that may be a good reason why we should not have a proper Senate—But I cannot see ye. force of it. Why any State should have more weight in one body than in ye. other, let ye. Convention say. And yet poor R. Island was not there to speak for herself.—

I may speak of ye. duration of offices in another place.—

3.—Congress may *make & alter* ye. times *places* & MANNER of holding elections, except ye. *place* of chusing senators.—

This is a very complaisant exception indeed—The Legislatures may sit where they please—It means this if it means anything—And we are doubtless much obliged to ye. Convention for this decent privilege.—But I presume ye. *time* of chusing senators must be in ye. winter, for it will be too hot for a session at ye. southward in ye. summer. and ye.

place of choosing Representatives may possibly be ye. county-town, or some place yet more remote. This would be very convenient.—But ye. word MANNER! Oh it is an excellent word. It would not have been half so well to have tied ye. hands of this future Congress by saying all elections shall be made *by ballot*, or as ye. several States shall please. No—The States are to be made sensible how much this Congress is above them in all wisdom—even to ye. knowledge of a particular acre of ground. Nay, ye. Convention itself seems dazzled at ye. prospect of this wisdom—for they dared not prescribe it any rules. Now that ye. future Congress may be as wise as this Convention I have no great reason to doubt from anything that is past—But they will certainly have a great deal more power; & we shall shortly hear no more of *recommendations*. That they shd. make use of their power to enlarge ye. priveleges of ye. people let anybody expect that [will?].—Well then! If they do not enlarge them why make provision for *altering* them. That they may take them away? Oh no Never suspect such a thing.—What then shall we think of it? That ye. Convention were fools? Hardly—I see no other way but to recur to ye. great Wisdom of this future Congress—It will be a wise Congress—a *very* wise Congress—Here now is a way to get rid of every doubt.—But why need ye. Convention to care how ye. members are chosen, if they are but sent?—Oh, Sir—it will be a very wise Congress.—And about ye. place, if they are but chosen?—Oh Sir—a very wise Congress!—Just as good an answer as that of ye. Clown in *All's well that ends well*, which was to everything Oh Lord, Sir!

4. The Houses to keep a journal & publish ye. same, excepting such parts as may *in their judgment* require secrecy.

Good again. A very wise Congress! The idea used to be, except private articles in foreign treaties, secret expeditions, &c—But this Constitution excels in ye. Laconic mode of speech. Or rather, perhaps ye. Convention were lazy & could not conveniently go about to particularize either ye. rights of ye. people, or ye. just prerogatives of Congress. Who can complain after this that he knows nothing of public affairs, except ye. expenditure of public monies? If Congress conceal, ye. Convention say it is best ye. people should not know—& indeed, if Congress are invested with all power, general knowledge might be inconvenient, as it could only produce discontents, & these might issue in rebellions.—

When ye. dark pages of these journals shall be inspected by some young politician of future ages, who perchance may succeed his father in ye. national council—What lessons may he not learn!—There may he observe by what steps ye. form of a Govt. is imperceptibly changed—

There by what process ye. genius of a free people is altered—But I say no more.—

5. Congress shall have power, &c 1st. clause.—

To *lay*—pretty well, when you read *what & for what*—but—and to *collect*—*what?*—taxes, duties, imposts, & excises—very well! for *what ends?*—to pay ye. debts, & provide for ye. common defence & *general welfare* of ye. United States.—

A more general dediton or surrender of all ye. property in ye. United States to Congress could not perhaps have been framed. Gentlemen it is all—all yours to spend as you please, provided we may but know how you spend it—& even then you may sink as many thousands as you please under ye. heads of incidental charges, secret services, &c. Take it all.

I will paraphrase the whole of this passage in a short address from ye. States to Congress.—

Gentlemen, Having chosen you to govern us, and believing that thro' all ages you will be a disinterested body, & will always spend money, if you can get it, with rigid œconomy, we give you full power to tax us—And lest we should some of us prove refractory in ye. matter of payment from some mistaken notions that you demand it too fast, we also give you full power to collect ye. taxes you lay in ye. way most agreeable to yourselves, & we will pay all your collectors, deputies, & so forth, as you shall direct. And as you have power to contract debts for us to pay, you shall have all ye. money you want to pay them—And you shall have all you want to build forts, magazines, & arsenals; buy arms & ammunition; make war & peace, & so forth—And in short, whatever you shall think will be in any degree for our good you shall have money to do, & we will never trouble you with any enquiries into ye. motives of your conduct, always relying on your wisdom with ye. most implicit confidence, & submitting our estates entirely to your disposal.

A very handsome donation! And when compared with ye. clause that throws all imposts & excises into ye. Continental treasury, produces a Query—How each state shall support its own Government?—By a dry tax, & one perhaps which cannot be collected, because ye. Federal Collectors must have ye. preference. So that we must expect to be sick of State Government as an expensive useless thing—& then Congress will help us to a Federal Intendant, perhaps, to save us the trouble of governing ourselves.—But this may be more than my text will justify.—

6.—To raise & support armies, &c,—

That ye. Federal Head should have power to raise an army for some purposes is perhaps quite necessary—Whether it is so or not, ye. present Congress have such power. But here appears to be a fault by no

means singular in this constitution, viz, ye. want of limitation. All is left to ye. discretion of Congress, & there is no bar against a standing army in time of peace. For tho' no appropriation of money to this use may be for a longer term than two years, yet this is long enough, when ye. same appropriation may be continued for two years to ye. end of time. And we are to expect that this Congress will soon have such a system of policy as will bind their successors, either by ye. force of its obvious expediency, or by ye. danger of innovation, to persist in ye. same plan.—

7. To exercise exclusive legislation, &c—

I do not see so much of ye. terrible in this as some do, especially if ye. rest is granted. Congress will be secure from *little mobs*, & so it ought to be. It will be delivered from ye. persecution of ye. state in which it resides, & so it ought to be. It may build accommodations for a court which will be, as they ought to be, ye. property of ye. United States. And that a body so *powerful*, ought to be handsomely lodged, I believe every foreigner will imagine.—But how this clause came into ye. constitution I know not—for I believe any state might grant what is here demanded of ye. whole, to Congress, or any body corporate with ye. consent of Congress.—

8. No state shall emit bills of credit, or make tender-laws.—

Here I suppose ye. principal weight of opposition will hang. The point itself is of consequence, but it will receive more from ye. *prejudices* of men, & our *present embarrassed situation*. You know my sentiments are directly opposed to paper money, as they would be in almost every case in which we could *want* it.—But ye. query is whether every state shall be in a worse situation than any individual, who, if he has not ye. cash in hand, may give his promissory note. I think it ought not to be, unless ye. United States will promise to lend us money whenever we want it. But I should agree to this, that no bills of credit shall ever be a tender. This regulation would be not only just, but conformable to my notions of sound policy.—

As to other tender-laws, they are, in fact, but poor expedients—but they *are* expedients, & such as a State may possibly need. It is really better to have some kind of tender-law than to be thrown into confusion. And a State is so much a better judge of its own circumstances, that I had rather see this regulation in ye. State, than in ye. Federal Constitution. Yet, unless it were in all, some states might impose upon others, & so justice would not be equally, & universally done. I wish that ye. abolition of these abuses might be deferred till we are in a more prosperous situation—& had rather that Congress should even

have power to say hereafter when they shall cease, than that they should cease immediately upon ye. adoption of any new System.—

I omit ye. next sentence, because I don't at present understand what effect it will have on ye. private debt of each particular State.—

9. No State shall without ye. consent of Congress enter into any agreement or compact with any other State.—

If I understand this, it is a curious passage. What! may we not even *agree* together—If there be a suit in ye. Federal Court between two States, may they not, like private parties, *agree*. Or in an hundred other cases of no Federal concern, may they not treat, & settle their disputes! I must have mistaken these wise men. It cannot be so. To accuse ye. Convention of folly would be gross—I dare say that most of them had rather be accused of design.—

10. The president may with ye. advice of two thirds of ye. senators present, make treaties—& with ye. consent of Senate Ambassadors, &c—

The Senate—Who are ye. Senate? Look back, & you will see that a majority is a Quorum. This is fourteen, & two thirds of fourteen are eight ten. The President & ten Senators may make treaties. And ye. President & senate, i.e. by ye. same rule, eight senators may appoint Ambassadors, Ministers, Consuls, Judges, & almost everybody else.—

Where, in God's name, did they get this?—From reason, or from history? I fear not from ye. former, & as to ye. latter, it has not come within my reading in any Constitution where a Republican form is *guarantied*. Are we then a Commonwealth, & shall we have no voice in treaties, but by our President or elective King? In four years' time (with good hope of another election) cannot he pack a sufficient Senate to enable him to gratify his favourites, or sell his country?—If this be not a servile adherence to ye. pattern of ye. King & Privy Council of Great Britain, I confess I know not what it is. Congress may declare war indeed, but ye. President may make peace upon what terms he shall think proper. Is a peace of less consequence to ye. nation than a war, or is it of more, that this power is given to one man? What is ye. privelege of declaring war, compared with ye. power of making *all kinds* of treaties? If he make a bad treaty, what then? Why he may be impeached, if anybody dares impeach him, before ye. very Senate that advised ye. measure. And if convicted, what? He shall be removed from his office, & perhaps disqualified to hold any other. And after this he may chance to lose his head by a trial at Law, if ye. Judges, whom he has appointed, will bid ye. Jury to convict him. And so, with a great deal of difficulty, for some (perhaps) irreparable detriment, we get ye. offender's head.—Is there no better way than this?—But I must not dwell longer.—

11. The President shall take care that ye. laws be faithfully executed.—

That there must be an executive power independent of ye. Legislative branch, appears to have been generally agreed by ye. fabricators of modern Constitutions. But I believe it has not till now been supposed essential that this power should be vested in a single person. The execution of ye. Laws requires as much prudence as any other department, & ye. pardoning or refusing to pardon offences is a very delicate matter. Yet he has no Council, no assistance, no restraint.—

But was ever a commission so *brief*, so *general*, as this of our President? Can we exactly say how far a faithful execution of ye. Laws may extend—or what may be called, or comprehended in, a faithful execution? If ye. President be guilty of a Misdemeanor, will he not *take care* to have this excuse; & should it turn against him, may he not plead a mistake? Or is he bound to understand ye. Laws & their operation?—Should a Federal act happen to be as generally expressed as ye. President's authority, must he not interpret ye. act? For in many cases he must execute laws independently of any judicial decision.—And should ye. Legislature direct ye. mode of executing ye. laws, or any particular law, is he obliged to comply, if he does not think it will amount to a *faithful* execution? For to suppose that ye. Legislature can make laws to affect ye. office of ye. President, is to destroy his independence, & in this case to supersede ye. very constitution.—Is there no instance in which he may reject ye. sense of ye. Legislature & establish his own? And so far would he not be to all intents & purposes absolute!

Doubtless it is a very good thing to have wholesome laws faithfully executed.—But where this power is given to a single person, it does not seem to me that either sufficient instructions, or a sufficient restraint, can be couched in two words.—

12. The Judicial power, &c—

“Shall extend to all cases between citizens of different States.” This seems an hardship on account of ye. appeal, which will carry many men 600 miles, & cause them more expence than ye. matter in dispute may be worth. There is no reason why citizens of different states should not have as good a remedy against each other as citizens of ye. same State, nor why a Debtor in ye. one case should pay more cost than a Debtor in ye. other. And supposing that to avoid cost ye. appeal in this case should be taken away (tho by this Constitution it cannot) yet this would be very unequal.—I think this part of ye. judicial power not only very grievous, but quite unnecessary; for disputes between inhabitants of different states have hitherto been very well determined in one of ye. states.—And now all remedy for small dues is taken away in effect—

for tho' judgment be obtained in ye. Infr. Court, ye. Debtor by appealing may discourage ye. Creditor from any further pursuit.—

13. The Sup. Court shall have appellate jurisdiction *both as to law & fact*, except &c—

Except what?—Here they are at it again!—"With such exceptions, & under such regulations, as *Congress* shall make." A very wise Congress!—This Convention have really saved themselves a great deal of labour by this presumption.

I confess upon ye. principle that there cannot be a fair trial before Judges chosen by ye. State in which one of ye. parties resides, juries must also be excluded. But I deny the principle, as too great a refinement.—A Federal jury in ye. Sup. Court, but especially one from ye. vicinity would be a chimera, if ye. Court be stationary. But that ye. same men shou'd be Judges of Law & fact is against reason & not congenial to a free government. Congress may make as many *exceptions* as they please—But to talk of *regulating* men's judgment of facts would be to talk nonsense.—

14. The United States shall guaranty to every State a Republican form of Govt.—

Republics are either Aristocratical or Democratical; & the United States guaranty one of these forms to every State. But I disapprove of any guaranty in ye. matter. For though it is improbable that any State will choose to alter ye. form of its govt. yet it ought to be ye. privelege of every State to do as it will in this affair. If this regulation be admitted it will be found difficult to effect any important change in State-government. For then ye. other States will have nearly as much to do with our government as we ourselves. And what Congress may see in our present constitutions, or any future amendments, not strictly republican *in their opinions*, who can tell?—Besides, it is of no importance to any State how ye. govt. in any other is administered, whether by a single House, or by two & a King.—I therefore presume that as this clause meddles too much with ye. independence of ye. several States, so also it answers no valuable end to any, or to ye. whole—

With regard to ye. Constitution taken into one view—

It is a complete system of Federal Government, every part of which is full of energy; & if established, I think it can never fail of being obeyed by ye. people, and no combination can ever be sufficiently extensive or secret to subvert it. There is some ambiguity in several important parts of it, which arises principally from ye. too general terms in which it is expressed. Too much perhaps is left for ye. future Congress to supply, which when supplied will be no part of ye. Constitution. The States are strictly confined to their own business, & even these are

not a little circumscribed. And the powers of all ye. Federal departments are very ample & adequate to their ends.—In short, ye. system would make us formidable abroad, & keep us very *peaceable* at home; & with some amendments might do very well for us, if we could be contented to become citizens of America, confuse ye. thirteen stripes, & change ye. stars into one glorious Sun.—

let us pause—

It is not in a few light strictures—It is not, perhaps, in ye. most acute & methodical essay—that ye. merits of this unexpected—this wonderful system can be strictly defined. Reading cannot be applied, & experience is out of ye. question. Thus much we may easily perceive—it is a great, almost a total, & probably a final change. With regard to every state, “To be or not to be—that is ye. question.” So great a revolution was never before proposed to a people for their consent. In a time of profound peace, that a matter of such infinite concern should be submitted to general debate throughout such an empire as this, is a phenomenon entirely new.—Let us make a due return to that providence by which we enjoy ye. privelege, by using it like a wise, prudent, & free people. Let us equally shun a hasty acceptance or a precipitate rejection of this all-important scheme. And if our final decision be ye. effect of true wisdom, let us never doubt but that ye. end will be happy!—

To close,—

You must easily see, Sir, that what I have written is but a light sweep on ye. surface of things. Many things *in* ye. Constitution worthy of remark I have entirely omitted, those I have mentioned I have but slightly criticized, & what is *not in* ye. Constitution that ought to be there, I have not attempted to say. I found you had prescribed me a task which few men perhaps can adequately perform & that I had not by any means qualified myself to do it.—But, if this trifling attention to your wishes should prove a gratification, I shall be satisfied in that respect.—

1. RC, Willis Papers, MeHi. The letter is signed “W. S.—” Symmes (1760–1807) attended Andover’s Phillips Academy, and he was graduated from Harvard College in 1780. He studied law with Theophilus Parsons of Newburyport and opened a law office in the north parish of Andover, where his father was a minister. Symmes was a justice of the peace for Andover, 1788–92. Peter Osgood, Jr. (1745–1801), a merchant, represented Andover in the state House of Representatives, 1787–92, and was a justice of the peace from 1792 until his death. He was a brother of Samuel Osgood, a member of the Confederation Board of Treasury. Symmes’s law office was in a room attached to Osgood’s house.

On 3 December 1787 Symmes, Osgood, and Thomas Kittredge were elected to represent Andover in the state Convention, where Symmes spoke against the Constitution. On 31 January 1788, while the Convention was still in session, an Andover town meeting

voted 124 to 115 against the Constitution "as it now stands," but it unanimously refused to instruct the town's Convention delegates on this matter (IV below, Andover section). On 6 February Osgood and Kittredge voted against ratification of the Constitution, while Symmes voted in favor. Symmes told the Convention that he had changed his mind because that body had decided to recommend amendments to the Constitution which he felt were badly needed.

Cumberland Gazette, 15 November¹

Mr. WAIT, On reading Mr. Gerry's objections to signing the national (*fœderal* I would say) Constitution, I was induced to review the Articles of Confederation and perpetual Union between the United States of America; and to compare them with the proposed *fœderal* Constitution. For it is by such a comparison that we must judge of their agreement, or disagreement.

Mr. Gerry *advances* a number of objections to the *fœderal* Constitution. Let them support themselves by their merit, if they can.

He then observes that "the Constitution proposed has few, if any, *fœderal* features." Let him compare the Articles of Confederation and perpetual Union with the proposed Constitution; and then point out the mighty difference of the intent between them.

The Articles of Confederation point out certain duties to be done by Congress, and plight the faith of the United States for their fulfilment. But to these stipulations there are no *sanctions*. They have therefore proved nugatory and trifling. And Mr. Gerry undoubtedly knows that laws without sanctions are ridiculous, contemptible, and absurd, in their very nature.

For my own part, I know of no article in the *fœderal* Constitution so essentially different from the Confederation as ought to be an objection to the cordial reception of it. Let us compare them, and see if there be any essential difference between them—except that the one is efficient, and the other not. It is needless to repeat all the words in either of them. The essential ideas are what we want to compare.

The Confederation points out what positive powers the Congress ought to have: the *fœderal* Constitution points out what positive powers the Congress actually shall have. Let us see what they really are.

The Confederation says, Congress *ought* to be invested with the following powers—(for nothing more can it say, there being no sanctions to it)—viz. That they shall provide for the common defence of the United States: that they shall have a negative on every State, in making war, or in contracting alliances with other states or powers; that they shall be impowered to supply a publick treasury competent to national expences, and to dispose of the same; that they shall determine on

peace and war; that they shall send, and receive ambassadors; that they shall enter into treaties of alliance, &c. that they shall have ap[p]ellate jurisdiction in national matters; that they shall regulate the alloy and value of coin; that they shall fix the standard of weights and measures; that they shall regulate Indian affairs; that they shall establish and regulate post-offices throughout the United States; that they shall appoint all general officers—and commission all officers whatever, in the service of the United States; that they shall appoint all officers of the naval forces, and shall make rules for the government of them; that they shall build and equip a navy, and call upon the different States to pay for it; that they shall agree upon what number of land forces they want, and oblige the various States to clothe, arm and equip their proportion, and march them to the place ordered by Congress, and at the time when they require it.

Mr. Gerry, I fancy, will find it hard to point out any thing further that the fœderal Constitution requires, that is essential. He therefore may have been rather hasty in his assertion that “the Constitution proposed has few, if any, fœderal features.”

The fœderal Constitution is efficient in what it requires; but the Confederation is not: and in this consists the mighty difference between them. I will venture to say he is a small politician, who wishes for an inefficient government.

Mr. Gerry then proposes a number of important questions to be answered, on the plan of the fœderal Constitution; as—1st, “Whether there shall be a dissolution of the federal government?” Ans. The fœderal Constitution strongly cements it.—2d, “Whether the several State governments shall be so altered, as in effect to be dissolved?” Ans. They must be so far dissolved as to take away their ABSOLUTE sovereignty, and absolute independence of each other; unless we wish for a parcel of petty, African pryncedoms.—3d, “Whether in lieu of the fœderal and State governments, the national Constitution now proposed shall be substituted without amendment?”² Ans. If a bill of rights be thought necessary, it will undoubtedly be added: and for my own part, I wish it may be; for I differ from Mr. Wilson in opinion (whose performance I admire) that Congress have no other powers but what are expressly granted by [the] Constitution.³

Mr. Gerry then recommends moderation, and deliberate discussion. I hope they will take place; for they are both necessary in important matters. And I flatter myself that my countrymen will pay all due attention to his observations; and like wise men will adopt an efficient, instead of a non-efficient government, that shall render them safe, happy and prosperous. I do not see that his observations conclude against

“the Constitution proposed.” He therefore will excuse me and others for not being too much influenced by them.

On the whole, I suppose “the Constitution proposed” to be good—incomparably good; that it is the best system of republican government ever penned.

I think Mr. Gerry’s suggestions “that there is no adequate provision for a representation of the people”—“that they have no security for the right of election,” &c. are, to say no more, rather ungenerous. His objection “that the executive is blended with, and will have an undue influence over the legislature,” is too, too, too futile: for they ought not to be entirely distinct; because in that case their interests would be so very different that the right of the subject would be in danger. “That the judicial department will be oppressive” cannot be admitted—till my trusty servant, by becoming a knave or fool, or both, will be able to oppress me.

I hope therefore that a good national Constitution will strike us agreeably; and that like wise men we shall, with moderation and deliberation, adopt one that shall be efficient, and beneficial.

1. This article replies to Elbridge Gerry’s 18 October letter to the General Court giving his reasons for not signing the Constitution (see I above).

2. For a response to the manner in which this writer answered this question, see *Cumberland Gazette*, 30 November.

3. See James Wilson’s 6 October speech before a public meeting in Philadelphia (CC:134). See also “The Massachusetts Reprinting of James Wilson’s Speech of 6 October Before a Philadelphia Public Meeting,” 24 October–15 November (I above).

Consideration

Independent Chronicle, 15 November¹

*“In moderation placing all my glory,
While Tories call me Whig, and Whigs a Tory.”*

In all great national concerns, a spirit of moderation, is necessary to find, and establish, the public interest; all fiery declaimers, are very apt to err, and dangerous to follow. Cool heads are commonly the clearest, and when united with honest hearts, are the safest guides to the State. If these maxims are just, let us apply them while we have the new constitution under review. We may expect a great many foolish things will be said and written for, and against it, and with great zeal, therefore we must weigh what is offered with cool deliberation, that we may form a right judgment. The TRUTH, certainly lies some where, and our business is to find it. Two positions are undoubtedly true, because all agree

in them, that a new constitution is necessary, and that in such a constitution, it is necessary the States, or at least a majority of them, should be agreed.

We will not spend time to prove the necessity of union, and national government, because every one knows it; the great and the only enquiry, is for the best system? That which has been formed by the convention, is considered by some as the best that can be framed; and all will assent to many parts of it; therefore the shortest, if not the only way to unite, seems to be, for those who object to it, to offer their proposed emendations, that we may consider them, and see whether they have upon the whole mended the system. It is always very easy for any bungler to point out imperfections in a piece of work; but in this case, if those who object, cannot make it more perfect, we must view them as piddling geniuses, who love to be meddling, where they can do no good. Besides, when alterations are proposed, by any writer in the northern, middle or southern States, we are to consider the probability of such alterations being acceptable to the other States, whose views & interests may be widely different from those of the writer, although his sentiments might be venerated in his own State. If all these things were duly weighed in the scale of sober reason, it might prevent a great many useless publications; and it might convince every one in some degree, of the difficulty of obtaining the consent of so many people, so differently situated, to a national government. This consideration, will also give us an honourable idea of the members of convention, who laboured four months to form a system, and by mutual concessions, and great candour, exhibited an unanimity unparalled. Let us, at least, imitate their great examples, in mutual concessions, candour, and industrious investigation, and like them we may be happily united in sentiments upon the great national system.

1. Reprinted: *Connecticut Journal*, 28 November.

Worcester Speculator VII
Worcester Magazine, 15 November¹

Although acting in character as Speculator may lead me to examine any subject in politicks or divinity, yet I mean not to engage in controversy with any sect in religion, of any party in government. I would rather calculate all my speculations, as well as order all my actions and discourses, so as to conciliate and unite. Patriotism and benevolence are the principles I avow, and wish to recommend. By these I hope ever to be actuated, and their excellence I would endeavour to display by my writings, conversation and example. As it is not my design to attack

or confront any publick writer or speaker, I wish not to expose myself to the attacks of others. Next to the sword of the duelist, or the dagger of the assassin, I abhor the envenomed pen of ill natured satire and malignant revenge. As I would demean myself a peaceable subject of civil government, and an useful member of society, according to my narrow sphere and capacity, it is my wish, and shall be my endeavour, to encourage others to become the same. In these my speculations I hope the publick will find me at least inoffensive, should they judge that I fail in being instructive or entertaining.

To be consistent with myself in claiming the right of private judgment, and to secure the candid sentiments of others, I must not disturb them in the exercise of the same right, nor withhold from them my candour and good will. It cannot be expected that minds so differently situated, instructed, and biassed, as ours unavoidably are, should think alike in politicks or religion. But, though there cannot be union of sentiment, there may and ought to be union of affection. At this point all parties should aim. I hope therefore I shall not incur the censure of any, especially of orthodox divines and sober christians, if in this speculation I take it for granted, that human nature is not wholly depraved; and that my fellow citizens, in a particular manner, are conscious of superiour dignity in the construction and furniture of their minds, and the disposition of their hearts: That they feel and cherish the operations of worthy and virtuous principles, and are capable of being fired with a noble emulation in discarding every thing that is base, and encouraging every thing that is excellent—in refining and exalting our common nature to the highest pitch, and in diffusing virtue and happiness to the greatest extent. Degenerate as human nature is, and vicious as mankind too generally are, I like not to hear *it* or *them* industriously decried. If any profess to believe the doctrine of total depravity, I would charitably hope they do not mean hereby to palliate or excuse any voluntary meanness or wickedness in themselves; but on the contrary, that by the goodness of their hearts and actions they contradict their professed belief. I freely own, and wish to do it without offence, that the *dignity* and not the *depravity* of human nature, is the most pleasing theme of my contemplations. And although I may be told that this is an evidence of my pride, and therefore of my own depravity, I wish to refute them by no other argument, than acting up to this sentiment. If any should point me to an *Arnold*, I would point him to a *Washington*.

To inspire noble sentiments, and to prompt to virtuous exertions and attainments, we must not dwell on the imbecility and meanness, but

on the exalted capacities and designs of man. And although I am extremely mortified at the folly and baseness which so many of my fellow citizens were guilty of the last year,² in flying in the face of so excellent a constitution as ours of this Commonwealth, and of a government so well administered, thereby bringing such disgrace upon themselves and their country, yet I flatter myself, that by the seasonable exertions and examples of the wise, the virtuous and the influential in the community, this enlightened people, who are sensible of their error, will use every endeavour to retrieve their character, and demonstrate to the world, that they have a sense of the value of their privileges, and will never more act unworthy of *them* or of *themselves*.

As the wisdom of the United States has by free choice been selected and centered to devise a form of government which shall cement, secure, and dignify the whole, I flatter myself that the prudence, piety and patriotism of my dear native country, breaking forth like the sun from behind the clouds, will be soon displayed in the ready adoption of the proposed constitution. For my part, when I consider the dilemma into which we are plunged, the necessity of a firm, effective federal government—the expectations and demands of other nations from us—the knowledge and integrity employed in concerting the plan, and the disgrace and ruin that await us if such a measure be rejected, I cannot but conclude that all the states view the subject in the same light of importance, and laying aside all party and local prejudices, and inspired as with one enlightened benevolent spirit, are already stretching out an eager hand to grasp the offered boon. To facilitate so auspicious an union, let my fellow citizens pay, as the subject deserves, a close and unprejudiced attention, not only to the form of government so deliberately and unitedly constructed, but also to the unanimous resolve of its most respectable framers, and to the letter of the illustrious President,³ the man, who, of all others, has shewn himself worthy of the confidence and esteem of his country. Should this happy event take place, what an additional lustre would accrue to America! already is she distinguished among the nations for a glorious and successful struggle in the cause of freedom. She has produced upon the stage the brightest geniuses in war, politics, in the mercantile and refined arts. And may we not promise ourselves, that conscious of her advantages and duty, she will now aspire to the still nobler distinction of improving human nature, and exhibiting the highest degree of moral worth; of displaying, for the honour of the species and the good of the world, the most skilful and vigilant instructors of youth—the most catholic and successful preachers—the most learned and honest lawyers—the

most able and humane physicians, and a race of inhabitants, who, thoroughly possessed and actuated by the spirit of christianity, shall demonstrate, by the benevolence of their tempers, and the usefulness of their lives, the efficacy and divinity of the religion which they profess.

1. The last paragraph only was reprinted in the *Pennsylvania Mercury*, 30 November; *Pennsylvania Herald*, 2 December; and *Charleston City Gazette*, 18 December.

2. Shays's Rebellion.

3. For George Washington's 17 September 1787 letter to the President of Congress, see CC:76 and CDR, 305–6.

Elbridge Gerry to John Wendell Cambridge, 16 November¹

On my Return to this place, I received your Favr of the 17th of Sepr & immediately sent the letter inclosed to Philadelphia.²

If the new constitution should be adopted, I shall think it my duty to support it, but as it now stands I think it neither consistent with the principles of the Revolution, or of the Constitutions of the several States, & it is condemned by the best Writers on free Governments. indeed the eastern States will soon rebel against it, for it is not a Government adapted to their Genius, Habits, or aversion to arbitrary power, but if they are of a different opinion, I have no objection to their trying on the fœderal Chains, for such I am persuaded they will find the bonds of this constitution eventually to be. this entrè nous—

1. RC, Autograph Collection of the Historical Society of Pennsylvania, PHi. Wendell (1731–1808) was a merchant in Portsmouth, N.H.

2. In his response of 15 December, Wendell thanked Gerry for transmitting his letter to Samuel Coates, a Philadelphia merchant (CC:348).

Vox Populi

Massachusetts Gazette, 16 November¹

I could wish to stop here, and proceed no further, but I must renew my address to the publick's indulgence for liberty to make another address to my fellow-citizens, which is for them to consider, how it comports with policy for them to establish a system of government entirely disconnected with a *bill of rights*?

I long sought for the reason why a bill of rights was omitted; at last I had the two following reasons assigned *viz.* first, *as the powers proposed to be vested in Congress were definite no bill of rights was necessary, for they could exercise no power but what is expressly given them by the constitution.* The other reason is, *because each state has a bill of rights of its own, a federal bill of rights must be wholly useless.*

With regard to the first, it will apply with equal force to any constitution of government extant; we will take our own state's for instance, where we shall find the powers vested in the General Court are as *definite* as those proposed to be vested in Congress; yet, when the constitution was formed, it was deemed absolutely necessary that the people should be protected by an *explicit unequivocal bill of rights*, and the publick are desired to consider whether *that* was a piece of ill-judged policy or not; and if it was not, whether the *nature of things* has so changed since as to render it needless.

The second reason given why it was omitted, I think cannot have much greater force than the former; we may as well say, that because each state has a *constitution* of its own, that a continental constitution was unnecessary, as to say that because we have a *state bill of rights* a *continental* one is unnecessary. But let us consider what is our bill of rights, and what was its original design. If we consider its nature, we shall find it was constructed as a barricade to prevent our own General Court from infringing on certain rights which the people did not mean should be at the disposal of the legislature, and is simply a rule of conduct for our legislature. But what will Congress have to do with *our* bill of rights, any more than they will with the *rest* of our constitution? Will any person suppose that the *other parts* of our constitution will be any rule of *their* conduct? I should imagine if they do, it will curtail some part of the powers which it is meant, by the proposed constitution, they should exercise.

The virtuous and enlightened citizens are requested to pay that attention to this matter which the importance of its nature demands, and act thereon the part which to them shall appear becoming free men, who have hazarded their lives and fortunes to establish a government founded on the principles of genuine civil liberty and *undefiled republicanism*.

I cannot persuade myself to put an end to this piece without suggesting one thing more to my fellow-citizens—which is this, That whereas the proposed constitution, if it is adopted, will make material inroads in the present established constitution of this commonwealth, and rip up, and turn *topsy-turvy*, a considerable number of its constituent parts, it is highly deserving their consideration, whether such alterations can possibly, in the nature of things, be made in our constitution, in the method now proposed.² In order to assist the good people in this consideration, let the following things be *carefully* attended to.

The constitution of the commonwealth of Massachusetts was founded on the idea of two thirds of the inhabitants approving of the same, and

accepting it as a system of government; and if any number short of two thirds accepted it, it was to be *null* and void. Accordingly, it was laid before the several towns for the people's approbation or rejectment; and the number of votes, pro and con. from the several respective towns, were taken and returned to the convention, who were appointed to do that business; and on a strict examination it was found to be ratified, accepted and recognized by two thirds of the people in the state, *in all its parts*, as a constitution and frame of government for this commonwealth, and was accordingly declared to be such.—And can it possibly be a serious question in the mind of any man, whether any body of men, whatever can legally or constitutionally dissolve said constitution, or any part thereof, except it is done with the same solemnity, and with as high a power, as it was made by? or, in other words, whether any number of our citizens, less than two thirds, *can*, consistent with any system of constitutional principles, dissolve or alter the same, or any part thereof? I must imagine that such a question exists in the mind of no rational man; for it is a maxim founded in the nature of things, that a thing cannot be unmade but by the same power that created it; and 'tis also an axiom in all systems of jurisprudence, that no obligation, deed, agreement, contract or engagement, can be dissolved or altered but by an instrument of as high a nature as that which constitutes it; and no act, ordinance or decree, can be reversed but by the *same* authority that enacted, made or determined it. And we may add to these *universally uncontroverted* principles of civil policy, the express provision made *in our constitution* for its revision, where expressly the consent of two thirds is made necessary to such an event.

Let us examine for one moment, whether the proposed plan of *amendment* (for such in the present instance it is proper to call it) involves in its nature any thing which is correspondent with the aforesaid principles of civil policy. This commonwealth contains about 340 towns, each town will undoubtedly send a delegate to the convention, who will there act the sentiments of a major part of his constituents, and the *majority* of the convention will decide on the matter, and their decision *may be* only a bare majority of a bare majority: so that the proposed constitution, essentially altering our state constitution, *may be* established in this state by a minority of *five* against a majority of *fourteen*, which has every feature of that worst of all governments, ARISTOCRACY.

Paying an impartial attention to the foregoing observations, I freely submit it to the candid publick, whether a ratification of the proposed federal constitution is not *wholly incompatible* with that allegiance which

is due from each of our citizens to the commonwealth and the constitution thereof; more especially I would recommend it to the serious consideration of all in office under government, as well as all who *have been* since the inauguration of our present constitution, how they *can reconcile their approbating* the proposed constitution, with that SOLEMN and UNEQUIVOCAL DECLARATION and OATH, which they, in the presence of God, made at their entering into office, and which is *registered in Heaven, and still binding on them!*³

Let the publick reflect but a moment on the immense expense of treasure, toil, fatigue, hardship and danger, as well as blood, with which we last winter defended our *invaluable constitution*, and consider whether they will now reduce it to a *mere skeleton!* Let them further consider, that provided the alterations are made in our state constitution, which must be made in it if the proposed federal one is adopted, and if this is done only by a bare majority of a bare majority, I say let them consider in what respect such a revolution would differ from the *bold and unprovoked* one which was attempted to be made last winter!⁴

But perhaps it may be asked, "if the proposals of the convention are so pregnant with mischief, how came the General Court to lay them before the publick?" I answer, the General Court acted merely officially in laying them before their constituents, according to the direction of Congress, the supreme council of the nation; and had the General Court withheld them from the community (whose servants they are) it would have been chargeable with arrogating to itself the power of deciding on a question which only fell within the province of the people at large to determine upon, so that the General Court acted with the greatest propriety as well as constitutionality on the matter.

Nov. 9, 1787.

1. This essay is a continuation of "Vox Populi," 13 November. For the exchange between "Vox Populi" and "Examiner," see "Vox Populi," *Massachusetts Gazette*, 30 October, note 1. For another response to "Vox Populi," see "Cassius" II, *Massachusetts Gazette*, 23 November.

2. For the constitutional provision on altering the Massachusetts constitution, see "Responses to An Old Whig I," *Massachusetts Centinel*, 31 October, note 1.

3. See Chapter VI (Oaths and Subscriptions) of the Massachusetts constitution (Thorpe, III, 1908-9).

4. Shays's Rebellion.

Cato's Soliloquy Parodied

Massachusetts Gazette, 16 November¹

It must be so—K——m,² thou reason'd well!
Else whence this pleasing hope, this fond desire,

This longing after offices of state?
 Or whence this secret dread, and inward horror,
 Of falling into nought? Why shrink our souls,
 And startle at the federal government?
 'Tis interest, dear self-interest stirs within us,
 And tells us that a federal government
 Is bane, is prison to state demagogues.
 A federal government—O dreadful thought!
 Through what variety of untried being,
 Through what new scenes, and changes must we pass?
 The wide unbounded prospect lies before us;
 But shadows, clouds, and darkness rest upon it.
 State sovereignty we'll hold. For if there is
 A power superiour that we must submit to,
 (And that there must be, reason cries aloud
 Through all the land) it may be just and virtuous;
 Defeat our views, and make a nation happy.
 I fear! I fear!—This state is not for K——m.³
 But time must soon decide—My death and life,^(a)
 My bane and antidote, are both before me:
 This in a moment brings me to an end;
 And this informs me I shall still be great.
 My interest well secur'd, I'll smile at those
 Poor easy tools, I've dup'd to serve my purpose;
 And mock at all the clamours of good men.
 Patriots may shrink away—Fabius himself,
 And Franklin dim with age, lament with tears
 Their toils, their cares, with virtues all were vain;⁴
 If I but flourish in the general ruin,
 Unhurt amidst the war of jarring states,
 The wrecks of property, and crush of justice.
 What means this heaviness that hangs upon me?
 This lethargy that creeps through all my senses?
 Nature oppress'd, and harrass'd out with care,
 Sinks down to rest. I'll try to favour her,
 That my awaken'd genius may arise
 With force renew'd to invent new fallacies
 To puzzle and deceive—Let fears alarm
 The patriot's breast—K——m⁵ knows none of them!
 Indifferent in his choice, if good or ill
 Betide his country, if he govern still.

(a) *Pointing to the federal system and state constitution.*

1. "Cato's Soliloquy," dated "New-York, Oct. 20, 1787," was first printed in the New York *Daily Advertiser* on 22 October. The *Massachusetts Gazette* adapted the soliloquy to the politics of ratification in Massachusetts. See notes 2, 3, and 5. The *Massachusetts Gazette's* version was reprinted in the Philadelphia *Independent Gazetteer* on 29 November.

2. Probably an allusion to Daniel Kilham, a Newburyport delegate to the state House of Representatives who, on 24 October, had criticized the Constitution during the debate on the resolution calling a state Convention. For Kilham's speech, which appeared in the *Massachusetts Centinel*, 27 October, see "Massachusetts Calls a State Convention," 18–25 October (II above). In the New York *Daily Advertiser*, 22 October, the name at this point was "Samuel," possibly a reference to Samuel Bryan of Philadelphia, the alleged author of the Antifederalist "Centinel" essays (CC:133), or to Antifederalist Samuel Jones, a lawyer from Queens County, N.Y. When the *Advertiser's* version was reprinted in the Lansingburgh *Northern Centinel* on 25 December, "Samuel" was changed to "BRYAN," who was identified as "The author of the *Centinel*" essays.

3. In the New York *Daily Advertiser*, the name at this point is "Cato," an allusion to George Clinton, the Antifederalist governor of New York. The *Northern Centinel* rendered this as "C*****n."

4. The preceding six lines refer to the charge by "Centinel" I, Philadelphia *Independent Gazetteer*, 5 October (CC:133), that in the Constitutional Convention George Washington had been duped and Benjamin Franklin was senile.

5. "Cato" in the New York *Daily Advertiser* and "C*****n" in the *Northern Centinel*.

Cassius I

Massachusetts Gazette, 16 November¹

It was the saying of an eminent legislator, that if we had *angels to govern us*, we should quarrel with them. The conduct of *some* among us, has repeatedly evinced, beyond a doubt, that this would actually be the case; we have proof of this in a more particular manner in the opposition now made by some (but I sincerely hope the number is few) to the form of government agreed upon by the late federal Convention. I firmly believe, if a form of government was proposed to some of the inhabitants of the United States, by the great AUTHOR OF NATURE himself, founded on the basis of eternal rectitude, and sanctioned in the courts above, that they would object to it.

It is a happy circumstance for the citizens of the United States, that they are acquainted with the motives which actuate the present opposers to the plan of federal government; as they now, instead of listening with candour to the dictates of mad frenzy and wild ambition, will treat with the deserved contempt all their productions.

The opposers to the plan of federal government, are composed of such as are either deeply in debt and know not how to extricate themselves should a strict administration of law and justice take place, or those who are determined not to be contented under any form of government, or of such as mean to "owe their greatness to their country's ruin."—Are such fit men to point out objections to a government,

proposed by the first characters in the universe, after a long and candid discussion of the subject?—Are such fit characters to propose a government for ruling a free and an enlightened people?—Can those who are known to be divested of honour, justice and integrity, expect to propagate sentiments that will outweigh those of men whose characters, as true republicans and wise statesmen, are known from pole to pole—men, whose wisdom and firmness have emancipated the United States from the yoke of bondage, and laid the foundation of an empire, which (if the people will still follow their precepts) will last till time shall be swallowed up in the “wasteless ages of eternity?”—Can scribblers whose fame is but of a day, think to influence the citizens of the United States so far as to cause them to reject a form of government, calculated to diffuse the blessings of civil society far and wide?—If they can harbour ideas of such a nature, I pity their weakness and despise their villainy.

Some writers in Pennsylvania, New York and Massachusetts, have displayed their scribbling talents in opposition to the plan of federal government; but it is easy to perceive by their arguments, that they are men who are fearful of not being noticed in a federal government, or are some of the stamp beforementioned. Their arguments are without weight, and their assertions and insinuations as foreign to the real state of facts as any thing possibly can be: they anticipate evils, which, in the nature of things, is almost impossible should ever happen, and, for the most part, their *reasoning* (if it is not a degradation to reason to call such jargon by its name) is incoherent, nonsensical and absurd.

Some writers in Massachusetts have discovered such weakness, inconsistency and folly in their productions, that it discovers them to be entirely ignorant of the subject they pretend to discuss, and totally unacquainted with the plan of government proposed by the federal convention. Among this number, is a scribbler under the signature of *Vox Populi*; whose signature, to have been consistent with his productions, should have been *Vox Insania*. This *pompous* and *very learned* scribbler, goes on to harrangue the publick about the *danger, hazard, terroure* and *destruction* which will attend the adoption of the federal Constitution. He pleads, in a *mournful* strain, much about *woful experience*. From this circumstance, I am induced to suppose *Vox Populi* was an adherent of the celebrated *Shays*, in his *unfortunate* expedition the last winter, and *wofully experienced* the *misfortunes* attendant on the *insurgents*, through the energy of government. However, the inhabitants of Massachusetts may be assured, that they will have WOFUL EXPERIENCE with a witness, if they suffer themselves to be led away by such ignorant, knavish and designing numbheads as *Vox Populi* and his clan, so far as to reject the plan of federal government proposed by the Convention. *Vox Populi*

complains that our source for taxes is exhausted, and says we must have a new system for taxation:² but he must consider, that if the federal government is adopted, we shall not have occasion to employ the legislature so great a part of the year as we are now *obliged* to do; of consequence, government will be able to apply their money to better uses than paying anti-federalists, while they are spreading their poisonous vapours through the already too much infected atmosphere.

Mr. *Vox Populi* remarks, that some people are already taxed more than their estates are worth; in this instance I sincerely believe he speaks the truth. But what is the occasion of their being thus taxed?—It is because they make a show as though they have property, though in fact it belongs to another; they live sumptuously, and riot in the property of their unfortunate creditors. Perhaps Mr. *Vox Populi* is one of this class, and has *wofully experienced* a taxation more than *his whole estate* is worth: if he is, I would advise him, instead of employing his time in belching out his “*de facto's, plene proofs*” and other *chit chat* of the like kind, and disseminating his execrable “*ideas,*” to go about adjusting his affairs, as it will tend more to his honour, and perhaps be the means of saving him from the *woful experience* of confinement in a place much more fit for him than that in which he now is.

I pity Mr. *Vox Populi's* weakness and conceit, in thinking he and others of his class, have *accents not less majestick than thunder*, as I really think he is very singular in his opinion. Instead of his “*accents*” being *majestick as thunder*, they are as harmless and insignificant as the feeble breeze.

Citizens of Massachusetts, look well about you; you are beset by harpies, knaves and blockheads, who are employing every artifice and falsehood to effect your ruin. The plan of federal government is fraught with every thing favourable to your happiness, your freedom and your future welfare: if you reject it, posterity will execrate your memories, and ceaselessly insult your ashes: if you adopt it, they will revere your departed shades, and offer up libations of gratitude on your tombs.—May that wisdom which is profitable to direct guide your judgments—and may you, by adopting the federal government, secure to yourselves and your posterity, every social and religious advantage, and every national blessing.

1. This essay was the first of six unnumbered essays published by “Cassius” in support of the Constitution in the *Massachusetts Gazette* between 16 November and 25 December. For the identification of James Sullivan as “Cassius,” see the headnote to “Cassius,” *Massachusetts Gazette*, 2 October (I above).

2. See “Vox Populi,” *Massachusetts Gazette*, 13 November.

One of the People**Massachusetts Centinel, 17 November¹**

Mr. RUSSELL, In the course of the last week the attention of the publick was excited by a letter from the Hon. E. GERRY, to the two branches of the Legislature of this State, containing his reasons for not signing the Constitution for a Federal Government, agreed on by the late august Convention of the States, of which he was a member.

As this Constitution is now under consideration of the citizens of America, for their acceptance and ratification, it is not a little surprising that no one should have stepped forth to counteract the unfavourable, and dangerous impressions this letter is calculated to make upon the minds of the people in general on this all-important subject. Particularly as from the character of Mr. G. as an honest man, and well known friend to his country, there is much reason to believe his suggestions, his fears, and his cautions, may have a much greater influence than in reason they ought, on the minds of many honest men, who really wish well to their country, but from a variety of causes are by no means fully equal to the task of immediately perceiving the excellence of this system; or of discussing a subject of such magnitude, and who from the honesty of their hearts, their zeal for the natural rights of mankind, and a sincere desire of transmitting to posterity a fair inheritance, both of liberty and property, might in the present case too easily allow their judgments to be prejudiced, and consequently give their voice against the complete plan now devised for our political redemption, merely from finding so fair and respectable a character as Mr. G. could not approve of it.—That he approves of by much the greatest part of the Constitution may be gathered from his own words; and that to reject it altogether (which must be the case if it is not accepted) he acknowledges will expose us to the most dismal consequences.

For one moment, my friends and fellow citizens, advert to a few circumstances which well deserve your attention in making up your minds on this serious subject. You will, I doubt not, readily allow that many of you are not so able as you wish you were, to decide at this critical and interesting period, on what ought to be done in the present affair—but say you, we can safely rely on the knowledge, the honour, and the integrity of Mr. G. With you I admire both his virtues and his abilities;—but of you, I would wish to ask, (not with a view to derogate from Mr. G's character) whether when we cast our eyes over the list of the late members of convention, we do not find many, very many characters, equal in every particular of both wisdom, genuine patriotism,

honesty, and every other amiable accomplishment, with Mr. G. To mention a WASHINGTON, a FRANKLIN, a MADDISON, a KING and a GORHAM, I think sufficient: And whether, when we observe these worthies have to a man, set their names to, and risked their well establish[ed] fame on the Federal Constitution, we have not from this circumstance in itself considered, as much reason to be prejudiced in favour of the federal system, and determine to give it our support, as to reject it on the ground of its not comporting in every particular with Mr. G's opinion. Again, when you consider what a vast variety of jarring and opposing interests the Convention had to consult;—how zealous every member must naturally have been, to secure to his particular State as many advantages as possible, and how utterly opposed such a body of honourable characters must necessarily have been to any measure which could in the most distant manner endanger the rights and liberties of this, or any future generation in America;—that they themselves and their posterity, in common with their fellow citizens, and their posterity, must necessarily have been subjected to every inconvenience which could any way result from the regulations to which they have given their sanction;—and at the same time knowing their plan would be critically examined by the politicians of every country: I say, when we consider these and many other particulars which must occur to every one who reflects on the subject; must we not conclude that the reasons in favour of the Constitution, as now proposed to the States, are much more potent and conclusive than any which Mr. G. has to offer in favour of alterations?—*And alterations in certain parts is all he pretends to contend for.*—His reasons are no doubt perfectly satisfactory to himself—but that they were not so to the other worthy and respectable characters of the convention is clear, from their not making the alterations he appears to wish for.—You all know, my countrymen, how easy it is to find fault; and that apparent errors and defects in the constitution of things, must oftner arise from, and prove the want of, discernment of individuals, than from real defects in the things themselves—this is clearly evinced in many instances in the natural and moral world.

When Mr. G. found himself disposed to suggest that this system was not calculated to secure, but endanger, the liberties of America; methinks he would have done well in recollecting the probability of his judgment failing him in this particular, and that if this event should ever take place, it must arise from the people themselves, who by this constitution will have it forever in their power, if true to themselves, to prevent any body of men from combining against either their liberties or property. Mr. G. should consider, and the people at large I hope will

consider, that should his wished for amendments take place, that then there would remain the opinion of the other forty respectable members to combat, before the delegates of the different States could agree in judgment—and that three members refusing to sign, by no means furnishes such evidence of capital defects, as arise in favour of its being as complete as the nature of circumstances would allow, from its having been signed by forty in every respect as honest men, and good judges as the three who seceded.—Again, might not a man of less abilities, more art, and less honest, than Mr. G. cry out at this time, when every man's ears are on the stretch—*beware!—beware!*—you are forging chains for yourselves and children—your liberties are at stake, &c. and would not this cry for a moment spread a general alarm, and with many excite suspicions not easy to be removed? No doubt it would—in that case, those who reflect, would naturally after recovering their first surprise be desirous candidly and cautiously to inquire whether things were really as they were represented, or whether this cry might not have proceeded from causes which rather proved the timidity, and shortsightedness, or perhaps the dishonesty of the alarmer, than the real danger—If so, why not, in the present case, make a distinction between sounds and things; and if upon a full, fair, unprejudiced attention to the subject, it should appear that we have more to fear from rejecting, than accepting the Constitution, will not reason urge a choice of the least of two evils, even though Mr. G. and many others, should withhold their consent.

Upon the whole, I would observe that upon conversing with those among us possessed of the greatest abilities—with those who are the most anxious to see their beloved country placed upon a respectable footing among the nations of the earth—those who have ever been utterly opposed to any measures which could endanger either the liberties or property of this country, and with those who would sooner lay down their lives than surrender into the hands of any body of men on earth their privileges, either of a civil or religious nature; I find that to a man they agree in the opinion, that in determining the question either for or against the new Constitution, we shall determine one of the most important questions which ever was submitted to the people at large on the subject of government in any age or country.—That the fate of unborn millions is interested in it, and that if the influence of our worst enemies is so great as to lead us to reject it, we shall too late have reason to lament that we were born in a land where the sweets of a free government were ever tasted, or in a country in which from the cradle the citizens are taught to look upon slavery as worse than death, and usurpation more dismal than the grave.

From my heart, let me conjure you, my brethren, to attend carefully to the sentiments and characters of those you may chuse to represent you in the approaching Convention—Remember there are many snakes in the grass, and that many are hourly avowing sentiments they do not entertain, or which they would support in Convention—and that those who are opposed to the Federal Government are almost to a man, either *enemies to the late revolution—friends to tender acts, paper money*, or hold some place of honour or profit under the present confederation—or that secretly approve such measures as by involving the States in anarchy and confusion, would free them from debts, many of them have incurred in pursuits disgraceful to humanity. I conclude with advising you not too hastily to make up your minds on the opinions of any, unless of distinguished worth and integrity.

Nov. 13, 1787.

1. Reprinted: *Pennsylvania Packet*, 11 December. "One of the People" replies to Elbridge Gerry's 18 October letter to the General Court, which was first printed in the *Massachusetts Centinel*, 3 November. For this letter, see I above, under 18 October.

Federalist

Massachusetts Centinel, 17 November¹

Mr. RUSSELL, It is very apparent that the writers in opposition to the Federal Constitution are but few in number—that if those among this number are taken out, whose opposition is founded on selfish and interested motives, there will scarcely a person of independent sentiments be left—and if one or two such characters among the antifederalists can be selected, it ought to be a matter of serious inquiry with *them*, whether any advantages that may possibly be derived from their *doubts* and *fears*, with respect to the eligibility of the proposed constitution, can counterballance the innumerable evils that will almost necessarily flow from its rejection?

As to those whose opposition is founded on a spirit of party, local prejudices, and self interest, no considerations but those of immediate destruction to *themselves*, will induce them to abate their exertions to disseminate the seeds of jealousy and disunion—their hopes are suspended on confusion and the debility of government; for the moment the new constitution is adopted, their schemes of policy must fall—their deficiencies will be discovered, and their artifices, expedients and subterfuges will serve them no longer.—For these reasons the attention of the publick has often been directed to scan the *characters* of those who croak against an efficient Federal Government—by this method

their motives will be so fully understood, as to afford a sufficient antidote to the poison of their declamations.

It ought to be held constantly in view, that there is nothing perfect that proceeds from imperfect beings; that the most faultless system of morality, religion and government among mankind, have had their adversaries; that men of ingenuity and cunning, who understand human nature, and know how to play with the passions, can easily raise objections, and plausible ones too; yea, render ridiculous those institutions from which society derives its highest enjoyments.—Systems of government are of all others the most liable to exceptions, and the nearer they approach to perfection, the more strenuously will they be opposed by the worst of mankind.

These considerations should induce a very cautious credence to the suggestions against the proposed constitution—for the probability of its originating in the purest principles of patriotism is certainly very great, when it is reflected what CHARACTERS were employed in its construction, and finally sanctioned it by their signatures and recommendation.

AMERICA can scarcely hope ever to see so respectable a body of her citizens convened on a similar occasion—so great an unanimity we cannot expect again—the spirit of jealousy and discord, which the enemies of our national honour and glory, have excited, leaves no chance of a future coalescence in a Continental Convention—It therefore remains with the people at large, to adopt the proposed Constitution, and thereby avail themselves of the last opportunity they will probably enjoy, of establishing in peace, an efficient and permanent government; or by rejecting it, to precipitate themselves into the most abject state of servitude—for that anarchy and confusion that must ensue, upon the last alternative, will most assuredly issue in despotism and slavery.

1. Reprinted: *New Hampshire Recorder*, 26 February 1788.

An American: The Crisis

Massachusetts Centinel, 17 November¹

“These are the times that try men’s souls”—and he who now espouses the cause of his country, will receive the thanks thereof and of posterity, and the applause of the world.²

THE CRISIS.

E’en now, my Countrymen, before our eyes,
At our own option, FAME or RUIN lies.

Ye brave COLUMBIANS (if you *now* can claim,
 The glorious boon, to bear so great a name),
 Arouse! Let all that's dear to men inspire
 Those breasts which *once* display'd a gen'rous fire;
 Secure that Empire firm, for which you fought—
 Which many lives and free-spent treasure bought.
 Can you soon, in dark oblivion waste
 Such ard'ous toils, and ills so lately past?
 Will you your country into factions break—
 Bow down your necks—the yoke of bondage take?
 No! you reply—We'll join in Freedom's cause,
 To prop her strength, consolidate her laws,
 And firmly fix her government, to sway
 'Till time shall cease, and nature fade away.

1. This essay was reprinted in the *Boston Gazette*, 24 December, and without the preface in the *Hampshire Chronicle*, 25 December, and *Salem Mercury*, 22 January 1788. It was also reprinted with or without the preface in the December issue of the *Philadelphia American Museum* and in seven other newspapers by 16 January: R.I. (1), Conn. (1), N.Y. (2), N.J. (1), Pa. (1), Va. (1). Besides the original printing, the pseudonym appeared only in the *Museum*, Rhode Island, and New Jersey reprintings.

2. Taken from the opening lines of Thomas Paine's "The American Crisis," No. I (December 1776). "These are the times that try men's souls: The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of his country; but he that stands it now, deserves the love and thanks of man and woman."

Henry Jackson to Henry Knox

Boston, 18 November (excerpt)¹

my dear Harry

. . . You may be assured that Mr. Gerrys Letter has done great injury to the proposed New Constitution, more than he will ever be able to do good by a whole life of repentance—every thing went on *firm & well* untill that *damn'd* Letter—he has his influence with a certain party, of which *your* friend on *Milton Hill* is a principal²—however I don't despair yet, as all the liberal & most sensible men, are highly in favor of it. they stand as firm & unshaken as a Rock—the Insurgent int[er]est, is the only influence against it—but this is pretty powerfull. . . .

1. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York. Jackson also wrote to Knox about Gerry's 18 October letter to the General Court. See the letters under 5 and 11 November.

2. General James Warren.

John De Witt IV
American Herald, 19 November¹

To the FREE CITIZENS of the COMMONWEALTH of MASSACHUSETTS.

Place the Frame of Government proposed, in the most favorable point of view, magnify the privileges held forth to the people to their fullest extent, and enlarge as much as you please, upon the great checks therein provided, notwithstanding all which, there cannot remain a doubt in the mind of any reflecting man, that it is a System purely Aristocratical, calculated to find employment for men of ambition, and to furnish means of sporting with the sacred principles of human nature. The great object throughout, is the acquisition of property and power, and every possible opportunity has been embraced to make ample provision for supplying a redundancy of the one, to exercise the other in its fullest extent. They have engrossed to themselves the riches of America, and are carefully silent what use they intend to put them to. Powers are there granted, that shall give to persons, greater strangers, and perhaps greater enemies to you than the people of Great-Britain, the right of entry into your habitations without your consent, not a lisp being mentioned as to the mode or time when such powers shall be exercised. They have taken to themselves the Purse and Sword of your country.

Like the performance of a fine painter, the Senate is the subject of the piece painted.—The people with their privileges, to an attentive observer, may be seen in the back ground, composing an insignificant part of the drapery, but their existence depends upon the freshness of the colours.—Frequent handling, a little exposure, and the smallest inroads of time upon these shades, will soon destroy them, and they will no longer be considered a part of the composition. If this is true—if in any future period, however distant, we are to be governed by One Branch, it surely behoves us to provide for an equal voice in that Branch, that our respective influence shall bear some small proportion to our respective contributions and numbers: Whereas in this System, equality is totally disregarded. Five pounds in the Senate has an equal voice with fifty, and about five hundred thousand of the inhabitants the same number of votes with the remaining three millions. Where then is the probability the rights of the people will find equal security? Is it not demonstrable that your burthens will be great in proportion as your influence in that body that imposes them is small? As it respects this Commonwealth, infinitely better would be our situation in a representation in the British Parliament. The terms offered us by our enemies

to place us as we stood in 1763, bear no comparison in their consequences, to those which would flow from the exercise of the powers of this Government by the Senate, as now constructed. If the same proportion in numbers and property had been observed in this Branch as in the House of Representatives (and no reason why it was not hath yet appeared, excepting what the celebrated Southern gentleman is pleased to term a "*necessary compromise between contending interests*["])² however successful they might be hereafter in arrogating all the powers of government to themselves, or however severe in executing them, still one gleam of hope with the spirit of consolation would be found in the breast of the subject, that his grievances were proportionate to those of his neighbours; but in the present case, even this satisfaction is denied him—the uncertainty is not left him—his reason instanter convinces him it is not so.

It is idle to expect more virtue in an American than in an individual of any other nation.—That in opposition to all other countries, we are disposed in this, to live peaceably with each other, to consult our neighbours interest equally with our own, and to do to others as we should wish they should do to us. This being the case, we should not want any government.—Human nature is the same in all parts of the world, bad is the best: Education and example may tend to check or promote good or bad qualities, and encourage different degrees of vice. Some passions are more encreased by exercise in some countries than in others; but in all, the original stock is the same. We see in America the same vices, as abroad, and we are not backward in the practice of both wit and ingenuity in cultivating them. The pleasure of controul is palatable to all mankind without a single exception from the cradle to the throne. Let our peculiar situations be what they may, our proportion of happiness great, our domestic circles pleasing, our love of money unbounded, without a moment of suspence, still we are ready to risque the sacrifice of them all for a share in the exercise of power over our fellow creatures,—for the sake of governing others, instead of being governed ourselves; and the more we examine the conduct of those men who have been intrusted with the administration of governments, the more assured we shall be in our position, that mankind have perhaps in every instance abused the authority vested in them, or attempted the abuse of it. In considering the present Government before us, we therefore certainly ought to look upon those who are to put it in motion, as our enemies—to be careful what we give—to see what use it is to be put to—and where to resort for a remedy, if it is abused.—Every door unguardedly left open, they will take care we never shall hereafter shut—every link in the chain unrevitted, they will

provide shall always remain so.—It is of the last importance we set out right, we never can return to our present situation so well prepared to set out again.

This institution once established will not wear wholly out for thousands of years.—It will not be easy for any single State to alter it by force of arms.—To guard against such attempts, will claim the earliest attention of our new Governours.

To you, my fellow-citizens, let me now appeal: To you, who do not expect immediately to taste the sweets that flow from unlimited power, who determine upon principles that are immutable, who are not warped by private interest, and do not see through different mediums on different days—is there any among you who have had leisure to examine this Frame of Government, and without taking into consideration the powers granted therein, can say he approves of it—that he is pleased with the organization of the different branches, in their balances and their checks, that the people are fully and adequately represented, and let Human Nature be as depraved as Hell itself, (and we all know it is) yet the means provided to keep it within bounds are ample for the purposes?—I trust there is not one so passively disposed.—Indeed there cannot be, for it is grossly deficient in all these properties, it fails in a balance, and in a due separation of the different departments—it totally fails in a fair, faithful, honest image of the people, and in an equality of representation, in the only powerful branch in it.—I feel a confidence that the good sense of the people of this Commonwealth, will secure a proper decision upon so important a subject. I feel animated, when I reflect, in what precious estimation they have held their liberties, from the settlement of their country to the present hour—with what ardour they have encountered distress, poverty and death, to preserve and secure them, and with what caution they have parted with even that proportion, which is necessary for the assistance of good order and society.—I go on further to contend, that though its frame was the best ever proposed to a people for their acceptance, and would last properly balanced for ages, yet powers are there given, more than are either fit or necessary in any case to be parted with.³

The extent of our country, with all its striking features, while they conspire to promote a foederal union, are totally inconsistent with the plan of one Universal Empire, involving in it the destruction of the different State Governments.—I appeal to the most flaming zealots for the new Constitution, whether one of them, until the disclosure of the proceedings, entertained an idea, that the Convention would assume the power of internal taxation.—I dare affirm it was not lispd by an

individual, throughout the whole Continent. Among all the conversations respecting the sending of members to that Convention; even the claim over the excises was not started.—It was on the contrary, a point universally conceded, that had the impost been vested in Congress by the States at the time proposed, with powers to collect it, there never would have been an occasion for a Convention.⁴ That foederal measures would have taken a favourable turn, and with the proceeds of that revenue, Congress would have been able to have supported her own household, paid the interest of her domestic debt, and the different instalments, and interest of her foreign. But now these same Gentlemen, despising every civil institution yet adopted in America, and finding the form of Government far more grateful to their ambitious spirits than they ever imagined, will tell you, that the existance of the Continent depends upon its adoption—that we are ruined and undone, if we do not cordially embrace it, but if we do, like the ingenious dentist, it will pull from the breast of every citizen, all his jarring, malevolent passions, making us a wise, virtuous and wealthy people, and though they do not in plain words say that the millennium is to commence on its birth day; yet they describe to you, all the blessed effects expectant upon such an æra.

A dry tax is at all times odious. It is not congenial to the feelings of a free people. It is a visible demand upon a man at noon day, of that which he prefers to his life. He is called upon, when the necessity of giving it to support the society he lives in, does not strike him so forceably;—he for ever parts with it with reluctance, and would never consent, but under a conviction, that it is absolutely necessary—that it is his proportion—that it will be properly applied, and is laid upon him by his neighbour, chosen by himself, whom he controuls, and who bears an equal share of the same burthen.—It is a science difficult in its nature, duly to assess it. A man must not only be knowing to the different circumstances of every individual, the value of his real and personal estate—but also must be without passions, without prejudices, without connections, making it his whole business. This not being the case, produces heart burnings, evasions, false oaths, unequal assessments, delays of payment, and finally, inability. These inconveniences are still increased by the mode of collecting the tax when so assessed. This trust is placed, in general, in persons who have neither knowledge or discretion equal to the importance of it. An opportunity is put into their hands to gratify all their little prejudices and resentments. They will unreasonably press upon one, and at the same moment indulge another. Unused to handle large sums of money, they cannot help fingering untill they think it their own—They misapply first a small proportion, one extravagance leads to another, until they are in arrears

when called upon—and the honest and industrious are obliged again to contribute to supply their deficiencies.—This is the operation of a dry tax in its best situation; and it serves to demonstrate, that taxation and representation are inseparable—that they never can be laid upon the subject but by himself, or his representative, not treble refined, but resident in his vicinity, who shall be conversant both in his ability as to quantum, and propriety as to time. Even then they ought not be resorted to, but in the last extremity, for surely this Commonwealth will not be backward to testify, that notwithstanding they have made the experiment under the most promising circumstances, still woeful experience demonstrates the utter impossibility of raising and collecting monies sufficient for the use of government in such an odious, unequal manner. The five taxes past, in their consequences, have introduced idleness, dissipation, fraud, discontent, bankruptcies, unlawful speculations, stock-jobbing, and every other vice incident to our species, without supplying the Treasury with scarce a farthing. Government have always demonstrated a disposition to ease the people in the payment as much as in their power, notwithstanding which no one single person is satisfied, Government itself almost destroyed in consequence, and the end proposed in no one shape answered. If then, my fellow citizens, it is so easily demonstrated that dry taxes are attended with such fatal consequences, when we impose them ourselves, that the evils accompanying the collection of them in the best given circumstances, overbalance all the advantages accruing from the monies raised by such collections.—What reason have you to suppose that a Continental tax will be more beneficial in its consequences, more equal in its assessments, and milder in its mode of collection. A man must be distracted to suppose so, for there are no avenues open for either of those consequences to flow through. In the first instance, the sum will be laid upon you by people that cannot be sufficiently acquainted with your country. A new set of Continental pensioned Assessors will be introduced into your towns, whose interest will be distinct from yours.—They will be joined by another set of Continental Collectors, still less principled and less adequate than the former. Attempts will be made by interested men upon their integrity, and instances of their deviations will be daily before your eyes.—At a distance from their employers and removed from the Seat of Government, you will see them exulting with ideas, that they can practice their oppression upon you with impunity, and in their rioting and debauchery they will squander the proceeds of your industry.—The extremes of tyranny are commonly at the extreme parts of the country governed. You must kiss the rod, or they will make you feel it.—According to the spirit of obedience which you

manifest; to the ease with which you part with your money, so will the mode of assessing and collecting it be varied from time to time by your new masters. If one man shall not be competent, he shall be attended with an host.—Whether that host shall be the posse of your country or a file of armed soldiers, shall depend upon circumstances. They are to determine, and you are to make no laws inconsistent with such determination, whether such Collectors shall carry with them any paper, purporting their commission, or not—whether it shall be a general warrant, or a special one—whether written or printed—whether any of your goods, or your persons shall be exempt from distress, and in what manner either you or your property is to be treated when taken in consequence of such warrants. They will have the liberty of entering your houses by night as well as by day for such purposes.—All these points are given in letter and in spirit to the New Constitution, and the subject has not a shadow of security that they will not be executed.—Nay, if they ever should mean to exercise the right of taxation at all, I affirm it can be done with success by them in no other way, but in an arbitrary manner, and by previously subduing the spirit and strength of this Commonwealth.

In forming our own Constitution, by persons having one common interest, we deemed it of consequence, to preface such powers, with the mode in which they should be exercised.—We thought it highly proper to declare “That every subject had a right to be secured from all unreasonable searches and seizures of his person, his houses, his papers, and all his possessions—that all warrants were contrary to this right, if the cause or foundation of them be not previously supported by oath or affirmation, and if the order in the warrant to a civil officer, be not accompanied with a special designation,”⁵ &c. &c. &c.—These checks are omitted, however, in the present proceedings, and the sole reason why appears to be this, that the makers of them know the power itself to be improper, that the people would always be convinced of that impropriety, and would never submit, so long as they could resist.—That of course it must be collected without these checks, or not collected at all.

These are serious thoughts.—They may by some be called bugbears; but they will be verified in the future history of America, with a vengeance.—That it will be in five, ten or fifteen years is not probable. Your rulers will be too knowing, to be over hasty in a display of their strength; they will not loose ground so easily as the Court of Great-Britain did for want of a little well timed policy.—Your chains will be gradual, and gilded. But finally they will be as visible as the Summer’s Sun in the Meridian. Where is the Government under Heaven, where

every farthing is not taken from the people, that they possibly can part with.—It must be the case here. Their interest will point out to them the policy in accustoming you to contributions, and their curiosity will be early excited to make the experiment to constitute a thermometer for your feelings.—They will have a plausible pretext.—They will tell you your burthens will be less when you get out of debt, and that they are the effect of not adopting it sooner.—They have large demands upon them, and matters of moment to undertake. The officers of their Government will be encreased an hundred fold, and the liberality with which they have expended their money in salaries plainly evinces the improbability that there ever will be a great sum lying idle in their treasury.

(*To be continued.*)

1. The remainder of the essay appeared in the *Herald* on 3 December. For a brief response to this essay, see *Massachusetts Centinel*, 21 November.

2. See James Wilson's 6 October speech before a public meeting in Philadelphia (CC:134, p. 341). Wilson did not use the adjective "necessary." His speech was reprinted in six Massachusetts newspapers, two of them in Boston: *Massachusetts Centinel*, 24 October; and *American Herald*, 29 October. (See "The Massachusetts Reprinting of James Wilson's Speech of 6 October Before a Philadelphia Public Meeting," 24 October–15 November, I above.)

3. On 21 November the *Massachusetts Centinel* printed a brief item which quoted this sentence, preceded by this statement: "A correspondent requests of *John de Wit* a key to the following paragraph in his last performance, viz." (Mfm:Mass.).

4. A reference to the failure of the states to adopt the Impost of 1783 under conditions acceptable to Congress. (See CDR, 146–48; and CC:Vol. 1, 21, 30–31, 37.)

5. See Article XIV of the Massachusetts Declaration of Rights (Appendix I).

George Washington and Benjamin Franklin in the Constitutional Convention, Boston, 19–21 November

Soon after the Constitutional Convention adjourned on 17 September, advocates of the Constitution invoked the names of George Washington and Benjamin Franklin, the Constitution's two most illustrious signers, in an effort to achieve widespread support for its ratification. "Centinel" I countered this tactic by declaring that Washington was duped in the Convention and that Franklin had become senile (*Philadelphia Independent Gazetteer*, 5 October, CC:133). The *American Herald*, 19 November, printed two brief accounts supporting "Centinel's" attempts to diminish the importance of the two men. The *Herald* asserted that Washington signed the Constitution only in his capacity as Convention president and that Franklin shed a "puerile tear" upon signing. Furthermore, Washington did not even give his opinion on the Constitution in the Convention. In a third item, a correspondent criticized Franklin for abandoning a powerful one-house legislature that he supported in Pennsylvania in favor of a government with three branches.

On 20 November the *Massachusetts Gazette* contradicted the *Herald*, declaring that Washington had spoken in the Convention and that Franklin's tears were "tears of joy." The next day the *Massachusetts Centinel* praised Franklin. It also reprinted a report, first published in the *Pennsylvania Herald*, 7 November, quoting Washington's 17 September speech supporting Massachusetts delegate Nathaniel Gorham's motion that the number of Representatives not exceed one for every thirty thousand instead of one for every forty thousand, as stipulated in the engrossed Constitution. (Rufus King, another Massachusetts delegate, seconded Gorham's motion. The *Herald* did not name either Gorham or King.) Whereupon, the Convention unanimously adopted Gorham's motion and emended the engrossed Constitution (CC:233-B). On 24 November the *Massachusetts Centinel* reprinted a report from the *New Jersey Journal*, 7 November, that, upon signing the Constitution, Washington told the Convention that if the Constitution were rejected "*an opportunity will never again offer to cancel another in peace—the next will be drawn in blood!*" (CC:233-A).

The *Pennsylvania Herald's* account (CC:233-B) was also reprinted in the *Boston Gazette*, 26 November, *Hampshire Chronicle*, 27 November, and *Worcester Magazine*, 29 November; while the *New Jersey Journal's* report (CC:233-A) also appeared in the *Hampshire Gazette*, 21 November, *Boston Gazette*, 26 November, *Salem Mercury*, 27 November, *Cumberland Gazette*, 30 November, and *Massachusetts Gazette*, 4 December.

American Herald, 19 November

A correspondent regrets the departed laurels of a certain character, late Philosophic,—perhaps the only blunder he ever committed in the *vigour of life*, is *endeavoured* to be *mended* by one still more notorious. In his *old age*, Dr. Adams's performance has so fairly made him a proselyete to the doctrines of *three branches*, as to induce him to adopt it at any rate; not reading, perhaps, that *part* of the Doctor's treatise, which *condemns* such a Government for a *confederation*.¹ But so thoroughly *tired* is the Philosopher of the system he established in Pennsylvania, of *one assembly*, that he was eager to rectify his mistake by *three Branches*, however they might apply to the habits and circumstances of the inhabitants and territory to be governed—not even hesitating to *annihilate Thirteen free, sovereign and independent States*; and establishing on their ruins a *monstrous, unweildy Empire*, more extensive than that of the Roman at its height; and in point of freedom, not exceeding the *Republic of Venice*, which, although it bears the *name* of a Republic, is *universally detested* for the rigour and severity of its Government.

American Herald, 19 November

A correspondent asks, Whether the friends to the *New Plan* ought so frequently to call to their aid the name of WASHINGTON, when it is

a fact as notorious as it is true, that this Great Man *never gave an opinion upon the subject in Convention*, and honoured it with his *Signature* merely in his capacity of PRESIDENT of that *Body*.

American Herald, 19 November

ON DR. FRANKLIN'S shedding a TEAR at signing the DEATH-WARRANT of his COUNTRY'S LIBERTIES.

The worn-out SAGE too full his joy to speak,
The puerile tear stole down his wrinkl'd cheek;
He paused a moment—but alas, too late,
• He lent his Signet to his Country's fate,
He grasped the trembling quill and signed his name,
And damn'd the Laurels of his former fame.

Boston, 12th Nov. 1787.

Massachusetts Gazette, 20 November²

A correspondent asks, whether the enemies to the *new plan*, ought so frequently to call to their aid the "*scurvy art of lying?*"—as it is a fact as notorious as it is true, that the GREAT WASHINGTON (although *they* shamelessly assert the contrary) was upon his feet two hours at a time, in speaking upon some parts of the proposed system—and by a gentleman who was at Philadelphia at the time the convention was sitting, information has been received, that HE advocated every part³ of the plan, with all those rhetorical powers, which he possesses in so eminent a degree.

Massachusetts Gazette, 20 November⁴

ON DOCTOR FRANKLIN'S shedding tears of extacy at signing that palladium of liberty, the glorious federal system of government.

The god-like sage, revolving in his mind,
How many millions hell-forg'd fetters bind;
With tears of joy, survey'd the precious deed,
Which endless freedom to this clime decreed.
And while his aged hand subscrib'd the same,
He reach'd the zenith of all human fame.

Massachusetts Centinel, 21 November⁵

MR. PRINTER, It is said Dr. Franklin shed a tear at signing the new Constitution.

The SAGE whom rival nations join to praise,
 Whose *lengthen'd span* one patriot scene displays;
 Revolving in his spacious mind, the fate
 Of millions, toiling in a servile state;
 With ardour grasp'd the pen to sign the plan
 Which gave HIS COUNTRY ALL the RIGHTS of MAN,
 Enough he cry'd—my God, I ask no more!
 Excuse my friends a TEAR, I am FOUR SCORE.

1. In Letter LIII of his *Defence of the Constitutions* (Vol. I), John Adams stated: "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 the checks. These are able to form an effectual balance, and at all times to controul their delegates." (See *American Herald*, 31 December.) Franklin had supported a single-house legislature when he helped to draft the Pennsylvania constitution of 1776.

2. Reprints by 20 December (5): N.H. (2), N.Y. (1), Pa. (1), S.C. (1).

3. On 23 November the printer of the *Massachusetts Gazette* indicated that "every part" should read "many parts."

4. Reprints by 20 December (7): N.H. (2), N.Y. (1), Pa. (3), S.C. (1).

5. Reprints by 20 December (6): N.H. (1), N.Y. (2), Pa. (2), S.C. (1). In 1788 this poem was published in the August issue of the *Philadelphia American Museum*, and was reprinted once each in Maryland, Virginia, and Georgia by 8 November.

Boston Gazette, 19 November¹

As much has been said in favour of the proposed New Constitution,—and as little is allowed to be said against it,—I now send you, for the information and consideration of your readers, the ideas the people had of a Constitution in the year 1776, contained in a number of serious questions and answers, published in the Pennsylvania Evening Post, at a time when the whole people were contending with a powerful nation for the security of their Liberties and a free Constitution, with a determined resolution to transmit the same to succeeding generations. And as we are now about to establish the free Constitution which they then fought and bled for, shall we not be allowed to examine it?—shall we not be allowed to give our sentiments upon it, with the same manly freedom with which they were inspired while the bayonet was held at their breasts?—WE WILL.

BOSTONIANS.

Serious QUESTIONS proposed to all friends to the rights of mankind, with suitable ANSWERS.

Q. What is government?

A. Certain powers vested by society in public persons for the security, peace and happiness of its members.

Q. What ought a society to do to secure a good government?

A. Any thing. The happiness of man, as an inhabitant of this world, depends entirely upon it.

Q. When ought a new government to be established?

A. When the old becomes impracticable, or dangerous to the rights of the people.²

Q. Who ought to form a new constitution of government?

A. The people.

Q. From whom ought public persons to derive their authority to govern?

A. From the people whom they are to govern.

Q. What ought to be the object of government?

A. The welfare of the governed.

Q. How is such a government to be obtained?

A. By forming a constitution which regards men more than things, by framing it in such a manner that the interest of the governours and governed shall ever be the same; and by delegating the powers of government so that the people may always have it in their power to resume them, when abused, without tumult or confusion, and to deliver them to persons more worthy of trust.

Q. Should the officers of the old constitution be entrusted with the power of making a new one when it becomes necessary?

A. No. Bodies of men have the same selfish attachments as individuals, and they will be claiming powers and prerogatives inconsistent with the liberties of the people. Aristocracies will by this means be established, and we shall exchange a bad constitution for a worse, or the tyranny of one for the tyranny of many.

Q. Who ought to have such a trust conferred upon them, as it is the highest and most important which men can delegate?

A. First, Men of the greatest wisdom and integrity, who have as much, if not more, natural than acquired sense and understanding. Secondly, Men who can be under no temptations to frame political distinctions in favour of any class or set of men. Thirdly, Men who the moment the constitution is framed, must descend into the common paths of life, and have as great a chance to feel every defect in the constitution as any man. And lastly, Men who regard not the person of the rich, nor despise the state of the poor, but who prefer justice and equity to all things, and would go any lengths to establish the common rights of mankind on the firmest foundation.

Q. Ought the constitution which a proper number of such persons agree upon to be immediately adopted?

A. No. After agreeing upon a constitution, or form of government, they ought to adjourn for six or nine months, publish the plan, request

every man to examine it, with the utmost seriousness and attention, make remarks upon it, point out any defects which may appear in it, and offer amendments. Then let the same body of men who framed it, joined by an additional number of new members, meet at the time fixed in their adjournment, canvass the whole again, take the defects pointed out into consideration, and finally agree.—N. B. This frame of government, when agreed upon, should be intituled the SOCIAL COMPACT of the People of —, &c. and should be unalterable in every point, except by a delegation of the same kind of that which originally framed it, appointed for that purpose.

Q. What should be done after this compact is finally agreed upon?

A. The same, or another body of men, should be appointed to draw up what I shall call a *charter of delegation*, being a clear and full description of the quantity and degree of power and authority, with which the society, vests the persons intrusted with the powers of the society, whether civil or military, legislative, executive or judicial.³

1. Reprinted: Baltimore *Maryland Gazette*, 21 December. The questions and answers printed here first appeared in the *Pennsylvania Evening Post* on 16 May 1776, addressed to Pennsylvanians, and represent only some of the questions and answers printed in the *Evening Post*. See notes 2 and 3.

2. At this point the editor of the *Boston Gazette* omitted this question and its answer: "Is that the present state of our government."

3. Three more questions and their answers (two of which were lengthy) follow in the *Pennsylvania Evening Post*. The questions are: "Is this all that is necessary to secure a good government?" "Granting the foregoing plan to be just and right, how may it be obtained?" "Will they [the people] be unanimous in establishing a perfectly free government?" The questions and answers in the *Evening Post* end with this statement: "N. B. As the above concerns all, the several printers are intreated to give it a place in their papers as soon as possible, that all may have an opportunity of answering the questions for themselves."

Public Creditors and the Constitution

Boston, 19 November

The two following satires, printed in the *Boston Gazette* and *American Herald*, were possibly written by the same individual. The first is dated 16 October, while the second is undated.

Lycurgus

Boston Gazette, 19 November

Mess'rs. EDES, I have a considerable time employ'd my few leisure hours in comparing the advantages of the proposed federal Constitution with the disadvantages of the same, in order to determine the propriety of *adopting* or rejecting it.—I had collected a considerable

number of each, and flung them into opposite scales in order to observe the preponderation, a *long time in even scale the balance hung*, until I happened by mere chance to take up one *advantage*, which I had *overlooked* 'till then, and which I believe has been generally overlooked; which of *itself* would weigh down all the disadvantages which can possibly result from an adoption of the Constitution, *viz.* the permanency which it will give the *credit* of the funds of this Commonwealth—for till now our creditors have had no way to obtain the payment of their demands against the State; but have been glad to sell their securities for six or seven shillings on the pound. But now, sir, by the propos'd Constitution, a federal Supreme Judicial Court is to be established, at which they by indorsing their securities (which are all negotiable) to some name in some other State, or a foreigner, or bring forward an action for the recovery of their dues, and execution may be issued from said Court against the Commonwealth, to be levy'd on any estate, real or personal, within the same, which may be sold at public Auction for solid coin, and paid without any discount.

The adoption therefore, will be a greater blessing to this Commonwealth, than to have the riches of Peru, and the Indies transfer'd to it.¹

When this is fully weighed by the good people of this Commonwealth, it is not possible but they will *unanimously* instruct their Delegates in Convention to adopt it immediately.

BOSTON, Oct. 16.

American Herald, 19 November

A Correspondent begs leave to congratulate the Creditors of this Commonwealth, on the happy prospect there is of the adoption of the proposed Fœderal Constitution, and the benign consequences which must result from such an auspicious Event, for thereby this Government will be reduced to a mere Corporation; and the proposed Constitution makes provision for a Fœderal Supreme Judicial Court, at which they may originate what suits they please against the Commonwealth for those sums which it has injuriously neglected to pay them.

They are requested to anticipate the pleasing satisfaction of seeing said Court under the sanction of a Fœderal Law, issuing its writs of execution against this Commonwealth, to be tried (under the protection of an army, if necessary) on any real or personal estate any where in the Commonwealth, and sold at publick auction for solid coin, and which they shall receive without any discount!

How unlike this, is the present and late distressed situation of our public Creditors, when they were glad to realize one third part of the nominal sum!

Let time add speed to her wings, and bring quickly the orient beams of this Fœderal Luminary into our Hemisphere, which cannot fail of introducing us into our wished-for *melenium* state.

1. On 5 December the Poughkeepsie *Country Journal* printed the following item under a Pittsfield, 22 November heading: "We have it from indisputable authority, that the following curious objection has been agitated against the new plan of government, viz. That *whereas* by the tenor of the plan all our Final Settlement and Soldier Notes, Facilities, &c. will become as good as hard cash, (and then where are we) it is all in the wrong, and calculated to injure this republic." The issue of the Pittsfield *American Centinel* in which this item possibly appeared is not extant.

"A. B.": Lessons from the Book of Samuel
Massachusetts Gazette, 20 November

Mr. ALLEN, Before the people adopt the new plan of government, they will do well to read and consider the 8th chap. of 1st Samuel, which you will please to insert in your very useful paper.

Your correspondent, A. B.

1st SAMUEL, chap. viii.

And it came to pass, when Samuel was old, that he made his sons judges over Israel.

Now the name of his first-born was Joel, and the name of his second, Abiah: *they were* judges in Beersheba.

And his sons walked not in his ways, but turned aside after lucre, and took bribes, and perverted judgment.

Then all the elders of Israel gathered themselves together, and came to Samuel unto Ramah, and said unto him, Behold, thou art old, and thy sons walk not in thy ways: now make us a king to judge us like all the nations.

But the thing displeased Samuel, when they said, give us a king to judge us. And Samuel prayed unto the Lord.

And the Lord said unto Samuel, Hearken unto the voice of the people in all they shall say unto thee: for they have not rejected thee, but they have rejected me, that I should not reign over them.

According to all the works which they have done, since the day that I brought them up out of Egypt even unto this day, wherewith they have forsaken me, and served other gods; so do they also unto thee.

Now, therefore, hearken unto their voice: howbeit, yet protest solemnly unto them, and shew them the manner of the king that shall reign over them.

And Samuel told all the words of the Lord unto the people that asked of him a king.

And he said, This will be the manner of the king that shall reign over you; He will take your sons, and appoint *them* for himself, for his chariots, and *to be* his horsemen; and *some* shall run before his chariots.

And he will appoint him captains over thousands, and captains over fifties, and *will set them* to ear his ground, and to reap his harvest, and to make his instruments of war, and instruments of his chariots.

And he will take your daughters *to be* confectionaries and *to be* cooks, and *to be* bakers.

And he will take your fields, and your vineyards, and your olive-yards, even the best *of them*, and give *them* to his servants.

And he will take the tenth of your seed, and of your vineyards, and give to his officers, and to his servants.

And he will take your maid servants, and your men-servants, and your goodliest young men, and your asses, and put *them* to his work.

He will take the tenth of your sheep: and ye shall be his servants.

And ye shall cry out in that day, because of our king which ye shall have chosen you; and the Lord will not hear you in that day.

Nevertheless, the people refused to obey the voice of Samuel; and they said, Nay; but we will have a king over us,

That we also may be like all the nations, and that our king may judge us, and go out before us, and fight our battles.

And Samuel heard all the words of the people, and he rehearsed them in the ears of the Lord.

And the Lord said to Samuel, Hearken unto their voice, and make them a king. And Samuel said unto the men of Israel, Go ye every man unto his city.

Examiner

Massachusetts Gazette, 20 November¹

As *Vox Populi* continues his publications, I will make some observations on those of last week; knowing that his prolixity was tedious, I shall be short in my remarks. The only *appearance* of reasonable objection to the new constitution, which he has raised, is, that as the constitution of this state was established by the consent of two thirds of the people, and for fifteen years, it cannot be altered at this time—nor at any future time, without the consent of two thirds of the people. A short, and I think, conclusive answer to all objections of this kind, is, that it is an established principle in all free governments, that a majority of the people have at all times a right to alter the laws, or the constitution, when the welfare of the people shall require a change. This

right should be exercised at all times with great wisdom, but if it should not, the right still remains.

In all free countries, a great degree of confidence must be placed in those who are elected for rulers, otherwise no republican government can exist. It is idle to enumerate the errors that rulers *may* commit, and to give a long list of *possible* evils, as *Vox Populi* has done, for such objections may be made against every free government in the world. It might with equal propriety be said, it is *possible* that *Vox Populi* may be a member of Congress—that he may be president—that when president, his ambition, and his *talents* may *possibly* raise him to be an emperor. But although these things may come within the bounds of *possibility*, perhaps no one would think it is in any degree probable.

Vox Populi has been requested to give us a constitution, after his own heart, that we might, by a comparison, see how much *more wisdom* it contains, than the one given us by the convention. It is presumed, that he will either give us a *new* constitution, or be silent—as he must be sensible that his *modesty* may be called in question, if he continues much longer in the *same* line.

1. "Examiner" replies to "Vox Populi," *Massachusetts Gazette*, 13 and 16 November. For the newspaper exchange between these two writers, see "Vox Populi," *Massachusetts Gazette*, 30 October, note 1.

Candor

Massachusetts Gazette, 20 November¹

To the PRINTER of the MASSACHUSETTS GAZETTE.

SIR, Mr. Power's paper of to-day exhibits a grievous catalogue of the imperfections and iniquities of the new plan for a federal government; but, except the objection respecting the bill of rights, which has been fairly answered, I cannot discover one charge that does not proceed from unreasonable suspicion, or strained presumption. The Congress of the United States will possess *legislative* powers for every federal purpose; and yet the arguments that are used upon some occasions, seemingly deny those powers, and upon others, insinuate that they will only be exercised in contradiction to the end for which they are given. Examine the exceptions to the proposed constitution, and it will appear, that they are founded upon matters for which it will be the duty of the federal legislature to provide; and how absurd would it have been to attempt by the act of the late convention to regulate every possible case that might occur in the affairs of the union? For instance: it has been asked, "may not a vessel from this port meet another from London in the Bay, from which take in a cargo of British goods," proceed to New

York, [“]there dispose of them, and thus evade the payment of any duties or imposts whatever? because the 9th section of the new plan” recites that “no vessel bound to or from one state to another, shall be obliged to enter, clear or pay duties in another state.” Does not the querist here forget that Congress will have the power to regulate the impost? That power must be exercised by legislative institutions that will provide against the fraud which he apprehends. It is in this case, as in most of the cases from which charges have originated; the convention defined the authority, the Congress must devise the means of pursuing it: and I am persuaded no man will be bold or weak enough to assert, that this solemn compact, should be so construed as to introduce and tolerate speculation and fraud. Upon the whole, sir, I think it would but be liberal and just to remember, that many of the objections to the federal plan, may be removed as soon as the authority for that purpose is established, and that it is not fair to presume the representatives of the people will neglect or pervert the duties of their appointment.

November 19.

1. “Candor” probably responds to “Truth: Disadvantages of Federalism, Upon the New Plan,” which was first printed as a broadside on 14 November and was reprinted along with several other Antifederalist items in the *American Herald* on 19 November.

Massachusetts Gazette, 20 November

The following is a list of the members who withdrew from the late continental convention, previous to the signing of the proposed constitution, viz. Gerry, Strong, Massachusetts—Ellsworth, Connecticut—Yates, Yancey [Lansing], New-York—Martin, Maryland—Randolph, Mason, Virginia.¹

A correspondent observes, that, in his opinion, it would tend more to the honour of a *certain gentleman*, who *slily crept into office*, if he would keep his b-ys at home, for the purpose of tilling *his* farm, instead of employing them to diffuse *his* anti-federal *sentiments*, far and wide.² Our correspondent further remarks, that the base, groveling opponents in Massachusetts, to the new federal Constitution, had better be silent, if they cannot digest, through their thick pates, arguments of their own, in opposition to the new plan of government, as it looks rather *sneaking*, on their part, to be obliged to resort to publications which originated elsewhere, and whose authors, *some* of them at least, are notoriously infamous characters.³

It is a melancholy reflection that our excellent constitution should be continually exposed to conspiracy. Shays and his party attacked it last winter by open force, while another set of men, in and about the capital, were endeavouring to destroy it in a different manner, and from as detestable principles; and the arbitrary, unconstitutional laws of the old legislature endangered it—but its superiour merits has supported it hitherto against their reiterated attacks. What effect the federal convention will have upon it, yet remains to be determined.⁴

It is a fact, says a correspondent, no less true than surprizing, that no person has attempted to answer the hon. mr. Gerry's objections to the new plan of government, except mr. Wilson, the futility of whose arguments has been sufficiently exposed by writers, signed the *Centinel*, *Cincinnatus*, &c. which have appeared in the southern papers.⁵

1. This paragraph was reprinted in the *New Hampshire Spy*, 23 November; *Pennsylvania Packet*, 3 December; *Baltimore Maryland Gazette*, 11 December; and *Pittsburgh Gazette*, 26 January 1788. Caleb Strong, Oliver Ellsworth, Robert Yates, John Lansing, Jr., and Luther Martin left the Constitutional Convention early. Elbridge Gerry, Edmund Randolph, and George Mason remained until the end, but refused to sign the Constitution.

In response to this item, the *Massachusetts Centinel*, 21 November, stated that: "The idea that eight members of the Convention withdrew therefrom, and consequently disapproved of the Constitution, is unjust—Mr. Strong, and Mr. Ellsworth, certainly approve of the Constitution—though obliged by domestick concerns to return home prior to its being signed—and we suppose that to a like cause it was owing, that Messrs. Yates, Yancey [Lansing] and Martin did not affix their signatures to it." These last three men opposed the Constitution.

2. The Antifederalist under attack was possibly James Warren, the speaker of the state House of Representatives, who on 13 November, was appointed by the House to be commissioner for the disposal of western lands. This appointment did not take place because the House and Senate adjourned on 24 November before agreeing on a final bill appointing him. (For more on this appointment, see "Thomas a Kempis," *Massachusetts Centinel*, 29 December.) The owner of a house and farm in Milton, Warren had four surviving sons—George, Henry, James, and Winslow.

3. This paragraph was reprinted in the *New York Daily Advertiser*, 30 November; and *State Gazette of South Carolina*, 20 December.

4. This paragraph was reprinted in the *Pennsylvania Packet*, 5 December.

5. This paragraph was reprinted in the *Cumberland Gazette*, 30 November. James Wilson's 6 October speech to a Philadelphia public meeting actually appeared before Elbridge Gerry's 18 October letter to the Massachusetts General Court outlining his objections to the Constitution. See "The Massachusetts Reprinting of James Wilson's Speech of 6 October Before a Philadelphia Public Meeting," 24 October–15 November; and "Elbridge Gerry to the General Court," 18 October (both I above).

George Mason and the Constitution 20 November–3 December

George Mason of Virginia, one of the most prominent members of the Constitutional Convention and one of the three non-signers of the Constitution, was a primary target of the supporters of the Constitution, even before

his objections to the Constitution were published in November. It was no secret in various parts of America that these objections existed. Mason's refusal to sign the Constitution also exposed him to censure. On 17 October the *Pennsylvania Journal* published one of the first attacks on Mason, stating that "We hear from Virginia, that on the arrival of Mr. Mason . . . at Alexandria, he was waited on by the Mayor and Corporation of that Town, who told him, they were *not* come to return him their thanks for his conduct in refusing to sign the Fœderal Constitution; but to express their abhorrence to it, and to advise him to withdraw from that town within an hour, for they could not answer for his personal safety, from an enraged populace, should he exceed that time" (CC:171–A. Mason's home was only a few miles from Alexandria.). The same day the *Pennsylvania Gazette* reported that "We hear from Virginia, that GEORGE MASON has been treated with every possible mark of contempt and neglect, for neglecting to sign the Fœderal Constitution . . ." (CC:171–B).

The *Pennsylvania Journal's* item (CC:171–A) was reprinted in the *Massachusetts Gazette*, 26 October; *Salem Mercury* and *Hampshire Chronicle*, 30 October; *Essex Journal*, 31 October; *Worcester Magazine*, 1 November; and *Hampshire Gazette*, 7 November; while the *Pennsylvania Gazette's* item (CC:171–B) appeared in the *Massachusetts Centinel*, 27 October; *American Herald* and *Boston Gazette*, 29 October; and *Cumberland Gazette*, 1 November.

On 20 November the editor of the *Massachusetts Gazette* denied that Mason was insulted in Alexandria and criticized the report in the *Massachusetts Centinel* as "totally without foundation." However, the *Centinel*, which did not print the *Pennsylvania Journal's* report, defended itself on 21 and 24 November, in part, by heaping scorn upon the editor of the *Gazette*. (On the 23rd the *Gazette* admitted that it, not the *Centinel*, had published the report.) On 28 November the *Centinel* asked where Mason had been during the Revolution when George Washington, a signer of the Constitution, was commander in chief of the American army. "Candor" and "Prudential," two Antifederalists, answered the *Centinel's* query in the *American Herald* on 3 December.

On 21 November, the same day that the *Massachusetts Centinel* defended itself against the charges of the *Massachusetts Gazette*, it became the first newspaper to publish George Mason's objections to the Constitution. (For the text of the objections, their circulation in Massachusetts, and the response to them, see "George Mason's Objections to the Constitution," 21 November, immediately below.)

Massachusetts Gazette, 20 November

The hon. George Mason, esq. who objected to the new plan of government, was, says a correspondent, the person who framed the constitution of Virginia, which most of the other states have imitated.¹

We are informed, that the paragraph which appeared in the *Centinel*, relative to the hon. George Mason's being insulted in Alexandria, is totally without foundation: that gentleman never having been to Alexandria since his return to Virginia, from the federal Convention.

Massachusetts Centinel, 21 November

A certain Editor had much better acknowledge his own errors, than endeavour to father them on another—The paragraph mentioning that the Hon. Mr. Mason had been ill-treated at Alexandria, was not inserted in the Centinel—but in the Gazette.

Massachusetts Gazette, 23 November

The paragraph in our last [20 November], respecting the treatment of George Mason, esquire, in Alexandria, had reference to one inserted in the *Gazette*, some time since, under Philadelphia head, and not in the Centinel, as mentioned through the mistake of a correspondent.

Massachusetts Centinel, 24 November

From a correspondent.

The Editor of the Gazette should find better employment for his apprentice boys, than that of writing paragraphs to injure and ridicule strangers of *distinction* and *merit*—The publick are assured, that the *young gentleman* from Virginia,² now in town, has *diffused* neither his own, nor his *father's antifederal sentiments*, but with decency and candour; and with regard to his father's farm, his ample fortune may well excuse him from the personal cultivation of it.

*Massachusetts Centinel, 28 November*³

* *Quere*—Where was Mr. M. from 1775 to 1783? What was the part he then took?—Of his colleague, who *did sign the Constitution*,⁴ the *admiring world* well knows.

Candor

American Herald, 3 December

MR. POWARS, I observed a *Quere* in the Centinel of Wednesday last, which I think was as follows; "*Where was Mr. Mason from the year 1775 to the year 1783;*" a very improper question to ask *us* in this part of the world, at *least* four or five hundred miles distant, when the writer must suppose we could know very little more about this Gentleman, than that he took a decisive part in the first of our troubles. Was he not one of the *never to be forgotten* Committee who drew up the so much admired and spirited VIRGINIA RESOLVES,⁵ that one and all LOUDLY PROCLAIMED, that their NAMES ought be written in LETTERS of GOLD? Would it not come with much greater propriety, if he had asked where was Mr. G—m during that period of time, and what part did he take? That would be

coming nearer home, and all around might easily have given a full answer, without mentioning the FERRY-BOAT⁶ (as that is for an after consideration) or any intent to join the Enemy when in Boston;⁷ perhaps some will say, if this was so, how came he to rise to what he has since arisen? Do you [who] know the man think, if he had been brought up by the hand, or was the son of Absolam he could not have been more like him? And may we not say we have an Absolam in these days? Hutchinson had a *great* resemblance of Absolam, though faint, compared with Mr. G—m. Mr. Printer I hope in future, before we go abroad to inquire into characters, we shall look at home.

N. B. when I return you shall hear from me again.

Cambridge, December 1, 1787.

Prudential

American Herald, 3 December⁸

Mr. Russel, in his last Centinel, after mentioning the decided expression of G. Mason, Esq; of Virginia (“would have lost my hand [*holding it up at the same time*] before it should have marked my name to it,”—the proposed Constitution) adds a *Query*, “Where was Mr. M. from 1775 to 1783?” “What part he then took?”—Such questions naturally tend, if they are not *designed*, to lead persons, at this distance, to believe, that Mr. Mason was *opposed* to the all-important cause for which the citizens of these States have so gloriously and successfully contended.—I have not the pleasure of personally knowing this Gentleman; but I have often heard from some of the best Patriots of Virginia, that he was an *early, active, and able* Defender of the Liberties of America.⁹ Mr. HENRY, whose motion Mr. MASON seconded, and who was for having the proposed Constitution *altered*, “not hesitating to declare, that there were errors and defects in it,”¹⁰ is the Gentleman who, in 1765, brought into the Virginia Assembly the noble and spirited Resolves against the Stamp-Act, which marked the decided part he *then* took. It is probable that many now on the stage never saw or heard of these Resolves, others may have forgot them. When they first appeared here, it was said, they ought to be preserved in LETTERS OF GOLD.¹¹ Mr. HENRY and Mr. MASON, and all their patriotick exertions may be buried in oblivion.—It is not impossible that, to serve some *sinister* ends, an ungrateful country may spread a cloud over the names of WASHINGTON, WARREN (alas! he is no more) and other Patriots and Heroes.—Why should it be thought a thing incredible? It may be so. But when such signs appear, the time will be at hand, when the most momentous questions may be discussed, which may involve the very existence of the Liberty

and Republican Constitutions of these United States, the *Union itself*, and the Fate of Millions unborn, without the least recollection of the great leading Principles which brought forward and established a Revolution, the most astonishing to human Liberty which the world has ever seen.

Nov. 30th.

1. This paragraph was reprinted in the *Cumberland Gazette*, 30 November, and *Pennsylvania Packet*, 5 December.

2. Probably John Mason, the son of George Mason, who owned a large plantation in Fairfax County. On 20 October Mason wrote Elbridge Gerry requesting that he introduce his son to some of Gerry's merchant friends (Rutland, *Mason*, III, 1005-6; and CC:179).

3. This item, reprinted in the *Hampshire Chronicle*, 4 December, and *New Haven Gazette*, 6 December, was placed immediately below a report of the debate of 25 October in the Virginia House of Delegates on resolutions calling a state convention to consider the Constitution. In this debate George Mason said he "would have lost his hand (*holding it up at the time*) before it should have *marked* his name to it" in the Constitutional Convention. (See RCS:Va., 114-15, 119, note 8.)

4. George Washington.

5. Mason was famous for being the principal author of the Fairfax County Resolves (18 July 1774), a reaction to Great Britain's harsh Boston Port Bill (31 March 1774). These resolves were taken to Williamsburg by Mason's neighbor George Washington and served as the basis for the Virginia Association in August. The Virginia Association was revised by Congress, becoming the Continental Association of 20 October 1774. The next year Mason also played a part in devising a plan for a militia to protect and defend the colony of Virginia which was eventually adopted by the Virginia Convention (Rutland, *Mason*, I, 199-210, 213-17).

6. Possibly a reference to Nathaniel Gorham's interest in the Charles River Bridge. In February 1785 two groups of investors, one from Boston and another from Beverly, petitioned the legislature for the right to build a bridge across the Charles River that would replace the ferries; the Boston group wanted to connect Boston with Charlestown, while the other sought to link Boston with Cambridge. The inhabitants of Charlestown petitioned the legislature in support of the Boston investors. In March the legislature decided in favor of the Bostonians. Gorham, Charlestown's delegate to the House of Representatives, was a shareholder in the Boston company which completed the construction of the bridge in June 1786. A newspaper noted that "those who know no other pleasure but the contemplation of their interest, were . . . apparently anticipating the golden harvest which the immense numbers would afford, that either business or amusement will lead to improve this commodious inlet" (Stanley I. Kutler, *Privilege and Creative Destruction: The Charles River Bridge Case* [Philadelphia, 1971], 8-13).

7. No evidence has been found linking Gorham with the British. Reviewing this period of Gorham's life, his eulogist Dr. Thomas Welsh noted that "Mr. GORHAM, in common with his fellow-citizens, stripped of his property, and his means of subsistence, with his wife and seven small children, found a welcome asylum in the town of Lunenburg, in the county of Worcester, where he remained a few years." In 1783 and 1784 Gorham was in London, at the request of Charlestown's inhabitants, "on the score of obtaining a benevolence for the sufferers at the destruction" in that town (*An Eulogy, Delivered June 29, 1796* . . . [Boston, 1796], 9, 11 [Evans 31283]; and Andrew Oliver, ed., *The Journal of Samuel Curwen, Loyalist* [2 vols., Cambridge, Mass., 1972], II, 951).

8. For the possible identity of "Prudential," see note 9.

9. This clause appears almost verbatim in the postscript to a letter that Samuel Adams wrote to Richard Henry Lee on the same day that “Prudential” appeared. (See Adams to Lee, 3 December.)

10. A reference to the debates of 25 October in the Virginia House of Delegates on the resolutions for calling a state convention (RCS:Va., 112–14). These debates were printed in the Petersburg *Virginia Gazette*, 1 November, and reprinted in the *Massachusetts Gazette*, 27 November. A report of the debates from an unidentified Virginia newspaper appeared in the *Massachusetts Centinel* on 28 November (see note 3).

11. For the Virginia legislature’s resolutions of May 1765 attacking the Stamp Act (1765), which were first proposed by Patrick Henry, see Edmund S. Morgan and Helen M. Morgan, *The Stamp Act Crisis: Prologue to Revolution* (Chapel Hill, N.C., 1953), 88–98.

George Mason’s Objections to the Constitution Massachusetts Centinel, 21 November–19 December

George Mason of Virginia was one of three delegates who refused to sign the Constitution in the Constitutional Convention. Manuscript copies of his objections to the Constitution circulated in various parts of America after the Convention adjourned (CC:138). Elbridge Gerry, another non-signer, had seen and copied the objections before he left Philadelphia. Later, Mason revised them and sent a copy to Gerry on 20 October that was delivered to him in Massachusetts by Mason’s son John (Rutland, *Mason*, III, 1005–6; and CC:179). On 21 November the *Massachusetts Centinel* became the first newspaper in America to publish Mason’s objections. The *Centinel* asserted that it had received a copy of them from a correspondent in New York. In printing the objections, the *Centinel* omitted the paragraph on commercial and navigation laws. On 19 December, however, it published the missing paragraph, which was furnished by the same correspondent.

Mason’s objections (as originally printed in the *Centinel*) were reprinted in the *Independent Chronicle*, 22 November; *Salem Mercury*, 27 November; *Hampshire Gazette*, 28 November; *Hampshire Chronicle*, 4 December; *Essex Journal*, 12 December; and *Cumberland Gazette*, 13 December. Of these newspapers only the *Cumberland Gazette* (on 3 January 1788) reprinted the missing paragraph. Outside Massachusetts, the *Centinel*’s incomplete version of the objections was reprinted in sixteen newspapers by 7 January 1788: N.H. (2), R.I. (1), Conn. (4), N.Y. (2), N.J. (1), Pa. (3), Md. (1), S.C. (2). The omitted paragraph was reprinted in three of these newspapers by 1 January: N.H. (1), R.I. (1), Pa. (1). Even though the *New Haven Gazette* did not reprint the *Centinel*’s original version of the objections, it reprinted the missing paragraph on 27 December. Mason’s objections were also printed in the *Worcester Magazine* on 13 December, which had obtained them from the *Virginia Journal* of 22 November. (For the publication of Mason’s objections in Virginia on 22 and 23 November, see CC:276.)

On 22 November, the day after Mason’s objections appeared in the *Massachusetts Centinel*, William Heath declared in his diary that they were “sensible and pointed” (Mfm:Mass.). About a month later, Joseph Barrell asserted that some of the objections “would disgrace a Tyrant” (to Nathaniel Barrell, 20

December). For newspaper criticisms of the objections, see "One of the Mid-dling-Interest," *Massachusetts Centinel*, 28 November; and "Thomas a Kempis," *Massachusetts Centinel*, 15 December.

For criticisms of Mason for not signing the Constitution and defenses of him, see "George Mason and the Constitution," 20 November–3 December (immediately above).

Massachusetts Centinel, 21 November

(From a correspondent at New-York, who frequently furnishes us with authentick information from that quarter, we received, by the last mail, the Hon. Mr. MASON'S *Objections to the Federal Constitution*—which we thus early lay before the publick for their gratification, and, if it were necessary, to convince them how false the carpings of those men are who pretend that the freedom of discussion and investigation of the new constitution are restrained.)

The Hon. GEORGE MASON'S Objections to the New Constitution.

There is no declaration of rights, and of the laws of the general government being paramount to the laws and constitutions of the several States, the declarations of rights in the seperate States are no security. Nor are the people secured even in the enjoyment of the benefit of the common law, which stands here upon no other foundation than its having been adopted by the respective acts forming the Constitutions of the several States.

In the House of Representatives there is not the substance, but the shadow only of representation; which can never produce proper information in the Legislature, or inspire confidence in the people; the laws will therefore be generally made by men little concerned in, and unacquainted with their effects and consequences.^(a)

The Senate have the power of altering all money bills, and of originating appropriations of money, and the salaries of the officers of their own appointment, in conjunction with the President of the United States; although they are not the Representatives of the people, or amenable to them.—These, with their other great powers (viz. their powers in the appointment of Ambassadors, and all publick officers, in making treaties, and in trying all impeachments) their influence upon and connection with the Supreme Executive from these causes, their duration of office, and their being a constant existing body almost continually setting, joined with their being one compleat branch of the Legislature, will destroy any balance in the government, and enable them to accomplish what usurpations they please upon the rights and liberties of the people.

The Judiciary of the United States is so constructed and extended, as to absorb and destroy the Judiciaries of the several States; thereby rendering law as tedious, intricate and expensive, and justice as unattainable by a great part of the community, as in England; and enabling the rich to oppress and ruin the poor.

The President of the United States has no Constitutional Council (a thing unknown in any safe and regular government) he will therefore be unsupported by proper information and advice; and will generally be directed by minions and favourites—or he will become a tool to the Senate—or a Council of State will grow out of the principal officers of the great departments; the worst and most dangerous of all ingredients for such a Council, in a free country; for they may be induced to join in any dangerous or oppressive measures, to shelter themselves, and prevent an inquiry into their own misconduct in office: Whereas had a constitutional council been formed (as was proposed) of six members, viz. two from the eastern, two from the middle, and two from the southern States, to be appointed by vote of the States in the House of Representatives, with the same duration and rotation of office as the Senate, the Executive would always have had safe and proper information and advice: The President of such a Council might have acted as Vice-President of the United States, *pro tempore*, upon any vacancy or disability of the Chief Magistrate; and long continued sessions of the Senate would in a great measure have been prevented. From this fatal defect of a constitutional council has arisen the improper power of the Senate, in the appointment of public officers, and the alarming dependence and connection between that branch of the Legislature and the Supreme Executive. Hence also sprung that unnecessary and dangerous officer, the Vice-President, who for want of other employment, is made President of the Senate; thereby dangerously blending the Executive and Legislative powers; besides always giving to some one of the States an unnecessary and unjust pre-eminence over the others.

The President of the United States has the unrestrained power of granting pardons for treason; which may be sometimes exercised to screen from punishment those whom he had secretly instigated to commit the crime, and thereby prevent a discovery of his own guilt. By declaring all treaties supreme laws of the land, the Executive and the Senate have in many cases, an exclusive power of Legislation; which might have been avoided, by proper distinctions with respect to treaties, and requiring the assent of the House of Representatives, where it could be done with safety. Under their own construction of the general clause at the end of the enumerated powers, the Congress may grant monopolies in trade and commerce, constitute new crimes, inflict un-

usual and severe punishment, and extend their power as far as they shall think proper; so that the State Legislatures have no security for the powers now presumed to remain to them; or the people for their rights. There is no declaration of any kind for preserving the liberty of the press, the trial by jury in civil causes, nor against the danger of standing armies in time of peace.

The State Legislatures are restrained from laying export duties on their own produce—the general legislature is restrained from prohibiting the further importation of slaves for twenty odd years, though such importations render the United States weaker, more vulnerable, and less capable of defence.—Both the general legislature, and the state legislatures, are expressly prohibited making *ex post facto laws*, though there never was, nor can be a legislature but must and will make such laws, when necessity and the publick safety require them; which will hereafter be a breach of all the Constitutions in the union, and afford precedents for other innovations.

This government will commence in a moderate aristocracy, it is at present impossible to foresee whether it will, in its operation, produce a monarchy, or a corrupt oppressive aristocracy; it will most probably vibrate some years between the two, and then terminate in the one or the other.

(a) *This objection has been in some degree lessened, by an amendment, often before refused, and at last made by an erasure, after the engrossment upon parchment, of the word forty, and inserting thirty, in the 3d clause of the 2d section of the 1st article.*

Massachusetts Centinel, 19 December

Extract of a letter to the Printer of this paper, from his correspondent at New-York, dated Dec. 7, 1787.

“The copy of the objections of Col. Mason to the federal Constitution—which I sent you a few weeks since, I obtained from a certain antifederal character, in this city—who, it since appears, like a true antifederalist, omitted one objection, which was the principal in Col. Mason’s mind—and which he well knew, would, if published in the northern States, be an inducement to them to accept of the Constitution. I shall only remark on this his Machiavelian conduct—that the enemies to the Federal plan, ought no longer to complain of deception—The article omitted, and which you may rely, is authentick, is as follows, viz.

“By requiring only a majority to make all commercial and navigation laws, the five southern States (whose produce and circumstances are

totally different from that of the eight northern and eastern States) will be ruined; for such rigid and premature regulations may be made as will enable the merchants of the northern and eastern States not only to demand an exorbitant freight, but to monopolize the purchase of the commodities at their own price, for many years; to the great injury of the landed interest, and impoverishment of the people: And the danger is the greater, as the gain on one side will be in proportion to the loss on the other. Whereas requiring two thirds of the members present in both houses would have produced mutual moderation, promoted the general interest, and removed an insuperable objection to the adoption of the government.”

Joseph Savage to Samuel P. Savage
Springfield, 21 November (excerpt)¹

I have Just time to inform you that yesterday this town made choice of Wm. Pynchon Esqr as their representative to meet the Convention in January at Boston²—

Several towns have instructed their delegates to oppose the Federal Constitution. I am informed almost Every town on this river *disapproves* the new mode of Government—

its the general opinion of the most respectable part of this County that it will not go down here. that part of Connecticut most contiguous to this Part are of the same opinion—

there seems to be a Class of people among us, who wish for No Government at all. I wish we had public Virtue enough for to frame laws for those verry people.

I send all the news papers the town will afford. . . .

1. RC, Lemuel Shaw Papers, MHi. Joseph Savage (1756–1814) served in the Continental Artillery, 1775–83, rising to the rank of captain. In October 1786 he was again in the artillery, serving until he resigned in 1791. His father, Samuel P. Savage (1718–1797), was a Boston merchant before he moved to a farm in Weston in 1765. He was a member of the First Provincial Congress, 1774, a Middlesex County judge from 1775 until his death, and president of the Massachusetts Board of War from 1776 until its dissolution.

2. For Pynchon’s election to the state Convention, see Mfm:Mass. Pynchon, a Springfield merchant, served in the state House of Representatives, 1775–80, and was the register of deeds for the southern district in Hampshire County. He voted to ratify the Constitution in February 1788.

Massachusetts Centinel, 21 November¹

A correspondent through the channel of our paper would be glad to know whether “one of the order” under the signature of JOHN DE

WIT—is serious in his opposition to the new Constitution, or whether he thinks that what he says will have a contrary effect upon the minds of the people.—If he is not cautious he will shoot his bolts too far.

1. For another brief item attacking "John De Witt" that the *Centinel* printed on this day, see "John De Witt" IV, *American Herald*, 19 November, note 3.

Essex Journal, 21 November¹

Mr. PRINTER, Being in your town the other day, I found a number of people huddled together at a public corner, attending to *one* who, from the loudness of his voice, appeared to be zealously affected with his subject.—I drew near, and found he was entertaining his audience with what he sometimes called *tricks*, sometimes *defects*, and at other times *faults*, in the Constitution now before the public, for their consideration—*Tricks—defects—faults*, exclaimed I! hanging down my head. A form of government framed by a WASHINGTON, a FRANKLIN, &c. &c. to which they themselves, and their dearest connections are to be subjected, replete with *tricks, defects, faults!* These thoughts suddenly drew me into the following apostrophe.—O! WASHINGTON, why didst thou not practise thy *tricks* upon us when it was, year after year in thy power, and when thou couldst easily have availed thyself of all the Gold and Honours a British Monarch could bestow?—Or, if thou wouldst not sell thy country into the hands of foreigners (is it not better to Rule than to Serve in slavery)—couldst thou not have taken it to thyself, and have distributed thy favours among thy trusty bands, who waited but the nod of *Washington*, to crown thee with Regal powers? And who but must have bowed the knee and cried *God save the King?*—Strange infatuation! After refusing every thing "the world calls good or Great," art thou now found leagued with the enemies of thy country, to destroy those sacred liberties which cost thee so dear? And art thou—Here my sentence was broken off and the current of my thoughts turned, by one, who, pulling me by the sleeve, whispered me, that our sagacious developer of *Tricks—Defects—Faults*, in the proposed Constitution, was amazingly *involved in Debt!*²

*The world is naturally averse
To all the Truth it sees or hears;
But swallows nonsense and a lie,
With greediness and gluttony.*

HUDIBRAS.³

1. Reprinted: *Massachusetts Gazette*, 23 November; *Hartford American Mercury*, 3 December; *Pennsylvania Packet*, 11 December. See also note 2.

2. At this point in their reprintings, the *Massachusetts Gazette* and *American Mercury* inserted this statement in square brackets: "In a similar or worse predicament are all the opposers to the plan of the federal government."

3. These lines from Samuel Butler's *Hudibras* were also used in the *Massachusetts Centinel* on 14 November, note 1.

Monitor

Hampshire Gazette, 21 November

To the PUBLIC.

My Countrymen, Four classes of opposers to that form of government submitted to your consideration will probably spring up among yourselves: First, your enemies—of these are two sorts; 1st, open, such as frankly profess their attachment to the interest and crown of Great-Britain; these are not very numerous or dangerous, for being acquainted with their persons, their character and artifices, you will without difficulty frustrate their attempts to undermine your liberties and subvert your government; these are therefore incomparably less to be dreaded than 2dly, those secret enemies which are privily lurking among you, under the covert of friendship to your independence and filicity, whose crafty and subtle insinuations will find an easy access to the minds of the inattentive; these influenced by that virulent spirit and malignity which reigns within them, will exert their poison in disseminating discord, uneasiness and discontentment among the unwary, and exciting jealousy and complaints against every measure proposed for the securing and fortifying your rights against the encroachments of wicked and designing men. These like a venomous viper hugg'd in your bosom, if possible, will eat out your bowels, prey upon your very vitals, and sap the foundation of your national security and happiness. You will therefore place a double guard against the deceptions of these sycophants, for you are exposed to more mischief and in greater hazard of ruin from the tradition of these caitiffs, than from any class of men whatever.

But next to these in respect of danger to your interest, are secondly, the lawless, disobedient and licentious, whose highest wishes are to live uncontrouled without restraint, and make their own vicious inclination the sole measure of their actions. Such as these will labour to propagate fiends, quarrels and contentions—to annihilate all authority and government—to introduce and maintain a state of anarchy and disorder—and counteract every system which promises safety and defence to the peaceable citizen.

Thirdly, avarice and iniquity will prompt their votaries to oppose the establishment of government in all its forms, lest they shall be compelled to resign their ill gotten gains—to discharge their honest

debts—pay their just and necessary taxes, and prevent their vile intentions to defraud and over-reach the innocent and inoffensive.

Fourthly, the ambitious, whose inordinate eagerness for promotion will create in them an aversion to a constitution, the principles of which are unfavourable to the advancement of men of their character, to high and important places of trust. Under this head may be ranked, lovers of novelty, whose restless, fickle and unstable tempers provokes them to an insatiable fondness for innovations and changes—divisions and subdivisions of states, counties and towns. These never find contentment in their present circumstances—are ever aspiring for that which is unattainable by them. In vain will you tender for the approbation of such, any kind of permanent government under heaven.

The ignorant and misled, possibly it may be thought, will constitute a fifth class of opposers; but these being generally under the influence of innocent motives—well wishers to mankind in general, and friendly to peace and good order, you may by due information, excite them to accede to all such measures as you can convince them will be conducive to the good of the community at large. I flatter myself that you will be virtuous, and (I think upon good grounds) that you will readily accept the recommendation of the late federal convention—that you will zealously oppose its enemies, and do all that within you lies to convince your deluded friends. It is of high concernment that you should accept it; for (to adopt the words of an inspired prophet) “It is not a vain thing for you, it is your life.”¹ I have heretofore pointed out to you its necessity and excellency, together with the happy fruits of your embracing it, as well as the ill effects of the contrary:² and now its opposers, their characters, machinations, aims, ends and designs, have cautioned you against their devices, and expect that you will fall in with it—For it is already so far complied with, that a convention is to be held in this, and several other states, by order of their respective assemblies; and you will soon be called on to give in your suffrages for delegates to represent you thereat, and I am confident that you will suffer wisdom to direct you to the choice of persons of knowledge and uprightness, whose deliberations shall be governed, and final result determined by the most disinterested motives—by a strong affection for you, and a high regard for your dearest interest; and then I have not the least doubt remaining, but the forementioned recommendations will be confirmed and ratified, which will wholly disappoint and baffle the plots and purposes of your malicious adversaries, to ruin and destroy you—and gratify the wishes of the

MONITOR.

1. Deuteronomy 32:47.

2. For an earlier item signed “Monitor,” see *Hampshire Gazette*, 24 October (I above).

Thomas B. Wait to George Thatcher
Portland, 22 November¹

My dear friend—

12 oClock—midnight.—

Your Letter of the 12th receiv'd yesterday—Agreeably to your request I have enclos'd the Cumberland Gazettes.—You will observe I have commenced hostilities against the proposed National Constitution—not because I condemn it “*by the lump*”—but only in part.—Perhaps most of the evils I see, or think I see, might be remedied by a *Bill of Rights*.—Now do not answer this as your Brother Wilson did the seceding members of Pensylvania²—some of his observations were very good—and some, in my opinion, were very good for nothing.—

You will tell me, perhaps, that the rights of each individual are secured in the Bill prefixed to the several state Constitutions—so they are:—But this is not what I am contending for—it is the right of sovereignty in the States (or so much of sovereignty as shall be thought best for them to retain) that I am anxious to preserve:—this will secure them from the encroachments of *Almighty* President and Congress.—

I consider the several states to stand in ~~the same~~ a similar relation to the Nation, and its Constitution—as do individuals to a state and its Constitution—the former, have certain rights, as well as the latter, that ought to be secured to them—Otherwise State sovereignty will be but a name—the whole will be “*melted down*” into one nation; and then God have mercy on us—our liberties are lost.—The vast Continent of America cannot be long subject to a Democracy, if consolidated into one Government—you might as well attempt to rule Hell by Prayer.

Mr. Adams makes mention of a Republic of ~~but~~ thirty miles square, that on account of a difference of [interests to preserve?] its liberties, was obliged to divide itself into two sovereign and independent States;—He also mentions another of but seventeen miles square, that, for the same reasons, was obliged to divide itself in the same manner.³—Now, allow this to be true, and then paint to yourself the precious figure that America, with its millions of square miles, would make under a democracy—But let us not trouble ourselves on this head—for, should state sovereignty disappear, my word for it, there is no danger of a Democracy—no, no—King *George*, and the Convention over which he lately presided, has prepar'd something quite as different from this, as one could have wished for, or reasonably expected—

For God's sake write—I wish to have your opinion of the new Constitution—of New York—of Congress, and of the *great men* of which it is composed.—Your friend forever

[P.S.] *Promote* me, if possible, from *Printer* to *Post Rider*.

1. RC, Chamberlain Collection, Thatcher Papers, MB. Wait (1762–1830), a native of Lynn, served an apprenticeship on the Boston *Independent Chronicle* in the early 1780s, and on 1 January 1785, along with Benjamin Titcomb, Jr., he began to publish the *Falmouth Gazette*, Maine's first newspaper. On 7 April 1786, Wait became the sole publisher of the new *Cumberland Gazette*. Thatcher, a close friend of Wait, was a Massachusetts delegate to Congress which he first attended on 19 November. He contributed articles to the *Gazette*.

2. The reference is to James Wilson's 6 October speech to a Philadelphia public meeting (CC:134), and the address of the seceding Pennsylvania assemblymen (RCS:Pa., 112–17; and CC:125–A). Wait printed the address and Wilson's speech in the *Cumberland Gazette* on 25 October, and 1 November, respectively. For more on Wilson's speech, see "The Massachusetts Reprinting of James Wilson's Speech of 6 October Before a Philadelphia Public Meeting," 24 October–15 November (I above); and for more on the address of the seceding assemblymen, see "The Massachusetts Reprinting of the Address of the Seceding Assemblymen of the Pennsylvania Assembly," 23 October–8 November (I above).

3. A reference to the Swiss cantons of Appenzell and Unterwalden, both of which were divided into two. See Adams, *Defence of the Constitutions*, I, Letters V–VI.

Cumberland Gazette, 22 November

By Art. I. Sect. 5. of the proposed National Constitution, a *majority* of either house shall constitute a quorum to do business;—and by Art. II. Sect. 2. the President, with *two thirds* of the Senators *present*, shall have power to *make treaties*, appoint ambassadors, &c.—Thus, *eleven*¹ fine gentlemen may, by this constitution, cede (or *sell*) a part or the whole of a State, or indeed one half of the United States, to any foreign power, prince or potentate—And, says the constitution further, when this advantageous piece of business is finished, it shall become the *supreme law of the land*.

Where is the mighty advantage of sitting under a government of *three branches*, if the subject may be disposed of, or sold, bag and baggage, to the highest bidder, by a *twig* of *one* of those *branches*?

1. If all thirteen states ratified the Constitution, the twenty-six-member Senate would need fourteen members for a quorum. Two-thirds of fourteen is ten.

Cumberland Gazette, 22 November

By a letter from Boston we are informed that at least one half of the General Court are opposed to the National Constitution.

Atticus III

Independent Chronicle, 22 November¹

OBSERVATIONS

On the letter of the Hon. E. G. Esq; published in the Independent Chronicle, Nov. 8, 1787,² and other pieces lately published in opposition to the Federal Constitution: In LETTER III.

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

“Who shall decide when Doctors disagree,—
And soundest Casuists doubt.” POPE.³

I must postpone my designed answer to the question, with which I concluded my last letter,⁴ (whether there be any power, or principle, in our Commonwealth, sufficient to keep within proper bounds, the contests of the *great* and *little* men amongst us?) and must now attend to your favour of November 14th.

You have read the letter of the Hon. E. G. and it seems to have given you some disturbance. The letter I have several times perused, with great attention; yet find not, that it contains any thing which ought greatly to offend us. It seems to be an excuse for *his* descent from the *federal system*. Ought we to resent his apology with anger? We too, must think for ourselves. The only question here, seems to be, Whether, after the business of the delegation was finished, a delegate, any more than any private gentleman, could *with propriety*, write to the Legislature, either for or against the adopted system? Especially as a *State Convention*, and not the *Legislature*, were to decide the important question.

His observation, “that the greatest men may err,” is of real importance, and leads to this conclusion, that the Hon. E. G. *may err*. If the authority of a Washington, a Franklin, or Rufus King, supported by the authority of all the *States* in Convention, be no *good* argument in favour of their system; then, by parity of reason, the authority of the Hon. E. G. of a Randolph, or a Mason, can be *no better* argument against it. Between these great Casuists, the people, in Convention assembled, must judge; and to this decision, we hope, they will bring *cool heads* and *pure hearts*.

The federal system determines, that every branch of its Legislature shall be *elective*; the qualifications of electors are ascertained; and caution is taken that elections be not held at an inconvenient place. *The time*, whether in July, May or August, or other month of the year; *the manner*, whether by ballot or otherwise, is to be regulated by state, or federal laws. Here I can see no great “insecurity of the right of elections.” Nor do I fear, that the federal government will not be as likely as the State Legislatures, to fix on some method, by which the sense of the people shall be fairly taken. As to the representation, it seems to be as large, as the state of our country will well admit of; and as well defined, as numbers can make it. If those observations be just, is “the representation inadequate,” or “elections insecure?”

Yet the Hon. E. G. has reasons on which his objections are founded, to be divulged when he shall return to Massachusetts. If reasons he hath, by all means let us hear them; and let us confront them by better reasons, if we can.

The Hon. E. G. and others, complain, that the system has not the security of a *bill of rights*. That series of propositions commonly called a *bill of rights*, is taken out of law-books, and is only an extract of the rights of persons.—Now let us suppose, that it stands in a law-book, which is appealed to, as an authority, in all the Courts of judicature, or is tacked (without pains or penalty annexed to the violation of it) as a preface to the Constitution. In which case is it likely to afford the greatest security to the rights of persons? Let the unbiassed judge. On this point we may appeal to fact. There is a Commonwealth, with which we are not wholly unconnected, which hath a bill of rights prefixed to its Constitution. Yet ask those of either of the great parties, into which that State hath lately been divided, if this bill of rights hath not been frequently violated? If you confide in the zealots of each party, will you not be ready to conceive, that the actual Legislators have had as poor an opinion of the bill of rights, as Cromwell had of Magna Charta? If you speak to the moderate men in that same State, they will perhaps shrug their shoulders, and shake their heads, and give you *no answer*.

When the powers to be exercised, under a certain system, are in themselves consistent with the people's liberties, are legally defined, guarded and ascertained, and ample provision made for bringing to condign punishment all such as shall overstep the limitations of law,—it is hard to conceive of a greater security for the rights of the people.

It hath been said, that the Constitution proposed, “has few federal features, but is rather a system of national government.” Perhaps the features of a confederacy, and of a national government, are happily blended; as a child may have a resemblance of both its parents. If so, may not the event be happy for us? For is it not for want of national government, that commerce, husbandry, mechanics, the arts and manufactures, are now languishing and seem ready to die? was it not for want of *this*, that the States of Greece, were enslaved by a petty monarchy, that Switzerland is destitute of national importance, and Holland torn with all the distresses of a civil war? Must not the States of America, without this, serve with the fruits of their hardy industry, their enemies in Britain. *Dean Tucker* (whose political prophecies have mostly been verified) hath predicted concerning America, “that they will be a contemptible people to the end of time.”⁵ Without national government, must it not be so in fact? for a confederacy, without energy sufficient to bring the confederates to joint-action, is a mere *nullity*. Let us not quarrel about words and sounds, *national* or *federal*; it is a good system if it's tendency be to make us a happy people.

It is said that it “dissolves the state governments, because it makes the federal laws supreme in each State.” *What bond of union could there*

be without this? It ought to be allowed, however, that the powers given to Congress in this system, are the utmost extent of the federal legislation. If these relate to matters of merely national concern, they do not interfere, any more than they ought, with the legislative powers of particular States.

It is suggested that this system may be “amended” before its adoption. On this two questions arise; when are the people groaning under present burthens, to be eased of the expences of conventions and assemblies, for settling government? and will there probably be fewer dissentients from the amendments, than from the system as it now stands?

Should it be received as it now stands, it is suggested “that our liberties *may* be lost.” The caution expressed in the word *may*, is commendable, because many persons whose abilities the modesty of Hon. E. G. would not suffer him to undervalue, think quite otherwise. Too, too long it hath been the humour of our countrymen, to be so fearful of giving their rulers power to do hurt, that they never have given them power to do good. *This is the very reason why the public authority, hath been so much despised by the people; and why the people have so little attachment to their civil institutions.*

When such a great affair is depending, parties, disputes, and objections, are to be expected. It is best I believe that they should, in a certain degree, take place. I hope they will not proceed to violent extremes. The State of Massachusetts is not bound to imitate Pennsylvania: Let not our good citizens mistake *passion* for *council*;⁶ but let them choose men of clear heads, and honest minds, for their State Convention. When the “greatest of men” differ, the assembled people must decide. And let them, after the affair is impartially examined, and thoroughly sifted, receive, amend, or utterly reject the Federal Constitution. Let not the leading characters among us, in the mean time, forget that excellent advice of the Hon. E. G. worthy to be written for their use in letters of gold, that they *preserve moderation.*

Further communications and correspondence on those interesting subjects, will be agreeable to your friend
ATTICUS.

1. For “Atticus” second letter which was printed in the *Independent Chronicle* on 18 October, see Mfm:Mass. The first letter (unnumbered) appeared on 9 August.

2. The reference is to the *Independent Chronicle's* 8 November reprinting of Elbridge Gerry's 18 October letter to the Massachusetts General Court. For Gerry's letter, see I above, under 18 October.

3. Alexander Pope, *Of the Use of Riches, an Epistle to the Right Honorable Allen Lord Bathurst* (1733), lines 1–2. At the end of the second line, after the word “doubt,” these words appear in the original: “like you and me?”

4. See "Atticus" II, *Independent Chronicle*, 18 October (Mfm:Mass.). The question reads: "Of aristocracy and democracy our State has enough. The partizans are animated sufficiently against each other. Have we a third power sufficient to restrain them? This is the question."

5. Josiah Tucker, dean of Gloucester, England, had long opposed the colonial status of America on economic grounds. He believed, however, that Americans would not be able to unite in a stable nation. In a pamphlet originally published in 1781, Tucker wrote that it seemed to be the fate of the Americans to be "A DISUNITED PEOPLE, till the End of Time" (*Cui Bono? or, An Inquiry, What Benefits Can Arise Either to the English or the Americans, the French, Spaniards, or Dutch, from the Greatest Victories, or Successes, in the Present War? Being a Series of Letters, Addressed to Monsieur Necker, Late Controller General of the Finances of France. Second Edition, Corrected. With a Plan for a General Pacification* [Gloucester, 1782], 118–19). Dean Tucker had also written several tracts on the eve of the Revolution, harshly criticizing the American colonies. For another item about Tucker, see "An American," *Massachusetts Centinel*, 10 November (Mfm:Mass.).

6. On the "passion" of Pennsylvania, see "The Massachusetts Reprinting of the Address of the Seceding Assemblymen of the Pennsylvania Assembly," 23 October–8 December (I above).

The Worcester Speculator VIII Worcester Magazine, 22 November

The people of the United States appear to be placed by divine providence in a situation very peculiar; the clouds of ignorance, which in the middle ages, so deeply enveloped mankind, are in a good degree removed; the principles of civil and religious liberty are very generally understood; the rays of knowledge have shed their benign influence through the land; the inhabitants are blessed with a country fertile in all the necessaries and most of the conveniencies and luxuries of life; their independence of a foreign power has been recognized and established; under their own vines, in possession of peaceful freedom, advantages are indulged to them which have seldom if ever fallen to the lot of any people or nation on earth; the cup of prosperity, large and full, is handed to them; it depends upon themselves to determine, whether they will be free, and transmit to their posterity the means of political happiness, or whether they will droop in slavery, and leave to their children few or none of the blessings of a good government.

When the separate constitutions of the different States were made and established, the people had in contemplation the security of the liberties of the individual inhabitants, and the retention of as many of their natural rights and privileges as were possibly consistent with the nature of society. The same observation will apply to the articles of confederation agreed to by the United States. This was a wise and prudent consideration, for it is the duty of a people to keep a watchful eye

over their liberties, and guard against such encroachments as may expose them to be divested thereof;—but it is in politicks as in every thing else, extremes are dangerous—in avoiding the horrors of a despotick government, it is possible a people may experience the inconveniencies and confusions of anarchy. The confederation, after a full, a fair, a candid and impartial trial, is found to be inadequate for the support of the union; room is left for amendments, and that government which cannot protect the persons and property of the citizens, ought to be altered in such manner as it may be able to do it. A constitution has been agreed upon and recommended by a very respectable delegation from the different States; this appears, upon a careful and attentive examination, to be founded upon free and liberal principles; at the same time that it gives a limited power and authority to the federal legislature, who are to be considered as the respectable servants of an independent republick, it secures to the different States, and to the citizens at large, a greater degree of freedom and infinitely greater privileges, than are enjoyed by any civilized people on the globe.

Friends, brethren, and fellow citizens, the present is an important period; much, very much, depends on your present deliberations—you are conjured, by all you hold dear in social life, to consider with attention, examine with candour, adopt with unanimity, and pursue the result with unremitting perseverance, and you shall be politically happy.

Editors' Note

The Massachusetts Reprinting of the Brutus Essays 22 November 1787–8 May 1788

“Brutus,” a major Antifederalist writer, published sixteen essays in the *New York Journal* between 18 October 1787 and 10 April 1788. Three days after “Brutus” I (CC:178) appeared James Madison, Virginia delegate to Congress in New York City, declared that “a new Combatant, . . . with considerable address & plausibility, strikes at the foundation. He represents the situation of the U.S. to be such as to render any Govt. improper & impracticable which forms the States into one nation & is to operate directly on the people” (to Edmund Randolph, 21 October, CC:182).

The authorship of “Brutus” is uncertain. Contemporaries attributed the essays to George Clinton, John Jay, and Abraham Yates, Jr., all of New York, and Richard Henry Lee of Virginia. Historians have suggested Melancton Smith, Thomas Treadwell, and Robert Yates as possible authors. “Brutus” attacked the Constitution because it created a

consolidated government that would annihilate the state governments (I, V, VI, XV); lacked a bill of rights (II, IX); provided inadequate representation in Congress (III–IV); gave Congress excessive powers, especially over the purse and the sword (V–X); established an uncontrollable federal judiciary (XI–XV); and failed to provide adequately for the separation of powers between the branches of government (XVI).

The essays were not often reprinted but more numbers appeared in Massachusetts than in any other state. Essays I–V were published in the *Independent Chronicle* between 22 November and 3 January 1788. The first essay was also printed in the *Hampshire Gazette*, 19, 26 December; a brief excerpt appeared in the *Massachusetts Gazette*, 30 October (above). The *American Herald* reprinted numbers V, XV, and XVI, and excerpts from VIII, IX, and XIV; the last reprinting appeared on 8 May 1788.

A long reply to “Brutus” appeared in a pamphlet written by Philadelphia merchant Pelatiah Webster, under the pseudonym “A Citizen of Philadelphia,” that was published in Philadelphia on 8 November (CC:244). Entitled *The Weaknesses of Brutus Exposed . . .* (Evans 20872), the pamphlet was advertised for sale in the Boston *Independent Chronicle* on 30 November and 6 December. Webster sent a copy of the pamphlet to former Massachusetts Governor James Bowdoin in Boston on 16 November, along with an earlier pamphlet that he had written attacking the address of the seceding members of the Pennsylvania Assembly (CC:125–B). Webster told Bowdoin the pamphlets might “amuse” him “not by any novelty of the Tho’ts or force of the Reasonings but because they contain a kind of history of the Objections & Answers” prevailing in Philadelphia with respect to the Constitution (Bowdoin-Temple Papers, MHi). Bowdoin replied on 12 December that the pamphlets “contain very just observations on that constitution and the objections, which have been made to it; and I hope they will be of public utility” (Winthrop Papers, MHi).

On 22 December Federalist George Thatcher, a Massachusetts delegate to Congress in New York City, forwarded a copy of the pamphlet attacking “Brutus” to Antifederalist Nathaniel Barrell, a York, Maine, delegate to the state Convention. Barrell replied on 15 January 1788 that the pamphlet “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.”

For Massachusetts commentaries on "Brutus," see "Candidus" II and "Atticus" IV, *Independent Chronicle*, 20, 27 December; "A.B.," *Hampshire Chronicle*, 2, 9 January 1788; *Massachusetts Gazette*, 4 January; and "Mark Antony," *Independent Chronicle*, 10 January.

Agrippa I

Massachusetts Gazette, 23 November¹

This is the first of sixteen unnumbered essays that "Agrippa" published in the *Massachusetts Gazette* from 23 November 1787 to 5 February 1788. The first eleven, ending on 8 January, were addressed either "To the People" or "To the People of Massachusetts." The remaining essays, printed from 11 January to 5 February, were addressed "To the Massachusetts Convention," which was in session from 9 January to 7 February. Only three of the sixteen numbers were reprinted, the first essay twice and the seventh and thirteenth once.

Most contemporaries believed that "Agrippa" was James Winthrop of Cambridge, who had resigned as librarian of Harvard College in the summer of 1787. Elbridge Gerry was another possibility. The first hint of authorship was printed in the *Massachusetts Centinel* on 5 December: "A correspondent notices as a federal feature, that in a neighbouring town [Cambridge], Agrippa had one vote as a Delegate to the Convention—and no more." (The term "*federal features*" was employed by Gerry in his 18 October letter to the General Court.) On 19 December "A Federalist" in the *Massachusetts Centinel* noted that both Elbridge Gerry and James Winthrop received only one vote each. Four days later Christopher Gore wrote Rufus King that "J Winthrop had 14 votes—Mr Gerry 2 or 3—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."

Winthrop appears to be the more likely choice as "Agrippa." On 15 December "A correspondent" in the *Massachusetts Centinel* referred to "Agrippa, the quondam Librarian of a celebrated University," a man who changed his mind often. "Cassius" VI was harsher, noting that he was "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" (*Massachusetts Gazette*, 21 December). Continuing on a satirical note, "Ocrico" suggested that "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*" (*Massachusetts Gazette*, 21 December). "Kempis O'Flanagan" chided the "*Quondam Librarian*" for not signing his real name to his essays because he refused to endure the "fury" of others (*Massachusetts Gazette*, 4 January 1788).

Few Antifederalist writers were so universally condemned. "Agrippa" was labeled an "*ignorant loggerhead*," an "ungrateful monster," and a "SHAYS in disguise." One critic offered a reward of 500 pounds to anyone who could explain what "Agrippa" "is labouring to prove." Another wrote that "his productions appear to be a compound of unarranged ideas, and misapplied quotations, about some hidden object"; while a third told "Agrippa" that his productions abounded with "obvious falshoods," "complicated nonsense," and "unsystematical procedure." "Agrippa" was "the oracle of sedition, and sedition is the idol of anti-federalism" ("Cassius" IV, *Massachusetts Gazette*, 30 November; "Charles James Fox," *Massachusetts Gazette*, 21 December; "Kempis O'Flannegan," *Massachusetts Gazette*, 28 December, and 1, 4 January 1788; and "Junius," *Massachusetts Gazette*, 22, 25 January. See also *Massachusetts Gazette*, 21 December; *Massachusetts Centinel*, 26 December; and *Massachusetts Gazette*, 4 January 1788 [two items].).

TO THE PEOPLE.

Many inconveniencies and difficulties in the new plan of government have been mentioned by different writers on that subject. Mr. Gerry has given the publick his objections against it, with a manly freedom. The seceding members from the Pennsylvania Assembly also published theirs.² Various anonymous writers have mentioned reasons of great weight. Among the many objections have been stated the unlimited right of taxation—a standing army—an inadequate representation of the people—a right to destroy the constitution of the separate states, and all the barriers that have been set up in defence of liberty—the right to try causes between private persons in many cases without a jury; without trying in the vicinity of either party; and without any limitation of the value which is to be tried. To none of these or any other objections has any answer been given, but such as have acknowledged the truth of the objection while they insulted the objector. This conduct has much the appearance of trying to force a general sentiment upon the people.

The idea of promoting the happiness of the people by opposing all their habits of business and by subverting the laws to which they are habituated, appears to me to be at least a mistaken proceeding. If to this we add the limitations of trade, restraints on its freedom, and the alteration of its course, and *transfer of the market*, all under the pretence of regulation for *federal purposes*, we shall not find any additional reason to be pleased with the plan.

It is now conceded on all sides that the laws relating to civil causes were never better executed than at present. It is confessed by a warm federalist in answer to Mr. Gerry's sensible letter, that the courts are so arranged at present that no inconvenience is found, and that if the new plan takes place great difficulties may arise.³ With this confession

before him, can any reasonable man doubt whether he shall exchange a system, found by experience to be convenient, for one that is in many respects inconvenient, and dangerous? The expense of the new plan is terrifying, if there was no other objection. But they are multiplied. Let us consider that of the representation.

There is to be one representative for every thirty thousand people. Boston would nearly send one, but with regard to another there is hardly a county in the state which would have one. The representatives are to be chosen for two years. In this space, when it is considered that their residence is from two hundred to five miles from their constituents, it is difficult to suppose that they will retain any great affection for the welfare of the people. They will have an army to support them, and may bid defiance to the clamours of their subjects. Should the people cry aloud the representative may avail himself of the right to alter the *time of election* and postpone it for another year. In truth, the question before the people is, *whether they will have a limited government or an absolute one?*

It is a fact justified by the experience of all mankind from the earliest antiquity down to the present time, that freedom is necessary to industry. We accordingly find that in absolute governments, the people, be the climate what it may, are [in] general lazy, cowardly, turbulent, and vicious to an extreme. On the other hand, in free countries are found in general, activity, industry, arts, courage, generosity, and all the manly virtues. Can there be any doubt which to choose? He that hesitates must be base indeed.

A favourite objection against a free government is drawn from the irregularities of the Greek and Roman republics. But it is to be considered that war was the employment which they considered as most becoming freemen. Agriculture, arts, and most domestick employment were committed chiefly to slaves. But Carthage, the great commercial republic of antiquity, though resembling Rome in the form of its government, and her rival for power, retained her freedom longer than Rome, and was never disturbed by sedition during the long period of her duration. This is a striking proof that the fault of the Greek and Roman republics was not owing to the form of their government; and that the spirit of commerce is the great bond of union among citizens. This furnishes employment for their activity, supplies their mutual wants, defends the rights of property, and producing reciprocal dependencies, renders the whole system harmonious and energetick. Our great object therefore ought to be to encourage this spirit. If we examine the present state of the world we shall find that most of the

business is done in the freest states, and that industry decreases in proportion to the rigour of government.

1. "Agrippa" I was reprinted, on request, in the *New Hampshire Gazette* and *New York Journal* on 5 December. The individual who requested that the *Journal* reprint "Agrippa" said that it "was apparently written without bias of party."

2. See "The Massachusetts Reprinting of the Address of the Seceding Assemblymen of the Pennsylvania Assembly," 23 October–8 November (I above).

3. See "A.B.," *Massachusetts Centinel*, 14 November, at note 6.

Cassius II

Massachusetts Gazette, 23 November¹

Anarchy, with her haggard cheeks and extended jaws, stands ready, and *all* allow, that unless some efficient form of government is adopted, she will soon swallow us. The opposers to the plan of government lately agreed upon by the federal convention, have not spared their censures upon it: they have stigmatized it with every odious appellation that can be named; but, amidst all their railing, have not so much as hinted at a form of government that would be proper for us to adopt: and even if they had, it would have remained for us to examine, whether they were men of more honesty, greater abilities, and firmer patriots and friends to their country, than the members of the late convention; and whether the form of government, which *they* might propose, was better adapted to our situation and circumstances, and freer from imperfections, than the one which has already been proposed to us.—But it is not the intention of the opposers to the plan of federal government, that we should have any government, founded on firm and truly republican principles; as, in that case, their aims would be entirely defeated, as it would put it out of their power to stir up sedition and discontent; and they would be lost in obscurity, or move in a most contemptible sphere.

I have before hinted, that the opposers of the plan of federal government, are composed of knaves, harpies and debtors;² and, I trust, it will soon appear, what I have said is not a bare assertion only, but a matter of fact.—I shall now proceed to make a few remarks on the conclusion of "Vox Populi's," or rather Vox Insania's, production, which appeared in last Friday's paper.³

VOX POPULI requests the inhabitants of Massachusetts "to pay that attention to the federal constitution which the importance of its nature demands;" and *informs* them, that they "have hazarded their lives and fortunes (*by the way a wonderful piece of news*) to establish a government founded on the principles of genuine civil liberty," &c. I join with him in his request. And am confident if that attention which is requisite is

paid to the proposed plan of federal government, that it will meet with the hearty approbation of every well wisher to the freedom and happiness of his country. It is true, that the inhabitants of America have hazarded their lives and fortunes to establish a free and efficient government; but will VOX POPULI, that *moon-light prophet*, pretend to say that such a government is at present established? VOX POPULI goes on to inform us, that, by adopting the new plan of government, we shall make inroads on the constitution of this state, which he seems to think will be sacrilegious. His narrow and contracted ideas, his weak, absurd, and contemptible arguments, discover him to be possessed of a mind clouded with the gloom of ignorance, and thick with the grossest absurdity. Strange it is, that that babbler should suppose it unjustifiable for the people to alter or amend, or even entirely abolish, what they themselves have established. But says VOX POPULI, *perhaps* the new plan will not have the same number to approbate it, that the constitution of this state had. *Perhaps* VOX POPULI will be hung for *high treason*. There is, in my opinion, as much probability in the latter *perhaps*, as in the former. Pray, Mr. VOX POPULI, if I may be so bold, what reason have you to judge that there will not be so many for adopting the constitution proposed by the convention, as there were for adopting the constitution of this state some years ago? Do you suppose the inhabitants of Massachusetts have depreciated in their understanding? or do you suppose that the *sublimity* of your jargon has blinded them with respect to their best interests? If you suppose the former, I think you have not been much conversant with them of late, or that your intellects are something defective. If you suppose the latter, in my opinion, you are no better than a downright FOOL.

VOX POPULI sets out to touch the consciences of men in office, in representing the solemnity of an oath. It seems almost impossible that any one should be so stupidly blinded to every dictate of reason and common sense, as to start such things as have been mentioned by VOX POPULI, to deter men from using their influence to effect the adoption of the new plan of government. Can that shallow-pated scribbler suppose, that an oath, taken by rulers, to stand by a form of government adopted by the people, can be of any force or consideration, if the people choose to change that form of government, for another more agreeable to their wishes? But (in order without doubt to strike a *greater dread* upon their minds) VOX POPULI says, "the oath is registered in Heaven." Pray, Mr. VOX POPULI, when was you there? And did you really see the oath registered? The constitution of this state was formed, and officers appointed under it, long since the awful battle was fought in Heaven, between Michael and the Prince of Darkness; and I cannot

conceive of your admittance there, in any other way than under the banners of his Satanick Majesty, who might suppose that such an unparalleled phenomenon would have an effect on the archangel that would be favourable to his cause.

VOX POPULI asserts, that the General Court acted *merely* officially in laying the proposed plan of government before the people. No man of candour, sense and foresight, Mr. VOX POPULI, will ask the reason of the General Court's laying the plan of government proposed by the federal constitution before the people, as their own minds will suggest to them the true reason for it; and none but those who are as stupid and ignorant as yourself, would suppose that the General Court acted *merely* officially in doing as they did. The General Court were undoubtedly influenced by motives of the best kind in what they did. They without doubt were anxious that the people should have the new plan of government to consider of in due time; and, considering the importance of it, and the tendency it had to promote their happiness, liberty and security, took the first opportunity to present it to them.—'Tis true, Mr. VOX POPULI, that you are a member of the legislature; it is also true that you are possessed of a mind as emaciated as the mass of corrupt matter that encircles it. But although you belong to the house of representatives, I trust you are not the mouth of that honourable body; and, if not, pray who authorised you to inform the publick of the motives for their conduct? Did they in an *official* manner make their motives known to you, and request you to lay them before the publick? Indeed, Mr. VOX POPULI, you seem to put on very assuming airs, but I think you had better humble yourself, as your station may, ere long, be lowered.

A writer under the signature of EXAMINER,⁴ has several times pointed out the fallacy of the writings of VOX POPULI, and requested that *ghost-like* scribbler to lay a form of government before the publick in lieu of that which he has taken upon him to condemn; and has informed him, that if he does not, and still continues scribbling, his *modesty* will be called in question. The EXAMINER is entirely unacquainted with the babbler he justly reproveth, or he would not have mentioned any thing to him respecting modesty; as he must be sensible that *screech-owls* are entirely divested of modesty; and he may be assured that VOX POPULI is one of those *midnight squallers*.

Inhabitants of Massachusetts! be constantly on the watch—It requires almost the eyes of an Argus to penetrate into all the schemes of those designing wretches, who are waiting to see you reject the federal system of government, and involve yourselves in all the horrors of anarchy, then to riot with pleasure on your miseries. Disappoint their

expectations—adopt the proposed plan of federal government—it will secure to you every blessing which a free and enlightened people can expect to enjoy.

Some, who are now in office, but expect soon to leave it, and bid adieu to power, unless they can effect the establishment of a government which shall

*Cause treason, rapine, sacrilege and crimes,
To blot the annals of these western climes,*

are busy in spreading every false and malicious insinuation in their power, to prejudice the people against the new plan of government; but it is hoped they will see through their designs, and treat them with contempt—and wisely agree to embrace the new plan of government, which is favourable to every sentiment of republicanism, and replete with every thing beneficial to their welfare.

1. The first paragraph was reprinted in the *New Hampshire Gazette* on 5 December.

2. See “Cassius” I, *Massachusetts Gazette*, 16 November.

3. See “Vox Populi,” *Massachusetts Gazette*, 16 November.

4. For “Examiner’s” newspaper confrontation with “Vox Populi,” see “Vox Populi,” *Massachusetts Gazette*, 30 October, note 1.

Vox Populi

Massachusetts Gazette, 23 November¹

To the PEOPLE of MASSACHUSETTS.

Fellow-Citizens, At this all important crisis you should allow no object however great to divert your attention from the proposed system of federal government: now is its day of probation, but that day will soon expire, and you should work the work of the day while it is yet day, before the night cometh wherein no man can work; if you like the foolish virgins sleep till the midnight cry is heard, your applications after that will all prove fruitless.

The adoption of the proposed constitution ought not to be considered as a matter of indifference, *that* event will undoubtedly be very advantageous or injurious, and it is yours at present to investigate the matter fully, and determine on the matter according to the best judgment you are able to form on such an investigation; if you accept it you ought to be fully convinced it is for the best; if you reject you should do it from a conviction that it is not adapted to promote the publick good.

I have formerly invited your attention to the consideration of some of its parts, as well as some of the consequences which I conceived

would result from its adoption; I now wish you to attend to the sixth article thereof, where you will find it is provided, *That the federal² 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 the members of the several state legislatures and all judicial and executive officers, both of the United States and of the several states shall be bound by oath or affirmation to support this constitution.*

Here you have the *arcana* of federal blessings laid open before you. A part of the supreme law is to be such as *may be* diametrically opposed to the sentiments of every citizen of this state as well as the sentiments of your representatives and senators in the federal legislature, some of which may be made only by the president and two thirds of a *quorum* of the senate.

But is here not a difficulty involved in this matter which is rather hard of removal? Every other legislative, judicial or executive must be bound by oath or affirmation to support this constitution, and every such officer has taken or must take a solemn oath that he does [“] *truly and sincerely acknowledge, profess, testify and declare that the Commonwealth of Massachusetts is, and of right ought to be, a free sovereign and independent state,—and that he will bear true faith and allegiance to the said Commonwealth, and that he will defend the same against traitorous conspiracies and all hostile attempts whatsoever: and that no foreign prince, person, prelate, state, or potentate, hath or ought to have any jurisdiction, superiority, preeminence, dispensing authority or other power in any matter civil, ecclesiastical or spiritual, within this Commonwealth; except the authority and power which is or may be vested by their constituents in the Congress of the United States: and that no man, or body of men hath or can have any right to absolve or discharge him from the obligation of this oath, &c. and that he doth make this acknowledgment, &c. heartily and truly according to the common meaning and acceptance of the foregoing words, without any equivocation, mental evasion or secret reservation whatsoever.*”³

How any *honest* man can take this oath, almost every word of which is *emphatical* and the same hour perhaps take the other I must confess to me is truly paradoxical: In the first of which he swears *that this Commonwealth is, and of right ought to be, a free, sovereign and independent state, and that he will bear true faith and allegiance to it, and that no man or body of men can absolve him from that obligation.* In the other he swears he will support a constitution which (it appears to me) takes away every idea

of *sovereignty* which is worth retaining. How these things can be reconciled is wholly beyond my conception.

Will any one pretend to say these two oaths are compatible, because there is an exception in the state oath of such power and authority as is or may be by their constituents vested in the Congress of the United States, which exception contains every thing comprehended in the proposed constitution which the last oath binds them to support? Is it possible that any person can advance any thing like this? I cannot suppose any *rational* person can, for these two reasons, *first* the epithet "*the Congress of the United States,*" at the fabricating said oath, &c. was a definite phrase, its construction and organization were universally understood, and was known to be a body of men annually chosen, and recallable at pleasure, consisting of one branch only, and was a thing essentially different from the complex body which is to go under the name in the new proposed constitution, and we should do well to bear in mind that the oath concludes, "And I do make this declaration, &c. according to the *common meaning and acceptation of the foregoing words,* &c.["] and I can see no help that can be obtained in this case from that proviso. But, *secondly*, if this matter was entirely got over, there would remain one which at least has the appearance of being insurmountable, for admitting the word Congress in the said oath to mean any thing and every thing which is called by that name, even then that exception could not be applied to any thing but *a Congress*, yet in the proposed constitution there is provision made for the exercise of power and authority within and concerning this commonwealth, and to which we are subject by an authority different from the Congress of the United States.

According to the proposed constitution, treaties are to be made by the president, with the advice of two thirds of the senate present, if there is present a quorum. The president and senate are to appoint the judges, &c. The president, in person, is a potentate, holding free and exclusive power to pardon. Viewing him in military point of light, we are all personally to be under his immediate command, and at his disposal, &c. &c. &c. All this, and more, is proposed, in the new constitution, to be authorities to which we and our state-rulers are to be subject, which is distinct from Congress; for the president, or the president and senate, cannot be Congress: for it is expressly declared and defined in the proposed constitution, that *Congress* shall consist of a senate and a house of representatives, and I cannot conceive of any other way to get clear of the difficulty, at present.

Paying suitable attention to these things, I leave it cheerfully with every person to judge, if any man can take and subscribe the two oaths, aforesaid, without being guilty of the most unequivocal perjury.

If after a mature investigation of the subject, *that* should appear to be the case, it is left to the reflection of every one to picture in his own mind the eligibility of our circumstances, when the proposed constitution is adopted; and consider the precarious tenure by which they will all hold their lives, liberties and properties, if it is impossible for any person to be in any state office over them, but such as are divested of the principles of honesty, and have reached the *ne plus ultra* of wickedness—*Perjury*.

These things, my fellow citizens, are proposed for your consideration, and yours must be the consequence of the determination you make on the subject.

Boston, November 19.

1. On 20 November the *Massachusetts Gazette* announced that “Vox POPULI is received, but for want of room must be omitted till Friday next [23 November].”

2. The word “federal” does not appear in Article VI of the Constitution; nor do the italics that follow in this paragraph.

3. Thorpe, III, 1908–9. The italics were inserted by “Vox Populi.”

Massachusetts Gazette, 23 November

ANTI-FEDERALISM.

The more stiff supporters of the *new plan*, (writes a correspondent) instead of laying any arguments in favour of it before the publick, deal only in dark hints of confusion and danger to ensue if it should be rejected. Their leaders acknowledge, without any scruple, that the state government is well established. No danger threatens from abroad; for Europeans are sufficiently occupied in confirming their own governments. If, therefore, our government is in any danger at all, it must be from the favourers of this plan, as no others have intelligence of that kind. In such a case, it would be proper to take some precautions against them, at least so far as not to agree to any innovations till we have secured the publick tranquillity beyond any doubt. It ought to be understood, that a sensible and brave people will not be threatened out of their liberties.¹

FEDERALISM

When we take a view of the deplorable situation of several of the state governments, (a correspondent observes) how feeble and inefficient—how inadequate to the inspiring any, the least confidence of the citizens in the *legislative and executive* department—how *selfish* and *local* the views and designs of different states—how *trickish* and *detestable* the open and avowed conduct of some—and how much *disposed* others are

to follow the infamous example—How *credit, publick and private faith*, are trampled under feet—how, from these causes, the specie of the more wealthy is locked up, or loaned upon ruinous and excessive usury—trade, navigation, manufactures and produce are reduced to their lowest ebb, and all orders of men are in a state of despondency—I say, when all these circumstances are considered (and they are true as holy writ) can any thing short of *anarchy, confusion, and bloodshed*, be anticipated from that DESPAIR which will inevitably be consequent upon a *rejection* of our DERNIER RESORT—the proposed FEDERAL CONSTITUTION?²

A correspondent observes—That the *defection* of any particular state, from national principles, ought (so far from diminishing the ardour of this commonwealth, and the other states who are zealous for adopting the new constitution) to stimulate them the more, that such states may be excited, by the salutary effects of our good examples to forego their prejudices and complete the chain of union.³

Like the expulsion of the Canaanites of old, from the promised land, the *anti-federalists* seem determined, that our salvation, as a people, shall be wrought out “by *little and little*.”—But be it known to them, the motto of all true Americans, (and *such* are the friends to the new constitution) is—PERSEVERANDO.⁴

It is very frequently and justly remarked, that all the publications of the enemies to the proposed constitution, may be comprised in a single column—The same ideas and expressions, with little or no variation, occur in every performance, and the patience of the publick is justly fatigued out, by following these voluminous writers in their large and small parallel circles—where nothing *new* occurs.⁵

The good people cannot be too often reminded of the importance of attending to *characters* in the anti federal junto; and, believe me, it is very small.—The piece, signed “A *late continental officer*,” in Wednesday’s Centinel, was [an] extract from a *southern paper*;⁶ and, as a correspondent in your last observes, that a certain person, who *accidentally crept* into office, has *foisted* a number of *similar southern speculations* into the papers of this town,⁷ it is more than probable the above was conveyed through the same *immaculate channel*—*Sat verbam*,⁸ &c.⁹

Many of the anti-federalists are often heard to lament the difference between the times that *now are*, and those we enjoyed *before* the revolution—evidently lusting after the *leeks and garlick* of Britain¹⁰—And at

the same time they execrate the new plan of national constitution, because, forsooth, this continent is too extensive to be governed by a federal system, altho' *they* contend, we were the happiest people on earth, under the arbitrary domination of a British king, THREE THOUSAND MILES OFF! *O tempora! O mores!*¹¹

The enemies of the new constitution have discovered their modesty in *one circumstance*—they have not had the assurance to offer any system of their own, in lieu of the excellent one they attempt to depreciate.¹²

A correspondent observes, that the source of opposition, at present, in this place, to that glorious fabrick of republicanism, the FEDERAL CONSTITUTION, is derived from two characters, who, if they had their just des[s]erts, would be carted about and hooted at, as the effigies of the devil and the pretender formerly were, in this town.¹³ One of the characters, as some one has remarked before, *crept into office* by means of a most glaring deception practised upon his fellow-citizens,¹⁴ and the other, for some of his *good deeds*, in the town to which he belongs, was, some time since, *promoted* to the *high and important office* of—*Hog-Reeve*.

Jim. from the *north-west*,¹⁵ (continues our correspondent) had better be careful how he continues to diffuse his antifederalism, unless he wishes *again* to undergo the *operation* of a *news paper exposition*.

1. This paragraph was reprinted in the *Pennsylvania Herald*, 8 December.

2. This paragraph was reprinted in the *Newport Herald*, 29 November; *Pennsylvania Journal*, 8 December; *Pennsylvania Packet*, 10 December; *Pennsylvania Gazette*, 12 December; and *New Jersey Brunswick Gazette*, 18 December.

3. This paragraph was reprinted in the *Pennsylvania Journal*, 8 December; *Pennsylvania Packet*, 10 December; *Pennsylvania Gazette*, 12 December; *Newport Herald*, 13 December; *New Jersey Brunswick Gazette*, 18 December; and *Maryland Journal*, 21 December.

4. This paragraph was reprinted in the *Pennsylvania Journal*, 8 December; *Pennsylvania Packet*, 10 December; *Pennsylvania Gazette*, 12 December; and *Maryland Journal*, 21 December. For the expulsion of the Canaanites "By little and little," see Exodus 23:30.

5. This paragraph was reprinted in the *Massachusetts Centinel*, 24 November; *Newport Herald*, 29 November; *Pennsylvania Journal*, 8 December; *Pennsylvania Herald*, 8 December; *Pennsylvania Packet*, 10 December; *Pennsylvania Gazette*, 12 December; and *New Jersey Brunswick Gazette*, 18 December.

6. "An Officer of the Late Continental Army" was first printed in the *Philadelphia Independent Gazetteer* on 6 November (RCS:Pa., 210-16; and CC:231), and reprinted in the *Massachusetts Centinel* on 21 November. The *Centinel* reprinted "An Officer" under the heading "ANTIFEDERAL," followed by a preface signed "ANONYMOUS": "The following objections made to the new Constitution, you are requested to publish, for the consideration of the publick at this all-important crisis."

7. Probably James Warren. See the *Massachusetts Gazette*, 20 November, note 2.

8. "Enough said" (Latin).

9. This paragraph was reprinted in the *Pennsylvania Herald*, 8 December.

10. "We remember the fish, which we did eat in Egypt freely; the cucumbers, and the melons, and the leeks, and the onions, and the garlic" (Numbers 11:5).

11. This paragraph was reprinted in the *Newport Herald*, 29 November.

12. See note 11.

13. A reference to the activities that took place on "Pope's Day" (5 November) among the lower classes of Boston celebrating the failure of the Gunpowder Plot of 1605 (Guy Fawkes) and the Popish Plot of 1675 (Titus Oates). For a discussion of these activities, see Dirk Hoerder, *Crowd Action in Revolutionary Massachusetts, 1765–1800* (New York, 1977).

14. See note 7.

15. Probably a reference to James Winthrop who lived in Cambridge, a town northwest of Boston, as distinguished from James Warren who lived south of Boston in Milton.

Massachusetts Centinel, 24 November

It is curious to observe the *affected* concern of the antifederalists for the constitution of this State, when it is a NOTORIOUS FACT, that *three* of the principal enemies of the proposed Constitution, were *heart and hand* with the insurgents last winter, in their attempts to overturn and destroy that very constitution.¹

It is very evident that should the arts, lies and misrepresentations of the enemies to a federal system so far delude the good people of the State, as to reject the new Constitution, all government will be at an end, and what then will become of the State constitutions?

It is very fully ascertained that the object of the antifederalists is not merely a rejection of the NEW PLAN—but an abolition of *all government*—they are often heard to observe "that no innovations ought to be made—that the present situation of things is the best—and that our separate State governments are equal to the procuring all the blessings of independence &c."—hereby insulting the *feelings* and *distresses* of the country, and plainly declaring that anarchy is their object.²

The antifederalists in this State are a meer *junto*—a few *placemen*, a few *trimmers* and the rest men deeply in debt, who despair of paper money and tender laws, should the new system be adopted. These form the groupe—and by authentick accounts from all parts this *trio* includes the *juntos* of the other States. Shall such characters compass the *ignominy* and *destruction* of America, by causing us to reject the plan of the Continental Convention?—FORBID IT HEAVEN!³

1. This paragraph was reprinted in the *New Hampshire Spy*, 27 November. One of the three "enemies" to the Constitution was probably James Warren, who sympathized with the insurgents.

2. This paragraph was reprinted in the *New Hampshire Recorder*, 18 December.

3. This paragraph was reprinted in the *New Hampshire Spy*, 27 November, and *New Hampshire Recorder*, 18 December.

Massachusetts Centinel, 24 November¹

CONVENTIONAL.—MASSACHUSETTS.

Notwithstanding the hopes—and consequent insinuations—of those who are illiberally inveterate against the federal Constitution—that our Convention *will* be composed of characters who will *in toto* reject it—we assure the publick—and we hope to obtain credit for the authenticity of our information—that our accounts from various quarters are highly pleasing—pleasing, as it appears that the GOOD SENSE of the people—the guardian God of our country—is exerted in the choice of such men to decide on the federal system, whose ideas are not confined to the narrow bounds of a State—but who judge—and judge rightly—that the INTEREST and GLORY of their constituents depend on the establishment of their characters as AMERICANS—and not merely as the INHABITANTS OF MASSACHUSETTS.

1. This item was reprinted in the *Pennsylvania Herald*, 8 December; *Carlisle Gazette*, 26 December; and *Charleston City Gazette*, 27 December. It was followed by the election returns for state Convention delegates from several towns. In particular, the *Massachusetts Centinel* was delighted with the delegates from Newburyport, a town that “appeared unanimous in favour of the Constitution” (IV below, Newburyport section).

Propriety

Massachusetts Centinel, 24 November¹

Mr. RUSSELL, A writer under the signature of, “*A Friend for Liberty*,” of Middlesex county, (*or wheresoever else he may live*) who made his appearance in the *Centinel* of *Saturday last*, must have conceived very wrong ideas of genuine liberty, or of the *independence*, and *dignity of sentiment*, which *characterize the freemen of this Commonwealth*, to suppose they *will be decided, for, or against*, the new system of government, submitted to them, *either by the Hon. Mr. G——’s being against it, or the Hon. Mr. G——’s or K——’s being in favour of, or having signed it*, however *respected each, and all those gentlemen, (or any others of like sentiments)* may be, for their *integrity, and abilities*; as this is *not the criterion*, whereby, to *determine the merits, or demerits, of the system*.—It is *measures, and not men*, that are to be *investigated, adopted, amended, or rejected*, as *in themselves they appear to be good, or bad*.—It is really a pity,

Mr. Printer, that our publick papers have of late been so much filled with speculations, which tend rather to cast a shade, on the dignity of human nature, the reputation of an enlightened people, and to render our country contemptible in the eyes of the world, *than to elucidate an important, and truly interesting subject.*—A *stranger*, in a foreign country, who reads our publick papers, *may naturally conclude, from what he reads, that there are but very few men in the United States of America, who have any sentiments of their own, or that are capable of judging, what is right, or what is wrong—what is for their own interest and happiness, or what is against them; but will be determined just as some few may please to guide them.* This certainly is an ill-graced compliment to the *good sense of half a million of as enlightened freemen*, as any nation on earth can boast of, and who by the *magnanimity* of their conduct, *will, ere long, as heretofore they have, convince the world, that they are not in leading strings.*

Suffolk county.

1. "Propriety" responds to "A Friend for Liberty" which appeared in the *Massachusetts Centinel* on Wednesday, 14 November.

Christopher Gore to George Thatcher

Boston, 25 November (excerpt)¹

my dear friend—

. . . The few elections already made in this Commonwealth, for convention look well to the Constitution—but our Government, as the atty general² observes, is a tide mill,³ and it is impossible to determine which way the current will set—tho[ug]h appearances, at present, are in favor of its adoption. . . .

1. RC, Foster Autograph Collection, MHi.

2. Robert Treat Paine of Taunton, a delegate to the Continental Congress, 1774–76, a signer of the Declaration of Independence, and a member of the state constitutional convention, 1779–80, had been attorney general of Massachusetts since 1777.

3. A mill driven by the ebb and flow of the tide acting on a waterwheel.

Henry Jackson to Henry Knox

Boston, 25 November (excerpt)¹

my dear Harry

. . . Your friend Mr. King is not yet returnd 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*.²—Indeed all the Towns that have as yet chosen, have confined their choice wholly to Federal

Men & those of the best abilities—thus far it looks well, indeed more than well, I pray god it may finally be adopted in this State—if it is not, I dre[a]d the consequences that must & will follow—there is, and will be an opposition against it, in this Commonwealth, & your friend on Milton Hill³ with some others are at the head of it—

The General Court adjou[r]n[e]d yesterday until February Next.—Doctr. Jarvis assured me yesterday afternoon, the members of the Court went home with favorable Ideas of the proposed constitution, if so, it will have a good effect on the people at large. . . .

1. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York. This letter, marked private, was sent by post to Knox, the Confederation Secretary at War in New York City.

2. On 20 November the Newburyport town meeting elected Rufus King, Benjamin Greenleaf, Theophilus Parsons, and Jonathan Titcomb as delegates to the state Convention, where they voted to ratify the Constitution in February 1788. For this election, see IV below, Newburyport section.

3. James Warren of Milton.

William Cranch to John Quincy Adams

Braintree, 26 November¹

You may think me unpardonable perhaps for neglecting so long to answer your *political* letter of Octr 14th. And so indeed I am. But I do not intend to ask your pardon. Since you went from here last I have not had a time which I thought I could devote to the examination of the Constitution & to search the foundations of your objections. You consider the 2d section of Article 1. as wrong, because it does not make the Choice of Representatives annual. We must consider the Convention as being made up of delegates from every state, each having his local prejudices & each Adopting the form of Government of his own State as his rule of faith & Action at that time. The several State Constitutions are undoubtedly very different, especially in this Instance of Annual Elections of their Senators & Representatives. Some having biennial, some triennial, & some have one Election only in 4 years. We must consider that all these people of such different sentiments were to be brought to agree upon something—and what more natural than that they should hit upon the medium of all? What reason is there that Elections should be annual or triennial, rather than biennial? None I presume, except you say that the oftener the better—in *that* Case, if they were chosen every six months or every week it would be better. But why the people of any state at any time may not recall their representatives for misbehaviour and send others, I cannot tell. I allow that objection to stand good. But I would make one Quere—Who

would recall the Representatives? Must the people assemble again in the same manner as they did to choose them? If the Legislature had such a right, it would be putting the Choice into *their* hands & if the people had the right they would never be able to use it. It appears to me to be a right without a Remedy. That Congress should have the power of appointing the times of the Elections, appears to me very necessary. I mean the time of year & day of the month, that they might all meet at the same time. But *that might* have been made certain by the Constitution. But that they should have the power of appointing the places & manner, is to me, absurd. I have never heard what reasons they had for making that article. "How will it be possible for every state to pay its own debts"? Perhaps the Congress intend to pay our Debts from the *state continental treasury*.—You think the powers granted to Congress in the 8. § are not necessary to the preserving & maintaining the Union. 1. What means have the present Congress to discharge the Debt which they have contracted? None but idle & ineffectual recommendations—Ought they not to discharge that Debt? Your Commencement Oration says, Yes.²—Then it will follow that they ought to have *power* to discharge it. And that power must consist in "laying & collecting taxes duties, imposts & Excises." 2. Ought they not to have the power of "borrowing money upon the Credit of the United States." That power the *present* Congress have. 3. It is allow'd by every body that they ought to have power "To regulate Commerce." 4. We want "an uniform Rule of naturalization & uniform laws on the subject of Bankruptcies." 5. If they have the right of constituting a supreme Continental judicial Court they ought to have the power of forming inferior continental Courts. 6. Without the power "of raising & supporting armies" we should be without Defence & without the power of "providing & maintaining a navy" our shores would be expos'd to the continual attacks & depredations of pirates & Enemies. 7. Without "rules for the government & regulation of the land & naval forces," they could not be subject to military discipline. 8. Without a power somewhere to "call forth the militia to execute the Laws of the union, suppress insurrections & repel invasions," the laws would be of no force, we might be governed by a Mob & should be entirely unable to withstand the sudden attacks of a foreign Enemy—9. The power of "organizing, arming & disciplining the militia" is to the same effect. 10. And if they had not power to "make all laws which shall be necessary & proper for carrying into effect execution the foregoing powers & all other powers vested by this Constitution in the Government of the United States, or in any Department or officer thereof," the powers would be of no service. I have consider'd the powers contain'd in the 8. § & they do appear to

me absolutely necessary for the supporting, binding & confirming the Union. You say "it is a great uncertainty whether such a Congress as is proposed ought to have those powers." The plan of 3 powers or orders in Government is *consistant* with your father's Idea of a perfect Government. What he said under the head, Congress, in the "Defence &c."³ was written professedly in defence of the Constitutions of America as they were then. Where he mentions the jealousy of people in granting more powers to Congress, as laudible, he considers it as being laudible only as it is an error upon the *right side*.

You say that the Senate & Representatives are the same Order of men. Supposing that they are, being sepearate, they will be mutual Checks upon one another, as our Senate & house of Reps are. With regard to the number of Representatives, I would ask whether we send more than 10 members to the present Congress. And respecting the violation of the 13th. Article of the Confederation—Was not that article made by the majority of the people? & have not the majority of the people the same right to pass an Article repealing the 13th. Article?

1. RC, Adams Family Papers, MHi. This letter was one of four that Cranch and Adams exchanged in the fall of 1787. See Cranch to Adams, 5 October, and Adams to Cranch, 14 October (both I above), and Adams to Cranch, 8 December.

2. In his commencement address, Adams made a strong plea for the payment of the debt so that national honor and integrity would be restored. He pointed to Great Britain as a nation to be admired because of its willingness to pay "an enormous debt." For the text of the oration, entitled "Upon the importance and necessity of public faith, to the well-being of a Community," see Allen, *JQA Diary*, II, 258–63.

3. Cranch refers to Letter LIII, "Congress," found in Volume I of John Adams's *Defence of the Constitutions* (CC:16). Cranch's father, Richard, had received a copy of the *Defence* from John Adams. A long excerpt of Letter LIII was first reprinted in the *New York Daily Advertiser* on 9 May and reprinted in fifteen other newspapers by 15 October (CC:16–B). A large part of Letter LIII was also reprinted in *American Herald* on 31 December (below).

A Federalist

Boston Gazette, 26 November¹

Mess'rs. EDES', I am pleased to see a spirit of inquiry burst the band of constraint upon the subject of the NEW PLAN for consolidating the governments of the United States, as recommended by the late Convention. If it is suitable to the GENIUS and HABITS of the citizens of these states, it will bear the strictest scrutiny. The PEOPLE are the grand inquest who have a RIGHT to judge of its merits. The hideous dæmon of Aristocracy has hitherto had so much influence as to bar the channels of investigation, preclude the people from inquiry and extinguish

every spark of liberal information of its qualities. At length the luminary of intelligence begins to beam its effulgent rays upon this important production; the deceptive mists cast before the eyes of the people by the delusive machinations of its INTERESTED advocates begins to dissipate, as darkness flies before the burning taper; and I dare venture to predict, that in spite of those mercenary declaimers, the plan will have a candid and complete examination—those furious zealots who are for cramming it down the throats of the people, without allowing them either time or opportunity to scan or weigh it in the balance of their understandings, bear the same marks in their features as those who have been long wishing to erect an aristocracy in THIS COMMONWEALTH—their menacing cry is for a RIGID government, it matters little to them of what kind, provided it answers THAT description—As the plan now offered comes something near their wishes, and is the most consonant to their views of any they can hope for, they come boldly forward and DEMAND its adoption—they brand with infamy every man who is not as determined and zealous in its favour as themselves—they cry aloud the whole must be swallowed or none at all, thinking thereby to preclude any amendment; they are afraid of having it abated of its present RIGID aspect—they have strived to overawe or seduce printers to stifle and obstruct a free discussion, and have endeavoured to hasten it to a decision before the people can duly reflect upon its properties,—in order to deceive them, they incessantly declare that none can discover any defect in the system but bankrupts who wish no government, and officers of the present government who fear to lose a part of their power.—These zealous partizans may injure their own cause, and endanger the public tranquility by impeding a proper inquiry; the people may suspect the WHOLE to be a dangerous plan, from such COVERED & DESIGNING schemes to enforce it upon them: compulsive or treacherous measures to establish any government whatever, will always excite jealousy among a free people: better remain single and alone, than blindly adopt whatever a few individuals shall demand, be they ever so wise; I had rather be a free citizen of the small republic of Massachusetts, than an oppressed subject of the great American empire: let all act understandingly or not at all—If we can confederate upon terms that will secure to us our liberties, it is an object highly desirable, because of its additional security to the whole—if the proposed plan proves such an one, I hope it will be adopted, but if it will endanger our liberties as it stands, let it be amended; in order to which it must and ought to be open to inspection and free inquiry—the inundation of abuse that has been thrown out upon the heads of those who have had any doubts of its universal good qualities, have been so redundant,

that it may not be improper to scan the characters of its most strenuous advocates: it will first be allowed that many undesigning citizens may wish its adoption from the best motives, but these are modest and silent, when compared to the greater number, who endeavour to suppress all attempts for investigation; these violent partizans are for having the people gulp down the gilded pill blind-folded, whole, & without any qualification whatever, these consist generally, of the NOBLE order of C—s,² holders of public securities, men of great wealth and expectations of public office, B—k—s and L—y—s:³ these with their train of dependents from the Aristocratick combination—the L—y—r in particular, keep up an incessant declamation for its adoption, like greedy gudgeons they long to satiate their voracious stomachs with the golden bait—The numerous tribunals to be erected by the new plan of consolidated empire, will find employment for ten times their present numbers; these are the LOAVES AND FISHES for which they hunger; they will probably find it suited to THEIR HABITS, if not to the HABITS OF the PEOPLE—There may be reasons for having but few of them in the State Convention, lest THEIR “OWN” INTEREST should be too strongly considered—The time draws near for the choice of Delegates, I hope my fellow-citizens will look well to the characters of their preference, and remember the Old Patriots of 75; they have never led them astray, nor need they fear to try them on this momentous occasion.

1. Reprinted: *New York Journal*, 12 December.
2. The Society of the Cincinnati.
3. Brokers and lawyers.

Agrippa II

Massachusetts Gazette, 27 November¹

To the PEOPLE of MASSACHUSETTS.

In the Gazette of the 23d instant,² I ascertained, from the state of other countries and the experience of mankind, that free countries are most friendly to commerce and to the rights of property. This produces greater internal tranquillity. For every man, finding sufficient employment for his active powers in the way of trade, agriculture and manufactures, feels no disposition to quarrel with his neighbour, nor with the government which protects him, and of which he is a constituent part. Of the truth of these positions we have abundant evidence in the history of our own country. Soon after the settlement of Massachusetts, and its formation into a commonwealth, in the earlier part of the last century, there was a sedition at Hingham and Weymouth. The governor passing by at that time with his guard, seized some of the mutineers and imprisoned them. This was complained of as a violation of

their rights, and the governour lost his election the next year; but the year afterwards was restored, and continued to be re-elected for several years.³ The government does not appear to have been disturbed again till the revocation of the charter in 1686, being a period of about half a century.

Connecticut set out originally on the same principles, and has continued uniformly to exercise the powers of government to this time. During the last year, we had decisive evidences of the vigour of this kind of government. In Connecticut, the treason was restrained while it existed only in the form of conspiracy. In Vermont, the conspirators assembled in arms, but were suppressed by the exertions of the militia, under the direction of their sheriffs. In New-Hampshire, the attack was made on the legislature, but the insurrection was in a very few hours suppressed, and has never been renewed.⁴ In Massachusetts, the danger was, by delay, suffered to increase. One judicial court after another was stopped, and even the capital trembled. Still, however, when the supreme executive gave the signal, a force of many thousands of active, resolute men, took the field, during the severities of winter, and every difficulty vanished before them. Since that time we have been continually coalescing. The people have applied with diligence to their several occupations, and the whole country wears one face of improvement. Agriculture has been improved, manufactures multiplied, and trade prodigiously enlarged. These are the advantages of freedom in a growing country. While our resources have been thus rapidly increasing, the courts have set in every part of the commonwealth, without any guard to defend them; have tried causes of every kind, whether civil or criminal, and the sheriffs, have in no case been interrupted in the execution of their office. In those cases indeed, where the government was more particularly interested, mercy has been extended, but in civil causes, and in the case of moral offences, the law has been punctually executed. Damage done to individuals, during the tumults, has been repaired, by judgment of the courts of law, and the award has been carried into effect. This is the present state of affairs, when we are asked to relinquish that freedom which produces such happy effects. The attempt has been made to deprive us of such a beneficial system, and to substitute a rigid one in its stead, by criminally alarming our fears, exalting certain characters on one side, and villifying them on the other. I wish to say nothing of the merits or demerits of individuals; such arguments always do hurt. But assuredly my countrymen cannot fail to consider and determine who are the most worthy of confidence in a business of this magnitude:—Whether they will trust persons, who have, from their cradles, been incapable of comprehending any other

principles of government, than those of absolute power, and who have, in this very affair, tried to deprive them of their constitutional liberty, by a pitiful trick. They cannot avoid prefer[ring] those who have uniformly exerted themselves to establish a limited government, and to secure to individuals all the liberty that is consistent with justice, between man and man, and whose efforts, by the smiles of Providence, have hitherto been crowned with the most splendid success. After the treatment we have received, we have a right to be jealous, and to guard our present constitution with the strictest care. It is the right of the people to judge, and they will do wisely to give an explicit instruction to their delegates in the proposed convention, not to agree to any proposition that will, in any degree, militate with that happy system of government under which Heaven has placed them.

November 24, 1787

1. For a response to "Agrippa" II, see "Cassius" IV, *Massachusetts Gazette*, 30 November.
2. See "Agrippa" I, *Massachusetts Gazette*, 23 November.
3. The well-known incident that "Agrippa" refers to occurred in 1645 when John Winthrop was deputy governor. The inhabitants of Hingham challenged the authority of the magistrates over the appointment of their militia captain. Winthrop was criticized for having arrested several members of the dissident faction in Hingham. The inhabitants of the town petitioned the General Court, requesting that it investigate. The lower house (the deputies) wanted to hear the case, but the upper house (the magistrates) was reluctant. The magistrates were won over after the deputies accepted their demand that the petitioners accuse specific persons. Whereupon, the petitioners singled out Winthrop. At that point Winthrop defended himself and in the course of his trial the two houses wrangled over the extent of the powers of the magistrates. Finally, the two houses agreed on fines for the leaders of the Hingham "rebellion," and they vindicated Winthrop. In a speech following his exoneration, Winthrop told the people that if they wanted to enjoy their liberties, they had better be willing to submit to authority. While this dispute was raging, Winthrop's opponents prevented his election as governor, although he retained his position as deputy governor. In 1646 Winthrop was elected governor and served until his death in 1649 (Robert Emmet Wall, Jr., *Massachusetts Bay: The Crucial Decade, 1640-1650* [New Haven, 1972], 93-120).
4. In October 1786 Connecticut authorities "crushed" a "conspiracy" of "thoughtless young men" who had "caught the riotous infection of Massachusetts" (*Connecticut Courant*, 30 October 1786). In the same month there were plans to attack the New Haven County court (David P. Szatmary, *Shays' Rebellion: The Making of an Agrarian Insurrection* [Amherst, Mass., 1980], 59). In May 1787 the Connecticut legislature took immediate action to prevent the joining of some disgruntled inhabitants of the town of Sharon with a group of Massachusetts insurgents (Mfm:Conn. 9-11; and Christopher Collier, *Roger Sherman's Connecticut: Yankee Politics and the American Revolution* [Middletown, Conn., 1971], 228). In the fall of 1786 debtors tried to close the courts of Windsor and Rutland counties in Vermont (Szatmary, *Shays' Rebellion*, 59). On 20 September 1786 armed New Hampshire farmers surrounded the legislature at Exeter and demanded paper money, the abolition of debts, and the equal distribution of property. The next day they were routed by militia (Lynn Warren Turner, *The Ninth State: New Hampshire's Formative Years* [Chapel Hill, N.C., 1983], 52-54).

Cassius III**Massachusetts Gazette, 27 November**

“Now there was a day when the sons of God came to present themselves before the Lord, and Satan came also among them.

“And the Lord said unto Satan, Whence comest thou? Then Satan answered the Lord, and said, From going to and fro in the earth, and from walking up and down in it.

“And the Lord said unto Satan, Hast thou considered my servant Job, that there is none like him in the earth, a perfect and an upright man, one that feareth God, and escheweth evil?”¹—&c. &c.

CITIZENS OF MASSACHUSETTS! like the sons of God have the members of the late federal convention assembled together; like them too, have they been infested with the presence of *Satan*, or such as were influenced by *Satanick* principles, and who wish to thwart every design that has a tendency to promote the general good of the United States.

Let us, take a short view of the characters who composed the late federal convention. Are they not men who, from their infancy, have been nurtured in the principles of liberty, and taught to pay a sacred regard to the rights of human nature? Are they not men who, when the poisonous breath of tyranny would have blasted the flower of Independence in its bud, and veiled every ray of freedom in the clouds of lawless despotism, nobly stepped forth in defence of their injured country's rights, and through the influence of whose exertions, favoured by the protection of an over-ruling power, the thick fog of despotism vanished like the early dew before the powerful rays of the resplendent luminary of the universe? Are they not honest, upright and just men, who fear God and eschew evil?—With few exceptions, they are, mostly, men of this character; and, Citizens of Massachusetts, they have formed a government adequate to the maintaining and supporting the rank and dignity of America in the scale of nations; a government which, if adopted will protect your trade and commerce, and cause business of every kind rapidly to increase and flourish: it is a government, which wants only a candid perusal and due attention paid to it, to recommend it to every well wisher to his country.

Brethren and citizens, hearken to the voice of men who have dictated only for your and your posterity's good; men who ever

*“Have made the publick good their only aim,
And on that basis mean to build their fame.”*

Listen not to the insinuations of those who will glory only in your destruction, but wisely persevere in the paths of rectitude.

1. Job 1:6-8.

Massachusetts Gazette, 27 November

From a CORRESPONDENT.

It is curious to observe, to what shifts the tools of anti-federalists are obliged to resort to—With all that baseness and cunning so concomitant with the characters of knaves and fools, they artfully endeavour to ward off the shafts levelled directly at their patrons and themselves, and fix them upon another object—they may, however, rest assured, that their deception is as thin as it is base, and the discerning publick will see through and despise it—They may too be assured, that those stigmas which are pointed at them, though they endeavour to evade their force, will return with *ten-fold vengeance* upon their own heads.

If the objections, of any weight, to the proposed constitution, says a new correspondent, were summed up, and the *toto* of them collected into a body, the whole might be comprised in a *volume* of less dimensions than *Tom Thumb's folio*.¹

1. This paragraph was reprinted in the *Newport Herald*, 6 December. Tom Thumb was a diminutive character in folk tales. In 1730 Henry Fielding wrote *Tom Thumb: A Tragedy*, a sixteen-page, two-act play, which was a burlesque on the popular playwrights of the day.

Cotton Tufts to John Adams

Weymouth, 28 November (excerpts)¹

On Saturday last, the Genl Court rose, having sat Five Weeks, but few matters of Importance were accomplished. The first Thing that came under Consideration was the Recommendation of Congress to lay before the People a System of National Government reported by the late continental Convention—Resolutions were passed for assembling the Towns for the Choice of Delegates to sit in Convention on the second Wednesday of January next, to adopt or reject it. . . . The House which consists of more than 180 New Members, forms a very considerable Majority who have imbibed the Spirit of the Times—they discover no small Zeal to destroy the Aristocracy of the Senate—it was exceeding disgusting that the Senate should have a Negative, particularly in the Appointment of Collectors of Impost & Excise, they had excluded by their Vote some of the most faithful Collectors and chose new ones in whom very little Confidence could be placed—it gave great Umbrage that the Senate should nonconcur them in their Choice—as also in some Resolves for the unlimited Indemnity & Pardons of all of every Discription Character & Degree who had been concerned in the late Rebellion (saving Nine excluded by Law) whilst on the other Hand the

Indemnity to Military offices & Magistrates (who had acted under Government in suppressing the late Rebellion and who upon a Change of Measures might be subject to vexatious Lawsuits) was limited to the Pleasure of the Gen Court

Very few Matters of Importance were transacted other than those I have mentioned—Although in the Recess of the Genl Court a large Committee of the House (of their own Appointment) sat for some Weeks to devise Ways & Means to supply the Treasury & provide for the Payment of ye. principal & Interest of the public Debt, yet the Session passed over without their acting upon the Report or taking any Measures to restore the public Credit or provide for the Exigencies of Government—Great Attempts were made to prolong the Time for Payment of back Taxes, (which by a Report of the Treasurer amounted to £497,000) There was however on the whole a pretty good Agreement, not to limit the issuing of Executions beyond February next—except in some particular Instances—It appears that of the Taxes prior to 1784 and those issued since £200,000 (or thereabouts) have been annually discharged for three Years past—We are informed of great Exertions among the People to pay up their Back Taxes and notwithstanding our present Confusion, Could the Wisdom of the People be united, their Resources drawn forth and the Government acquire [— —] We might yet enjoy as much Happiness as any People, but [whether?] this is ever to be expected without an Efficient national Government, is with me a Question—The proposed Plan I suspect will meet with much opposition in this Commonwealth it has its violent Advocates & its violent Opposers—Too much Temper is discovered on both Sides—It would give me great Pleasure to have your Sentiments (for my own private Use if not otherways permitted) upon this proposed Constitution—and I flatter myself that you will not withhold from Your Friend that Light, wch. your extensive Knowledge of Governments & long Experience enables You to afford me. . . .

1. RC, Adams Family Papers, MHi.

Cato

Essex Journal, 28 November¹

Mr. PRINTER, As a couple of foreign preachers, by the names of Fœderalist and Antifœderalist seem to engross the attention of the public at the present day, perhaps an account of their origin and a summary of the different doctrines they hold up to view, may not be amiss at this critical season—

Fœderalist is of pure Roman extraction, whose lineage may with ease be traced up to *Fœdus*, a most worthy and virtuous patriot of ancient

Rome. It is very remarkable of *Fœdus* the Roman, who was a statesman during the whole prosperity of that Republic, that his notions of policy were so well digested, that not a single instance of error in judgment could ever be imputed to him while he continued in office. Consequently, in his days the people were happy. At length thro' a close application to business, his health became impaired and he was obliged to retire. At this interval, one *Anti*, an outlaw from Greece, appeared in Rome, whose external features bore so striking a resemblance to those of *Fœdus*, that he found it no difficult matter to impose himself upon the credulous multitude as a brother of their revered worn-out statesman, lately returned from his travels. The people rejoiced to find the brother of *Fœdus*, and cried the Gods are for us! Without further evidence, he was immediately elected to fill that seat of office now vacated by their beloved patriot. Alas! deluded people! This object of their unanimous choice was not *Profœdus* as they imagined. No—for soon the baseness of his heart discovered the impostor. As soon as he was clothed with power his every act proclaimed him to be, not *Pro*, but *Anti**fœdus*.—I shall not enter into a particular detail of his iniquitous proceedings, but suffice it to say, that in a very short time after, Julius Cæsar was Emperor of Rome.

To return to their descendants who lately emigrated to America, *Fœd-eralist*, who inherits all the republican virtues, and has drawn all his maxims of national policy from his glorious Progenitor, concludes every address he makes to the public with the following laconic injunction, UNITE AND BE HAPPY—while the preachments of *Anti**fœd-eralist*, who retains all the perfidious, villainous, base, traitorous and anti-republican principles of *Anti**fœdus* his great grandsire, when stripped of their sophism and false colourings amount to this: The peoples' happiness is incompatible with the aggrandizement of ME and MINE, therefore, IF YOU UNITE I FALL.

1. Reprinted: *Massachusetts Gazette*, 30 November; *New York Daily Advertiser*, 12 December; *Pennsylvania Packet*, 14 December; *Newport Herald*, 31 January 1788; Exeter, N.H., *Freeman's Oracle*, 22 February. The *Gazette* and the *Advertiser* deleted the prefatory remarks and substituted the heading: "ORIGIN of two FOREIGNERS, resident in America, named FEDERALIST and ANTI-FEDERALIST."

One of the Middling-Interest Massachusetts Centinel, 28 November¹

Some Objections to the New Constitution considered.²

The first objection that is generally made to the proposed form of

government is the want of a "BILL OF RIGHTS." To answer this objection we shall do well to consider where we learned the idea of a bill of rights, what it is, and what purpose it would serve in the new government, and whether there is in fact a bill of rights connected with that government or not.

We acquire the idea of a bill of rights from the English history, and the instrument emphatically called by that name, was executed at the revolution, and was absolutely necessary to ascertain and guard the privileges of a people who had no *written* constitution, as we have. I say they had no *written* constitution, unless we call by that name the Magna Charta, the petition of rights, or their several acts of parliament. A very great part of even the *laws* of England, namely, that called the common law, is wholly *unwritten*, and what has been handed down as custom and common usage through many centuries: And we are even at this day to look for the English *constitution* among the opinions of contradictory authors; and it is altogether a matter of argument, though indeed it happens that in the course of so many years, almost all possible questions of constitutionality have arisen in their courts of law, and have been decided—So that by looking into a vast variety of voluminous authors we *can come at* the English constitution.—I premise all this to shew the propriety of *that* people insisting on an *expressed* bill of rights, and on several other great instruments which at different opportunities they acquired—Because their constitution being only to be collected out of the dust of ages, and from the meer opinions of the learned, it was just they should procure their kings to sign and seal, if I may so express it, a plain and express confirmation of those parts of their constitution which former monarchs had denied or violated. This is a short history of the origin of a bill of rights.

We are now to see what use such an instrument would be in the lately proposed form of federal government.

If we had not a state constitution already declared on paper—and if we were now in the same circumstances we were when we seceded from Britain, and before we had ascertained and declared all our rights, it might be more necessary for us to do it *now* when we are to form a new federal constitution. But agreeably to the theory of the original contract, and which authors once thought visionary, we assembled in a state convention eight years since, and then plainly distinguished, agreed to, and published a bill of rights and form of government for this Commonwealth.—I now undertake to say that we part with few or none of these rights by accepting the new federal constitution—that *where* we part with *any*, it is in exchange for others that are national, and fully expressed; and that some of those rights ascertained in the

state constitution are even repeated in that which is offered by the federal convention. The very reason why some of those are thus *repeated* is because those rights were considered essential by the federal convention, and are not found in the particular constitutions of all the States, as they are in that of Massachusetts. And the reason why *some* rights which are expressed in the Massachusetts constitution, *are not* repeated in the federal plan is because such rights are plainly expressed in *all* the other state constitutions. Thus for example, the tenth section of the first federal article (which by the way, as well as the ninth section, is a bill of rights) declares that no state shall pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility. Now this declaration (except that of the *ex post facto* law, which we shall hereafter consider) is altogether superfluous as it relates to Massachusetts, because our own constitution includes the same restrictions: But it is quite necessary for those States whose forms of government contain no such regulations.

According to this idea then, we have our rights more clearly expressed than formerly; for we *retain* all those rights which are prefixed to our state constitution, and which are not expressly given up to the national government; in addition to which we have those other rights which are *not* in the state constitution, but which are expressed in the *federal*.—The 24th article of our own state bill of rights declares, for example, that laws made to punish for actions done before the existence of such laws, &c. are unjust. This relates then to *ex post facto* laws in criminal prosecutions: But our state bill of rights is silent as to any *ex post facto* laws which relate to property, and civil prosecutions; though it must be confessed that such laws are as much against the nature of government as those relating to crimes. The federal constitution has accordingly guarded against such laws, and clearly, because some states, of which our own is one, have not observed such a restriction. Here then is one example at least of our own bill of rights being amended by the federal; or rather of a distinct right expressed in the federal, but not in the state constitution.

The first section in the federal form will help our eye-sight, if we are not determined to be blind, to see that we retain all our rights, which we have not expressly relinquished to the union—That section declares, that all legislative powers herein *given* (*i.e.* given in the new constitution) shall be vested in Congress, &c.—The legislative powers which are *not* given therein, are surely not in Congress; and if not in Congress are retained by the several states, and secured by their several constitutions.

The opposers of the new government have branched out the evils arising from the pretended want of a declaration of rights into several particulars—one of which is, that the LIBERTY OF THE PRESS is not provided for:—But the real question is, where is it taken away? For if the several state constitutions already protect the liberty of the press, and no legislative power is given to Congress to restrict that liberty; but if on the other hand the republican forms of government are guaranteed to the several states, then surely the liberty of the press is most amply provided for. The first section in the federal constitution already quoted, plainly shews, that Congress have no legislative powers but what are given them by that constitution—they therefore can never restrict the liberty of the press, unless they have some power given them by the constitution so to do, which no where appears.

The *trial by jury*, in civil cases, is also said not to be protected by the new government. It is true, the convention have not said that trial by jury in civil cases is indispensable as they have in criminal cases; if they had so said it would have been a very great absurdity; for there is no one point in which the states more differ than in this, though there is one circumstance in which they all agree, viz. in deciding some cases of property without any jury at all. In Massachusetts the penalty of bonds is reduced by the judges to the principal and interest, mentioned in the conditions of those bonds, without the equitable interference of a jury;—and judgments are rendered in default cases at the clerk's offices without either judge or jury in thousands of instances—though in some States after default [is] made, a jury are by law obliged to ascertain the damages. If people would reflect, that out of three or four hundred actions at a court not more than ten are decided by jury, they would not be anxious to have it expressed in a bill of rights, that *all* civil causes should be tried by jury: And if it were to be expressed *what* civil causes should be tried by jury, it might take a volume of laws instead of an article of rights. The legislature, no doubt, will make some general regulations in this matter, which will suit the greater number of states—and if those regulations should not suit the ancient usage of any *particular state*, still the advantages would not be important, when we remember that the federal court are to decide upon no causes whatever which are now triable in any one state, unless it be causes which may arise between the citizens of different states, which are so rare, as that they make up but a very small part of the publick business—and even causes of this kind, if found inconvenient to the citizens, may be excepted, in whole or in part, from continental jurisdiction, as appears by the latter part of the 2d section of the 3d article in the federal government.

But some will ask, why is even this left to the inclinations of Congress, who *may* authorize the judicial to bring a citizen from one end of the continent to the other, to answer to an action between citizens of different states? The answer is, that all legislatures must be trusted with something—to suppose they will so form the judicial departments merely to oppress, without a possibility of serving avarice, ambition or any known human motive, is to suppose that men will be so disinterested as to act against their own existence, and from no given cause that can be described. Our own state constitution declares that the legislature shall erect judicatories for the trial of all causes in the Commonwealth, but does not declare how many, nor what sort, nor when they shall sit: Because this would be making the law, which is the business of the General Court, and not the business of the makers of the constitution.

There are other exceptions which I shall consider in a future paper, not having room to do it in this. I cannot, however, conclude these remarks, without observing upon the unjustifiable arts which have been practised to sour the minds of the people against the new government. There are men whose abilities are commensurate to the narrow circle of state politicks, and whose little splendours would be lost in the bright blaze of continental glory. There are others whose fortunes are desperate and whose last hopes are to participate [in] the booty in a publick shipwreck. Some of these, not contented with stating fairly their observations in the Gazettes—have published hand-bills fraught with lies, and by night have scattered them on the floors of the Senate house, to intimidate the minds of some, and to inflame the breasts of others.³

The adoption of a new government for many millions of people is certainly of too serious a nature to be forwarded or discouraged by violence or cunning. 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!

1. Reprinted: *Essex Journal*, 12, 19 December; *Cumberland Gazette*, 13 December. For the continuation of this essay, see "One of the Middle-Interest," *Massachusetts Centinel*, 5 December.

2. Among other objections, "One of the Middling-Interest" is responding to George Mason's objections which were printed for the first time in the *Massachusetts Centinel* on 21 November (above).

3. A reference to "Truth: Disadvantages of Federalism, Upon the New Plan," 14 November.

Valerius**Massachusetts Centinel, 28 November**

Mr. RUSSELL, It is objected to the new Constitution, that it is deficient in a Bill of Rights—This objection might have had the greatest weight in a government merely national, as in this case, there would have been no intermediate checks between the governing power and the people, over whom the Constitution was intended to operate.—But the form of government now proposed is by no means of this sort—It is a federal government in every point of view, and is predicated in every part of it, upon the idea of subordinate constitutions being in actual operation. When we inquire therefore, where we are to look for that personal security inseparable from the very idea of freedom, we are only to cast our eye on the respective constitutions, and on the principles upon which they are established, and the difficulty will be immediately resolved: Had there have been no governments in existence, limited in their powers to their several districts, there then would have been an indispensable necessity of some provisional articles, defining and explaining those personal and natural rights, which every individual feels himself as completely possessed of at present; and which in my opinion are as firmly secured to him, as if they were formally prefixed to the new, in the same manner that they are so fully and explicitly stated in our several state constitutions.

When the Convention was in session, they were to form a constitution suited, as near as possible, not only to the habits and dispositions of the people at large, but to the governments in operation: The difficulty was not, in what way the rights and privileges of the people could be secured to them—it would have been absurd to have spent even a day in the contemplation of this object—for these rights and privileges were fully and effectually secured already—They saw, in the constitutions of every state, the strongest provisions for the rights of the subjects that ever were yet committed to paper, or parchment, in any country, or in any situation.—Indeed no spot on earth is found, but in America, in which such or any precautions were expressed to guarantee to each individual the rights of person and conscience, which in this country are secured, and will be forever unalienable, whether delineated in a preamble to the federal Constitution or not.

The expulsion of the Tarquins preceded the laws of the Twelve Tables, and would equally have taken place if even no laws had been previously framed to confine the power of the sovereign within the line of justice.¹ The finger of Heaven has fixed a boundary in the heart of

man, beyond which even tyranny dare not pass. The condition of society is by no means deplorable in France, England, or even Spain or Portugal, and yet the forms of government in these countries are only founded in chance, and not in compact: Shall we fear then that we shall not be free, when we have not only in our favour what may be found in every other country, but have the additional securities, of privileges asserted and explained, in every law and constitution in the Union.

If the convention then had only to select for the federal head, such powers as were necessary for the protection and safety of the whole, as was really the case, how strange would it have been for them to have formed a provision, in a Bill of Rights, to secure what was already so fully established. The liberties of the Romans, Greeks and English, have been continued through a series of years, even without the use of the Press—which I conceive to be the greatest security of all others. Now will any man come forward and say, that the Congress under the new Constitution will have a single power to limit the operation of this essential privilege; and if they have in what passage is such a power expressed? We have declared in this State, that the liberty of the press is an indispensable right of the people—Can the Congress alienate this right? The moment they attempt it the new Constitution would be annihilated and the question would be put on the issue of force.—Our State Constitution has declared that each member of society is possessed of certain natural rights, privileges and immunities.²—Does the Federal Constitution say otherwise?—No—It is set up merely to confirm them.

The rights of a people may be lost either by external violence, or internal commotions.—To prevent these taking place as far as possible, was the design of the new government.—As we have been circumstanced since the war, and indeed in the war, we have been in danger of both; and I am clearly of opinion from one cause—the want of power in the Federal head competent to the necessities of the union.—To secure this power to the people of these States, and to unite a great continent under one government, of sufficient force to secure us from dissention within, and from insult abroad, is the object of the new government. That it will be competent to these invaluable purposes as well as to the maintenance, security, and extension of our commercial rights, I think may be demonstrated.

1. About 509 B.C. Tarquin the Proud, the last of the kings of Rome, was expelled in a revolt led by Lucius Junius Brutus, who helped to found the Roman Republic. The Twelve Tables were drawn up in 451 and 450 B.C. in answer to the complaints of plebeians against the arbitrary actions of patrician magistrates. The plebeians insisted that laws be

reduced to writing. The Twelve Tables consisted mainly of a codification of unwritten laws and usages.

2. See Article I of the Massachusetts Declaration of Rights (Appendix I).

Jonathan Sayward Diary

York, 29 November (excerpt)¹

. . . our Present Prospects about the Constitution for which every Town in the State is to vote their oppinnion Relative thereto is variously Received and oppinions are very Dissonant and I [give leave?] will Produce Generall Dissatisfaction—

1. MS, Sayward Diaries, MWA. Sayward (1713–1797), a wealthy merchant, represented York, Maine, in the colonial House of Representatives, 1764–68, and was a judge of probate for York County, 1772–75. He opposed American independence but remained in York throughout the war.

Virginia Journal, 29 November¹

Extract of a Letter from a Gentleman in Boston, of a very late Date, to his Correspondent in this Town.

“Nothing certain can be predicted of the Success of the Plan of Government, proposed by the late Convention, though I think the Chances are in favor of its Adoption at present; but before the State Convention sits, the Current may be against the Plan. Many are alarmed at the Idea, that the Legislatures of several States will be abridged in the Power of doing wrong, and to be bound by Rule and Compact to do right, which they consider as an Hardship; others are sensible that they individually can be of no Importance in a steady Government; while others, anxious to be with the popular Voice, at the Expence of every Thing sacred, and supposing that a new Mean of being so is to bawl in favor of Liberty and belch out Curses on Aristocracy, Monarchy, Oligarchy, &c. &c. &c.”

1. Reprinted: Philadelphia *Independent Gazetteer*, 6 December; New York *Daily Advertiser*, 7 December; *Pennsylvania Packet*, 7 December; Philadelphia *American Museum*, December 1787.

Cumberland Gazette, 30 November

Mr. WAIT, In your paper of the 15th of November¹ I saw some observations on Mr. Gerry's letter addressed to the President of the Senate, and Speaker of the House of Representatives of the Commonwealth of Massachusetts; among which I particularly noticed an answer to Mr. Gerry's 3d important question;² and a wish expressed that a *Bill of Rights* might be added to the Federal Constitution. The writer fully

comprehending himself, I imagine, supposed every body else would comprehend him also. But I confess, at first sight, I did not; perhaps others did not—Upon a second reading I imagined his idea was that the United States should by a Bill of Rights secure to themselves their privileges, as the citizens of the several States had already secured to themselves their liberties.

To make the idea still more explicit—As the citizens of the several States had established Legislatures for themselves, investing them with certain powers; but at the same time reserving to themselves certain rights, which the legislature might not infringe, or intermeddle with upon their PERIL: So *now* the United States, being about to establish a LEGISLATURE GENERAL, should reserve to THEMSELVES, by a BILL, certain Rights which the general legislature might not infringe, or intermeddle with upon THEIR PERIL.

If this was his idea, which I am *now* fully persuaded it was, I think it just. It will secure dignity and importance to the States; it will insure perfect liberty to the people; and the exercise of republican virtue will render them intirely happy as a nation.—Each State will be too important a personage to be imposed upon, and consequently their liberty will be secure. Collectedly they will be respectable, and have their rank among the nations of the world.

A Bill of Rights upon those principles cannot be difficult to be formed. It will be short; because the number of personages concerned is small—but thirteen in number at present. It will be simple and easy; because no perplexity can attend it upon honest views. I therefore hope the idea will be attended to.—It is simply this:—The inhabitants of the several States wished for Government; and established it on principles beneficial and safe to themselves.—The thirteen united States wish for a general Government; and I flatter myself they will establish one equally beneficial and safe to the Union—securing to themselves, by a Bill of Rights, their privileges, as the citizens of the several States have secured to themselves their liberties.

Such a Bill of Rights is undoubtedly *necessary*—such a Bill of Rights will undoubtedly take place, or the Constitution, which I revere as *incomparable*, will be *politically* damned;—because I think my countrymen sensible.—In vain will a particular citizen complain of injury, after the Constitution is once adopted; but a State may make the Congress tremble, if they dare to inroach.

A word to the wise is sufficient; and wise men will never admit such a Constitution, *however good*, without the security of a Bill of Rights.

1. See *Cumberland Gazette*, 15 November.

2. Gerry's third question was quoted in the *Cumberland Gazette* of 15 November: "Whether in lieu of the foederal and State governments, the national Constitution now proposed shall be substituted without amendment?"

An American

Independent Chronicle, 30 November¹

Mess'rs. ADAMS & NOURSE, As the time draws near, when the people of this great Commonwealth, by their Representatives in Convention, must decide upon the important question, Whether they will, or will not, approve and accede to the new Constitution, they cannot be too attentive to obtain the best information. To form a clear idea upon a subject, respecting which, there are many prolix writers, and noisy declaimers,—some predicting infinite evils, and other[s] innumerable blessings, our minds must preserve an even tenour of deliberate reasoning. The first question, is—Is a new Constitution necessary? This seems to be answered in the affirmative by all, by the unanimous choice of a Convention by the *twelve* States, (Rhode-Island is not considered, in great National concerns, as she has paid little or no attention to the acts and authority of the Union for a long time.) These twelve States have agreed, by their Representatives in Convention, upon a system of government, which they conceived to be best calculated to secure the liberties, and promote the happiness of this great people;—it now remains for the States separately, to review this system. The first thought which naturally arises upon the subject, is, that the system, (considering the characters who formed it) must contain many of the essentials for a good Constitution; and also, that great difficulty will attend any proposed alterations. The States which adopt it in its present form, will naturally start with apprehensions at any proposition from a non-concurring State. "She wants to gain greater advantages, to the injury of her sister States," will be the language of jealousy. "No," they may continue, "let us try this government a few years, and then we shall be better able to reason upon its perfections, and its imperfections, and by a convention enlightened by experience of its effects, perfect it."

Should an attempt now be made to alter it, it must be by a new convention, and the non-concurring States, would naturally send Members to the new convention who were warm for making the wished for alterations; and is it probable the other States would agree to such alterations? Is it not much more probable, they would disagree? If the States, which rejected the constitution, made propositions for alterations, may we not conclude that the States which adopted it, would also make new propositions? Amidst the various and opposite propositions, can we suppose an union would take place? If there should be such

mutual concessions in the new convention, (which is not to be expected, when appointed under such circumstances) it will require "trope against trope," to suppose all the States would severally adopt their system? After long deliberation, it appears to me, that the only way for the people of America ever to obtain a free national government, is to adopt the system as it now stands; and by a constant exertion to elect good men for Representatives in Congress, and a watchful attention to their proceedings, we shall have as free and good a government as any nation under heaven.

The idea of a convention of the States, in some future time, to review the system, and to make such emendations as time and experience, and the wisdom of the world may point out, will powerfully tend at once to preserve good order, and to keep the people attentive to their rights, and to the good administration of government. The checks to all deviations from right government, in Congress, will be almost innumerable. The State Legislatures, will ever be a jealous and powerful check; the executive, and the judiciary powers, of each State, will also form another powerful check; add to these constitutional checks, the people in every State will keep a fixed eye upon all the acts of Congress; and the great number of enterprising men who will ever be pushing their influence to obtain a seat in Congress, will be eagle-eyed to discover the errors of government, in order to acquire popular fame, whereby to accomplish their design. All those circumstances, with a great number of others that might be mentioned, will forever form a guardian to the liberties of America, and a powerful stimulous to Congress steadily to pursue the best interests of our country.

(To be continued.)

1. The second part of this essay was printed in the *Independent Chronicle*, 6 December.

Cassius IV

Massachusetts Gazette, 30 November¹

MR. ALLEN, *Through the channel of your Paper, I beg leave to offer one or two short remarks on a production which appeared in your last, under the signature of Agrippa.*

Without saying any thing concerning the *justness* of the learned Agrippa's observations on past events, I shall confine myself chiefly to a small part of his *uncommonly ingenious essay*. Agrippa says, "the attempt has been made to deprive us," &c. "by exalting characters on the one side, and villifying them on the other." And goes on, "I wish to say nothing of the merits or demerits of individuals, such arguments always do hurt." Immediately after this, he insinuates that the members of the

late federal convention have, "from their cradles, been incapable of comprehending any other principles of government than those of absolute power, and who have, in this instance (meaning the form of government proposed by them) attempted to deprive the people of their constitutional liberty by a pitiful trick." Thus the *ignorant logger-head* blunders directly into the very same thing which he himself, just before, takes upon him to censure. Perhaps Agrippa thinks that excusable in anti-federalists, which in a federalist he beholds as criminal; *justly* thinking, without doubt, that as absurdity, knavery and falshood, is the general characteristic of anti-federalists, he might indulge himself in either of them, without *meriting* censure.

I apprehend, that Agrippa has a new budget of *political ideas*, centered in his pericranium, which he will, in his own due time, lay before the publick; for he insinuates, that the members of the late federal convention are incapable of comprehending any other principles of government than those of absolute power. Was it the dictates of absolute power, that inspired the immortal WASHINGTON to lead forth a band of freemen to oppose the inroads of despotism, and establish the independence of his country? Was it the dictates of arbitrary power, that induced the celebrated FRANKLIN to cross the wide Atlantick to procure succours for his injured countrymen and citizens?

Blush and tremble, Agrippa! thou ungrateful monster!—*Charon's boat now waits on the borders of the Styx,² to convey you to those mansions where guilt of conscience will prey upon your intellects, at least for a season!*

"Is there not some chosen curse,
Some hidden thunder in the stores of heaven,
Red with uncommon wrath, to blast" the wretch,
Who dares pollute such names
So sacred, and so much below'd?

Methinks I hear each freeman cry, most certainly there is.

1. "Cassius" answers "Agrippa" II, *Massachusetts Gazette*, 27 November.

2. In Greek mythology, the river Styx was the boundary of Hades, and Charon ferried the souls of the dead across it.

Cassius V

Massachusetts Gazette, 30 November¹

I believe it may be asserted for fact, that since the foundations of the universe were laid, there has no kind of government been formed, without opposition being made to it, from one quarter or another.

There always has been, and ever will be, in every country, men who have no other aim in view than to be in direct opposition to every thing which takes place, or which is proposed to be adopted.—This class of beings always wish to make themselves important, and to incur notice; and, conscious of their inability to obtain that notice which is bestowed on the patriot and the just man, they put up (*because they cannot help it*) with being noticed only for their absurdity and folly. When you hear this class of WOULD BE'S engaged in condemning any form of government, or any thing else, ask them this simple question—What do you think would be better than that which you condemn?—O! that is quite another matter, would most probably be the answer, we are not adequate to the task of fabricating a government, we leave that to wiser heads—but, they will continue, it is easy for any one to discover the imperfections in this form of government we are condemning. Strange absurdity!—inadequate to the task of constructing, yet capable of criticizing upon, and pointing out the defects of, any thing which is constructed. Well may we say, in the words of another—

*“Some are bewilder'd in the maze of schools,
And some made criticks Nature meant but fools;
In search of wit these lose their common sense,
And then turn criticks in their own defence.”*²

There is not, in the extensive circle of human nature, objects more completely despicable than those who take upon them to censure and condemn a work, without being able to substitute any thing preferable in lieu of it.

In those objects, last mentioned, this country considerably abounds, as the newspaperial pages fully evince. They have been busily employed of late, in finding fault with the plan of government proposed by the federal convention; they have almost exhausted their folly, knavery, absurdity, and ridiculous, inconclusive, non-applicable arguments on the subject; and, in my opinion, was this question asked, them, what do you mean by all your *learned farrago* about this matter? they could not give any other reasonable answer, than that their intent was, to exhibit specimens of their scribbling talents—But I will dismiss this subject for the present, in order to make a few remarks on the conduct of some others, since the proposed form of government made its appearance.

In some assemblies, where the necessity of calling a state convention to consider of the merits of the new constitution, has been debated, some gentlemen, who were opposed to the plan of federal government, while they reprobated it, at the same time declared, that none were

more truly federal than themselves.—What a pity it is, for these *patriots in theory*, that actions speak louder than words—and that the people are so incredulous as not to believe a thing which they know to be directly the reverse of truth.—It ever prejudices people against arguments, even if they should happen to be just, if they are prefaced by a glaring falshood—this sharpeners do not always consider, when they are attempting to carry their favourite points.—It is something to be wondered at, that a certain *theoretical patriot*, instead of saying he would sooner have lost his hand than subscribed his name to the plan of federal government,³ had not have declared, that he would sooner have lost his head, and the *amazing fund* of *federal wisdom* it contains, before he would have been *guilty* of so *horrid* an act.

Look around you, inhabitants of America! and see of what characters the anti-federal junto are composed—Are any of them men of that class, who, in the late war, made bare their arms and girded on the helmet in your defence?—few, very few indeed, of the antifederalists, are men of this character. But who are they that are supporters of that grand republican fabrick, the FEDERAL CONSTITUTION?—Are they not the men who were among the first to assert the rights of freemen, and put a check to the invasions of tyranny? Are they not, many of them, men who have fought and bled under the banners of liberty?—Most certainly this is the case.—Will you then, countrymen and fellow-citizens, give heed to those infamous, anti-federal slanderers, who, in censuring the proposed plan of federal government, have dared, basely dared, to treat even the characters of a WASHINGTON and a FRANKLIN with reproach?—Surely you will not. Your good sense and discernment will lead you to treat with abhorrence and contempt every artifice which is put in practice to sap the confidence you have in men who are the boast of their country, and an honour to human nature. You certainly cannot harbour an idea so derogatory to reason and the nature of things, as that men, who, for eight years, have fought and struggled, to obtain and secure to you freedom and independence, should now be engaged in a design to subvert your liberties and reduce you to a state of servitude. Reason revolts at the thought,—and none but the infamous incendiary, or the unprincipled monster, would insinuate a thing so vile.

1. Reprinted: Middletown, Conn., *Middlesex Gazette*, 10 December.

2. Alexander Pope, *An Essay on Criticism*, Part 1, lines 26–29. This work was first published in 1711. In the second of the quoted lines, Pope wrote “*Coxcombs*,” not “criticks.”

3. “Cassius” refers to George Mason. See “George Mason and the Constitution,” 20 November–3 December, notes 3 and 10.

Agrippa III**Massachusetts Gazette, 30 November**

To the PEOPLE.

It has been proved, from the clearest evidence, in two former papers, that a free government, I mean one in which the power frequently returns to the body of the people, is in principle the most stable and efficient of any kind; that such a government affords the most ready and effectual remedy for all injuries done to persons and the rights of property. It is true we have had a tender act. But what government has not some law in favour of debtors. The difficulty consists in finding one that is not more unfriendly to the creditors than ours. I am far from justifying such things. On the contrary I believe that it is universally true, that acts made to favour a part of the community are wrong in principle. All that is now intended is, to remark that we are not worse than other people in that respect which we most condemn. Probably the inquiry will be made, whence the complaints arise. This is easily answered. Let any man look round his own neighbourhood, and see if the people are not, with a very few exceptions, peaceable and attached to the government; if the country had ever within their knowledge more appearance of industry, improvement, and tranquillity; if there was ever more of the produce of all kinds together for the market; if their stock does not rapidly increase; if there was ever a more ready vent for their surplus; & if the average of prices is not about as high as was usual in a plentiful year before the war. These circumstances all denote a general prosperity. Some classes of citizens indeed suffer greatly. Two descriptions I at present recollect. The publick creditors form the first of these classes and they ought to, and will be, provided for. Let us for a moment consider their situation and prospects. The embar[r]assments consequent upon a war, and the usual reduction of prices immediately after a war, necessarily occasioned a want of punctuality in publick payments. Still however the publick debt has been very considerably reduced, not by the dirty and delusive scheme of depreciation, but the nominal sum. Applications are continually making for purchases in our eastern and western lands. Great exertions are making for clearing off the arrears of outstanding taxes, so that the certificates for interest on the state debt have considerably increased in value. This is a certain indication of returning credit. Congress this year disposed of a large tract of their lands towards paying the principal of their debt. Pennsylvania has discharged the whole of their part of the continental debt. New-York has nearly cleared its state debt, and

has located a large part of their new lands towards paying the continental demands. Other states have made considerable payments. Every day from these considerations the publick ability and inclination to satisfy their creditors increases. The exertions of last winter were as much to support publick as private credit. The prospect therefore of the publick creditors is brightening under the present system. If the new system should take effect without amendments, which however is hardly probable, the increase of expense will be death to the hopes of all creditors both of the continental and of the state. With respect however to our publick delays of payment we have the precedent of the best established countries in Europe.

The other class of citizens to which I alluded was the ship-carpenters. All agree that their business is dull; but as nobody objects against a system of commercial regulations for the whole continent, that business may be relieved without subverting all the ancient foundations and laws which have the respect of the people. It is a very serious question whether giving to Congress the unlimited right to regulate trade would not injure them still further. It is evidently for the interest of the state to encourage our own trade as much as possible. But in a very large empire, as the whole states consolidated must be, there will always be a desire of the government to increase the trade of the capital, and to weaken the extremes. We should in that case be one of the extremes, and should feel all the impoverishment incident to that situation. Besides, a jealousy of our enterprising spirit, would always be an inducement to cramp our exertions. We must then be impoverished or we must rebel. The alternative is dreadful.

At present this state is one of the most respectable and one of the most influential in the union. If we alone should object to receiving the system without amendments, there is no doubt but it would be amended. But the case is not quite so bad. New-York appears to have no disposition even to call a convention. If they should neglect, are we to lend our assistance to compel them by arms, and thus to kindle a civil war without any provocation on their part. Virginia has put off their convention till May, and appears to have no disposition to receive the new plan without amendments. Pennsylvania does not seem to be disposed to receive it as it is. The same objections are made in all the states, that the civil government which they have adopted and which secures their rights will be subverted. All the defenders of this system undertake to prove that the rights of the states and of the citizens are kept safe. The opposers of it agree that they will receive the least burdensome system which shall defend those rights. Both parties therefore found their arguments on the idea that these rights ought to be held

sacred. With this disposition is it not in every man's mind better to recommit it to a new convention, or to Congress, which is a regular convention for the purpose, and to instruct our delegates to confine the system to the general purposes of the union, than to *endeavour* to force it through in its present form, and with so many opposers as it must have in every state on the continent. The case is not of such pressing necessity as some have represented. Europe is engaged and we are tranquil. Never therefore was an happier time for deliberation. The supporters of the measure are by no means afraid of insurrections taking place, but they are afraid that the present government will prove superiour to their assaults.

John Quincy Adams Diary

Newburyport, 1 December (excerpt)¹

. . . came home at about 9 [P.M.] I found Dr. Kilham at home: he return'd from Boston on Thursday; and although his conduct during the late session of the general court, upon the subject of the proposed continental constitution, has not met with the approbation of his constituents in general, yet I think he is very much to be applauded for that independance of spirit, which disdains to sacrifice a sentiment, to the breath of popularity.² But men are too apt to suspect the motives of those with whom they differ in sentiment, and although in this Country religious bigotry is almost entirely done away, yet the same principle, in another garb, appears in all our political manoeuvres.

1. MS, Adams Family Papers, MHi. Printed: Allen, *JQA Diary*, II, 324.

2. For Dr. Daniel Kilham's opposition to the Constitution during the 25 October debates in the state House of Representatives, see "Massachusetts Calls a State Convention," 18-25 October (II above). Kilham and Adams boarded at the house of Mrs. Martha Leathers in Newburyport.

Mentor

Massachusetts Centinel, 1 December

To the Printer of the MASSACHUSETTS CENTINEL.

SIR, This country appears to be so divided in opinion on a very momentous point at this important era, that the consequences are greatly to be feared:—We may either yield supinely to a system calculated to break the spirits of *America*, which not the *arts* nor the *power* of Great-Britain could accomplish—Or we may be wrought up into division, to opposition, to discord, which nothing but the sword can finally decide.—Whereas if the people at large would give themselves time to reflect, before they made choice of delegates to represent them

in Convention, they might be able to develop the *arts*, to baffle the *intrigues* of those who are pushing with so much warmth the precipitant adoption of a form of government, *secretly plan'd—deeply designed—and durable as time*.—Ushered to their notice by the *address* of the courtier,¹ and urged to this acceptance by the *subtile stratagems* of machiavilian policy, sanctioned by the revered names of grey-headed statesmen, of the still more beloved signature of the hero of the soldier.²—Yet I am persuaded would the inhabitants of the thirteen United States deliberate with *coolness*, and retrospect the *causes* that rent them from Britain—the value of the *prize* for which they fought, and the costly sacrifices they made for the security of freedom, they would not be induced voluntarily to relinquish the purchase, or be influenced to submit to shackles, *even of American fabrication*, either by the TEARS OF FOURSCORE³—the *sophistry* of the statesman in the meridian of manhood,⁴ or the rhetorical flourishes of a *youth* of genius,⁵ whose early initiation into the school of politicks has enkindled an enthusiasm in his favour, which “taken at the flood leads on to greatness”⁶

To embassies—dictatorships—and princedoms.

But instead of observing a due moderation of temper, a suspicion that he has an objection to the darling system, subjects the firmest patriot to *falsehoods* and *scurrilities*; the fairest characters are vilified and traduced, and whoever is suspected as doubtful of the utility of the new mode of governing America, is pronounced either a *villain* or a *bankrupt*.

Does not this impetuosity argue a suspicion in themselves that the proposed plan will not bear the *scrutiny* of time?—Would it not be wiser to suspend all newspaper discussions either on government or characters—let the intelligent inhabitants of America think for themselves.—Let them read the *federal* propositions with attention, weigh them in the scale of candour, and compare them with other systems of power under which both ancient and modern nations have groaned—then let them consider well at this important *crisis*, whether they are really calculated to promote the liberty and happiness of America, or whether future generations may not in *anguish* execrate the memory of the Convention of *seventeen hundred and eighty-seven*.

1. The reference is probably to James Wilson whose 6 October speech to a public meeting in Philadelphia—the first defense of the Constitution by a delegate to the Constitutional Convention—became a standard Federalist explanation of the principles of the Constitution (CC:134). For the speech's circulation and impact 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).

2. “Mentor” refers to the members of the Constitutional Convention, especially Benjamin Franklin. “The hero of the soldier” refers to George Washington.

3. The reference is to a verse that the *Massachusetts Centinel* printed on 21 November describing the shedding of a tear by the octogenarian Benjamin Franklin when he signed the Constitution. This verse was one of two Federalist responses to a verse printed in the Antifederalist *American Herald* on 19 November. See “George Washington and Benjamin Franklin in the Constitutional Convention,” 19–21 November.

4. “Mentor” refers to James Wilson’s 6 October speech before a Philadelphia public meeting (see note 1).

5. The reference is probably to Alexander Hamilton who, using the pseudonym “Publius,” was suspected of publishing *The Federalist* essays, the first number of which appeared in the New York *Independent Journal* on 27 October (CC:201). A more explicit reference to Hamilton as “Publius” was made in the *Massachusetts Centinel* on 8 December. In the preface to the reprinting of *The Federalist* 13, “Philo Publius” referred to “A respectable and worthy member of the late Convention from New-York” who had considered the question of separate republics “in one of a series of papers on the new Constitution.” (See below.)

Another possibility for the “youth of genius” is Charles Pinckney, a South Carolina delegate to the Constitutional Convention. In mid-October Pinckney published in New York City a pamphlet entitled *Observations on the Plan of Government Submitted to the Federal Convention . . .*, in which he outlined the plan of government that he had presented to the Convention (Evans 20649). The *Pennsylvania Gazette*, 24 October, printed an excerpt from this pamphlet, under this statement: “*The following speech delivered in Convention, by the Honorable CHARLES PINCKNEY, Esquire, of Carolina (with a plan of government not much unlike the proposed Federal Constitution) we hope will not be unacceptable to our readers.*” On 5 and 6 November, respectively, the *American Herald* and *Massachusetts Gazette* reprinted this excerpt.

6. See William Shakespeare, *Julius Caesar*, Act IV, scene 3, lines 216–19. “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 and in miseries.”

Massachusetts Centinel, 1 December¹

FEDERAL CONSTITUTION.

The proposed Constitution is received with more *general approbation* than could have been rationally expected, when it is considered, how infinitely diversified the sentiments of mankind are, upon the intricate science of government—this may be considered as a happy presage of that *unanimity* and *harmony* in the ensuing convention which all the real friends to our country so ardently wish for.

In all probability the first good consequence, arising from a firm and respectable government, will be the relinquishment of the WESTERN POSTS, by the British, according to the treaty of peace—which are now so unjustly detained from us, and for no other reason but a contempt of government.

It is justly observed that the opposers of the New Constitution are very sedulous to keep themselves *out of sight*—they *fulminate* against the

system, with their *long* and *short* pieces, some so overcharged as entirely to overshoot the mark—others from the weakness of the powder, falling short—so that between them, the constitution remains in *statu quo*—in the mean time the wretched *engineers* from a consciousness of their *weakness*, or the *selfishness* of their motives, or from some other equally *laudable* design, remain *incog*.

“*Fair play is a jewel*”—and as there is no doubt that the *new federal system* will bear the closest examination, let every argument *pro* and *con*, have their full force—the bitterest enemy to the country, may in his overheated zeal strike out some new thoughts upon the subject, that the friends to the Constitution may avail themselves of—and on the other hand it is not impossible that the advocates of this system may mar its beauties by an injudicious dissection of them.

As the publications against the proposed Federal Constitution have exceeded those in its favour, in a ratio of TEN to *one*, at least in *quantity*, if not in *argument*—the assertion of the antifederalists that the presses are not free, is an unqualified insult upon the senses of the people.

1. The last paragraph of this item was reprinted in the *Cumberland Gazette*, 6 December.

Cincinnatus

Massachusetts Centinel, 1 December

FACTS.

MR. PRINTER, While the publick are amused with the numerous productions of *federalists* and *antifederalists*, if you can find room for a few facts they may not be unseasonable.

The General Court toward the close of the last session, passed an act, laying an interdiction on the Treasurer's drawing any more orders on the specie part of the Continental Tax, No. 5, (making one or two exceptions) until a certain sum of 20,000 shall be raised out of it in *specie* to pay *themselves* and civil list, for *their services*¹—Among many others who have *just* claims upon this tax, and are suspended until the above sum is raised, are the unfortunate, the worn-out soldier and invalid, who have been hobbling on for these *eighteen* months between hope and despair, to obtain their *scanty* pittance—for whom, a part of this same requisition was made, and assigned by Congress to pay. Even the justness of this claim, or the wretchedness of the claimants, seems to have had but little influence with this *great* and *respectable* Representative body, who *ought* to make the good of the people their first object, when brought in competition with *their* own interest—Not content to receive *their* pay as other publick creditors, in orders on collectors; but

the *specie* must be raised, however *great* the sacrifice. It is true, the General Court a few days previous to passing the above act, directed the Treasurer to pay out a sum, to answer a part of the demand of those invalids,² but before they had a time to receive it, it was wrested from their faltering hands, to satisfy *their darling selves*;—and under the mock borrowing it of Congress, with or *without* their consent.

I shall leave the publick to make their own comments on the above transaction—It is only a short lesson of *human nature*—and will shew to the good people of this Commonwealth, and the United States, before they resign up the pursestrings and power to *any* set of men whatever, the necessity of guarding the rights of the people, not only by an *ample* Bill of Rights, but by every other barrier that human wisdom can invent.

1. An act passed on 23 March 1786 allocated £145,655 to the Confederation to comply with the congressional requisition of 1785, one-third to be paid in specie (*Acts and Laws, 1785–1786*, pp. 368–91, especially p. 389). Under a resolution of 19 November 1787, the treasurer was authorized to borrow on the credit of the specie part of the tax of 1786 or any other fund not before appropriated. The money was to be used to pay the governor, the members of the Council, the members of the current General Court, some of the members of the previous General Court who had not been paid, the arrears due to judges of the Supreme Judicial Court, the delegates to the Constitutional Convention, the delegates to the Confederation Congress for 1787, the secretary of the Commonwealth, and the president of Harvard College (*Resolves of the General Court . . .* [17 October–24 November 1787], p. 77, Evans 20517). For an item that also discusses legislators paying themselves in specie, see *Massachusetts Gazette*, 20 November (Mfm:Mass.).

2. On 2 November the legislature granted petitioner John Lucas, commissary of pensioners, £2,000 to pay the back wages of pensioners. The state treasurer was instructed to pay this sum in orders that were to be received in payment of the specie part of the tax levied in March 1786 (*Resolves of the General Court . . .* [17 October–24 November 1787], p. 56, Evans 20517).

**Benjamin Lincoln to François de Fleury
Boston, 2 December (excerpt)¹**

. . . The decided part you early took in the cause of the United States of America, and the brave, faithful and spirited conduct evidenced in the discharge of the important command, committed to your execution justly entitles you to our affection and esteem whilst it leaves in my mind no room to doubt but that you feel your self interested in all the important concerns of this country, hence I am induced to give you a short state of our affairs as they relate to our union. You doubtless recollect that the confederation delegated no powers to Congress but those which were recommendatory in their nature, with those, whilst we were surrounded by a powerful enemy, we got along but as soon as the enemy were with drawn and the common danger was over the

States with drew their attention to the recommendations of Congress in the same proportion, from time to time, as they found their powers were insufficient to enforce them; at length Congress was little more than a name. This made it necessary to call a convention of delegates from all the States to revise and amend the constitution, all met excepting, Rhode Island, they have reported a system, I think a good one, it is submitted to the States for their acceptance or rejection, I hope it will be ac[c]epted, whether it will or not is quite uncertain, our good General Washington was president of the convention—If it should not pass what the consequences will be cannot be foreseen.—Some government we must soon have or we shall be held in higher contempt than we now are.—Let me beg the favor of a line by the return of the Ship.—

1. FC, Lincoln Papers, MHi. François Louis Teisseidre, Marquis de Fleury (b. 1749), a French soldier, joined the Continental Army in 1777 and rose to the rank of lieutenant colonel. In 1779 Congress cited him for gallantry. After the American Revolution, he served with the French army in the East Indies and in 1787 he was stationed at Île de France (Mauritius).

Samuel Adams to Richard Henry Lee
Boston, 3 December¹

I am to acknowledge your several Favours of the 5th and 27 of October,² the one by the Post and the other by our worthy Friend Mr Gerry. The Session of our General Court which lasted six Weeks, and my Station there³ requiring my punctual & constant Attendance, prevented my considering the *new* Constitution as it is already called, so closely as was necessary for me before I should venture an Opinion.

I confess, as I enter the Building I stumble at the Threshold. I meet with a National Government, instead of a fœderal Union of Sovereign States. I am not able to conceive why the Wisdom of the Convention led them to give the Preference to the former before the latter. If the several States in the Union are to become one entire Nation, under one Legislature, the Powers of which shall extend to every Subject of Legislation, and its Laws be supreme & controul the whole, the Idea of Sovereignty in these States must be lost. Indeed I think, upon such a Supposition, those Sovereignties ought to be eradicated from the Mind; for they would be Imperia in Imperio justly deemd a Solecism in Politicks, & they would be highly dangerous, and destructive of the Peace Union and Safety of the Nation. And can this National Legislature be competent to make Laws for the *free* internal Government of

one People, living in Climates so remote and whose "Habits & particular Interests" are and probably always will be so different. Is it to be expected that General Laws can be adapted to the Feelings of the more Eastern & the more Southern Parts of so extensive a Nation? It appears to me difficult if practicable. Hence then may we not look for Discontent, Mistrust, Disaffection to Government and frequent Insurrections, which will require standing Armies to suppress them in one Place & another where they may happen to arise. Or if Laws could be made, adapted to the local Habits Feelings, Views & Interests of those distant Parts, would they not cause Jealousies of Partiality in Government which would excite Envy and other malignant Passions productive of Wars and fighting. But should we continue distinct sovereig[n] States, confederated for the Purposes of mutual Safety and Happiness, each contributing to the foederal Head such a Part of its Sovereignty as would render the Government fully adequate to those Purposes and *no more*, the People would govern themselves more easily, the Laws of each State being well adapted to its own Genius & Circumstances, and the Liberties of the United States would be more secure than they can be, as I humbly conceive, under the proposed new Constitution. You are sensible, Sir, that the Seeds of Aristocracy began to spring even before the Conclusion of our Struggle for the natural Rights of Men. Seeds which like a Canker Worm lie at the Root of free Governments. So great is the Wickedness of some Men, & the stupid Servility of others, that one would be almost inclined to conclude that Communities cannot be free. The few haughty Families, think *They* must govern. The Body of the People tamely consent & submit to be their Slaves. This unravels the Mystery of Millions being enslaved by the few! But I must desist—My weak hand prevents my proceeding further at present. I will send you my poor Opinion of the political Structure at another Time. In the Interim oblige me with your Letters; & present mine & Mrs A's best Regards to your Lady & Family, Colo Francis, Mr A. L. if with you,⁴ & other Friends.

[P.S.] As I thought it a Piece of Justice I have venturd to say that I had often heard from the best Patriots from Virginia that Mr G Mason was an early active & able Advocate for the Liberties of America,⁵

1. RC, Lee Papers, PPAmP. Adams's draft letter, which contains some variations from the recipient's copy, is in the Samuel Adams Papers at the New York Public Library. (See Mfm:Mass.) Lee received Adams's letter on "the last of January" (Lee to Adams, 28 April, *Memoir of the Life of Richard Henry Lee* . . . [2 vols., Philadelphia, 1825], II, 86–87). Lee (1732–1794) represented Westmoreland County in the Virginia House of Burgesses, 1758–76, in the revolutionary conventions, 1774–76, and in the House of Delegates, 1777–78, 1780–81 (speaker 1781), 1782–85. A delegate to Congress, 1774–79, 1784–85

(president), 1787, Lee signed the Declaration of Independence and the Articles of Confederation. He declined appointment to the Constitutional Convention. His amendments to the U.S. Constitution were rejected by Congress in September 1787. The amendments are in his 16 October letter to Governor Edmund Randolph of Virginia, which was first printed in the Petersburg *Virginia Gazette* on 6 December (CC:325). In Massachusetts, Lee's letter to Randolph was reprinted only in the *Worcester Magazine*, 10 January 1788, and no major response to it was printed in the state. Lee was a U.S. Senator, 1789–92.

2. On 27 October Lee wrote Adams, requesting that "When you are pleased to write to me, your letter, by being enclosed to our friend Mr. Osgood of the Treasury here, will be forwarded *safely* to me in Virginia, for which place I shall set out from hence on the 4th of next month" (CC:199). Adams sent his response to Lee in a letter to Samuel Osgood, a member of the Confederation Board of Treasury in New York City. Since Lee had already left the city, Osgood gave Adams's letter to Arthur Lee, a fellow member of the Board of Treasury, who was to forward it to his brother in Virginia (Osgood to Adams, 5 January 1788). For the 5 October letter, see CC:132.

3. Adams was president of the Senate.

4. Colonel Francis Lightfoot Lee and Arthur Lee were Richard Henry Lee's brothers.

5. Much of this postscript appears almost verbatim in "Prudential," *American Herald*, 3 December. (See "George Mason and the Constitution," 20 November–3 December.)

John De Witt V **American Herald, 3 December¹**

To the FREE CITIZENS of the COMMONWEALTH of MASSACHUSETTS.

The chief blessings of society, like individuals, are fond of association, and have a mutual dependence upon each other. They form links of one chain, and are all actuated by the same cause. Where freedom prevails, industry and science there also prevail. Industry produces wealth, and science preserves freedom in purity. The majority of the people in all such countries become so active in their different pursuits, that they are deprived both of their time and opportunity to inform themselves of the principles of the government by which those great blessings are secured to them, and almost implicitly rely both for the explaining and for the enforcing of those principles upon the patriotism of those, their fellow-citizens, who labour but in the field of enquiry, and who spend their whole time in researches after knowledge. Thanks be to Heaven, that in America, that majority always retaining the power, the others have never dared to enforce their principles, without previous explanation, and it has become natural to mankind, wherever they have a system of any kind, a favorite, if it is as genuine and honest in principle, as in appearance, they leave no active powers of the mind unessayed, in elucidating, explaining and enlarging upon its benefits to those whom they wish should adopt it—all its good qualities are delineated, and every exertion is made to refute all objections offered against it, which exertions will be crowned with success, if the

objections in themselves are futile, and will not bear the force of light and argument.

The malevolent passions of the heart are not called in, private faults of individuals are not raked from oblivion and magnified, invidious representations are not made, neither are the slanderous, evenenomed darts of malice and envy hurled against those characters, who yesterday were deemed praise-worthy and held sacred for a series of obligations conferred by them upon their country, but to-day are execrated with passion, because they do not in all points see as other men see. On the contrary, cool reasoning and dispassionate argument, are of themselves sufficient to build up such a system, to unravel all its mysteries, and to present to the people in expressive, legible colours, the blessings that will result from its adoption. Where this mode of conduct is not pursued by its advocates, where instead of cool reasoning upon the subject in question, artful evasions are presented, the system itself is winked out of sight, instead of dispassionate endeavours to remove difficulties arising in honest minds, which are offered with decency to the public in order to be refuted, those who make them are loaded with the opprobrious terms of *Insurgents, destroyers of all government, bankrupts, defaulters, and anti-federalists*, which is worse than *jacobitism*. Where, instead of promoting free discussions upon the most important subject ever before a community, attempts are made to fetter and suppress such discussions, by THREATNING the Printer and DROPPING the papers that contain them: Where, instead of coming forward like men, in the full exercise of reason, like fellow-citizens warmed with a patriotick ardour for their country, emulous to secure and preserve its sacred principles, and with proper weapons disarming their fellow-citizens of those objections, they blast and asperse their characters (the dernier resort of all supporters of a bad cause) I say the people have a fair, undoubted right to presume those objections unanswerable, the system itself essentially defective, and that its advocates are, by their conduct, endeavouring not to reason, but to surprize the people into a hasty approbation of it.—

That this is the case with the supporters of the proceedings of the Fœderal Convention, far be it from me to declare.—Judge, my fellow-citizens, for yourselves—examine the public prints from the promulgation of this Constitution. Objections there you will find in score—are they offered with decency? Do they attack men or measures? Are they answered in the same manner? And do you discover a desire in those who wish you to embrace this Government, to inform you of its principles, and the consequences which will probably ensue from such principles—why they have taken from you the sinews of your present

government, and instead of revising and amending your Confederation; have handed you a new one, contrasted in the plenitude of its powers.—As you answer these questions, so you must make up your opinion upon that which is before you.

They have the power of “organizing, arming and disciplining the militia, and of governing them when in service of the United States, giving to the separate States the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.” Let us enquire, why they have assumed this power, for if it is for the purpose of forming you into one uniform, solid body throughout the United States, making you respectable both at home and abroad—of arming you more compleatly and exercising you oftener—of strengthening the power which is now lodged in your hands, and relying upon you and you solely for aid and support to the civil power in the execution of all the laws of the New Congress, it certainly can be no where better placed under the restrictions therein mentioned, than in that body. But is this probable. Does the completion of the proceedings countenance such a supposition? When they unprecedentedly claim the power of raising and supporting standing armies; do they tell you for what purposes they are to be raised?—How they are to be employed?—How many they are to consist of, and where to be stationed?—Is this power fettered with any one of these necessary restrictions which will shew they depend upon the militia, and not upon this infernal engine of oppression to execute their civil laws. The nature of the demand in itself contradicts such a supposition, and forces you to believe that it is for none of these causes—but rather for the purpose of consolidating and finally destroying your strength, as your respective Governments are to be destroyed.

They well know the impolicy of putting or keeping arms in the hands of a nervous people, at a distance from the Seat of Government, upon whom they mean to exercise the powers granted in that Government.—They have no idea of calling upon the party aggrieved to support and enforce their own grievances. They are aware of the necessity of catching Samson asleep to trim him of his locks. It is asserted by the most respectable writers upon Government, that a well regulated militia, composed of the yeomanry of the country have ever been considered as the bulwark of a free people; and, says the celebrated Mr. HUME, “without it, it is folly to think any free government will have stability or security—When the sword is introduced, as in our constitution (speaking of the British) the person entrusted will always neglect to discipline the militia, in order to have a pretext for keeping up a standing army; and it is evident this is a mortal distemper in the British

parliament, of which it must finally inevitably perish.”²—If they have not the same design, why do they wish a standing army unrestrained? It is universally agreed, that a militia and a standing body of troops never yet flourished in the same soil. Tyrants have uniformly depended upon the latter, at the expence of the former. Experience has taught them, that a standing body of regular forces, where ever they can be compleatly introduced, are always efficacious in enforcing their edicts, however arbitrary, and slaves by profession themselves, are “nothing loath” to break down the barriers of freedom with a *gout*.—No, my fellow-citizens, this plainly shews they do not mean to depend upon the citizens of the States alone to enforce their powers, wherefore it is their policy to neglect them, and lean upon something more substantial and summary. It is true, they have left the appointment of officers in the breast of the several States; but this to me, appears an insult, rather than a priveledge, for what avails this right, if they in their pleasure should choose to neglect to arm, organize and discipline the men over whom such Officers are to be appointed. It is a bait, that you might be led to suppose they did intend to apply to them in all cases, and to pay particular attention to making them the bulwark of this Continent.—And would they not be equal to such an undertaking?—Are they not abundantly able to give security and stability to your government as long as it is free? Are they not the only proper persons to do it? Are they not the most respectable body of yeomanry in that character upon earth? Have they not been deeply engaged in some of the most brilliant actions in America, and more than once decided the fate of armies? In short, do they not preclude the necessity of any standing army whatsoever, unless in case of invasion; and in that case it would be time enough to raise them, for no free government under Heaven, with a well disciplined militia was ever yet subdued by mercenary troops.

The advocates at the present day, for a standing army in the New Congress pretend it is necessary for the respectability of government. I defy them to produce an instance in any country, in the Old or New World, where they have not finally done away the liberties of the people:—Every writer upon government,—Lock, Sidney, Hamden, and a list of others have uniformly asserted, that standing armies are a solecism in any government; that no nation ever supported them, that did not resort to, rely upon, and finally become a prey to them.—No Western Historians have yet been hardy enough to advance principles that look a different way. What historians have asserted, all the Grecian Republicks have verified—They are brought up to obedience and unconditional submission.—With arms in their hands, they are taught to feel the weight of rigid discipline:—They are excluded from the enjoyments

which liberty gives to its votaries, they, in consequence, hate and envy the rest of the community in which they are placed, and indulge a malignant pleasure in destroying those privileges to which they never can be admitted.—“Without them, says the Marquis of Beccaria, in every society there is an effort constantly tending to confer on one part the height of power, and to reduce the other to the extreme of weakness and misery, and this is of itself sufficient to employ the people’s attention.”³ There is no instance of any government being reduced to a confirmed tyranny without military oppression; and the first policy of tyrants has been to annihilate all other means of national activity and defence, and to rely solely upon standing troops.—Repeated were the trials before the Sovereigns of Europe dared to introduce them upon any pretext whatever; and the whole record of the transactions of mankind cannot furnish an instance (unless the proceedings of the Convention may now be called a part of that record) where the motives which caused their establishment, were not completely disguised.—Pisistratus in Greece, and Dyonysius in Syracuse, Charles in France, and Henry in England, all cloaked their villainous intentions under an idea of raising a small body for a guard to their persons; and Spain, could not succeed in the same nefarious plan, until through the influence of the ambitious Priest, they were called upon to resist the progress of the Infidels.⁴ “Cæsar, who first attacked the commonwealth with *mines*, very soon opened his *batteries*.”⁵—Notwithstanding all these objections to this engine of oppression, which are made by the most experienced men, and confirmed by every country, where the rays of freedom ever extended.—Yet in America, which has hitherto been her favorite abode—in this civilized territory, where property is valuable, and men are found with feelings that will not patiently submit to arbitrary controul—in this Western region, where, my fellow-countrymen, it is confessedly proper that you should associate and dwell in society from choice and reflection, and not be kept together by force and fear, you are modestly requested to engraft into the component parts of your Constitution, a STANDING ARMY, without any qualifying restraints whatever,—certainly to exist somewhere within the bowels of your country in time of peace. It is very true, that the celebrated Mr. Wilson, a member of the Convention, and who we may suppose breathes, in some measure, the spirit of that body, tells you, it is for the purpose of forming cantonments upon your frontiers, and for the dignity and safety of your country, as it respects foreign nations.⁶ No man that loves his country could object to their being raised for the first of these causes, but for the last it cannot be necessary. GOD has so separated us by an extensive ocean from the rest of mankind, he hath so liberally

endowed us with privileges, and so abundantly taught us to esteem them precious, it would be impossible, while we retain our integrity and advert to first principles, for any nation whatever to subdue us. We have succeeded in an opposition to the most powerful people upon the globe; and the wound that America received in the struggle, where is it? As speedily healed as the track in the ocean is buried by the succeeding wave. It has scarcely stopped her progress, and our private dissensions only at this moment, tarnish the lustre of the most illustrious infant nation under Heaven.

You cannot help suspecting this gentleman, when he goes on to tell you, "that standing armies in time of peace, have always been a topic of *popular declamation*, but Europe hath found them necessary to maintain the appearance of strength in a season of the most profound tranquility."⁷—This shews you his opinion, and that he as one of the Convention, was for unequivocally establishing them in time of peace; and to object to them is mere popular declamation. But I will not, my countrymen, I cannot believe you to be of the same sentiment. Where is the standing army in the world, that, like the musquet they make use of, hath been, in time of peace, brightned and burnished for the sake only of maintaining an appearance of strength, without being put to a different use, without having had a pernicious influence upon the morals, the habits, and the sentiments of society, and finally, taking a chief part in executing its laws. But some say, that there is a controul over them, and that consists in the appropriation of monies for their support. Turn your attention to England, and see the popular part of this constitution by the influence of money, by the influence of military and revenue officers, brought gravely to give their annual assent to the existence of a standing army, and for monies to support it. It has long since been an insult on the good sense of that nation.

It may not be amiss to remind you of that swarm of revenue, excise, impost and stamp officers, Continental assessors and collectors, that your new Constitution will introduce among you. They will, of themselves, be a **STANDING ARMY** to you, and you will see them at your elections, active and industr[i]ous to secure the seats of those men who put them into office:—They will be very adequate to give you a surfeit of their company, to make you tired in meddling with government, and disposed to become indifferent about the exercise of it, without the blessed assistance of any military corps.—

Upon the whole, my countrymen, it appears to me, that this power as it now stands, is decidedly improper and dangerous. That Congress ought to have the power of raising armies when invaded by our ene-

mies, is certain; that they ought not to have it for any other cause, is equally so. If they did not or do not mean to employ them in any other way, they ought in express terms to say so, in a Bill of Rights. They never ought to exist at all, but in subordination to civil authority. If the people are not in general disposed to execute the powers of government, it is time to suspect there is something wrong in that government, and rather than employ a standing army, they had better have another; for, in my humble opinion, it is yet much too early to set it down for a fact, that mankind cannot be governed, but by force.

1. The first three paragraphs of this essay were reprinted under the pseudonym "A Real Federalist," in the *Pennsylvania Packet*, 2 January 1788. This reprinting, addressed "To the Citizens of AMERICA," was preceded by a Latin epigraph, "*Veritatis cultores, fraudis inimici*" (Cultivators of the truth, enemies of deceit), and was dated at the end "Philadelphia, Dec. 26, 1787." "John De Witt," without the pseudonym and the first three paragraphs, was reprinted upon request in two Antifederalist newspapers—the Philadelphia *Freeman's Journal*, 16 January 1788, and the *New York Journal*, 28 January. Both reprintings, addressed "To the PEOPLE of AMERICA," stated that the extracts were taken from "a New-England publication."

2. David Hume, *Essays Moral, Political and Literary* (London, 1963), 513, 513n (from the essay entitled "Idea of a Perfect Commonwealth"). Hume's essays were first published in 1741 and 1742. Hume states that ". . . this is a mortal distemper in the British government. . . ."

3. The first sentence of the introduction to the Marchese di Beccaria's most famous publication reads: "In every human society, there is an effort continually tending to confer on one part the height of power and happiness, and to reduce the other to the extreme of weakness and misery." See Cesare Bonesana, Marchese di Beccaria, *An Essay on Crimes and Punishments . . .* (3rd edition, London, 1770), 1. This work was first published in Livorno (Leghorn) in 1764.

4. The reference is probably to Tomàs de Torquemada (1420–1498), a Spanish Dominican priest noted for his cruelty and harshness, who was inquisitor-general during the Spanish Inquisition.

5. The reference is to the following passage from Plutarch's life of Julius Caesar: "Upon this the [Roman] senate met, and Catulus Lutatius, one of the most eminent Romans of that time, stood up and inveighed against Cæsar, closing his speech with the remarkable saying that Cæsar was now not working mines, but planting batteries to overthrow the state. But when Cæsar had made an apology for himself, and satisfied the senate, his admirers were very much animated, and advised him not to depart from his own thoughts for any one, since with the people's good favour he would ere long get the better of them all, and be the first man in the commonwealth." (See *Plutarch: The Lives of the Noble Grecians and Romans* [New York, (1932), 858]. In this Modern Library edition of Plutarch, Arthur Hugh Clough revised the translation originally made by John Dryden between 1683 and 1686.)

6. See James Wilson's 6 October speech to a public meeting in Philadelphia (CC:134), and "The Massachusetts Reprinting of James Wilson's Speech of 6 October Before a Philadelphia Public Meeting," 24 October–15 November (I above).

7. See note 6. The italics in the quoted text were inserted by "John De Witt."

The Monitor
American Herald, 3 December¹

A knowledge of the principles of government, is so essential to the welfare of mankind, that every opportunity which might tend to promote an enquiry into so important a subject, ought to be embraced by every one who has a sense of the dignity of man, and the rights of human nature—For by being acquainted with whatever may strike the imagination of those whose opinions are opposed to each other, the unprejudiced mind might be enabled to suggest a form that would consolidate the social compact into a perfect enjoyment of political happiness.

Freedom hath had to encounter with various acts of oppression, till at length, after struggling in contests that have afforded the most affecting meditations, she reared her temple in the United States, where the blessings of providence are secure and permanent in the enjoyment of life, liberty and property—and the period may not be far off, when she will completely deliver the world from all other usurpations but those which may result from the deliberations of disinterested hearts.

The favourable termination of the American war, opened a new source of political enquiry throughout the world. The rights of human nature—the comprehensive views of reason and conscience—were more generally investigated and better understood. The meanest citizen spoke with an elevation of mind, before unknown in the European governments. Monarchs began to view their subjects as rational beings; and, with limited indulgences, have removed many establishments that debased the character of those nations—while others have endeavoured to place their subjects upon that natural equality, which a benevolent heart will ever be strenuous in promoting.

The prevailing disposition of human nature to plunge from one extreme into another, rendered it necessary to adopt wholesome regulations for their mutual benefit, that each might be secure from the gratification of individual avarice, and participate in the blessings of civilized society. This was the origin and intent of government, and so long as virtue prevailed, mankind enjoyed the blessings resulting therefrom. But at length different orders were created—authority assumed to itself the right of government—candidates fought against each other, and accustomed the harmless to slaughter—military leaders were established in authority, and the blood of thousands were sacrificed to support hereditary distinctions. Here the horrors of a sorrowful and dejected countenance submitted to the arms of tyranny and despotism—the original mild and ingenuous manners of civil society were

held in bondage, and obliged to submit to the dictates of those, whose pretended acts of benevolence were founded on the principles of avarice and superstition. Thus we find ambition will prevail, where authority is vested with wealth and power, and no country can preserve their liberties, who grant an unlimited indulgence to either.

That every man should interest himself in his own private concerns, will be admitted by all—but, at the same time, he should never withdraw his attention from that of the community in which he may be a member; for whatever concerns them in a collective capacity, he is in duty bound to consider, as being equally entitled to the advantages resulting therefrom. The grand palladium of the freedom of this country, the Declaration of Rights, ought to be read and well understood by every citizen; for on them alone rests the political salvation of this country. We there find sufficient energy is given, to compel obedience [i.e., obedience] to legislative authority—a perfect equality is preserved in the several branches of civil power, by a frequent recurrence to fundamental principles—and the whole cemented by a firm adherence to moderation and justice. In them, we find the rulers and the ruled equally participating of the blessings of liberty and property, and are equally secured in their rights and privileges as freemen. Of how much importance is it, then, to every citizen, to preserve these inestimable blessings, and duly to consider every subject which might tend to the preservation of them! It ought to be the duty of parents particularly to inculcate into the minds of the rising generation, the noble Principles of Virtue and Patriotism—by example and advice to impress on their minds, the domestic as well as public advantages resulting from industry and œconomy—For the concomitant blessings of liberty and peace have ever been found, where they have been the prevailing principles.

1. This entire article was set in italic type.

American Herald, 3 December

Some of the papers of the last week have suggested the idea, that the public creditors, and some of the whigs of 1775, began to think of the disgraceful scheme of a re-union with Britain.¹—It is certain that no such scheme can take effect; for Britain is so immersed in debt that the interest alone exceeds the interest and principal of both Continental and State debts.—Their revenue falls short by near two millions annually; while by the sale of our lands the principal of our debt every day dec[r]eases in the nominal sum; and by the exertions of the people to pay off the arrears of their taxes, our revenue is continually working

clear. While we lament that, from the embarrassments common at the end of a war, it has not been in our power to be punctual in discharging our public or private debts, it is easy to shew that the actual managements have not been worse than in the most enlightened countries of Europe, but that we have shewn in every instance as sacred a regard to the rights of property as they have done. If any conspiracy of that kind is forming, it is an additional reason for extreme caution on the part of the State, and for making our excellent Constitution the beacon by which we shall guide all our steps, and the light that shall brighten our paths. By this means we shall effectually defeat the designs of those who wish to do us harm.

QUERE. Is not a Conspiracy against the Liberties of the People, as criminal as a Conspiracy to deprive the Government of its Power?—

1. Possibly a reference to a paragraph in the *Massachusetts Gazette*, 23 November (“leeks and garlick”).

A Federalist

Boston Gazette, 3 December¹

Mess'rs. EDES, Among other *artifices* adopted by the enemies to a national government, to prejudice the public against the new Constitution, one is an insinuation that the Presses have not been free and impartial, and that a “band of constraint,” has prevented a free inquiry;—but you, Messrs. Edes, can testify to the *falsehood* of the first—and their *own voluminous* speculations with which the Presses have teemed from Virginia, to this Commonwealth, evince the baseness of the *latter*.—The *Antifederalist* in your last, has introduced the idea with which his Coadjutor at C—b—e² began the first attack upon the proposed Constitution—he says “If it is suitable to the HABITS and GENIUS of the people, &c.”—I would ask this writer, if civil *habits* are antecedent, and prior to civil institutions? Would a wise legislator who was about to form a system of government, for a nation, in a state of nature, adapt his plan to the prevailing habits of such a people? No; his object would be, to introduce a code of laws that would *induce* those habits of civilization and order, which must result *from* good government. The truth of the case is, that as a people, we are destitute of FEDERAL FEATURES,³ and HABITS—the several *State Constitutions* are *local, partial, and selfish*; they are not calculated in their construction, to form *national views*: this great object is beyond their limits—and *dear bought* experience proves that the *unbounded sovereignty* of the individual governments, is incompatible with a *national* system.

For want of those HABITS OF NATIONALITY, we have been brought into our present contemptible and deplorable situation. The proposed *Federal Constitution* is happily calculated to form us to a *national spirit*, and to diffuse those generous *federal* sentiments, without which, we never can be a happy and flourishing people.

Our respective *State Constitutions* may be adequate to all the purposes of State government; provided they are suffered to have their *full operation* in the districts for which they were designed; but it must be confessed, that the weakness and inefficiency of the *present* continental confederation, have had a very inauspicious effect upon all the Constitutions in the Union.—The enlightened Convention were so sensible of this, that their proposed system is calculated to retrieve the State governments from their depressed situation, and give them a proper *tone* and *energy*, should we be wise enough to adopt their proceedings.

There never was a greater abuse of words than to say that an “*Aristocratical influence*” has prevented a free discussion of the proposed Constitution. This *stalking horse* has been so often exhibited, that the good people of this Commonwealth ken it in all its features;—and as they have suffered so much from the moon-shine policy of Aristocratical prophets, it cannot be expected they will be imposed upon any longer.

The enemies to a national government call to their aid every species of vehement declamation in inveighing against the proposed system—under the mask of contending for a free and full investigation of the subject, they level *their* most venomous shafts at the Constitution itself. This *mock-federalist* after his unnecessary clamours for a full scanning and weighing it in the balance, which no advocate for it ever objected to—plainly asserts that the proposed system is the most consonant to the views of that aristocratical party, which has long laboured to subvert the constitution of this state.—Now, messieurs printers, this representation of the friends to a federal system is unjust and false in every particular—It is a fact, that those who were foremost in *defending* and *supporting* the *state* government, are to a man the avowed advocates of an efficient *federal* plan,—this number includes all the real friends to peace and good order in the state—and this Antifederalist will be puzzled to point out a man of *independent sentiments* in this metropolis, or in the commonwealth at large, either *merchant, trader, farmer, mechanick, lawyer, physician, or divine*, who is not fully of opinion that on our adoption of the proposed national constitution, is suspended the *peace*, the *honour* and *happiness* of our country.

This constitution will bear the nicest and closest examination; the more it is scrutinized the more its excellencies will unfold themselves—

and notwithstanding what its enemies assert, the Presses are free, and the antifederalists have made them groan with their repetitions upon repetitions,—much more having been *published* against it, than in its favour, though without obscuring its inherent lustre. The system is also published for the inspection of the people—and by the *recommendation* of its patriotick framers, conventions are to assemble to consider and determine upon it:—do these things look like “cramming it down our throats?”—detestable insinuation!

The members of convention for this town are shortly to be elected, and as the necessity and importance of a *national government* is acknowledged by all ranks of people—as the proposed system is continually *appreciating* in the public mind; its competency and excellency are more and more apparent; it clearly follows that the wisdom of the people will be exemplified in choosing such men for delegates as are competent to the business—men of clear heads and sound hearts—who know what the people ought to do—men who *feel* for their country, and who will be influenced in their decisions by no inferior motives. It certainly will not be wise, or politick to elect such characters as are *problematical*—or such, as it is evident will find their account in defeating a plan of national government, and thereby enlarge the circle of our present public difficulties and distresses.

1. “A Federalist” responds to “A Federalist,” *Boston Gazette*, 26 November.
2. Elbridge Gerry of Cambridge.
3. For the use of this phrase, see Gerry’s 18 October letter to the Massachusetts General Court (I above).

Boston Gazette, 3 December¹

Messrs. EDES, The following political ALLUSION, extracted from SKELTON’s Essays; being pleasing, entertaining, and instructive; may more especially be so, at this important crisis of our FEDERAL CONSTITUTION.

No city was more commodiously situated, governed by wiser laws, nor inhabited by a more virtuous and courageous people, than *Hierapolis*. The consequences of this were, that, in the space of about three hundred years, it became mistress of many nations, and gained ground apace, in all the other parts of the known world. It did not long enjoy this power, until it began to abuse it. Luxury, that subdues even conquerors, supported by wealth and ease, spread apace among the Hierapolitans, banished the original simplicity of their manners, and substituted foppery and vanity, in the place of it. This corruption of manners, was soon followed by an affectation of useful niceties and novelties in knowledge, and by false politicks. Hence it came to pass, that in a little time, the laws, although as intelligible, as common sense

itself, and as determinate as the utmost caution could make them, began to be variously interpreted; insomuch, that they were forced by an infinity of glosses, to speak the language of artifice and faction; nay, and of contradiction too, oftener than that of truth and justice. This clogged the wheels of the government; and what was worse, turned them aside, from the right way. Different parties founded themselves on different interpretations. Folly, enthusiasm, and fraud had, each its own interpreters, to extract such opinions from the laws, while they were forced to pass through bad heads, and worse hearts, as threw all into confusion, and stopped the progress of their arms abroad, and shed their blood within the walls, in mutual slaughter and destruction.

At length, one party growing more powerful than the rest, engrossed the revenues of the city, new-modelled the body of the laws, adding, or, taking away, what they thought proper, imposing their own sense of what remained, and prohibiting, under severe penalties, the popular perusal of the laws themselves. This party chose an head, whom they called *DICTATOR*, and on him conferred an unlimited power, to impose such interpretations of the laws, as he pleased on the Hierapolitans, and to govern them at his own discretion.

This tyrant, thus invested with the supreme authority, changed the name of the city, and called it after his own, *DICTATORIA*: he also contrived a very horrible kind of dungeon, to which he confined all such persons, as presumed either to read the antient laws, or to dispute his absolute authority, in any case. There was a kind of press in this dungeon, in which the party offending being placed, his fortune, his conscience, or his life was squeezed out of him. He erected public stews, from whence he drew considerable revenues. To conclude, he made miserable slaves of the poor *DICTATORIANS*, who were so enervated by luxury and vice of every kind, and so entirely broken by the power of this tyrant that they had no strength, nor inclination, to resist him.

At length his folly, his insolence, and his exactions, becoming intolerable, the few who remained still uncorrupted and unenslaved, agreed to quit the city, and commit themselves to the sea, in quest of some new country, where they might settle and govern themselves, by the antient *HIERAPOLITAN* laws, purged from all abuses, and layed open to every member of the community. There were no more of these found, than three or four ships were sufficient to receive. These vessels had scarcely provided themselves with necessaries, and put from shore, when the alarm of their departure was given; upon which the tyrant, ordered out to the pursuit, as many *DICTATORIAN* gallies, as could be got ready. But a storm arising, and they being ill provided, as putting out in haste, and little acquainted with the service, were all lost, but a

few; which being for several days, tossed about by the storm, happened to meet, and come to an engagement with the adventurers, who easily defeated them, for they had none but *DICTATORIAN* slaves on board. The adventurers, rejoicing in this victory, as an happy presage of their future fortunes, pursued their course, as well as the storm, which was no less violent, would permit. Their captains knew well how to govern, and their pilots to steer. Their sailors plied upon deck with diligence, and were eager to assist and relieve each other. However, as there was not a sufficient number of experienced seamen, to man all the vessels, some of them were wrought by passengers and sailors in conjunction, which occasioned great disorders; for the passengers, not being acquainted with the business, and yet very desirous to labour for the common safety, did but embarrass one another, and hinder the work they endeavoured to advance. Some, who thought they could do too much, pulled the ropes with such violence, that they frequently broke them. Others, by tugging contrary ways, destroyed the effects of each others strength. The decks were so crowded by people, who knew only how to make confusion, that the sailors had not room to stir; and there was such a loud and distracted clamour, of some roaring one thing, and some another, that neither the captain, nor the pilot could be heard. Whenever the ship heeled, they cried out, *We are all lost!* And tumbled over one another in heaps, some being sorely bruised, and others falling over board, into the sea.

By these means, and the darkness of the nights, the ships lost sight of one another, and fell off to different courses. The largest of them, which was also the best manned, made towards a certain island, which was at a sufficient distance, from the power of *DICTATORIA*, and yet so near, that it might be reached, without exposing the vessel to many dangers, incident to too large a voyage.

There was a passenger on board this vessel, who, by the time it had been a week at sea, had gained a smattering of the sailors art, and being very whimsical and overbearing, thought himself capable of giving law to the master, and all the crew. He pretended great dislike to the ship, and the government of it, and practising secretly with the simpler sort, in which he was assisted by certain *DICTATORIANS*, who making a shew of abhorrence to the tyrant, came on board, purely to raise disturbances; he gained over some to his party, and made them serious converts, to his feigned discontents. These he assembled one day, privately in the hold, and harangued them in the following manner.

“I cannot but lament, my fellow sailors, that after all our endeavours to fly from the wickedness of *DICTATORIA*, and the divine judgments

due to it, we are still deeply infected with the first, and consequently have but too much reason to dread the latter. In the first place, we left a tyranny, in order to put ourselves under the kinder influence of a free government. But what have we gained by our attempt? Are we not still under the government of one? What security can we have, that he will not tyrannize like him of *DICTATORIA*? Nay, I can assure you, his principles are perfectly *DICTATORIAN*, and you yourselves may perceive it, for he goes habited like the *DICTATORIANS*, he cocks his hat and laughs like one of the prophane. He cannot sink a dungeon in the ship; but, as soon as we come ashore, you may expect it, for he talks much of discipline and government; and it is but two days since, as you all can witness, he confined me to this hold, for saying, that we ought not to suffer ourselves to be guided by a pilot, but commit ourselves to the steerage of providence. Now the hold is but another kind of dungeon; and, since he hath so soon begun to play the governour, we may be sure he will in a little time act the tyrant. Trust him not O my fellow sailors; for he is an haughty lord, and a proud tyrant. He is a *DICTATORIAN* in his heart. Again, we left *DICTATORIA* in order to purge ourselves of the luxury, and strip ourselves of the pomps and vanities of that wicked place; and yet, behold, we are still polluted with the same corruptions. How odious to my eyes is that dazzling paint that adorns the side of the ship! How detestable those graven figures that glitter on the stern in various colours, and shine in all the splendor of gold, the author of all corruption! How imperiously does the flag of pride wave from the Bolt-sprit in the wind! But above all—O my dear fellows! how can you endure that wooden idol, that painted whore, that stands naked from the waist upwards at the prow? To what fortunes, think you, can you follow such a whore? But further, do we not shew the most unworthy distrust of providence, in committing ourselves to the guidance of an human pilot, and the government of a mortal's wisdom? To what end the rudder, the mast, and the tackle, those relics of our former abominations? To what purpose the sails, those rags of *DICTATORIAN* profanation? Is there the smallest mention made of them? Is there any command for them in our ancient laws? If there be not, with what assurance can we suffer such unwarranted innovations? O how my soul abhors such human, such carnal, such profane inventions? Let us fly, my dear companions, let us quickly fly from this damnable machine, whose keel I know to be rotten, and let us throw ourselves into the cock-boat, a vessel that has nothing of *DICTATORIAN* art or pride about it, and with a firm faith, commit ourselves to the protection of providence.["]

This speech made a strong impression on his unwary hearers, and the more, because of the vehement aversion they had to the DICTATORIAN abuses. So they, one and all, protested against every thing that looked like DICTATORIAN, and with one consent resolved to seize the cock-boat, and attempt a voyage in it through the wide sea.

This resolution they put in practice the very next day, and committed themselves to the ocean without oars, without rudder, and without victualing. They were no sooner got to sea in their little barque, than they perceived that it did not stir, and that they were in danger of being left motionless in the midst of the ocean, to starve for want of food, or perish by the next violent blast of wind. It was then first they had recourse to human help, and seized a rope that dragged after the ship in the water; so that they made a shift to keep up with the vessel. The rest of the crew, knowing nothing of their intention, threw out some other ropes to relieve them from the distress they were in, and hawl them too again. But instead of thanking them for their brotherly concern, they railed aloud at them, calling them vile and profane wretches, proud DICTATORIANS and whenever they saw any of them mounting the shrouds to order the tackle, or sails, they called them tyrants and high-flyers; and bid them beware of the hold and the dungeon, to humble their pride. In this mood they followed the ship, till at length they began to feel the want of victualling grew fast upon them, which made them call aloud for food to the ship; but their extravagant madness made them do it in such disobliging terms, that they on deck thought proper to refuse them for some time, till pity, and a tenderness for their lives, moved them to hand down some mouldy biscuit, and some coarse beef to them. This, although their hunger forced them to devour it, did not satisfy them. They insisted they were intitled to an equal share of the ship's provision, and cursed the crew for refusing it. Their male content spirit was still more enflamed, when the under sailors taunted them from the stern, and derided with great sharpness, their mad project, and the absurd defence they made for themselves. At last the captain, having found what was the matter, appeared at the cabbın window, and spoke to this effect;

"I am much troubled, my dear friends, for the extravagant spirit, with which I find you are possessed. Be assured, I have not the smallest intentions to tyrannize. I only took the office, I hold, at the request of you all; I am ready to lay it down again, if my administration has been faulty. But then you must elect another, order and government necessarily requiring it, and our laws giving sufficient warrant thereunto. We all abhor the flagitious lives, and miserable degeneracy of the DICTATORIANS, as much as you; but the rigging and ornaments of our ship,

were none of their crimes, being harmless and indifferent things. Without our rudder, our sails, &c. we cannot make the voyage; we must therefore retain them, as necessary to our preservation. Nor do we shew by so doing, any distrust of divine providence, which we can only hope to assist us, where human means fail. You yourselves perceive, that your hopes that providence would do that for you which you can do for yourselves, were idle, because it has deserted you, and left you to depend on that rope for your way, and on us for your victuals. I do not, like the rest of our crew, deride your folly, but I pity the unhappy resolution you have taken, which must inevitably end in your ruin, if not speedily laid aside. Return, let me earnestly beseech you, to your friends, and fellow sailors, and instead of destroying yourselves, help forward the common good of the community, you embarked in, at our departure from *DICTATORIA*. In purging ourselves of abuses, we have not so much regarded what was *DICTATORIAN*, as what was contrary to our antient law. Joined with us, you may live and prosper, but if you separate, you must perish."

Upon hearing this, one or two returned to a better mind, and were hawled up into the ship. The boat being driven against the ship by one wave, and overset by another, the rest were all lost.

1. The text printed here represents the complete "Allusion, The Seventh," from the Rev. Philip Skelton's *Truth in a Mask* (Dublin, 1744), 93–109. It was reprinted in the *The Works of the Rev. Philip Skelton . . .* in Dublin in 1770 and 1783.

One of the Common People **Boston Gazette, 3 December¹**

Messieurs EDES, A writer in the Centinel who calls himself "*One of the middle-interest,*" has gone into a long inquiry to find out "*where we learned the idea of a Bill of Rights.*" It is of little moment where it was learned, since we are possessed of so important and so invaluable a discovery, to guard the *people* against the increasing powers of artificial aristocracy, whose seeds are every where disseminated in free states. This writer thinks it would be superfluous to preface or combine with the federal constitution, a *bill of rights*, because the state constitution is already guarded by one.—If the new plan is adopted, every one knows the state constitution will be very materially and essentially altered; and so far will the security of our rights be precarious and dependent on meer acts of congress, which, without this barrier, may, and by the present tenor of the new constitution, will render our priviledges as undefined as this writer says are those of the subjects of England; which are only to be "*collected from meer opinions of the learned and contradictory*

authors." If we alienate a great part of the powers, at present contained in our state constitution, and vest them in congress, why is it not as necessary that those alienated powers should be secured and limited by a declaration of rights, as that the remaining powers which are left in the hands of the state government should be thus guarded, especially if the greater half are alienated? This writer says, a bill of rights is not necessary, because the first section declares "*that all legislative powers herein GIVEN (viz. given in the new constitution) shall be vested in congress;*" and then says, "*the legislative powers NOT GIVEN are not surely in congress.*"—But will he say that the powers *therein given* are *clearly and explicitly* defined? that the *boundary line* of the legislative jurisdiction *given* to congress is so plain as not to be mistaken or abused? that it will never *clash* with the jurisdiction claimed by the legislature of this state? Is the following clause of such a nature as to have any fixed or definite limits? "*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.*"—Unless some additional guard is added to define the above clause, here will be a fine field for ambitious or designing men to extend the federal jurisdiction.—In the course of a few years our state legislature will be annihilated, together with our bill of rights, which this writer says is a sufficient security: our *rights* will then depend on the *virtue* of the federal legislature; our *privileges* will then be sought after in a mass of mutilated laws, in *volumes of contradictory reports of the learned*. When this federal government is established, we shall have *two* bodies to legislate for us, and unless the powers which *each* body will have a right to exercise, be clearly defined, we must expect nothing but rival discord and contention, until the federal authority gains the ascendancy, as above predicted; or what may be worse, a revolt from their domination. This writer asks—"Where is the liberty of the press taken away?" If congress have a right to controul it, they may be said to have a right to take it away.—Will not the United States Attorney have the power to prosecute any printer for a pretended libel against the United States? Will not a printer be triable for a pretended libel against any foreign minister or consul, or for a libel against any of the individual states, by a federal tribunal? Are not such prosecutions warranted by the following clause in the new constitution? "*all controversies wherein the United States shall be a party, all cases affecting foreign ministers and consuls, and all controversies between a citizen and a state,*" shall be cognizable before a federal tribunal.—Cannot congress by virtue of this clause, restrain all publick

information of mal-administration? And will not congress have *absolute* uncontroled power over printers, and every other person within the United States territory, where there will undoubtedly be a great city?

Never was the trial by jury in civil cases thought so lightly of in America as at this day: we have bled for it, and are now almost ready to trifle it away—because in cases of default (which implies a consent of parties) there is no trial by jury, we must give up that inestimable privilege in all civil cases whatever.—This is fine reasoning sure; because we will not have a jury when we do not want them, we shall not when we do—This gentleman cannot be serious when he asserts, that “*if it were to be expressed WHAT civil causes should be tried by jury, it might take a volume of laws, instead of an article of rights;*” If it did I would have the volume, rather than hazard the priviledge.—But I will ask whether it requires this volume of laws to express that privilege in our state constitution? and whether there would be any difficulty in having it declared, that the citizens of each state shall enjoy it conformably to the usage in the state where the tribunal shall be established? he says “*doubtless congress will make some general regulations in this matter,*” but it will be well to recollect that they may *unmake* them, or *not* make them too, if they please, and *when* they please; but if it is a part of the constitution, the *people alone* will have the power to change or annul it.—It is too great a privilege to be left at loose. I sincerely believe if the federal constitution which shall be *given*, be *clearly defined*, and a *boundary line* be marked out, declaratory of the extent of their jurisdiction, of the rights which the state hold unalienable, and the privilege which the citizens thereof can never part with, the republick of America will last for ages, and be free.

1. Reprinted: *New York Journal*, 12 December; *Philadelphia Independent Gazetteer*, 14 December; *Cumberland Gazette*, 27 December. “One of the Common People” responds to “One of the Middling-Interest,” *Massachusetts Centinel*, 28 November.

The Massachusetts Printing of Benjamin Franklin’s Last Speech in the Constitutional Convention, 3–18 December

On 17 September, the final day of its meeting, the Constitutional Convention read and emended the engrossed Constitution. James Wilson then read a speech written by fellow Pennsylvania delegate Benjamin Franklin, explaining why Franklin supported the Constitution, even though he did not approve every part of it. Franklin, however, did not enumerate his objections, assuring the Convention that he “never whisper’d a Syllable of them abroad.” A strong central government, he believed, was necessary, and it was unlikely that “any other Convention” could produce a better document. In fact, Franklin was astonished that it was “approaching so near to perfection.” He expected “no

better" and was "not sure that it is not the best." Franklin asked each Convention delegate to sign the Constitution so that people would have greater confidence in it. Three of the delegates, including Elbridge Gerry of Massachusetts, did not sign.

On 30 October Nathaniel Gorham, another Massachusetts delegate and a signer of the Constitution, wrote Franklin asking for a copy of the speech "for the purpose of publishing it." On the same day, Gorham enclosed his letter to Franklin in another letter he wrote to Secretary at War Henry Knox in New York City, requesting that Knox forward it to Franklin and "send the answer to me if he incloses one to you for me." Gorham told Franklin that he hoped the speech's publication might change the minds of some of the Constitution's opponents. On 14 November Franklin sent Gorham a copy of his speech and gave him permission to publish it. This manuscript of the speech has not been located. After deleting several passages, Gorham submitted the speech to the *Boston Gazette* which printed it on 3 December, four days before the election of state Convention delegates in Boston. (See notes 6, 9, and 12, below, for the deleted passages.) The *Gazette* prefaced the speech with this statement: "The following ADDRESS of His Excellency BENJAMIN FRANKLIN, Esquire, to the PRESIDENT of the late Continental Convention, was delivered by him *immediately* before his Signing the proposed Constitution for the United States.—It may be relied on as AUTHENTIC—coming from a gentleman of respectability."

The *Boston Gazette's* version of Franklin's speech was reprinted in eight Massachusetts newspapers: *Massachusetts Gazette*, 4 December; *Massachusetts Centinel*, 5 December; *Cumberland Gazette*, 6 December; *Independent Chronicle*, 6 December; *Worcester Magazine*, 6 December; *American Herald*, 10 December; *Salem Mercury*, 11 December; and *Hampshire Gazette*, 12 December. Each newspaper reprinted the *Boston Gazette's* preface or an abbreviated version of it. Nathaniel Gorham wrote Henry Knox on 4 December that the publication of the speech "has had a wond[er]ful effect." On the 15th Gorham told Franklin that almost everyone has "read and applauded" the speech and that "it has been much used in Town meetings to inculcate moderation & a due respect to the opinion of others." Outside Massachusetts, the *Boston Gazette's* version of the speech was reprinted eighteen times by 21 December: N.H. (4), R.I. (3), Conn. (7), N.Y. (3), N.J. (1).

Seeking to counter the publication of Franklin's speech, "Z" quoted and commented on selected passages of the speech in order to demonstrate that Franklin signed the Constitution even though he believed it to be flawed (*Independent Chronicle*, 6 December). Unsigned articles in the *Cumberland Gazette* and the *Massachusetts Gazette* on 6 and 14 December, respectively, expressed similar ideas.

"A Federalist" denounced "Z" as a "quibbling, captious partizan" and defended Franklin's decision to support an imperfect Constitution because the "distracted States" needed the proposed new system (*Boston Gazette*, 10 December). On 20 December James Madison, then in New York City attending the Confederation Congress, sent a copy of "Z" to George Washington, describing "Z's" version of the speech as "both mutilated & adulterated so as to change both the form & the spirit of it" (CC:359). The unidentified writer in the

Massachusetts Gazette, 14 December, who supported "Z's" position, was answered by "Clito" and another writer in the same newspaper on 18 December.

Franklin also sent Daniel Carroll, a Maryland delegate to the Constitutional Convention, a copy of his speech, which Carroll read in the Maryland House of Delegates to refute some misrepresentations of Franklin's position made by Luther Martin. For the text of the manuscript speech sent to Carroll, see CC:77-A. An almost identical version of this speech was printed in the *Virginia Independent Chronicle* on 5 December. It was reprinted in ten newspapers by 16 February 1788: N.J. (1), Pa. (5), Md. (1), Va. (1), S.C. (1), Ga. (1); in a Richmond pamphlet anthology issued around 15 December (RCS:Va., 198-200, 241-43); and in the December issue of the nationally circulated Philadelphia *American Museum*.

Nathaniel Gorham to Benjamin Franklin
*Boston, 30 October*¹

Respected & Hond Sir

The speech you made in Convention just before the close of the business & I think the last day of our sit[t]ing was in the opinion of every one who heard you—exceedingly well calculated to correct that positive attachment which men are too apt to have for their own ideas—I am sure that it is a temper such as that speech inculcates which prevents war & bloodshed—the one I allude to is that where you observe on the French Lady who thought herself allways in the right—

The request I would therefore with all respectfull deference make Sir is that you would be so kind as to furnish me with a copy of it for the purpose of publishing it provided you do not think it improper The People of this State are so far as I can learn generally much in favour of the report of the Convention—there are however some few honest men who are not in that way of thinking—it is for such men I want to publish your speach—& you can have no idea of the weight & influence it would have in N England & I verily beli[e]ve throughout America—

I will take care to do it in such manner as not to wound you[r] delicacy of sentiments—

on the whole I submit the matter to your superior judgment—being anxious[ly?] desirous that you may be of the same mind with me on this subject—if you think proper to send it I will thank you to inclose it under cover to General Knox at N York, who will forward it to me without expence²—

Benjamin Franklin to Nathaniel Gorham
*Philadelphia, 14 November*³

You do me honour in asking a Copy of that little Speech. I have hitherto refused to permit its Publication: But your Judgment that it may

do good weighs much more with me than my own Scruples. I therefore enclose it, and it is at your Disposition.

Benjamin Franklin's Speech
Boston Gazette, 3 December

Mr. PRESIDENT, I Confess that I do not entirely approve of this Constitution at present,—but, Sir, I am not sure I shall never approve it: for having lived long I have experienced many instances of being obliged by better information or fuller consideration to change opinions even on important subjects, which I once thought right, but found to be otherwise. It is therefore that the older I grow, the more apt I am to doubt my own judgment, and to pay more respect to the judgment of others.—Most men indeed, as well as most sects in religion, think themselves in possession of all truth, and that wherever others differ from them, it is so far error. Steele, a Protestant, in a dedication, tells the Pope, that the only difference between our two churches, in their opinions of the certainty of their doctrine, is, the Romish church is infallible, and the church of England is NEVER IN THE WRONG.⁴ But though many private persons, think almost as highly of their own infallibility as that of their Sect,—few express it so naturally as a certain French lady, who in a little dispute with her sister, said, I don't know how it happens, sister, but I meet with no body but myself that is always⁵ in the right.⁶

In these sentiments, Sir, I agree to this Constitution, with all its faults if they are such;—because I think a general government necessary for us, and there is no FORM⁷ of government but what may be a blessing to the people, if well administered:⁸—and I believe farther, that this is likely to be well administered for a course of years, and can only end in despotism, as other forms have done before it, when the people shall become so corrupted as to need despotic government, being incapable of any other.

I doubt too whether any other Convention we can obtain, may be able to make a better Constitution. For when you assemble a number of men to have the advantage of their joint wisdom, you inevitably assemble with those men, all their prejudices, their passions, their errors of opinion, their local interests, and their selfish views.—From such an assembly, can a perfect production be expected?—It therefore astonishes me, Sir, to find this system approaching so near to perfection as it does. And I think it will astonish our enemies who are waiting with confidence to hear that our councils are confounded like those of the builders of Babel, and that our states are on the point of separation—

only to meet hereafter for the purpose of cutting one another's throats. Thus I consent, Sir, to this Constitution, because I expect no better, and because I am not sure that it is not the best.⁹ Much of the strength and efficiency of any Government in procuring and securing happiness to the people, depends on opinion,—on the general opinion of the goodness of that government, as well as of the wisdom and integrity of its governors. I hope therefore, that for our own sakes as a part of the people, and for the sake of our posterity, we shall act heartily and unanimously in recommending this Constitution,¹⁰ wherever our influence may extend, and turn our future thoughts and endeavours to the means of having it well administered.

On the whole, Sir, I cannot help expressing a wish, that every Member of the Convention who may still have objections to it, would, with me on this occasion, doubt a little of his own infallibility, and to make MANIFEST OUR UNANIMITY,¹¹ put his name to this instrument.¹²—

“Z”

*Independent Chronicle, 6 December*¹³

Mess'rs. ADAMS & NOURSE, When I read Dr. FRANKLIN's address to the President of the late Convention, in the last Monday's Gazette, I was at a loss to judge, till I was informed by mere accident, from which of the contending parties it went to the press. “I confess,” says the Doctor, (and observe the Printers tell us it was *immediately* before his signing) “I confess that I do not entirely approve of this Constitution at present.” Surely, I thought, no zealous foederalist, in his right mind, would have exposed his cause so much as to publish to the world that this great philosopher *did not* entirely approve the Constitution at the very moment when his “hand marked” his approbation of it; especially after the foederalists themselves had so often and so loudly proclaimed, that he had *fully* and *decidedly* adopted it. The Doctor adds, “I am not sure I shall never approve it.” This then is the only remaining hope of the foederalists, so far as the Doctor's judgment is or may be of any service to their cause, that one time or another he *may* approve the new Constitution.

Again, says the Doctor, “In these sentiments I agree to this Constitution, with all its faults, if they are such; because I think a general government necessary for us, and there is no FORM of government but what may be a blessing to the people, if well administered.” But are we to accept a form of government which we do not entirely approve of, merely in hopes that it *will* be administered well? Does not every man know, that nothing is more liable to be abused than power.

Power, without a check, in *any* hands, is tyranny; and such powers, in the hands of even *good men*, so infatuating is the nature of it, will probably be wantonly, if not tyrannically exercised. The world has had experience enough of this, in every stage of it. Those among us who cannot entirely approve the *new* Constitution as it is called, are of opinion, in order that any form may be well administered, and thus be made a blessing to the people, that there ought to be at least, an express reservation of certain inherent unalienable rights, which it would be equally sacrilegious for the people to *give away*, as for the government to *invade*. If the rights of conscience, for instance, are not sacredly reserved to the people, what security will there be, in case the government should have in their heads a predilection for any *one* sect in religion? what will hinder the civil power from erecting a national system of religion, and committing the law to a set of lordly priests, reaching, as the great Dr. *Mayhew* expressed it, from the desk to the skies?¹⁴ An *Hierarchy* which has ever been the grand engine in the hand of civil tyranny; and tyrants in return will afford them opportunity enough to vent their rage on *stubborn hereticks*, by *wholesome severities*, as they were called by national religionists, in a country which has long boasted its freedom. It was doubtless for the peace of *that* nation, that there should be an *uniformity* in religion, and for the same *wise* and *good* reason, the act of uniformity remains *in force* to these enlightened times.¹⁵

The Doctor says, he is "*not* sure that this [is] *not* the best Constitution that we may expect." Nor can he be sure that it might not have been made *better* than it now is, if the Convention had adjourned to a distant day, that they might have availed themselves of the sentiments of the people at large. It would have been no great condescension, even in that *august* Body, to have shown so *small* a testimony of regard to the judgment of their constituents. Would it not be acting more like men who wish for a *safe* as well as a *stable* government, to propose such amendments as would meliorate the form, than to approve it, as the Dr. would have us, "with all its faults, if they are such." Thus the Doctor consents, and hopes the Convention will ["act *heartily* and *unanimously* in recommending the Constitution, wherever their influence may extend, and turn their future tho'ts and endeavors to the means of having it well administered."¹⁶ Even a bad form of government may, in the Doctor's opinion, be well administered—for, says he, there is *no* form of government, but what may be made a blessing to the people, *if* well administered. He evidently, I think, builds his hopes, that the Constitution proposed, will be a blessing to the people,—not on the *principles* of the government itself, but on the *possibility*, that, with *all its faults*, it may be well administered;—and concludes, with wishing, that others,

who had objections to it, would yet, like him, doubt of their own infallibility, and put their names to the instrument, to make an *Unanimity MANIFEST!* No wonder he *shed a tear*,¹⁷ as it is said he did, when he gave *his* sanction to the *New Constitution*.

*Cumberland Gazette, 6 December*¹⁸

"What we feared, hath come upon us."¹⁹ The great Franklin hath signed the national constitution, not because he conceived it to be *good*, but because it might have been *worse*. Who can read his prediction of Despotism without a tear?²⁰—*LIBERTY!* fair goddess—must we part with thee!

A Federalist

Boston Gazette, 10 December

Messrs. EDES', No person can be at a loss to judge from what "*party*" the disingenious remarks on the great and good DR. FRANKLIN'S address originated in the Independent Chronicle of last Thursday—It is a matter of triumph to the friends of the proposed Constitution, that its opponents are indeed a "small party," a *disappointed* junto!—This quibbling Z. in his *usual* strain, wonders that the Doctor should *sign* the Constitution, when at the same time he did not *entirely* approve of it;—But Mr. *Infalibility!* he gives *such reasons* as are entirely satisfactory to every mind, not puffed up with vanity and *youthful* concomisms—nor is it the only subject of exultation to the Federalists, that the Doctor *may* one time or other, approve the Constitution: For he says, "That he is *not* sure that this is not the *best* Constitution that we may expect;" and further, "with all its faults, if they *are such*," he consents to it, and hopes the Convention will act HEARTILY and UNANIMOUSLY in recommending the Constitution wherever their influence may extend. The hopes of the Federalists are here turned into *vision*; and while *candour*, *experience*, and *wisdom*, have an advocate in the world, the name of FRANKLIN will sanction *their* approbation of the proposed system of Government. This Z. asks, Are we to accept a form of Government, that we do not *entirely* approve of? The answer is, Are we to remain destitute of a Constitution for these distracted States, till every quibbling, captious partizan shall say he entirely approves of the proposed system, or any other that may be framed?

The truth is, it is not the *new plan*, but *every* plan of Federal Government, that is the object of abhorrence to a majority of those who oppose the proposed Constitution: This is apparent from the *general tenor*

of their publications;—But when they clamour for a system that is *faultless*, or with which every individual shall be *perfectly suited* and *satisfied*—there can no doubt remain of the fact that they are inimical to every possible plan of Federal Government.

*Massachusetts Gazette, 14 December*²¹

To the PRINTER of the MASSACHUSETTS GAZETTE.

SIR, The artful and the ambitious frequently defeat their own projects by the injudicious methods they incautiously adopt to enforce their designs. This only can account for the mistaken policy which ushered to the publick eye the puerile speech published in the papers of last week. Tenderness to the infirmities of age, should have suppressed it, or a respect to the former character of the patriot and the philosopher, should have left it concealed beneath the roof where the liberties of America have been relinquished, under the disgraceful idea that mankind are incapable of being governed, but by the strong hand of aristocratick, or despotick authority. This candid motive would have forbid any observations from your correspondent, did not the welfare of thousands require an antidote to the insinuations of those who are forging domestick shackles for a country just emancipated from foreign dominion. I would therefore beg leave to observe, that it is beneath the dignity of a statesman to consent to a constitution he confessedly dislikes, and to recommend a mode of government that may last for ages, and involve one quarter of the globe—because it is his opinion that no future convention may have abilities and integrity to hit on a better system. It is not at all strange, that the doubting *Doctor*, who has been remarkable for scepticism from fourteen to four score, should, at that advanced period, express his *doubts* of the propriety of lending his signature to a system he seems to intimate will finally terminate in despotism. Nor is it surprising, that when the body is debilitated, and the mind worn out, in philosophical, theological and political researches, that the enfeebled sage should wish to rid himself of the trouble of thinking deeply on the fatal consequences of the *assumed powers* and *bold designs* of the *system makers* in Philadelphia. It might well be expected that he should stand trembling with apprehension for the rights of a country he has pretended to love—and that a group of ideas from the anticipation of a continent manacled by power, supported by standing armies, restless under deception, and rolling in blood, to break the newly fabricated chains, should involve his language in confusion and doubt, inconsistencies and absurdity. And the painful

dilemma into which the aged delegate appears to be thrown, but confirms the propriety of receding from the world before the humiliating period arrives, when a second childhood has weakened all the energetic principles of manhood. Nor will the pleasant interlude between two sisters of France,²² nor the infant tear²³ which accompanied his feelings of compassion, atone for the attempts to sanction, by his venerable name, a scheme that even the weakness of old age discovers to be very faulty, and acknowledges that he *agrees to it with all its faults*, because he *doubts* of his own judgment—*doubts* of the capacity of his accommodating brethren to do better—and *doubts* if he may not live to approve it hereafter.

Doctor Price observes, in his essay on the importance of the American revolution, that ["the United States are now setting out; and all depends on the care and foresight with which a plan is begun, which hereafter will require only to be strengthened and ripened. But that in America abuses have not gained sacredness by time—that there the way is open to social dignity and happiness—and reason may utter her voice with confidence and success—But that there is danger a society so happy will not be of long duration—that simplicity and virtue, will give way to depravity—that equality will in time, be lost—the cursed lust of domineering shew itself—liberty languish—and civil government gradually degenerate into an instrument in the hands of a few to oppress and plunder the many."²⁴

I leave these extracts, from so celebrated a character, to the consideration of those who mistakenly think they are promoting the federal union of America; and are pushing the adoption of recent measures with a degree of infatuation they may hereafter repent.

Newbury-Port, Dec. 11.

Nathaniel Gorham to Benjamin Franklin
Charlestown, 15 December²⁵

Your esteemed favour covering your observations I duly recd.—and had them (excepting a few lines) published; some very good Friends to our common Country supposed they might without injury to the performance be omitted—and as you was so obliging as to submit it in some to my disposition I ventured to do it—You can have no conception Sir of the happy effects that has attended this publication—it has been read and applauded by almost every body—it has been much used in Town meetings to inculcate moderation & a due respect to the opinion of others and is said by all (except about four or five persons) to contain those sentiments which only can procure the establishment of a Government in Peace—some of your old Friends in Boston say

that by this speech they can se[e] you in no other light than as the same Man you was forty years ago—by the returns that are made of the elections in this State the prospect is very encour[a]ging wishing that all our endeavours for the peace & prosperity of our Country may be successful I remain with every sentiment of esteem and respect—
Sir Your most Humble Servant

Massachusetts Gazette, 18 December

The *little* doctor (says a correspondent) whose *little* mind poured forth the unqualified torrent of abuse on the GREAT Franklin, in your last,²⁶ is advised to attempt an enlargement (if possible) of his *little* faculties; which, if effected, he *may* be able to discern the wisdom of the doctor's address, and the beauties of the proposed system. A FLY, on a PILLAR, (with his *little* eye) cannot discern the symmetry of the edifice which it supports.

Clito

Massachusetts Gazette, 18 December

MR. ALLEN, It is an easy thing for the greatest bungler upon earth to deface the most elegant and noblest structure of human ingenuity. Hence we find the proposed constitution is made the object of the scurrility and feeble vengeance of persons who have not wisdom to form a system for the most simple associations in nature. However, as we are in a free country, every man must be indulged in offering his sentiments upon what is published for general discussion. This idea, however, affords no excuse for such illiberal and abusive stuff as your Newbury-port correspondent has vented against the great, the venerable Franklin.²⁷ There is something in age which commands the respect even of savages; it is a duty which nature dictates, to treat our sires with veneration, and the wretch who is destitute of this principle, can justly anticipate nothing but contempt, should he be cursed with longevity.

The address of doctor Franklin, discovers that candour and greatness of mind, which results from a series of experience and the most liberal principles—it is alike exempted from the flightiness and assurance of youth, and the dogmatism and positiveness too often attendant on old age. The misrepresentations, and mangled quotations of this calumniator, may be easily traced by comparing the address with his remarks—This address is justly admired by all the friends to a federal system; & the attempts to blacken a character so perfectly invulnerable to the squibs of such scribblers, sufficiently discovers to what pitiful sh[i]fts the anti-federalists are reduced.

1. RC, Franklin Papers, PPAmP.
2. See Gorham to Henry Knox, 30 October.
3. FC, Franklin Papers, DLC.
4. Franklin refers to a dedication that appeared in Sir Richard Steele's edition of Urbano Cerri's *An Account of the State of the Roman-Catholic Religion Throughout the World*. The first and second editions appeared in London in 1715 and 1716, respectively. The satirical dedication to Pope Clement XI, written not by Steele but by Bishop Benjamin Hoadly, reads: "That You *cannot* Err in any thing You determine, and We never *do*. That is, in other Words, that You are Infallible, and We always in the Right" (p. ii).
5. "Always" is underlined in the version of the speech sent to Daniel Carroll.
6. At this point, Gorham deleted the following sentence that appeared in the version of the speech sent to Carroll: "*Il n'y a que moi qui a toujours raison.*"
7. "Form" is italicized in the version of the speech sent to Carroll.
8. This statement is possibly based on an oft-quoted couplet from the third epistle of Alexander Pope's *An Essay on Man* . . . (London, 1733): "For forms of government let fools contest,/Whate'er is best administred, is best)."
9. At this point, Gorham deleted the following sentences that appeared in the version of the speech sent to Carroll: "The Opinions I have had of its Errors, I sacrifice to the Public Good. I have never whisper'd a Syllable of them abroad. Within these Walls they were born, & here they shall die. If every one of us in returning to our Constituents were to report the Objections he has had to it, and endeavour to gain Partizans in support of them, we might prevent its being generally received, and thereby lose all the salutary Effects & great Advantages resulting naturally in our favour among foreign Nations, as well as among ourselves, from our real or apparent Unanimity."
10. At this point, the following statement appears in James Madison's version of the speech: "(if approved by Congress & confirmed by the Conventions)."
11. "Manifest" and "Unanimity" are italicized in the version of the speech sent to Carroll.
12. At this point, Gorham deleted the following paragraph that appeared in the version sent to Carroll: "Then the Motion was made for adding the last Formula, viz Done in Convention by the unanimous Consent &c—which was agreed to and added—accordingly."
13. Reprinted: *New Hampshire Gazette*, 12 December; *New York Morning Post*, 14 December; *New York Journal*, 17 December; *Worcester Magazine*, 3 January 1788; *Hampshire Gazette*, 16 January. The *Worcester Magazine* reprinted "Z" under the heading: "AGAINST the New Federal Constitution." The *Worcester Magazine* and the *Hampshire Gazette* had also reprinted Franklin's speech on 6 and 12 December, respectively.
14. In his published writings and sermons, Jonathan Mayhew (1720–1766), a prominent Boston Congregational minister, often attacked the Anglican clergy as a danger to American liberties, thereby contributing to the defeat of the attempt to establish an episcopacy in America. For example, Mayhew declared in a 30 January 1750 sermon that "*People have no security against being unmercifully priest-ridden but by keeping all imperious BISHOPS and other CLERGYMEN who love to 'lord it over God's heritage,' from getting their foot into the stirrup at all. . . . Rulers have no authority from God to do mischief. . . . In plain English, there seems to have been an impious bargain struck up betwixt the scepter and the surplice for enslaving both the bodies and souls of men*" (Bernard Bailyn, ed., *Pamphlets of the American Revolution* [Cambridge, Mass., 1965], I, 214, 228, 245).
15. The Act of Uniformity (1662) required all clergymen to declare "unfeigned assent and consent to all and every thing contained and prescribed" in the Book of Common Prayer of the established Church of England.

16. The italics in this sentence were inserted by "Z."

17. For three poems about the alleged shedding of a tear by Franklin when he signed the Constitution, see "George Washington and Benjamin Franklin in the Constitutional Convention," 19–21 November.

18. On the same day that it printed this item, the *Cumberland Gazette* reprinted Franklin's last speech to the Constitutional Convention.

19. A paraphrase of Job 3:25: "For the thing which I greatly feared is come upon me, and that which I was afraid of is come unto me."

20. See note 17.

21. This item was dated "Newbury-Port, Dec. 11." A response to this article printed in the *Massachusetts Gazette*, 18 December, described the author as "the *little doctor*." This is perhaps a reference to Dr. Daniel Kilham, one of Newburyport's representatives to the state House of Representatives who criticized the Constitution in the House debates on calling a state convention.

22. See Franklin's speech, at note 6.

23. See note 17.

24. A close paraphrase from Richard Price, *Observations*, 206, 207, 208.

25. RC, Franklin Papers, PPAmP. On 16 December Gorham enclosed this letter to Franklin in another he wrote to Henry Knox and asked Knox "to frank the Letter to the Old Doctor." (See below for Gorham's letter to Knox.)

26. See *Massachusetts Gazette*, 14 December.

27. See *Massachusetts Gazette*, 14 December.

Boston Gazette, 3 December¹

The antifederalists begin to fear that the *good sense* of the people will rise superior to *their* machinations against the Federal System—they have vehemently clamoured for a full, public discussion of the subject,—and having exhausted *themselves*, they now cry out for a truce.—Hear MENTOR in Saturday's Centinel "Would it not be wiser" says he, "to suspend all news-paper discussions either on Government or Characters? Let the intelligent inhabitants of America think for themselves," &c.—But Mr. Mentor will find himself mistaken if he supposes that they will keep their thought to *themselves*—No, they will not only *think*, but *speak*, *write* and *publish* their sentiments on the great subject of the Constitution, and scrutinize *characters* fully,—*Truth* is their object, & the friends of *truth*, *honesty* and an *efficient government* their confidence.

1. Reprinted: *Connecticut Gazette*, 7 December; *Providence Gazette*, 8 December; Middletown, Conn., *Middlesex Gazette*, 10 December; *Pennsylvania Journal*, 15 December. This item responds to "Mentor," *Massachusetts Centinel*, 1 December.

Nathaniel Gorham to Henry Knox Charlestown, 4 December (excerpt)¹

The acct. of the temper of Pen[n]sylvania & Connecticut contained in your last was truly pleasing²—I wish I could represent the good disposition of this State in as strong colours—but that cannot be done—Mr Gerrys Letter has done infinite mischief—

I am not to this moment convinced but Mr. King & I ought to have answered it³—however I do not despair—but am rather encouraged than otherways by the elections that have taken place. the disposition of Boston & indeed the whole of the Sea Coast is right—that if the Country is divided will turn the scale—I have recd a considerable share of Personal abuse in the News papers⁴ but it shall not discourage me from exerting my small share of influence in so good a cause—do write me all the encouraging news you can—Doctor Franklin favoured me with some observations he made just before he put his name to the Constitution—I have had it published—it has had a wond[e]rfull effect.⁵ . . .

1. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York.

2. This letter has not been located, but Knox also discussed the prospects for ratification in Pennsylvania and Connecticut in a letter he wrote to Nathan Dane on 21 November. Knox noted that “The elections in Pennsylvania are more favorable to the new constitution than was at first supposed—The whole number will consist of 65 members—49 are known to be for the Constitution. . . . The elections in Connecticut indicate a great Majority in favor of it” (CC:275).

3. See Elbridge Gerry’s 18 October letter to the General Court (I above); and a draft of Gorham’s and Rufus King’s point-by-point response to the letter (post-31 October).

4. For an example of an attack on Gorham, see “Candor,” *American Herald*, 3 December, in “George Mason and the Constitution,” 20 November–3 December.

5. See “The Massachusetts Printing of Benjamin Franklin’s Last Speech in the Constitutional Convention,” 3–18 December.

Agrippa IV **Massachusetts Gazette, 4 December**

To the PEOPLE.

Having considered some of the principal advantages of the happy form of government under which it is our peculiar good fortune to live, we find by experience, that it is the best calculated of any form hitherto invented, to secure to us the rights of our persons and of our property, and that the general circumstances of the people shew an advanced state of improvement never before known. We have found the shock given by the war in a great measure obliterated, and the publick debt contracted at that time to be considerably reduced in the nominal sum. The Congress lands are fully adequate to the redemption of the principal of their debt, and are selling and populating very fast.¹ The lands of this state, at the west, are, at the moderate price of eighteen pence an acre, worth near half a million pounds in our money. They ought, therefore, to be sold as quick as possible. An application was made lately for a large tract at that price,² and continual applica-

tions are made for other lands in the eastern part of the state.³ Our resources are daily augmenting.

We find, then, that after the experience of near two centuries our separate governments are in full vigour. They discover, for all the purposes of internal regulation, every symptom of strength, and none of decay. The new system is, therefore, for such purposes, useless and burdensome.

Let us now consider how far it is practicable consistent with the happiness of the people and their freedom. It is the opinion of the ablest writers on the subject, that no extensive empire can be governed upon republican principles, and that such a government will degenerate to a despotism, unless it be made up of a confederacy of smaller states, each having the full powers of internal regulation. This is precisely the principle which has hitherto preserved our freedom. No instance can be found of any free government of considerable extent which has been supported upon any other plan. Large and consolidated empires may indeed dazzle the eyes of a distant spectator with their splendour, but if examined more nearly are always found to be full of misery. The reason is obvious. In large states the same principles of legislation will not apply to all the parts. The inhabitants of warmer climates are more dissolute in their manners, and less industrious, than in colder countries. A degree of severity is, therefore, necessary with one which would cramp the spirit of the other. We accordingly find that the very great empires have always been despotick. They have indeed tried to remedy the inconveniences to which the people were exposed by local regulations; but these contrivances have never answered the end. The laws not being made by the people, who felt the inconveniences, did not suit their circumstances. It is under such tyranny that the Spanish provinces languish, and such would be our misfortune and degradation, if we should submit to have the concerns of the whole empire managed by one legislature. To promote the happiness of the people it is necessary that there should be local laws; and it is necessary that those laws should be made by the representatives of those who are immediately subject to the want of them. By endeavouring to suit both extremes, both are injured.

It is impossible for one code of laws to suit Georgia and Massachusetts. They must, therefore, legislate for themselves. Yet there is, I believe, not one point of legislation that is not surrendered in the proposed plan. Questions of every kind respecting property are determinable in a continental court, and so are all kinds of criminal causes. The continental legislature has, therefore, a right to make rules *in all cases* by which their judicial courts shall proceed and decide

causes. No rights are reserved to the citizens. The laws of Congress are in all cases to be the supreme law of the land, and paramount to the constitutions of the individual states. The Congress may institute what modes of trial they please, and no plea drawn from the constitution of any state can avail. This new system is, therefore, a consolidation of all the states into one large mass, however diverse the parts may be of which it is to be composed. The idea of an uncompounded republic, on an average, one thousand miles in length, and eight hundred in breadth, and containing six millions of white inhabitants⁴ all reduced to the same standard of morals, of habits, and of laws, is in itself an absurdity, and contrary to the whole experience of mankind. The attempt made by Great-Britain to introduce such a system, struck us with horror, and when it was proposed by some theorists that we should be represented in parliament, we uniformly declared that one legislature could not represent so many different interests for the purposes of legislation and taxation. This was the leading principle of the revolution, and makes an essential article in our creed. All that part, therefore, of the new system, which relates to the internal government of the states, ought at once to be rejected.

1. For example, on 27 October 1787 the Ohio Company, composed largely of men from Massachusetts, bought from the United States 1,500,000 acres of land in the North-west Territory. In this year Congress also received offers to purchase large tracts of land from the Symmes Associates and from Royal Flint, Joseph Parker, and their associates. Congress was also considering the sale of land to Europeans (RCS:Va., 1174n–75n. See also the letters of delegates to Congress in LMCC, VIII, 659, 660–61, 663, 670, 673–74, 674n, 679.).

2. The “application” for the state’s western lands (located in the state of New York) made by Nathaniel Gorham of Charlestown (a member of the House of Representatives) was postponed until the spring session. On 1 April 1788 the legislature contracted to sell the rights to these western lands to a group consisting of Gorham, Oliver Phelps of Granville, and others.

3. The eastern lands of the state were in Maine, long the scene of much speculative interest.

4. According to the census of 1790, the non-slave population of the United States stood at 3,231,647 (CDR, 300–301).

Massachusetts Gazette, 4 December

A S—— correspondent informs us, that the *principal* opposition, in that town,¹ to the new constitution, arises from a young gentleman in the typographical line, and a young mercantile character; and as both are young gentlemen of good sense and candour, he does not doubt but fair argument and candid reasoning will induce them to change their sentiments, if they perceive they are in an *error*.

1. A reference to either Salem or Springfield, which were the only Massachusetts towns whose names begin with the letter "s" that had printers in 1787. For a similar "Extract of a letter from a gentleman in Salem . . .," see *Massachusetts Gazette*, 28 December.

**Theodore Sedgwick to Henry Van Schaack
Stockbridge, 5 December¹**

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.²—

I am happy in being informed that a good man is elected in Becket.³ I am persuaded that if the dictates of prudence are persued, we shall at least preserve an equality in this county. I hope in God you will succeed in Pittsfield.⁴ 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.—

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.⁵

With regard to the Question you ask why have not the debts of the respective States been before this liquidated? I answer that the difficulty arises from the nature of our government and the terms of our union. The several States retaining their compleat Sovereignty, the whole business of the union of course must be conducted by requisitions. When they were made for men, money, provisions or any other object, the states complied either in whole, in part or not at all as a sense of justice, of policy or as whim, caprice, fear or any other passion happened to preponderate in the state legislatures. The modes of compliance too

were as variant as the passions, habits or circumstance of the people. The different degrees & kinds of evidence required to ascertain the demands which might arise in the negotiation de[s]cended to infinite variety. The innumerable frauds & peculations which arose in the cou[r]se of these transactions were incapable of detection. In many states they were encouraged & the authors of them protected. In no instance could congress call any of the servants of the public to account. That procrastination should be the result of these circumstances any mind will readily comprehend. But there was another evil tending to the same effect of a more pernicious kind, and which is inseperable from the State we are in. It is this that in consequence of the state sovereignties their respective Accounts must be adjusted within their several limits

1. RC, Sedgwick Papers, MHi. Endorsed: "Pittsfield December 5th 1787./The Honorable Theodore Sedgwick/Esqr." A second endorsement in a different handwriting reads: "contains copy J./Bacons letter changing/his opinion in favour/of adopting Constitution." For John Bacon's letter of 1 December, see IV below, Stockbridge section.

2. For the Stockbridge election of 30 November, at which Sedgwick was elected to represent the town in the state Convention, see IV below, Stockbridge section. Sedgwick voted to ratify the Constitution.

3. For the 3 December election of Elisha Carpenter, who voted to ratify the Constitution in the state Convention, see IV below, Becket section.

4. David Bush was elected to represent Pittsfield in the state Convention, but he did not vote on the Constitution. See IV below, Pittsfield section.

5. On 26 November the Great Barrington town meeting elected Dr. William Whiting to the state convention and appointed a committee to draft instructions for him. On 3 December the town rejected the proposed instructions, which would have ordered Whiting not to vote for ratification of the Constitution. It also reconsidered Whiting's election and in his place elected Elijah Dwight, who voted to ratify the Constitution. See IV below, Great Barrington section.

During Shays's Rebellion Whiting, presiding judge of the Berkshire County Court of Common Pleas, sympathized with the insurgents. In September 1786 he wrote an essay which Theodore Sedgwick charged contained seditious libel. Sedgwick forwarded a copy of the article (along with other materials) to Governor James Bowdoin in October. For the rest of the year, Whiting continued to be sympathetic to the Shaysites. In February 1787, after the defeat of the Shaysites, Whiting was arrested under a state warrant, and the next month he was removed from office. In April he was convicted of seditious libel, sentenced to seven months in jail, and fined £100. Governor Bowdoin refused to pardon Whiting, but he did remit the jail sentence.

One of the Middle-Interest

Massachusetts Centinel, 5 December¹

1st Objection.—That the trade will be transferred to the southern States, by the new Constitution.

2d Objection.—That Congress by that Constitution, will have a right to lay and collect taxes.

In my last I endeavoured to demonstrate that certain objections relative to the Bill of Rights—freedom of the Press—and trial by Jury, in the Federal Constitution, were groundless.

There is another objection of a less general nature, and directed to the local affections of the people of this metropolis: and that is “That the trade of Boston will be transferred by the new Constitution to Philadelphia.”² I compare this objection to that which an inhabitant of Boston-neck would have formerly made to the building a bridge over Charles-River, for fear it would lessen the trade at the south extreme of the town. Yet by that improvement, it is now believed, that the accession of people and property to the *whole* town is increased—and that a citizen at the south extreme participates in the general benefit arising from a fuller market, and more flourishing capital.—Such an idea as this, applies to all publick improvements. If however *any part* of America is to receive greater advantages than another from the new federal establishment, and from new national laws, it is this part of America, which has more particularly suffered from the old confederation, and from the want of commercial rules embracing the whole community.

The different States now pursue different systems of duties in regard to each other: By means of which, and for want of general laws of *prohibition* through the union, we have not secured even our own *coasting* trade among ourselves; though it has been the policy of all other nations to secure to themselves their own domestick traffick, and to prohibit transportation in foreign bottoms along their own shores. And surely no country is better circumstanced than ours for such a commerce.—Our long, long coasts, numerous rivers and various climates, have already made our domestick traffick an important object. But in this we are *now* superceded by strangers, and our neighbours of Nova-Scotia are permitted to vend their fish, oil and whalebone, at the southern States, when the New-England vessels can supply the same market. And this must be the case until Congress have a right to make laws comprehending alike all the States of the union. But it is not merely our *coasting* trade that suffers: Our whole commerce languishes!—Have we any general trade-law like that of other nations, which confines the importation of all foreign goods to ships of the *producing* and the *consuming* countries? If we had, we should not be obliged to Britain for the manufactures of India, Russia or Holland. We should in some cases encourage those countries where we trade, by employing their ships in preference to those of other foreigners, to whom we are less indebted;

and in other cases we should employ *American* ships, which would give full business to the *New-England ship-builders*. This would not be transferring the trade from Boston to Philadelphia, nor from Philadelphia to Boston; it would be encouraging the natural staple of New-England, at the expense of *foreigners*. Under the *new* Constitution such regulations *may be* made; and that they *will be* made is as certain as that they will be beneficial to the great whole:—But under the *old* Confederation, whether beneficial or injurious, they *never can* be made: Because there is no authority for that purpose. We have no uniformity in duties, imposts or *prohibitions*: And Congress has no power to withhold *some* advantages from foreigners, in order to obtain *other* advantages from them.

By the 9th article of the old Confederation, Congress may enter into treaties and alliances under certain provisos. By such right, Congress, and a foreign nation may settle a treaty of imposts and duties, on exports and imposts, which may not be enlarged during the term of the treaty by the foreign nation or any of the States: But Congress cannot undertake that any one State shall not by force of the proviso render the whole treaty a nullity.

Some people suppose, that because we are stiled by the old articles, sovereign and independent States, it was intended we should not only be independent of England and Europe, but of each other. Whatever was intended, it is clear that we *are* independent of each other: For if one State makes a law to prohibit foreign goods of any kind, or to draw a revenue, from any imposition upon such goods, another State is sure to take the advantage, and to admit such goods free of costs. By this means it is well known how the trade of Massachusetts is gone to Connecticut, and that for want of a revenue, our own *State taxes* are increased. The insurrections that disgraced this Commonwealth the last winter, may be all traced up to this source. The State to increase its revenues and to pay its debts, made navigation laws—Connecticut did not, and the trade went to the latter. Massachusetts, losing its revenue with its trade, was under the necessity of laying a heavier tax; and the disaffected opposed with arms.

Another objection which has been made to the new Constitution is, that Congress is therein authorized to lay and collect *taxes*. That Congress have not now such a right is one leading exception to the old articles, and was one great inducement in calling the late Convention. By those articles, Congress have a right to *ascertain* the necessary sums of money to be raised for the service of the United States, and to *appropriate* and *apply* the same, but are left without the means to draw this money from the States. This single defect renders the old articles a nullity. They indeed create an *honourary* obligation on the States to

raise the money by taxes, but do not give to Congress any authority to oblige the States to comply with their own obligation. Now, if Congress have [a] right to borrow for the use of the United States, they ought to have a right to pay the loan—a right to borrow without a power to pay, is absurd. This indeed has been one great cause of publick expense—Congress could never be explicit, touching their terms of payment in their negotiations with foreign powers. They have indeed pledged the faith of the United States, but not having been authorized to collect monies with which to satisfy the publick obligations, they have done business at a great disadvantage for the United States, and put the people to much greater expense on that very account.

The difficulty we have experienced in raising taxes in our own State, is one reason in the minds of some honest people, against giving the power of laying and collecting taxes to Congress. But such people do not consider that those same taxes may not have been necessary if we had enjoyed national regulations; and that the same constitution which is to give this authority to Congress, is also to give those commercial powers before mentioned, which will make proper impositions on foreign trade, and derive such revenues by way of impost and excise, as will greatly diminish direct taxation. Taking therefore the whole system together, we must, I think, gain much in the subject of taxes, by giving Congress this power—for even upon the *old* plan, if we mean to support the Union, we must lay and collect taxes to comply with continental requisitions, without the power of lightening such taxes by revenues arising from general laws of commerce.

Again, if we should not give to Congress the power of regulating trade, and so no advantages should accrue to the States on that head, still the act of vesting in Congress the power to collect the taxes, considered in itself abstractedly, lessens those very taxes: Because, as I just hinted, Congress may contract for the defence or benefit of the United States, with a foreign power or any of our own citizens, with much greater advantage, when it is known that the contractors themselves have the immediate means of satisfaction, without being at the mercy of a disaffected State. Congress therefore, by having less to pay, will have fewer taxes to collect. The disadvantages under which we labour for the want of power in the federal head to lay and collect taxes, are such as an independent people ought not to suffer. Upon our present establishment, the delinquency or neglect of a single State to obey a Continental requisition for the payment of a debt or compliance with a treaty, may plunge us into all the horrors of war.

1. Reprinted: *Cumberland Gazette*, 20 December. For the first part of this essay signed "One of the Middling-Interest," see *Massachusetts Centinel*, 28 November.

2. See the first disadvantage under the new Constitution in "Truth: Disadvantages of Federalism Upon the New Plan," 14 November.

John Adams to Thomas Jefferson
London, 6 December¹

The Project of a new Constitution, has Objections against it, to which I find it difficult to reconcile myself, but I am so unfortunate as to differ somewhat from you in the Articles, according to your last kind Letter.²

You are afraid of the one—I, of the few. We agree perfectly that the many should have a full fair and perfect Representation.—You are Apprehensive of Monarchy; I, of Aristocracy.—I would therefore have given more Power to the President and less to the Senate. The Nomination and Appointment to all offices I would have given to the President, assisted only by a Privy Council of his own Appointment Creation,³ but not a Vote or Voice would I have given to the Senate or any Senator, unless he were of the Privy Council. Faction and Distraction are the sure and certain Consequence of giving to a Senate a Vote in the distribution of offices.

You are apprehensive the President when once chosen, will be chosen again and again as long as he lives. So much the better as it appears to me.⁴—You are apprehensive of foreign Interference Intrigue, Influence.—So am I.—But, as often as Elections happen, the danger of foreign Influence recurs. the less frequently they happen the less danger.—and if the same Man may be chosen again, it is probable⁵ he will be, and the danger of foreign Influence will be less. Foreigners, seeing little Prospect will have less Courage for Enterprize.

Elections, my dear Sir, Elections to Offices which are great objects of Ambition, I look at with terror.—Experiments of this kind have been so often tryed, and so universally found productive of Horrors, that there is great Reason to dread them.

Mr Littlepage⁶ who will have the Honour to deliver this will tell you all the News.

1. RC, Jefferson Papers, DLC. In his "Summary Journal of letters," Jefferson recorded this letter as received on 13 December (Boyd, XII, 397n).

2. See Jefferson to Adams, 13 November (CC:Vol. 2, pp. 463–64).

3. See also Abigail Adams Smith to John Quincy Adams, 10 February 1788 (CC:Vol. 2, p. 502).

4. Abigail Adams wrote that some of her husband's "Sentiments I presume will be very unpopular in our Country, but time and experience will bring them into fashion, every day must convince our countrymen more & more, of the necessity of a well balanced government and that a Head to it, is quite as necessary as a body & Limbs. the Name by

which that Head is called is of very little consequence but they will find many Heads a Monster" (to Cotton Tufts, 20 February 1788, Adams Family Papers, MHi).

5. Adams's letterbook copy reads "possible" (Adams Family Papers, MHi).

6. Lewis Littlepage of Virginia, chamberlain to the King of Poland since 1786, was in Paris on "a secret commission" from the king. He left for London around 12 November and returned to Paris by 31 December.

Oliver Phelps to Elbridge Gerry Granville, 6 December¹

Inclosed is sum remarks made by the Landholder to your objections to the New proposed Constitution w[h]ich I take the liberty to send you as I Conclude they have Not been publis[h]ed in the Boston paper[.]² these remarks appear to me to be very superficial and Calculated only to amuse and deceive the people, It is my h[e]arty wish that this author might be particularly answerd and the objections against (which I think there is many unanswerable ones) the Constitution more fully and Clearly pointed out—I know of No own [i.e., one] so capeable of doing it as your self—if it should not suit you to answer it under your own signature—You would exceedingly oblige me by writing on the subject and inClose to me—that I may have it publishd in the Hartford paper as that paper principally surculates in Hampshire and Berkshire Counties—as well as throughout Connecticut³—I pledg[e] you my honor (if it is your wish) that No one shall Know the author—a letter put into the post office at Boston will reach me in three Days—You will pardon the liberty I have taken[.] Nothing but a wish to reserve the liberties of my Country has indused me to write you on the Subject—

1. FC, Phelps and Gorham Papers, New York State Library. The letter has neither the place of writing nor the name of the writer, but the handwriting belongs to Oliver Phelps of the Hampshire County town of Granville. Phelps (1749–1809), a native of Connecticut, a merchant, and a land speculator, represented Granville in the state House of Representatives, 1778–81, 1784–85, and in the state constitutional convention, 1779–80. He represented Hampshire County in the state Senate, 1785–87, and was a member of the Governor's Council, 1787–88. In April 1788 Phelps and Nathaniel Gorham purchased the rights to Massachusetts' lands in western New York.

2. On 26 November and 3 December the Hartford *Connecticut Courant* printed Oliver Ellsworth's "A Landholder" IV and V (CC:295, 316), which were responses to Gerry's 18 October letter to the Massachusetts General Court outlining his reasons for not signing the Constitution. The *Massachusetts Centinel*, 5 and 15 December, reprinted these essays. Gerry was also attacked by "A Landholder" VIII, *Connecticut Courant*, 24 December (CC:371), which was reprinted in the *Massachusetts Centinel* on 2 January 1788. Three days later Gerry replied to this essay in the *Centinel*.

3. Granville is about twenty-five miles northwest of Hartford, Conn.

Cumberland Gazette, 6 December

Mr. WAIT,

“*To be, or not to be; that’s the question.*”

It is, or it may be.

Are the United States of America to be melted down into *nothing*? or are they to retain their dignity and importance? Are they to enjoy the privileges they now possess? or are they to have such as CONGRESS may *please* to give them? For it is manifest that so large an extent of territory as belongs to the United States cannot be governed in one district. It therefore must be divided. The division must be made by Congress; or it must arise from the States that *now* exist, or hereafter may exist. In the former case, the districts will have such privileges as Congress may, from time to time, see fit to give them; which privileges Congress may also curtail at pleasure:—in the latter case, the States will possess and enjoy the privileges they ought to have for the GOOD of the people at large. *Solus populi seprema est lex.* The GOOD of the people is, and ought to be, the *grand* object of attention in government.

GOOD and EVIL are now before us; and we may chuse which we please. If it is GOOD that the people should enjoy their liberties, we shall chuse that the States shall possess and enjoy such privileges as that the people will be secure of their rights and liberties. If it is not GOOD that the people should enjoy their liberties, then we shall chuse that Congress shall divide their EMPIRE, and tell their different districts, or provinces, what they *shall* do from time to time. In this latter case, if the people are easy it is well—if the people are not easy, it is as well: for it will be a matter of indifferency to Congress whether they are easy, or not. My brethren have, therefore, to guard their rights: and Americans will never shamefully neglect them.

Notwithstanding the above, Mr. Printer, I think the Constitution proposed incomparably GOOD, provided it be properly guarded by a FEDERAL BILL OF RIGHTS: for it matters not what it *may* contain, provided the federal Bill of Rights be *explicit*:—nay, it would be a *benefit* if the proposed Constitution should be capable of being construed into a sense that *might* militate with the federal Bill of Rights, provided its most natural and most easy sense should accord with *such a bill*: for in such a case any *sinister* designs of Congress would be more easily detected; and States, or Conventions of the people, would the more easily counteract them.

Whether the federal House of Representatives shall have the *sole* power of impeachment, or whether other bodies may impeach, is yet

to be determined. An Hutchinson, &c. have been impeached by the *once* province of the Massachusetts-Bay.¹

GUARD YOUR RIGHTS, AMERICANS!

1. In December 1772 Benjamin Franklin, the colonial agent of Massachusetts, sent Thomas Cushing, speaker of the Massachusetts House of Representatives, a cache of private letters that Thomas Hutchinson, Andrew Oliver, and others, had written (beginning in the mid-1760s) to Thomas Whately, a former secretary to the Treasury under George Grenville. (Whately had died in June 1772.) Franklin insisted that the letters be neither copied nor printed, but shown only to the proper persons. In June 1773 Samuel Adams read the letters in closed session to an outraged House of Representatives. The letter that angered the House most was, perhaps, one that Hutchinson wrote on 20 January 1769, which declared that "There must be an abridgment of what are called English liberties." The House voted overwhelmingly that the letters were designed "to overthrow the constitution of this government and to introduce arbitrary power." Shortly after, the House adopted resolutions denouncing the letter writers for seeking honor and profit at the expense of the colony's charter and constitution and the rights and liberties of the American colonies. The House petitioned the King requesting that Governor Hutchinson and Lieutenant Governor Oliver be removed from office. Some of these letters were printed in a Boston pamphlet and several Boston newspapers, and they were widely circulated throughout the American colonies.

Candidus I

Independent Chronicle, 6 December

On 23 December John Quincy Adams and Christopher Gore noted in letters that "Candidus" and "Honestus" were one and the same person. Since it was generally believed that Benjamin Austin, Jr., a leader of the Boston mob, was "Honestus," Adams and Gore believed that Austin was also "Candidus." "Honestus" had aroused the hostility of many prominent persons when, in 1786, he published a series of essays in the *Independent Chronicle* that severely criticized lawyers and called for substantial reform in the state's legal system.

A Salem gentleman, writing to a Boston friend on 23 December, also believed that "Honestus" and "Candidus" were written by the same person. He described Austin as the "supposed author" of the "Honestus" essays, who he never thought was the "tool" of Samuel Adams. However, the "laboured absurdities" of "Candidus" convinced the gentleman that he was wrong. Adams, the gentleman had learned, was "an enemy" to the Constitution and "Honestus" was "the oracle of his anti-federalism" (*Massachusetts Gazette*, 25 December).

For criticisms of "Candidus," who published other essays in the *Independent Chronicle* on 20 December and 3 January 1788, see unsigned pieces in the *Massachusetts Gazette*, 11 December and 4 January; a spurious "Candidus," *Massachusetts Centinel*, 26 December; "Thomas a Kempis," *Massachusetts Centinel*, 29 December; and "Junius," *Massachusetts Gazette*, 4 January 1788.

Mess'rs. ADAMS & NOURSE,¹ The Constitution recommended by the Convention, is a subject of the greatest importance, to every individual of these States; and ought to be seriously considered. The respectability

of the characters who composed that Assembly, without doubt, will have its due weight; yet it cannot be supposed, that the citizens of America, will so far rely on the abilities of those gentlemen, as to concur in their measures, while any doubts remain on their minds, respecting their salutary operations.

Some leading arguments offered in favour of the Constitution, are, that our situation, is such, as renders it absolutely necessary, we should establish some Federal Plan of Government;—that the present Constitution, is the *only one* that can ever be adopted; and that if we *reject this*, the consequences will be fatal to this country. These dreadful apprehensions seem to preclude every candid enquiry on the subject: For if we *must comply*, without even a lisp of hesitation, it is needless to offer it to the people, for their consideration. If the authors are *deified*, and their works pronounced *infallible*, it is delivered to the people, rather for their *implicit acquiescence*, than for their *free deliberations*.

It is also said, that the States have no other alternative, than to *accept* it in every particular, or totally to *reject* it. These observations, however, I conceive, are mere assertions, without evidence. The people being called on to convene, and deliberate, proves that the Convention themselves, supposed the plan was subject to amendments. Neither can we imagine, those respectable characters, would insinuate an idea so affronting, and degrading, to the Freemen of these States, as that they *must submit* in the gross, to the Constitution offered, notwithstanding they might have the most weighty reasons to reject some *particular parts*.

It is further said, *that anarchy and civil war, will ensue, provided we reject the proposed Constitution*: This is a bugbear, raised to influence a very respectable part of the community. Can it be supposed that the people, are so savage, and void of every principle of common prudence, that they would abandon all their deliberations in Council, and rush immediately to arms? The people of these States, are too wise and considerate, to be guilty of such horrid imprudencies: They are too enlightened, to decide their political controversies by the SWORD. Those persons therefore, who raise such vile suggestions, are endeavouring to effect certain purposes, by working on the tender passions of the honest and well-disposed.

Some persons are for adopting the Constitution, without any farther consideration, as they say it is *impossible* for us to be in a worse situation than at present. Such men are fit subjects to answer any purposes whatever, and are acting a part which they cannot justify to themselves or posterity. Are not such sentiments degrading to the character of Freemen? It must be a melancholly crisis when the people are tired of guarding their liberties; and are resigned to whatever government is

dealt to them. If our commerce is failing, and our industrious citizens are distressed, so far from being dilatory, the more caution is required, to adopt such a plan as will remedy their complaints. Let such persons read the history of other nations, and then judge whether it is *impossible* that our situation should be worse.

Is it presumed, that the wisdom of this people has so far forsaken them, that they are willing to accede without any examination, to a mode of government, which may affect millions of their posterity? Or is it conceived that the period has arrived when they are ready to resign every pretension to judge for themselves, and dare not scrutinize any establishments on which depend their political happiness and welfare?

On the other hand, if the State Conventions do not approve of every paragraph, *must the whole plan* become null and void? Shall the people, after being at the trouble of choosing members to meet in Convention; and taxing themselves with the expence of their assembling, be *obliged* to relinquish the whole business, and throw up every prospect of succeeding in their attempts, to establish a permanent government? These suggestions I conceive are artfully introduced to mislead the people, and are calculated to operate on their *fears*, so far as to influence them to accede *in every particular* to the proposed plan, although they might wish to make some very essential alterations.

Is it not the greatest absurdity to suppose, that the plan offered, *cannot* be amended previous to its adoption,—when it expressly provides for proposing amendments after it has begun to operate? Would it not be the height of folly, to adopt a plan *entire*, in expectation of altering some very essential parts at a future period? Surely the most prudent method is, to rectify all important matters, while we are assembled to deliberate on the subject, rather than to hazard the chance of feeling evils, when possibly it may be too late to remedy them? These are considerations, worthy our serious attention.

Some zealots are in extacy, when they speak of the present Constitution, and think it as sacred as the Commandments delivered from *Sinai*. But if we recur to what gave rise to the Convention, we shall not find that any thing super-natural was expected. The plain truth of the case is, these States finding the necessity of adopting a Federal plan to regulate their commerce, promote their agriculture and manufactures, chose from each State a number of respectable characters to meet for the above purposes.—They accordingly met, and after four months deliberation, they matured the plan now offered for our consideration. No man I presume did suppose at the time of their choice, that the devised plan, whatever it might be, was to be *rejected* or *approved* in every

particular. The principal design at first was, to bring forward some preliminary articles, by which the people might know the general disposition of the States; and from thence they would be able to judge, how far it was probable a Federal system could be adopted. The Constitution now offered is the outline of a plan, which probably might be agreed on with certain amendments by the whole confederacy. This knowledge of the inclination of the several States, is as much as we could rationally have expected at the first meeting of the Convention.

Those persons who are in such *great haste* to adopt the present plan, should consider that even the smallest treaties and most common business of legislation require many overtures before they are accomplished. Certainly then so great an undertaking as the Federal Constitution of thirteen Independent Sovereign States, so various in their interests, cannot be completed without the greatest caution and deliberation. We should not be so greatly impatient if we considered this important truth, *that on the wise establishment of a Federal plan, the liberties we have so dearly purchased, wholly depend.*

The grand question therefore now is, what objections have we to the system offered? The State Conventions when they assemble, without doubt will keep the *original plan*, as entire as possible. It is not supposed, that they will object to any matters, but such as they conceive are destructive to the liberties of the people. Provided objections are made, "*that a bill of rights is wanted: That the liberty of the press is not fully secured: That the powers of Congress to raise armies, lay impost, excise and direct taxation, are too great and dangerous: That the representation is inadequate: That the executive is vested with too extensive authority, and may tend to despotism: That the Legislatures of the several States would in time be annihilated: That the Congressional body would become independent of their constituents, by being paid out of the public treasury: That the choice of President by a detached body of electors was dangerous and tending to bribery; or if it is conceived that the States ought to confederate for the purposes of commerce and amity, rather than for those of legislation and taxation.*["] If after a mature and candid examination the State Conventions should consider the foregoing objections of the highest importance, without doubt they would propose, that such particulars should be *erased*, and *amendments* inserted.

The State Conventions in case any alterations are required, have it in their power to choose delegates to meet again in Continental Convention. The objections (if any) of the several States would then be fully known, and after examining the sentiments of the whole, some plan it is probable would be devised, that would meet the approbation of the confederacy. As the people are now convinced (even more than

when the late Convention was chosen) of the necessity of adopting some permanent foederal Constitution.

Many people are sanguine for the Constitution, because they apprehend our *commerce* will be benefited. I would advise those persons to distinguish between the evils that arise from extraneous causes and our private imprudencies, and those that arise from our government. It does not appear that the embarrassments of our trade will be removed by the adoption of this Constitution. The powers of Europe do not lay any extraordinary duties on our *oil*, *fish* or *tobacco*, because of our government; neither do they discourage our ship building on this account. I would ask what motive would induce Britain to repeal the duties on our *oil*, or France on our *fish*, if we should adopt the proposed Constitution?² Those nations laid these duties to promote their own fishery, &c. and let us adopt what mode of government we please, they will pursue their own politicks respecting our imports and exports, unless we can check them by some *commercial* regulations.

But it may be said, that such commercial regulations will take place after we have adopted the Constitution, and that the northern States would then become carriers for the Southern. The great question then is, whether it is necessary in order to obtain these purposes, for every State to give up their whole power of *legislation* and *taxation*, and become an unweildy republick, when it is probable the important object of our commerce could be effected by a *uniform navigation act*, and *giving Congress full power to regulate the whole commerce of the States*? This power, Congress have often said was sufficient to answer all their purposes. The circular letter from the Boston merchants and others, was urgent on this subject. Also the navigation act of this State,³ was adopted upon similar principles, and which was declared by our Minister in England, to be the most effectual plan to promote our navigation, *provided it had been adopted by the whole confederacy*.⁴

But it may be said, this regulation of commerce, without *energy* to enforce a compliance is quite ideal: *coertion* with some persons seems the principal object, but I believe we have more to expect from the *affections of the people*, than from an armed body of men. Provided an uniform commercial system was adopted, and each State felt its agreeable operations, we should have but little occasion to exercise force. But however, as power is thought necessary to raise an *army*, if required, to carry into effect any foederal measure, I am willing to place it, where it is likely to be used with the utmost caution. This power I am willing to place among the confederated States, to be exercised when *two thirds* of them in their *Legislative capacities* shall say the common good requires

it. But to trust this power in the hands of a few men delegated for two, four and six years, is complimenting the ambition of human nature too highly, to risque the tranquility of these States on their absolute determination. Certain characters *now on the stage*, we have reason to venerate, but though this country is now blessed with a Washington, Franklin, Hancock and Adams, yet posterity may have reason to rue the day when their political welfare depends on the decision of men who may fill the places of these worthies.

In considering the proposed Constitution, it is very necessary to distinguish what may give an undue influence to a particular profession and what ought to be adopted for *national purposes*. This party-influence is very evident in the powers vested in the Supreme Judicial. These powers extending "between citizens of different States," also "between citizens of a State, and citizens of foreign States," will I apprehend occasion innumerable judicial controversies; and the people will become exposed to the most expensive law suits; as almost every cause (even those originally between citizens of the same State) may be so contrived as to be carried to this foederal court. A poor man may be harrassed by tedious and expensive appeals to this Supreme Court, or "such *inferiour Courts as Congress may from time to time ordain and establish*."

The question then on this subject is, whether the judicial power ought to extend to any other than *national matters*, such as "treaties," &c. And whether the Judicial Courts of the several States are not competent, to decide as usual on the controversies of the individuals of the several States?

It is said, that the parties by this establishment, may appeal to a disinterested foederal Court, which will secure to them a fair trial, and an impartial judgment. But this mode of reasoning is calculated to mislead, by a false insinuation, rather than to prevent any evils which at present exist. The equity of our State Judicial Courts, has never been a subject of complaint. Why then should we give up these State trials, and suffer ourselves to be harrassed by a long and expensive appeal to a Continental Supreme Judicial Court? Would not such appeals serve to give every advantage to the rich over the poor? The tradesman, mechanic, and farmer, would by this establishment, be exposed to every imposition from the wealthy; as the former could not spare the time, and defray the expence of prosecuting their legal claims, distant from home. This mode also gives every advantage to British and other foreign creditors to embarrass the American merchant by appeals to this Court.

Upon the whole, we are too apt to charge those misfortunes to the want of *energy* in our government, which we have brought upon ourselves by dissipation and extravagance; and we are led to flatter ourselves, that the proposed Constitution will restore to us peace and happiness, notwithstanding we should neglect to acquire these blessings by industry and frugality.—I will venture to affirm, that the extravagance of our British importations,—the discouragement of our own manufactures, and the luxurious living of all ranks and degrees, have been the principal cause of all the evils we now experience; and a general reform in these particulars, would have a greater tendency to promote the welfare of these States, than any measures that could be adopted.—No government under heaven could have preserved a people from ruin, or kept their commerce from declining, when they were exhausting their valuable resources in paying for superfluities, and running themselves in debt to *foreigners*, and to *each other* for articles of folly and dissipation:—While this is the case, we may contend about forms of government, but no establishment will enrich a people, who wantonly spend beyond their income.

The foregoing observations are intended solely to guard us against the artful suggestions of partizans on either side, and to remove every undue bias, while we are deliberating on this important subject.—I cannot but console myself, that some measures will be adopted by the several States, to promote the great purposes of agriculture, trade and manufactures; and provided the plan now offered should not be wholly accepted, it is presumed the wisdom of the States will not suffer the materials to be thrown away; but will carefully select the choicest, and on the basis of PUBLIC CONFIDENCE establish some foederal system, that will not be dissolved till the consummation of all things.

1. On 30 November the *Independent Chronicle* announced: “Candidus is received, and will appear in our next.”

2. In December 1783 Great Britain levied an import duty of £18 3s a ton on American whale oil. By this duty, which devastated the whaling industry, Massachusetts lost one half of its total exports to Great Britain (Morris, *Forging of the Union*, 141). In 1785 the French government gave French fishermen bounties to export dried cod to the French West Indies, and it levied a duty on cod imported from other countries (Vernon G. Setser, *The Commercial Reciprocity Policy of the United States, 1774–1829* [1937; New York, 1969], 89).

3. In June 1785 the General Court passed an act prohibiting the exportation of all products in British vessels after 1 August 1785. This discriminatory policy would stay in effect as long as Britain continued its anti-American commercial policies or until Congress was given the power to regulate commerce and actually passed an effective ordinance. The General Court repealed several provisions of the act on 29 November 1785 and suspended the act on 5 July 1786 until the other states passed similar acts.

4. John Adams was pleased to learn of the adoption of the Massachusetts navigation act of June 1785. He informed John Jay, the Confederation Secretary for Foreign Affairs,

that “. . . the commerce of America will have no relief at present, nor, in my opinion, ever, until the United States shall have generally passed navigation acts. If this measure is not adopted, we shall be derided; and the more we suffer, the more will our calamities be laughed at. My most earnest exhortations to the States, then, are, and ought to be, to lose no time in passing such acts; they will raise our reputation all over the world, and will avail us in treating with France and Holland, as well as England; for, when these nations once see us in the right way, and united in such measures, they will estimate more highly our commerce, our credit, and our alliances” (21 October 1785, Adams, *Works*, VIII, 332. See also Adams to Jay, 25 August 1785, *ibid.*, 302, 305.).

An American

Independent Chronicle, 6 December

Mess'rs. ADAMS & NOURSE, In my last, I mentioned the various checks, which were formed by the new Constitution, to prevent the abuse of power by the Congress:¹—In addition to which, it may be observed, that the Members of Congress, being the Representatives of different and distant States, whose views will always be different in some political points, will ever be a check to any measures injurious to the States; as it is next to impossible, that so many men, so circumstanced, should unite in measures destructive to their constituents,—or be deceived by the arts of designing enemies to their country.

In order to form a just opinion of this Constitution, we must view it in all its parts, as a *system* of government. It is always very easy to raise objections, but unless the objectors, hold up another system, by which means the comparative excellencies may be examined,—we certainly ought not to discard this system.

By the neglect of the *objectors*, to offer *their system*, it is presumed, that either they have none, or it is such as they know will not be acceptable to the people,—or their design is to prevent any form of Federal Government.—Until the *objectors* explain themselves, by offering their own plan, to dispute with them is wasting time, and throwing arguments to the wind.

No form of government, will make a nation happy, unless there is an active vigilance, in the people, to watch over it, and see that it is well administered. But the objectors to the new system, seem to suppose that the people of America, will fall asleep, become ignorant and stupid,—and that their Representatives in Congress, will be fools and knaves:—I entertain a better opinion of my Countrymen, and believe they will ever be too wise to choose rogues and fools, for rulers, and too spirited to become slaves.

1. See “An American,” *Independent Chronicle*, 30 November.

Massachusetts Gazette, 7 December¹

The *disunited* states of America, at this all-important crisis, may be fitly compared to thirteen distinct, separate, independent, *unsupported* columns—discovering the noblest tracts of workmanship, and evidently calculated to sustain a *superb edifice*.—For want of *this structure*, the beholder is bewildered in contemplating their *origin*, design and use—He feels concerned for their exposed situation, and, extending his ideas, anticipates the defacing of their beauty by the rude blasts of the winds and the weather, and their rapid destruction from the ruthless attacks of *anarchy*, on the one hand, and of *despotism*, on the other.—In this distressing perplexity, the glorious frame of government for the UNITED States, proposed by the late Convention, presents itself to view—the columns appear with additional lustre—their use and design are fully understood; rising from their *solid* pedestals, they receive the heaven-descended DOME, *supporting* and *supported* by the noble structure. Discord, Jealousy, and Misrule, retire!—*Peace, Liberty, and Safety*, enter!—*Justice, Honour, and Faith*, are its unfading ornaments!

While round the whole, encircling glories rise,
 “Fame claps her wings, and sounds them to the skies.”

1. Reprints by 8 January 1788 (11): N.H. (3), N.Y. (2), N.J. (1), Pa. (2), Md. (2), Va. (1).

**John Quincy Adams to William Cranch
 Newburyport, 8 December¹**

Your answers to the objections which in my last letter I started against the proposed form of Government, are ingenious and plausible yet I readily confess they have not convinced me: I will state the reasons which induce me to adhere to my former opinion, and wish you to reply; after which we shall have gone through a regular forensic, and then we may drop the subject, which will soon be discussed by the proper judges.

You say in answer to the objection to § 2 of Article 1. that we must make allowances for the local prejudices of the different gentlemen who framed the Constitution, and consider biennial elections, as a *medium* between those in the different state Constitutions. But I conceive the state constitutions are nothing to the purpose. The only question to be answered is, whether annual or biennial elections are the *best*. Now I conceive they ought to be annual for the security of the people.

You argue that upon my principle the representatives ought to be chosen weekly; but may I not retort, and say that upon your's they ought to be chosen for the longest possible term, to wit, for life? you allow the objection, to the inability of the people to recall their representatives, but quere—who would recall them? The people you say, (and you say truly) could not do it, and it would therefore be a right without a Remedy. this answer, I think rather fortifies than refutes my objection for, I contend that no government ought ever to be established, in this country which should deprive the people of this right, by rendering the remedy impracticable. You say “perhaps the *Congress intend* to pay our debts from the continental treasury.” but pray upon what foundation do you ground this conjecture? you cannot surely think that the *present* Congress will pay the state debts, since they cannot get money to pay the continental one. nor can you suppose that a Congress which is not yet in *esse*, *intend* any thing. I imagine therefore, you mean that the future Congress will perhaps pay these debts. but I ask whether such a conjecture is any security for the creditors of the States? do you usually find either an individual or a body of men, so eager to pay debts, which they are under no obligation to discharge? if you can name instances I will then admit the weight of the argument.—As to the powers granted to the Congress I objected to them only as they were indefinite; but I am more and more convinced, that a *continental* government, is incompatible with the liberties of the people. “The plan of three orders,” you say, “in government is consistent with my father’s Idea of a perfect government.” very true, but he does not say that such a government is practicable, for the whole continent. he does not even canvass the subject, but from what he says, I think it may easily be inferred that he would think such a government fatal to our liberties. But I am far from being convinced that upon the proposed project, the three orders would exist; it appears to me, that there would in fact be no proper representation of the people, and consequently no democratical branch of the constitution. It is impossible that *eight* men should represent the people of this Commonwealth.² They will infallibly be chosen from the aristocratic part of the community, and the dignity, as well as the power of the people must soon dwindle to nothing.—Blackstone Vol. 1. p. 159. supposes it necessary that the *commons* should be chosen, “by *minute*, and *separate* districts; wherein *all the voters*, are, or easily may be distinguished.”³ Now if this Commonwealth be divided into eight districts, each of which shall elect one person will any one of these districts be minute? I wish if you have time you would again peruse the defence of the constitutions; it appears to me, there is scarcely a page in the book, which does not contain something that is

applicable against this proposed plan: see particularly the 54th. Letter; one passage of which I will quote because it is very much to the purpose. "The liberty of the people *depends entirely* on the *constant and direct communication* between them and the legislature, *by means of their representatives.*"⁴ Now in this case, there could not possibly be any such communication; and this you yourself admit when you prove the inability of the people to recall their representatives even if the right should be given them.

You are mistaken I believe when you say the *jealousy* of the people is considered as an error on the right side It is said "the *caution* of the people is much to be *applauded*;" and it is not usual to *applaud* an *error*, even if it be on the right side.

As to the 13th. article [of the Articles of Confederation] you ask whether it was not made by a *majority* of the people? if you enquire for information I can answer *no*. it was made by the whole people The confederation did not take place till *all* the states had acceded to it; *Maryland* delayed the matter I think as much as two years longer than any of the other States, so that the confederation which was made in July 1778 was not ratified till March 1781. and thus upon your own argument, I say, that what was made by the *whole*, can with propriety be altered only by the *whole*.

In short, I must confess I am still of opinion that if this constitution is adopted, we shall go the way of all the world: we shall in a short time slide into an aspiring aristocracy, and finally tumble into an absolute monarchy, or else split into twenty separate and distinct nations perpetually at war with one another; which god forbid!

1. In October 1982 the recipient's copy of this letter was owned by the descendants of Mr. Eugene DuBois of Oyster Bay, N.Y. A nineteenth-century transcription, with minor variations, is in the Adams Family Papers, Charles Francis Adams Miscellany, Vol. 327, MHf. In his diary, Adams stated that he wrote this letter on 9 December (Allen, *JQA Diary*, II, 327). This letter completed an exchange between Adams and Cranch on the merits and demerits of the Constitution. (See also Cranch to Adams, 5 October; and Adams to Cranch, 14 October [both I above]; and Cranch to Adams, 26 November.)

2. Article I, section 2, of the Constitution, gave Massachusetts eight representatives in the first U.S. House of Representatives.

3. Blackstone, *Commentaries*, Book I, chapter II, 159. The italics are Adams's. As part of his law studies, Adams took copious notes on Blackstone from September to December. He described the *Commentaries* as "one of the most important books in the profession" (Allen, *JQA Diary*, II, 293, 300, 319, 328).

4. The italics are Adams's. Letter LIV of the *Defence of the Constitutions* is entitled "LOCKE, MILTON, AND HUME." See Volume I, p. 371.

Jeremy Belknap to Ebenezer Hazard Boston, 8 December (excerpt)¹

... We have been all agog here about the Constitution—The Papers teem with Federal & Antifederal Pieces—Caucus-meetings have been

held & a coalition effected previous to ye Town meeting wh was yesterday when 12 Members were chosen for this Town whose names (if you please) you will see in the Papers—We are here more afraid of your State² than of any other—tho' there will certainly be much opposition to it here—

I suppose every Officer of the United States does with you wish for *some Government*—We have never yet suffered our best Men to do all the good they would do, but we have suffered our worst Men to do a great deal of Mischief—When the Mischief has risen to an extravagant Pitch we have then been *obliged* to call for our best Men to restrain it—witness the Insurrection here last Winter—Now is it not better to let good men *prevent* Evil than to do thus? The present Constitution strikes at the Root of such Evils as we have suffered by the madness of *sovereign* State Assemblies—& if the Congress themselves will not adopt the same sort of Madness I wish they may have ye power to restrain & controul all the 13 sub-sovereignities & exercise such a Governmt over the whole as “that we may lead quiet & peaceable Lives in all godliness & honesty”³—

O that the Time would come when Men would govern themselves! then we should need no other Government! But while the world continues as it is there must be a restraint laid on ye Lusts & Passions of mankind & such a Government as will do this in the most effectual manner is the most salutary. We have seen the Time when the Ruler has been “a terror to good works & not to the evil”⁴—But heaven grant that such a Burlesque upon Governmt may never be exhibited again in America. . . .

1. RC, Belknap Papers, MHi. Printed: *Belknap Correspondence*, Part I, 497–99.

2. New York.

3. 1 Timothy 2:1–2. “I exhort therefore, that, first of all, supplications, prayers, intercessions, and giving of thanks, be made for all men; For kings, and for all that are in authority; that we may lead a quiet and peaceable life in all godliness and honesty.”

4. Romans 13:3. “For rulers are not a terror to good works, but to the evil. Wilt thou then not be afraid of the power? do that which is good, and thou shalt have praise of the same.”

Philo Publius

Massachusetts Centinel, 8 December

“Philo Publius,” a preface to the reprinting of *The Federalist* 13 (Alexander Hamilton), New York *Independent Journal*, 28 November (CC:300), was immediately preceded in the *Massachusetts Centinel* by an excerpt from the last paragraph of *The Federalist* 11 (Alexander Hamilton), New York *Independent Journal*, 24 November (CC:291). This excerpt—headed “*FEDERALISM*” and extolling the benefits of union in order to resist European domination—was not identified as part of *The Federalist*. The thirteenth number of *The Federalist*, also

concerned with the benefits of union, argued against the creation of separate confederacies. *The Federalist* 5 (John Jay), *New York Independent Journal*, 10 November (CC:252), which appeared in the *American Herald* on 3 December, also attacked the notion of separate confederacies.

For an item that called for the creation of a New England confederacy, even before the meeting of the Constitutional Convention, see the *Independent Chronicle*, 15 February 1787 (CC:3-A).

Mr. RUSSELL, The writers against the constitution proposed by the late Federal Constitution [i.e., Convention]—although they have bitterly condemned it *in toto*, have not proposed any substitute whatever—except we may consider as such, the proposition to erect three great republicks, instead of one.—At first view, indeed, this appears to be eligible—A respectable and worthy member of the late Convention from New-York,¹ has therefore in one of a series of papers on the new Constitution, considered such a scheme—and I think demonstrated its ineligibility.—However, that the publick may determine, I request you to give it a place. Yours, &c.

1. A reference to Alexander Hamilton, one of the three authors of the *The Federalist* (CC:201).

“O”

Massachusetts Centinel, 8 December

FEDERALISM.

An old Dervise met once, a French Missionary, who being desirous to convert the Musulman, entered with him into a conversation about religion.—He displayed all his eloquence, and made an exposition of such reasons as in *his* mind were true and strong evidences; then permitted the Dervise to make his answer.—Firm in his belief and high spirited for proselytism, the disciple of Bectachi¹ looking at his antagonist's reasoning as founded on mere absurdities, tried to unblind him by an explanation of the Koran's doctrine—clear and concluding, he thought—After many replies on both sides, they left one another. “*God be blessed,*” said, when he was going, the old Dervise, “*I have converted that honest priest.*” “*Great are thy ways, O Lord,*” cried the Missionary, “*that good Dervise is at the door of Paradise; to-morrow, washing his head with baptism's salutary waters, I will open it to him.*”

What do you conclude of that old story, said I to Mr. Esopus.—What, Mr. Breakenglish! We shall have the new constitution.—Strange conclusion, indeed, said I.—Not so very strange, Sir—the writings of the federalists and the antifederalists shall meet the same success with the dervise's and the priest's dispute. But happily for the cause, sensible of

our critical position, two thirds of our fellow citizens, were in favour of a new system before that proposed by the federal convention appeared, and since it has been submitted to the people's examination, they have found no reason to alter their mind.

1. The reference is to Haji Bektash Veli (1248–1337), a rural Islamic saint credited with working miracles, who is believed to have founded an order of dervishes (friars or monks of Islam). The Bektashi sect grew in power, and the Janissaries (the elite military corps of the Ottoman Empire) adopted Haji Bektash as their patron.

Thomas a Kempis

Massachusetts Centinel, 8 December

Mr. RUSSELL, I was pleased with your manner of *heading* speculations and paragraphs, introduced some weeks since¹—and I must pray you, Sir, to caution your brother Editors who adopt it, to be careful.—Looking over the paper of this day,² I observed a piece with the title of *FEDERALISM*—I began it with pleasure; but, Mr. Printer, what was my surprize, when I found it to be the effusion of a rank antifederalist—and intended to influence those good people the Quakers against the new government.—Therefore, pray caution them to be careful. A word to the wise, &c. Yours, THOMAS A KEMPIS.

Dec. 7, 1787

1. Beginning on 31 October and repeated sporadically thereafter, the *Massachusetts Centinel* labeled various political pieces (many of them reprinted from out-of-state newspapers) with the headings “Federalism” or “Federal” and “Antifederalism” or “Antifederal” in large capital letters.

2. A reference to the *Massachusetts Gazette*, 7 December, which reprinted under the heading “FEDERALISM” an Antifederalist satirical article signed “An Old Soldier” from the Philadelphia *Freeman's Journal*, 21 November (Mfm:Pa. 233). “An Old Soldier” criticized the Pennsylvania constitution for exempting conscientious objectors (mainly Quakers) from military service if they paid a fine or provided a substitute. He mockingly praised the proposed federal Constitution which included no exemption for conscientious objectors.

American Herald, 10 December

*Definitions, American Herald, 10 December*¹

DEFINITIONS!

A FEDERALIST is a Friend to a Federal Government—An ANTI-FEDERALIST is an Enemy to a Confederation.—Therefore, the Friends to the New Plan of CONSOLIDATION, are Anti-Federal, and its Opposers are firm, Federal Patriots.

A Correspondent, American Herald, 10 December

A Correspondent wishes to know how the Enforcers of the New Plan can have the effrontery to declare so repeatedly, that we have lost all credit as a Nation in Europe—when we are informed by Congress, that our Ambassador, Hon. Mr. Adams, has negociated a Loan of One Million Guilders, in Holland, so late as 1st of June, 1787.² This is one of their numerous bugbears!

Question, American Herald, 10 December

QUESTION. If ONE Session of the General Court of this Commonwealth cost "SEVENTEEN THOUSAND DOLLARS," what will a Session of the Fœderal Congress amount to?³

N. B. We shall have the expence and burthen of our State Legislature beside, though they are to be compleatly divested of all important authority.

Legion, American Herald, 10 December⁴

The later the better for thyself, poor THOMAS, when thou art slandering thy neighbour.—The Lying Spirit which has come down and is so angry, seems to have entered into thee; and if thou couldest have found *one lie or groundless surmise* when thou pretendest there are so many, we believe thou wouldest have dwelt upon it with a malignant pleasure. It is necessary for the[e] to rail against misrepresentations, surmises and lying to preserve the goodly appearance of a saint; but thou art well known to be a wicked impostor.

November 30.

1. For a response to this item, see "Thomas a Kempis," *Massachusetts Centinel*, 12 December.

2. On 1 June 1787, John Adams signed an agreement for a Dutch loan of one million florins (\$400,000). The loan was necessary, in part, to pay interest due on Dutch loans obtained the previous June. On 11 October, Congress approved the loan (JCC, XXXIII, 412–15, 649).

3. "Thomas a Kempis," *Massachusetts Centinel*, 1 December, declared that the last session of the General Court cost \$17,000. (See IV below, Boston section.)

4. This item responds to "Thomas a Kempis," *Massachusetts Centinel*, 21 November. (See "Truth," 14–24 November.)

Agrippa V

Massachusetts Gazette, 11 December¹

To the PEOPLE.

In the course of inquiry it has appeared, that for the purposes of internal regulation and domestick tranquillity, our small and separate

governments are not only admirably suited in theory, but have been remarkably successful in practice. It is also found, that the direct tendency of the proposed system, is to consolidate the whole empire into one mass, and, like the tyrant's bed, to reduce all to one standard.² Though this idea has been started in different parts of the continent, and is the most important trait of this draft, the reasoning ought to be extensively understood. I therefore hope to be indulged in a particular statement of it.

Causes of all kinds, between citizens of different states, are to be tried before a continental court. This court is not bound to try it according to the local laws where the controversies happen; for in that case it may as well be tried in a state court. The rule which is to govern the new courts, must, therefore, be made by the court itself, or by its employers, the Congress. If by the former, the legislative and judicial departments will be blended; and if by the Congress, though these departments will be kept separate, still the power of legislation departs from the state in all those cases. The Congress, therefore, have the right to make rules for trying *all kinds of questions* relating to property between citizens of different states. The sixth article of the new constitution provides, that the continental laws shall be the supreme law of the land, and all judges in the separate states shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding. All the state officers are also bound by oath to support this constitution. These provisions cannot be understood otherwise than as binding the state judges and other officers, to execute the continental laws in their own proper departments within the state. For all questions, other than those between citizens of the same state, are at once put within the jurisdiction of the continental courts. As no authority remains to the state judges, but to decide questions between citizens of the same state, and those judges are to be bound by the laws of Congress, it clearly follows, that all questions between citizens of the same state are to be decided by the general laws and not by the local ones.

Authority is also given to the continental courts, to try all causes between a state and its own citizens. A question of property between these parties rarely occurs. But if such questions were more frequent than they are, the proper process is not to sue the state before an higher authority; but to apply to the supreme authority of the state, by way of petition. This is the universal practice of all states, and any other mode of redress destroys the sovereignty of the state over its own subjects. The only case of the kind in which the state would probably be sued, would be upon the state notes. The endless confusion that would

arise from making the estates of individuals answerable, must be obvious to every one.

There is another sense in which the clause relating to causes between the state and individuals is to be understood, and it is more probable than the other, as it will be eternal in its duration, and increasing in its extent. This is the whole branch of the law relating to criminal prosecutions. In all such cases, the state is plaintiff, and the person accused is defendant. The process, therefore, will be, for the attorney-general of the state to commence his suit before a continental court. Considering the state as a party, the cause must be tried in another, and all the expense of transporting witnesses incurred. The individual is to take his trial among strangers, friendless and unsupported, without its being known whether he is habitually a good or a bad man; and consequently with one essential circumstance wanting by which to determine whether the action was performed maliciously or accidentally. All these inconveniences are avoided by the present important restriction, that the cause shall be tried by a jury of the vicinity, and tried in the county where the offence was committed. But by the proposed *derangement*, I can call it by no softer name, a man must be ruined to prove his innocence. This is far from being a forced construction of the proposed form. The words appear to me not intelligible, upon the idea that it is to be a *system* of government, unless the construction now given, both for civil and criminal processes, be admitted. I do not say that it is intended that all these changes should take place within one year, but they probably will in the course of half a dozen years, if this system is adopted. In the mean time we shall be subject to all the horrors of a divided sovereignty, not knowing whether to obey the Congress or the state. We shall find it impossible to please two masters. In such a state frequent broils will ensue. Advantage will be taken of a popular commotion, and even the venerable forms of the state be done away, while the new system will be enforced in its utmost rigour, by an army. I am the more apprehensive of a standing army, on account of a clause in the new constitution which empowers Congress to keep one at all times; but this constitution is evidently such that it cannot stand any considerable time without an army. Upon this principle one is very wisely provided. Our present government knows of no such thing.

1. On Friday, 7 December, the *Massachusetts Gazette* announced: "*AGRIPPA is received— which, with other matters intended for this paper, will have places next week.*"

2. The reference is to "Procrustes, a famous robber of Attica, killed by Theseus, near the Cephisus River. He tied travellers on a bed, and, if their length exceeded that of the bed, cut off part of their limbs to make their length equal to that of the bed; but if they

were shorter he stretched their bodies till they were of the same length" (John Lemprière, *Lemprière's Classical Dictionary* [London, 1994], 562). *Lemprière's Classical Dictionary* was first published in 1788; additions were made to it when it was republished in England and America in 1850.

Massachusetts Gazette, 11 December

The more the subject of the proposed constitution is investigated, the more its intrinsic excellencies, are unfolded—the more the wisdom of its framers is displayed—the more its competency to the preservation and perpetuating the liberties of America is apparent—for the attacks of its adversaries have been so completely repelled—their objections so fully answered—and so many of its latent beauties thereby brought to view that the friends to a federal system have reason to rejoice that it has undergone so strict a scrutiny.¹

The objections to the proposed federal constitution, says a correspondent, offered by CANDIDUS, in the Independent Chronicle,² are tantamount to a total rejection of every system that common sense would dictate to be adequate to any federal purpose—for if we are to be left to the "affections of the people" to cement the union of the states, the question naturally occurs, how those "affections" are to be directed, except by some plan of federal government? And how are those "affections" to be ascertained but by the adoption of a system which must in its nature be antecedent to any such trial? To talk about the "affections of the people" with respect to a constitution *in future*, is talking without ideas.

CANDIDUS after stating a string of objections against the proposed constitution, which annihilates its *essence* and spirit, *without* leaving so much as its skeleton behind, hopes the "materials" (of which it is composed) "will not be thrown away—but that the *choicest* will be carefully selected, and on the basis of PUBLIC CONFIDENCE some federal system will be established." The "*affections of the people*" and "*publick confidence*" are cant terms made use of by certain partizans to destroy that very *confidence* which the people placed in the late *continental* convention as a fountain head—and in those *state* conventions which the disinterestedness of the former has recommended to the states to assemble.

(The SUPERIOUR *learning, candour* and *abilities*, which distinguish the DEFENCES of the proposed constitution, published in the southern papers, have had their due effect; for we find that notwithstanding the *innumerable* disingenuous artifices, calumnies and misrepresentations made use of by the antifederalists, the people in those states appear to be more and more united [in] its favour.) And there can be no doubt

of its being adopted in this commonwealth, provided that a spirit of candour, concession and an openness to conviction, should pervade the minds of the delegates chosen for the convention. God grant that prejudice may not make us blind to our best interest.³

1. This paragraph was reprinted seven times by 5 February 1788: N.H. (1), Conn. (1), Pa. (3), Md. (1), Va. (1). Three of these newspapers also reprinted the fourth paragraph.

2. See "Candidus" I, *Independent Chronicle*, 6 December.

3. This paragraph was reprinted five times by 25 January: N.Y. (1), Pa. (2), Md. (1), Va. (1). Three of these five newspapers also reprinted the first paragraph. The text in angle brackets in this paragraph was reprinted in the *Hampshire Chronicle*, 23 January.

Cornelius

Hampshire Chronicle, 11, 18 December¹

Great, and perhaps, just encomiums, are, in the publick prints, and in private circles, daily bestowed on the constitution reported by the late Federal Convention. Not the least objection, that I recollect, has publickly appeared against it. Among those in particular, who are reputed wise and discerning, almost every one seems eager to embrace it. This being the case, it will undoubtedly be considered by many, as discovering a want of modesty in any one, who may presume to express a doubt of the expediency and happy consequences of adopting the constitution.

As truth will bear the light; and by how much the more close examination it undergoes, by so much the more ravishing beauty it will shine; there can be no danger in hinting at some of the objections that arise against this form of government, in the mind of one, who feels for his own safety—who has never learned to see with eyes, other than his own, and who, at the same time, wishes the happiness of his fellow men, so far at least, as that of his own is included.

Power has not commonly been suffered to lie down dormant, and to rust in the hands of its possessors, for want of use. It may well be presumed that men, whether individuals, or publick bodies, will generally exercise as much power as they are legally vested with, and as much to their own private advantage as they have a constitutional right to do.—With this general idea in view, let us attend to the Constitution, and soberly consider some of the consequences that will probably follow, if it should be adopted by the United States.

It may be observed in the first place, that this constitution is not an amendment of the confederation, in the manner therein stipulated; but it is an intire subversion of that solemn compact.—By the 13th article of that compact, the faith of the United States is solemnly pledged to each and every State, that "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 a Congress of the United States and be afterwards confirmed *by the legislature of every state.*"

By the 7th article of the constitution, it is ordained, 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."²

Will not the adoption of this constitution in the manner here prescribed, be justly considered as a perfidious violation of that fundamental and solemn compact, by which the United States hold an existence, and claim to be a people? If a nation may so easily discharge itself from obligations to abide by its most solemn and fundamental compacts, may it not, with still greater ease, do the same in matters of less importance? And if nations may set the example, may not particular States, citizens, and subjects, follow? What then will become of publick and private faith? Where is the ground of allegiance that is due to government? Are not the bonds of civil society dissolved? Or is allegiance founded only in power? Has *moral obligation* no place in civil government? In mutual compacts, can one party be bound while the other is free? Or, can one party disannul *such* compact, without the consent of the other? If so, constitutions and national compacts are, I conceive, of no avail; and oaths of allegiance must be preposterous things.

By this constitution, *the legislative powers are vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.* The latter are to be chosen for two years, and the former for six. It has been a generally received maxim, that frequent and free elections are the greatest security against corruption in government, and the oppression of the people. Have the United States, hitherto, suffered any inconvenience from annual elections? Have their delegates been too often shifted, or too frequently recalled? This, I believe, will not be pretended.

When once the Senators and Representatives are elected, they are under no constitutional check or controul from their constituents, either by instructions, being liable to be recalled, or otherwise. It is not in the power of the citizens or the legislature of any particular State, nor of all the citizens and legislatures of all the States, either to give any legal instructions to a single member of Congress, or to call him to account for any part of his conduct relative to the trust reposed in him. He may be impeached by the House of Representatives, provided he conducts in a manner that is offensive to them; but he cannot be

convicted in any case, without the concurrence of two thirds of the Senators present.

The Congress are to have *power to levy and collect taxes, duties, imposts and excises*, at their discretion; and out of this revenue, to make themselves such compensation for their services as they may think proper.

Is it altogether certain, that a body of men elected for so long a term,—rendered thus independent, and most of them placed at the distance of some hundreds of miles from their constituents, will pay a more faithful regard to their interest, and set an example of economy, more becoming the circumstances of this country, than they would do, if they were annually elected, subject to some kind of instructions, and liable to be recalled, in case of male administration? Have the several states, in the estimation of the compilers of this Constitution, been hitherto, so parsimonious and unjust in paying their delegates, that they have rendered themselves unfit to contract with their Senators and Representatives, respecting a compensation for their service? If so, what may we suppose will be considered as a just compensation, when this honourable Body shall set their own pay, and be accountable to none but themselves?

[18 December] It will probably be urged, “Our State Legislature set their own pay; and why should not Congress do the same.”

If the cases are similar, the reasoning may be good; but there is a wide difference between them. The members of our State legislature are annually elected—they are subject to instructions—they are chosen within small circles—they are sent but a small distance from their respective homes: Their conduct is constantly known to their constituents. They frequently see, and are seen, by the men whose servants they are. While attending the duties of their office, their connexions in general, are with men who have been bred to economy, and whose circumstances require them to live in a frugal style. They are absent from their respective homes but a few days, or weeks, at most. They return, and mix with their neighbours of the lowest rank, see their poverty, and feel their wants.—On the contrary: The members of Congress are to be chosen for a term of years. They are to be subject to no instructions. They are to be chosen within large circles: They will be unknown to a very considerable part of their constituents, and their constituents will be not less unknown to them. They will be far removed, and long detained, from the view of their constituents. Their general conduct will be unknown. Their chief connections will be with men of the first rank in the United States, who have been bred in affluence at least, if not in the excess of luxury. They will have constantly before them the enchanting example of Ambassadors, other

publick Ministers, and Consuls from foreign courts, who, both from principles of policy, and private ambition, will live in the most splendid and costly style. Men are naturally enough inclined to vie with each other. Let any body of men whatever be placed, from year to year, in circumstances like these; let them have the unlimited controul of the property of the United States; and let them feel themselves vested, at the same time, with a constitutional right, out of this property to make themselves such compensation as they may think fit: And then, let any one judge, whether they will long retain the same ideas, and feel themselves under equal restraints, as to fixing their own pay, with the members of our state legislature. This part of the Constitution, I conceive to be calculated, not only to enhance the expense of the federal government to a degree that will be truly burdensome; but also, to increase that luxury and extravagance, in general, which threatens the ruin of the United States; and that, to which the Eastern States in particular, are wholly unequal.

By this Federal Constitution, each House is to be the judge, not only of the elections, and returns, but also of the *qualifications* of its members; and that, without any other rule than such as they themselves may prescribe. This power in Congress, I take to be equal to that of a negative on elections in general. And the freedom of elections being taken away, where is the security or liberty that is reserved to the citizens under this federal government? But as if this were a light thing, and the liberties of the people not sufficiently cramped by their election being thus exposed to a negative, at the pleasure of each House; the Congress are also vested with the power of prescribing, not only the times and manner of holding elections for Senators; but, the times, manner and *places* of holding elections for Representatives. There is undoubtedly, some interesting and important design in the Congress being, by the Constitution, thus particularly vested with this discretionary power of controuling elections. Will it be urged that, as to such particular times and *places* for holding elections as may be most convenient for the several States, the Congress will be more competent judges than the citizens themselves, or their respective legislatures? This, surely, will not be pretended. The end then of placing this power in the hands of Congress, cannot have been, the greater convenience of the citizens who are interested and concerned in those elections. But whatever may have been the *design*, it is easy to see that a very interesting and important use may be made of this power; and I can conceive of but one reason why it should be vested in the Congress; particularly as it relates to the *places* of holding elections for Representatives. This power being vested in the Congress, may enable them,

from time to time, to throw the elections into such particular parts of the several States where the dispositions of the people shall appear to be the most subservient to the wishes and views of that honourable body; or, where the interests of the major part of the members may be found to lie. Should it so happen (as it probably may) that the major part of the Members of Congress should be elected in, and near the seaport towns; there would, in that case, naturally arise strong inducements for fixing the places for holding elections in such towns, or within their vicinity. This would effectually exclude the distant parts of the several States, and the bulk of the landed interest, from an equal share in that government, in which they are deeply interested.

There is nothing in the Constitution that determines what shall be considered as an election of a Representative. The Representatives are to be chosen by the people; and where there are a number to be chosen, it is, perhaps, not very likely that any one gentleman will have a majority of all the votes. Those who may appear to have the greatest number of votes must, therefore be considered as being elected.—I wish there never might be any competition between the landed and mercantile interests, nor between any different classes of men whatever. Such competitors will, however, exist, so long as occasion and opportunity for it is given, and while human nature remains the same that it ever has been. The citizens in the seaport towns are numerous; they live compact; their interests are one; there is a constant connection and intercourse between them; they can, on any occasion, centre their votes where they please. This is not the case with those who are in the landed interest; they are scattered far and wide; they have but little intercourse and connection with each other. To concert uniform plans for carrying elections of this kind is intirely out of their way. Hence, their votes if given at all, will be no less scattered than are the local situations of the voters themselves. Wherever the seaport towns agree to centre their votes, there will, of course, be the greatest number. A gentleman in the country therefore, who may aspire after a seat in Congress, or who may wish for a post of profit under the federal government, must form his connections, and unite his interest with those towns. Thus, I conceive, a foundation is laid for throwing the whole power of the federal government into the hands of those who are in the mercantile interest; and for the landed, which is the great interest of this country to be unrepresented, forlorn, and without hope. It grieves me to suggest an idea of this kind: But I believe it to be important, and not the mere phantom of imagination, or the result of an uneasy and restless disposition. I am convinced of the candour and liberal disposition of gentlemen who are now in the seaport towns, and

the mercantile interest; and I am fully persuaded, they desire no such undue advantages over their brethren in the country, who are in the landed interest. But, let a man be *king over Syria*; and he may do things for which he had, before, no disposition. The Constitution is designed for time to come.

The executive power is to be *vested in a President of the United States, who is to hold his office during the term of four years, and who is to be commander in chief of the army and navy, and of the militia of the several States, when called into the actual service of the United States. He is to receive for his services, at stated times, a compensation which shall not be increased nor diminished during the term for which he is elected.* This compensation must, and ought, to be suited to the dignified station in which that officer is placed, which cannot be considered as far below that of an European Monarch. Elective Monarchies, wherever they have obtained, have generally been attended with the most dreadful consequences. And I am not without fear that venality and corruption may shortly be found among some of the least calamities that will attend those elections. At no very distant period, we may expect the most violent competitions between individual aspiring men, between particular States, and between the Eastern and Southern States. When this shall take place, it will be natural to seek, and easy to find, sufficient pretences for recourse to arms.

The judicial power of the United States is to be vested in one Supreme Court, and in such other Inferior Courts as Congress may from time to time ordain and establish. The judges of both are to hold their offices during good behaviour, and at stated times, to receive for their services a compensation, which shall not be diminished during their continuance in office.—From the great variety of cases to which this judicial power is to extend, it is apparent these courts must be numerous. And as the judges are, at stated times, to receive from the publick, a compensation for their services, this must add a very considerable sum to the expence of government. Every trifling controversy of twenty shillings, or less, *between citizens of different States*, must be brought, it seems, before one of these Federal Courts. The great number of publick men that must be supported on the plan of this Constitution, in addition to the governments of the particular States, must lay a burden on the citizens which there is reason to fear, will prove insupportable.

The publick mind, I fear, is at this critical juncture, prepared to do the same that almost every people, who have enjoyed an excessive degree of liberty have done before;—to plunge headlong into the dreadful abyss of Despotick Government.—At the time of forming the Confederation, the publick rage was on the side of liberty. The reigning

disposition then was, to secure the highest degrees of liberty to the people, and to guard against every possible instance of oppression in their rulers. The consequence is, want of sufficient energy in government. We have had a surfeit of liberty; and, to many, the very name has now become nauseous.

That the Congress ought to have further powers than those with which they are vested by the Confederation, no reasonable man will deny. That this is absolutely necessary, in order that the United States should continue much longer to exist, with any tolerable degree of reputation, I am fully convinced. But that the Congress, or any other body of men, should be vested with all those independent and unlimited powers prescribed in the Constitution, appears to me, by no means necessary. Considering the principles by which publick bodies are generally influenced, I am very apprehensive, that if this Constitution is adopted, the remedy proposed will, in no very distant period of time, prove, at least equally distressing with the disease itself. The strength and energy of government does not, I conceive, so much consist in particular men, being vested with unlimited powers, as it does in a due regulation of the necessary powers with which they are vested, and in effectual provision for the exercise of those powers. It is possible, I believe, for government to be weak in the hands of a Despot, and strong, where considerable degrees of liberty are enjoyed.

We have practised but a few years on the Confederation; long enough however, to discover its principle defects. The great embarrassments under which we have laboured, are found, I imagine, to have risen from the want of a revenue, and a general regulation of trade. If Congress (continuing in all other respects, to possess the same powers which they do at present) were vested with the further power of laying and collecting taxes, duties, imposts, and excises, and with the exclusive right of regulating Commerce, I believe our federal government would be as firm and happy as might reasonably be expected to fall to the lot of humanity, in this state of imperfection.

If it is indeed necessary that we should have a President, vested with the powers prescribed in the Constitution, I am fully persuaded that rather than that he should be elected in the manner therein described, and for the term limited, it would be attended with consequences less pernicious, at once, to make the office hereditary, and during life. This would, at least, prevent that rivalry, venality, corruption, and tumult, which may be expected, sooner or later, to attend those elections.

If it is further necessary, that a Judicial Court should be constituted, whose powers shall extend to certain cases of national importance; this,

I apprehend, may be done with equal advantage, and less inconvenience, without multiplying those courts in the manner which the Constitution prescribes.

In the case of direct taxation, the rule of apportionment among the several States, I take to be very unequal, and in its operation, will prove exceedingly injurious to the Eastern States. These States, compared with the Southern, have always abounded in people more than in wealth; and from the nature of their climate and soil, will forever continue to do the same. Yet, by this rule of apportionment, a great allowance is made in favour of the Southern States: Three free persons, including those bound to service for a term of years, being reckoned equal to five slaves. In the Eastern States there are but few slaves. In Massachusetts, there are none. There are in that State, a large number of negroes; and in apportioning the taxes, three of these negroes are to be reckoned equal to five in the Southern States.

When I consider the independent situation in which the members of Congress are placed,—the sovereign right of countrouling elections, which that honourable body are to possess,—the discretionary, and unlimited power, vested in each House, to judge of the qualifications of its members; and that by such rules only as they themselves may prescribe, and alter as they please,—the unbridled temptations that will be constantly before them to aggrandize themselves, their connexions, and friends, at the expense of their constituents, and the unbounded opportunity they will have to do this: I am constrained to believe, that the principles on which the Constitution is predicated, are such as tend to a government of *Men*, and not of *Laws*. And, notwithstanding the high encomiums that are bestowed on this form of government, I shall be most disagreeably disappointed, if it does not prove, in its operation, to be one of the most unequal, arbitrary, oppressive, venal, and corrupt governments that is extant.

I am sensible that the office of President of the United States is, in some respects, different from that of King of Great-Britain; and also, that the powers of the Senate are, in some measure, different from those of the House of Lords: Yet, either the one, or the other, existing in America, might be pernicious to the people. And it may be yet uncertain, whether, in every instance wherein they differ, the difference is in favour of the Federal Government.—In offices that are elective, where the elections are liable to embarrassments, or exposed to venal and corrupt influence, it may admit of some doubt, whether the man of the greatest integrity, or the man of the greatest intrigue, stands the fairest chance for preferment!

Thus I have ventured, with freedom, and I hope, with candour, to express my own ideas on this interesting and important subject. I have no disposition to kindle a flame, nor to excite any groundless fears, in the minds of my fellow citizens. I most ardently wish for an efficient, firm, and permanent *system of government*; and at the same time, that the people at large may enjoy as much liberty and ease, as may be consistent with such a government.

1. On 4 December the *Hampshire Chronicle* announced: "Cornelius is received, and will appear in our next."

2. The italics in this and the preceding paragraph were inserted by "Cornelius."

Thomas a Kempis

Massachusetts Centinel, 12 December¹

A certain antifederal paper of Monday had the following

DEFINITIONS.

"A FEDERALIST is a friend to a federal government.—An ANTIFEDERALIST is an enemy to a confederation: Therefore, the Friends to the new plan of *Consolidation* are antifederal; and its opposers are firm federal patriots."

Thus we see, Mr. RUSSELL, the antifederal junto ashamed of their appellation, and wishing to remove its odium upon the federalists: But in vain is the endeavour—the *Ethiopian cannot change his skin—nor the leopard its spots.*

1. "Thomas a Kempis" responds to a brief item printed in the *American Herald*, 10 December.

Massachusetts Centinel, 12 December¹

FEDERAL CONSTITUTION.

The antifederal writers are said to excel in inventions—But *perseverance* appears to be their peculiar characteristic:—The same cavillings and objections, with perhaps their order transposed, adorn all their writings, and are bandied from Philadelphia to Boston, and from Boston to Philadelphia, over and over again.

*"For e'en though vanquish'd they can argue still."*²

They spring up under the "Old Whig"—are refuted—and again spring up under Brutus—and so on through the whole; until their refuters are tired, and are necessitated to exclaim,

"Patience, thou young and rose-lip'd Cherubim,
We here discard thee."³

The *northern* antifederalists pretend that in the new Constitution, the southern states have preeminence. Let us hear what a southern one says on this head. After mentioning the “complement” of great objections, he says, “the smaller ones I do not trouble you with, nor with the hazard, our particular state (*Virginia*) runs of being made the subject of a ruinous monopoly, in the commercial or carrying states—I perceive that in almost all things the eastern states out-wit and unhinge us.”⁴—Thus we see *how easy it is to find sticks to make a fire, on which to sacrifice an innocent creature.*

The “Old Whig,” one of the most inveterate of the southern antifederal writers, thus concludes his seventh letter. After recommending a *method* to obtain a better constitution, than that now offered to the people, viz. by the calling of a new convention, he says, “If, by any means, another continental convention should fail to meet, then let the conventions of the several states again assemble, and at last decide the great, solemn question, whether we shall adopt the constitution now proposed, or reject it; and whenever it becomes necessary to decide upon this point, one, at least, who from the beginning has been invariably anxious for the liberty and independence of this country, *will concur in adopting and supporting this constitution, rather than none.*”⁵

1. All three paragraphs were reprinted in the *New York Morning Post* on 22 December. The first and second paragraphs (excluding the last sentence) were reprinted in the *Albany Gazette* on 3 January 1788. Three other newspapers also reprinted the second paragraph: R.I. (1), Conn. (1), and Pa. (1).

2. See “Thomas a Kempis,” *Massachusetts Centinel*, 29 December, note 4.

3. William Shakespeare, *Othello*, Act IV, scene 2, lines 58–65. “But there, where I have garner’d up my heart,/Where either I must live or bear no life,/The fountain from the which my current runs,/Or else dries up—to be discarded thence!/Or keep it as a cistern for foul toads/To knot and gender in! Turn thy complexion there,/Patience, thou young and rose-lipp’d cherubin—/Ay, here, look grim as hell.”

4. The quoted text is from “*Extract of a letter from a gentleman in New-York to his friend on the present Assembly, dated October 26, 1787,*” *Virginia Independent Chronicle*, 14 November (RCS:Va., 157; and CC:260). The *Massachusetts Centinel* inserted the word “unhinge” in place of “outhingses.”

5. Quoted from “An Old Whig” VII, *Philadelphia Independent Gazetteer*, 28 November (CC:301, p. 251). The italics were inserted by the *Massachusetts Centinel*.

Editors’ Note

The Massachusetts Reprinting of James Wilson’s 24 November Speech to the Pennsylvania Convention, 12–27 December

The Pennsylvania Convention convened on 20 November and four days later delegate James Wilson spoke on the “general principles” embodied in the Constitution because he believed that it was his duty

to do so as the only Constitutional Convention delegate elected to the Pennsylvania Convention. His speech was the first delivered to a state convention by a member of the Constitutional Convention. It was summarized in the *Pennsylvania Packet*, 27 November, and the *Pennsylvania Herald*, 28 November (RCS:Pa., 334–36). The former's summary was reprinted in the *Boston Gazette*, 10 December, *Massachusetts Gazette* and *Salem Mercury*, 11 December, and *Worcester Magazine*, 13 December; while the latter's appeared in the *Cumberland Gazette*, 27 December.

Two Philadelphia newspapers announced on 28 November the sale of printer Thomas Bradford's ten-page pamphlet that included Wilson's speech preceded by some brief remarks by Thomas McKean. Both speeches were based on notes taken by Alexander J. Dallas, editor of the *Pennsylvania Herald*. (For Dallas' version of Wilson's speech, see RCS:Pa., 340–50; and for more on its national publication and circulation and the nationwide response to it, see CC:289.)

Five Massachusetts newspapers reprinted the pamphlet version of Wilson's speech. On 12 December McKean's and Wilson's speeches appeared on the first two pages of the *Massachusetts Centinel* under the heading "Mr. WILSON's excellent SPEECH" and with this preface: "The following SPEECH, which was printed in a pamphlet, at *Philadelphia*, a few days since, we are, through the indulgence of a worthy friend, and with a little *extra* exertion, enabled thus early to lay before our readers entire.—Though lengthy—we cannot but request their attention to it, as it fully explains the great principles, and sets forth the excellencies of the Federal Constitution." On the paper's third page, the *Centinel* quoted from the *Pennsylvania Packet's* summary of 27 November, that "The Speech in our first and second pages, 'which the Roman Orator would not have blushed to own'—ran through an impression of several thousands, in a few days, at Philadelphia, at one shilling each." The "worthy friend," to whom the printer alluded, was possibly James Bowdoin, who received a copy of the pamphlet from Samuel Vaughan of Philadelphia (Vaughan to Bowdoin, 30 November, RCS:Pa., 262–63).

The *Independent Chronicle*, 13 December, reprinted McKean's and Wilson's speeches. They were prefaced by a close paraphrase of the remarks made on the third page of the *Centinel* and by a statement that the extraordinary sales of the pamphlet were the result of its being "so greatly admired." The speeches appeared in the *Salem Mercury*, 18 December, and the next day Wilson's speech alone was reprinted in the *Essex Journal* with a note stating that thousands of pamphlets were sold in Philadelphia. The *Worcester Magazine*, 20 December, reprinted only Wilson's speech, describing it as "Another SPEECH of Mr. WILSON's,

so much talked of." This heading was followed by this preface: "*We some time since published a [6 October] Speech of Mr. Wilson's, which he made to a number of the Citizens of Philadelphia, on his return from the Federal Convention. The same gentleman was afterwards chosen a delegate to the State Convention of Pennsylvania, which Convention have sat for the purpose of deliberating on the proposed Federal Constitution for some time past. Mr. Wilson, on the 24th of November, delivered a Speech in said Pennsylvania State Convention, which is much celebrated by those who are in favour of the proposed Federal System, as throwing great light on that truly important object. A number of our Readers, on both sides of the question, being desirous of seeing it, to gratify them we have given it a place in our Magazine—it is as follows, viz.*"

For Massachusetts commentaries on Wilson's 24 November speech, see "Candidus" II, "Helvidius Priscus" I, and "Honorius," *Independent Chronicle*, 20 December, 27 December, and 3 January 1788, respectively. See also "The Massachusetts Reprinting of James Wilson's Speech of 6 October Before a Philadelphia Public Meeting," 24 October–15 November (I above).

**Theodore Sedgwick to Henry Van Schaack
Stockbridge, 13 December (excerpt)¹**

. . . I believe you are perfectly right in supposing it will be prudent for me not to come to Pittsfield. Had it not been for your opinion I should have visited you this day.²—

I am sorry it is not in my power more fully to attend to your several Questions.³ My time is wholly ingrossed by the subject. I must pay such attention to all the persons applying as is in my power.—

I have lent or somebody has purloined the doings of congress in 1774. With regard to a bill of rights I have omit[t]ed to suggest an argument, (if my memory doth not deceive me, in the several conversations I had with you on this subject,) of great weight. It is this. The whole business of internal police is to be left in the hands of the state Governments. Had the national Government undertaken to guaranty the several rights of citizenship contained in their declaratory Bills, it would have given a right of interference in every instance of a complaint of the infraction of those rights & hence, every reasonable mind will easily comprehend, a plausible pretence would have been afforded for an interference which would naturally tend to check, circumscribe and finally to annihilate all state power.

The interest on foreign loans becomes due next month. a small installment due to france was paid the present year. Congress have not as yet obtained and it is certainly out of their power to procure a six

pence to discharge the demand which will be instantly made and importunately insisted on, especially by France.

In the year 1782, I was informed by the commander in chief that the Massachusetts line comprehended some hundreds more than one half his Army. these men were got into the field at an expence of more than £77. for each individual. In 1780 we furnished such supplies that the transportation only to the Hudson cost us 120,000. The original cost of the articles I do not now recollect. The same year we furnished almost the whole of the beef for the Army. since the insurrection took place this state has made very considerable advances, but not in the same proportion as before that period. I believe on the whole that we have advanced & supplied very little short of one third. Pray have you heard of any elections in the eastern towns? if so will you do me the favor to give information of the characters?—I pray you not to esteem any thing that I can do on this subject can possibly be a trouble to me.—

1. RC, Sedgwick Papers, MHi. The first paragraph of this letter is printed in IV below, Sheffield section. Van Schaack answered this letter on 14 December. (See IV below, Pittsfield and Sheffield sections.)

2. On Sunday evening, 9 December, at 10 o'clock, Van Schaack wrote in a postscript that "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 full need of Men of abilities to smooth matters down" (see IV below, Pittsfield section).

3. It is not certain if all of Van Schaack's questions were included in one or more letters, but on 9 December Van Schaack wrote "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 Weal—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" (see IV below, Pittsfield section).

James Madison to Archibald Stuart

New York, 14 December (excerpt)¹

. . . The same cause which has instituted & countenanced the opposition in Virga. excites it in Massts. In one respect there is a remarkable difference. In Virginia we see men equally respectable in every point of character & marshalled in opposition to each other. In Massts. almost all the intelligent & considerable people are on the side of the new Government. The Governor & the late Govr.² though rivals & enemies, the Judges and the Bar—the men of letters—the clergy and all the other learned professions, with that part of the Society which has the greatest interest in good Government, are with but few exceptions

in favor of the plan as it stands. The weight of this description of friends, seems to countenance the assurance which that side professes, of success. . . .

1. RC, Misc. Coll., CSmH. Printed: CC:346. Stuart (1757–1832) was a Staunton, Va., lawyer. In June 1788 he and Madison voted to ratify the Constitution in the Virginia Convention.

2. James Bowdoin.

Cassius VI

Massachusetts Gazette, 14 December¹

To the Inhabitants of this State.

In some former publications, I have confined myself chiefly to pointing out the views of the opposers to the plan of federal government; the reason why I did not enter particularly into the merits of the new constitution is, that I conceived if it was candidly read, and properly attended to, that *alone* would be sufficient to recommend it to the acceptance of every rational and thinking mind that was interested in the happiness of the United States of America. Some babblers of the opposition junto have, however, complained that nothing has been said, except in general terms, in favour of the federal constitution; in consequence of this, incompetent as I am to the undertaking, I have been induced to lay the following remarks before the publick.

Sect. first, of the new constitution, says, "All legislative powers **HEREIN GRANTED** shall be vested in a congress of the United States." I beg the reader to pay particular attention to the words *herein granted*, as perhaps there may be occasion for me to recur to them more than once in the course of my observations.

The second section of the federal constitution says, that the members of the house of representatives shall be chosen every second year, and the electors shall have the qualifications requisite for electors of the most numerous branch of the state legislature. Some have made objections to the time for which the representatives are to be chosen; but it is to be considered, that the convention, in this particular, meant to accommodate the time for which the representatives should stand elected, to the constitutions of the different states. If it had been provided, that the time should have been of shorter duration, would not a citizen of Maryland or South-Carolina had reason to murmur?²

The weakness the anti-federalists discover in insinuating that the federal government will have it in their power to establish a despotick government, must be obvious to every one; for the time for which they are elected is so short, as almost to preclude the possibility of their effecting plans for enslaving so vast an empire as the United States of

America, even if they were so base as to hope for any thing of the kind. The representatives of the people would also be conscious, that their good conduct alone, would be the only thing which could influence a free people to continue to bestow on them their suffrages: the representatives of the people, would not, moreover, dare to act contrary to the instructions of their constituents; and if any one can suppose that they would, I would ask them, why such clamour is made about a bill of rights, for securing the liberties of the subject? for if the delegates dared to act contrary to their instructions, would they be afraid to encroach upon a bill of rights? If they determined among themselves to use their efforts to effect the establishment of an aristocratical or despotick government, would a bill of rights be any obstacle to their proceedings? If they were guilty of a breach of trust in one instance, they would be so in another.

The second section also says, no person shall be elected a representative who shall not have been seven years an inhabitant of the United States. This clause effectually confounds all the assertions of the anti-federalists, respecting the representatives not being sufficiently acquainted with the different local interests of their constituents; for a representative, qualified as the constitution directs, must be a greater numbskull than a *Vox Populi* or an *Agrippa*,^{(a)3} not to have a knowledge of the different concerns of the Confederation.

The objection that the representation will not be sufficient, is weak in the highest degree. It is supposed, that there are sufficient inhabitants in the state of Massachusetts, to warrant the sending of six delegates, at least, to the new Congress.—To suppose that three gentlemen, of the first characters and abilities, were inadequate to represent the concerns of this state in a just manner, would be absurd in the highest degree, and contradictory to reason and common sense. The weakness of the anti-federalists, in regard to the point just mentioned, sufficiently shews their delinquency with respect to rational argument. They have done nothing more than barely to assert, that the representation would not be sufficient: it is a true saying, that assertions are often the very reverse of facts.

Sect. third, of the new constitution, says, each state shall choose two senators, &c. The liberality of this clause is sufficient, any reasonable person would suppose, to damp all opposition. Can any thing be more consistent with the strictest principles of republicanism? Each state is here upon an equal footing; for the house of representatives can of themselves do nothing without the concurrence of the senate.

The third section further provides, that the senate shall choose their own officers. This is so congenial with the constitution of our own state,

that I need not advance any argument to induce the free citizens of Massachusetts to approbate it. And those who oppose this part of the federal plan, act in direct opposition to what the anti-federalists often profess, for the excellency of our constitution has been their favourite theme.

The third section also provides, that the senate shall have the sole power to try all impeachments. This clause seems to be peculiarly obnoxious to antifederal sycophants. They have declared it to be arbitrary and tyrannical in the highest degree. But, fellow-citizens, your own good sense will lead you to see the folly and weakness contained in such assertions. You have experienced the *tyranny* of such a government; that under which you now live is an exact model of it. In Massachusetts, the house of representatives impeach, and the senate try, the offender.

That part of the proposed form of government, which is to be styled the senate, will not have it in their power to try any person without the consent of two thirds of the members. In this respect, therefore, the new constitution is not more arbitrary than the constitution of this state.⁴ This clause does not, therefore, savour in the least, of any thing more arbitrary than what has already been experienced: so that the horrors the anti-federal junto pretend to anticipate on that head, must sink into nothing. Besides, when the house of representatives have impeached, and the senate tried any one, and found him guilty of the offence for which he is impeached, they can only disqualify him from holding any office of power and trust in the United States: and after that he comes within the jurisdiction of the law of the land. How such a proceeding can be called arbitrary, or thought improper, I cannot conceive. I leave it to the *gentlemen* in opposition to point out the tyranny of such conduct, and explain the *horrid tendency* it will have, for the government of the United States to determine whether any one or more of their own body are worthy to continue in the station to which they were elected.

Another clause, which the anti-federal junto labour to prove to be arbitrary and tyrannical, is contained in the fourth section, which provides, that the time and place for electing senators and representatives shall be appointed by the different state legislatures, except Congress shall at any time make a law to alter such regulation in regard to the place of choosing representatives. The former part of this clause, gives not the least opportunity for a display of anti-federal scandal: and the latter, only by misrepresentation, and false construction, is by them made a handle of. What is intended, by saying that Congress shall have power to appoint the place for electing representatives, is, only to have

a check upon the legislature of any state, if they should happen to be composed of villains and knaves, as is the case in a sister state;⁵ and should take upon themselves to appoint a place for choosing delegates to send to Congress; which place might be the most inconvenient in the whole state; and for that reason be appointed by the legislature, in order to create a disgust in the minds of the people against the federal government, if they themselves should dislike it. The weakness of their arguments on this head, must therefore be obvious to every attentive mind.

There is one thing, however, which I might mention, as a reason why the opposition junto dread the clause aforementioned—they may suppose, that Congress, when the people are assembled for the choice of their rulers, in the place *they* have appointed, will send their *terrible standing army* (which I shall speak of in its place) and, *Cesar Borgia* like, massacre the whole, in order to render themselves absolute. This is so similar to many of the apprehensions they have expressed, that I could not pass it by unnoticed. Indeed the chief of their productions abound with improbabilities and absurdities of the like kind; for having nothing reasonable to alledge against a government founded on the principles of staunch republicanism, and which, if well supported, will establish the glory and happiness of our country. They resort to things the most strange and fallacious, in order to blind the eyes of the unsuspecting and misinformed.

(*To be continued.*)

(a) *Anti-federal scribblers in the Mass. Gazette.*

1. This essay was continued in the *Massachusetts Gazette* on 18, 21, and 25 December.
2. South Carolina representatives had two-year terms. Representatives in all other states served for one year, except for Connecticut and Rhode Island where they were chosen every six months.
3. For descriptions of "Vox Populi" and "Agrippa" I, see *Massachusetts Gazette*, 30 October and 23 November, respectively.
4. According to the Massachusetts constitution of 1780, the House of Representatives had the power to impeach public officials and the Senate had the power to try impeachments. A simple majority vote apparently was sufficient for conviction (Thorpe, III, 1897–98, 1899).
5. Rhode Island.

Agrippa VI

Massachusetts Gazette, 14 December¹

To the PEOPLE.

To prevent any mistakes, or misapprehensions of the argument, stated in my last paper,² to prove that the proposed constitution is an

actual consolidation of the separate states into one extensive commonwealth, the reader is desired to observe, that in the course of the argument, the new plan is considered as an intire system. It is not dependent on any other book for an explanation, and contains no references to any other book. All the defences of it, therefore, so far as they are drawn from the state constitutions, or from maxims of the common law, are foreign to the purpose. It is only by comparing the different parts of it together, that the meaning of the whole is to be understood. For instance—

We find in it, that there is to be a legislative assembly, with authority to constitute courts for the trial of all kinds of civil causes, between citizens of different states. The right to appoint such courts necessarily involves in it the right of defining their powers, and determining the rules by which their judgment shall be regulated; and the grant of the former of those rights is nugatory without the latter. It is vain to tell us, that a maxim of common law requires contracts to be determined by the law existing where the contract was made: for it is also a maxim, that the legislature has a right to alter the common law. Such a power forms an essential part of legislation. Here, then, a declaration of rights is of inestimable value. It contains those principles which the government never can invade without an open violation of the compact between them and the citizens. Such a declaration ought to have come to the new constitution in favour of the legislative rights of the several states, by which their sovereignty over their own citizens within the state should be secured. Without such an express declaration the states are annihilated in reality upon receiving this constitution—the forms will be preserved only during the pleasure of Congress.

The idea of consolidation is further kept up in the right given to regulate trade. Though this power under certain limitations would be a proper one for the department of Congress; it is in this system carried much too far, and much farther than is necessary. This is, without exception, the most commercial state upon the continent. Our extensive coasts, cold climate, small estates, and equality of rights, with a variety of subordinate and concurring circumstances, place us in this respect at the head of the union. We must, therefore, be indulged if a point which so nearly relates to our welfare be rigidly examined. The new constitution not only prohibits vessels, bound from one state to another, from paying any duties, but even from entering and clearing. The only use of such a regulation is, to keep each state in complete ignorance of its own resources. It certainly is no hardship to enter and clear at the custom-house, and the expense is too small to be an object.

The unlimited right to regulate trade, includes the right of granting exclusive charters. This, in all old countries, is considered as one principle branch of prerogative. We find hardly a country in Europe which has not felt the ill effects of such a power. Holland has carried the exercise of it farther than any other state; and the reason why that country has felt less evil from it is, that the territory is very small, and they have drawn large revenues from their colonies in the East and West Indies. In this respect, the whole country is to be considered as a trading company, having exclusive privileges. The colonies are large in proportion to the parent state; so that, upon the whole, the latter may gain by such a system. We are also to take into consideration the industry which the genius of a free government inspires. But in the British islands all these circumstances together have not prevented them from being injured by the monopolies created there. Individuals have been enriched, but the country at large has been hurt. Some valuable branches of trade being granted to companies, who transact their business in London, that city is, perhaps, the place of the greatest trade in the world. But Ireland, under such influence, suffers exceedingly, and is impoverished; and Scotland is a mere bye-word. Bristol, the second city in England, ranks not much above this town in population. These things must be accounted for by the incorporation of trading companies; and if they are felt so severely in countries of small extent, they will operate with ten-fold severity upon us, who inhabit an immense tract; and living towards one extreme of an extensive empire, shall feel the evil, without retaining that influence in government, which may enable us to procure redress. There ought, then, to have been inserted a restraining clause, which might prevent the Congress from making any such grant, because they consequentially defeat the trade of the out-ports, and are also injurious to the general commerce, by enhancing prices, and destroying that rivalship which is the great stimulous to industry.

1. For a comment on this essay, see *Massachusetts Centinel*, 15 December.

2. See "Agrippa" V, *Massachusetts Gazette*, 11 December.

Thomas a Kempis

Massachusetts Centinel, 15 December

Mr. RUSSELL, As Mr. *George Mason*, has been the subject of panegyrick to certain writers in the antifederal papers, it may not be amiss to advert to his objections^(a) against the proposed Constitution, in order to ascertain the *wonderful* sagacity and deep penetration of this *wonderful* man.—One of his objections is couched in the following words, *viz.*

“Both the general legislature, and the State legislatures are expressly prohibited making *ex post facto laws*, though there never was nor can be a legislature, but must and will make such laws when necessity and the publick safety require them; which will hereafter be a breach of all the constitutions in the *union*,¹ and afford precedents to other innovations.”—The antifederalists have been *clamourous* for a bill of rights!—But this article which is the *brightest jewel* in such a bill, is a subject of cavil to an antifederalist!!—If this is not talking without a subject it is difficult to say what is.—What *free people* would ever submit to *martial law* in a time of security and peace?—It would be contravening every republican principle:—But at the same time what people in their *senses*, would not cheerfully submit to such temporary regulations as their pressing exigencies may require, however illegal in their nature?

This objection can be interpreted by no better rule than this, *Let us NOT do GOOD lest the consequences should be evil*. The objections of the antifederalists if critically examined, involve themselves into similar cavils.—Can such characters be demonstrated great?—Absurd!—

(a) *For which see Centinel, No. 19, of the present Volume.*²

1. The italics were inserted by “Thomas a Kempis.”

2. George Mason’s objections were printed in the *Massachusetts Centinel* on 21 November (above), the nineteenth issue in the *Centinel’s* eighth volume.

Massachusetts Centinel, 15 December¹

A correspondent congratulates the federalists, that Agrippa, the quondam Librarian of a celebrated University,² will soon be one among them—his last *effort*, bore evident marks of a disposition *again* to return to the sheep-fold—and as it will be but the *third change* he will have experienced in the course of the last *three* months, he will *doubtless* be received with open arms, though Consistency may exclaim, “alas! poor Agrippa! thou mayest now furnish morality for an Almanack.”

1. A correspondent responds to “Agrippa” VI, *Massachusetts Gazette*, 14 December.

2. James Winthrop.

Nathaniel Gorham to Henry Knox Charlestown, 16 December¹

I am very anxious to hear from Delaware Pennsylvania & Jersey—do write me every thing you know on that head—The prospect rather brightens here. there is one hundred good Men chosen in this neighbourhood & the other parts of the Sea Coast—a great number of

Towns chuse tomorrow among which are such a number of good ones that I think we may count on 50 members of the right sort. that aded to the former with the few good ones that will come from the three Western Counties—I think will secure the Point—you must impress upon Mr. King the absolute necessity of his being here at the time—I hope you will come with him—it is uncertain whether Mr. Gerry will be chosen tomorrow or not—make my best respects to Mrs. Knox & all friends.

[P.S.] I will thank you to frank the Letter to the Old Doctor² & to deliver the others as soon as you can

1. RC, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York.

2. See Gorham to Benjamin Franklin, 15 December, in "The Massachusetts Printing of Benjamin Franklin's Last Speech in the Constitutional Convention," 3-18 December.

American Herald, 17 December

From a Correspondent.

The New Constitution was submitted to the PEOPLE to be CONSIDERED; and it has, indeed, undergone *some Disquisition*, tho' by no means equal to what its importance entitles it to receive. It would have been very extraordinary, that a System of National Government, confessedly designed for myriads yet unborn, and extending, under its immediate operation, from the Missis[s]ippi to St. Croix, should have been less examined than a Bye-Law made by a town-meeting to regulate its internal police; and yet, if the pretended friends of the People could have had their way in conducting this all-important concern, this, undoubtedly, would have been the case.

From another Correspondent.

The violent Fœderalists, and Anti-Fœderalists, as they are absurdly called, are both of them, in full chase of their respective objects.—Sinecures and places are in full view of the first; confusion and anarchy of the last. It is to be hoped, they will be both disappointed; and that a free, and yet an efficient Government will be established.—In which, there will be no idle and insolent officers to oppress and exhaust the honest citizen of his hard-earned profits; no standing army to grind the face of the poor; nor riot, nor disorders of any sort to put the property of any man's at hazard.

“B”

Boston Gazette, 17 December¹

Mess'rs. EDES. It is desired by a number of your readers that the Commission of the Delegates to the late Continental Convention from this State, might be published in your or some other of the News papers, whereby every person may know what they were sent to do: for various are the stories now circulating.

1. On 24 December the *Boston Gazette* printed the 10 March 1787 resolution of the Massachusetts legislature requesting that the governor grant commissions to the five men whom it had elected on 3 March to be delegates to the Constitutional Convention. The resolution was prefaced by this statement: “To gratify a number of our readers, we have obtained, from the public Records, the Resolve of the Massachusetts Assembly, appointing Delegates to the Federal Convention, which we here insert for their perusal.” “The Republican Federalist” I, *Massachusetts Centinel*, 29 December, included the text of the resolution in his article attacking the members of the Constitutional Convention for exceeding their instructions.

For the text of the resolution, see Appendix II. On 5 January 1788 the *Pennsylvania Mercury* reprinted the resolution from the *Boston Gazette*.

Biographical Gazetteer

The following sketches outline the political careers of the principal Massachusetts leaders. When known, their political positions are indicated (1) on the Constitution in 1787–1788; (2) in national politics after 1789.

ADAMS, JOHN (1735–1826)

Federalist/Federalist

Born Braintree. Graduated from Harvard College, 1755. Taught school and studied law with James Putnam in Worcester. Admitted to Boston bar, 1758; practiced law in that town but lived in Braintree. Married Abigail Smith of Weymouth, 1764. Drafted Braintree resolutions against Stamp Act, 1765. Moved to Boston, 1768. Helped defend British soldiers after Boston massacre, 1770. Member, colonial House of Representatives, 1770. Election to Council rejected by governor, 1774. Returned to Braintree, 1774. Delegate to First Continental Congress, 1774. Represented Braintree in First Provincial Congress, 1774. Author of essays of "Novanglus," 1775. Member, state Council, 1775. Chief justice of state Superior Court, 1775–77 (never took seat on bench). Delegate to Continental Congress, 1775–77. Author of *Thoughts on Government*, April 1776. Seconded motion in Congress for independence, June 1776; appointed to committees to prepare a declaration of independence and to plan for foreign alliances, June 1776; a leading advocate for and signer of Declaration of Independence. President, Continental Board of War, 1776–77. Appointed a commissioner to France to replace Silas Deane, 1777. Returned to U.S., 1779. Member, state constitutional convention, 1779; primary author of state constitution of 1780. Appointed minister plenipotentiary to negotiate treaties of peace and commerce with Great Britain, 1779. Appointed commissioner to negotiate treaties of amity and commerce with United Provinces (Holland), 1780. Served as a commissioner to negotiate peace treaty ending war with Great Britain, 1781–83. Minister plenipotentiary to United Provinces, 1781–88, negotiates loans with Dutch bankers. Minister plenipotentiary to Great Britain, 1785–88. Along with Benjamin Franklin and Thomas Jefferson empowered to conclude commercial treaties with European and African nations, 1784. Author of three-volume *Defence of the Constitutions of the United States*, 1787–88. Returned to America, June 1788. Vice President of U.S., 1789–97. President of U.S., 1797–1801. Member, state constitutional convention, 1820.

ADAMS, SAMUEL (1722–1803)

Antifederalist/Republican

Born Boston. Graduated from Harvard College, 1740 (M.A., 1743). Tax collector of Boston, 1756–65. Drafted Massachusetts Resolves against Stamp Act, 1765. Member, colonial House of Representatives, 1766–74. Revolutionary publicist and agitator. Member, three provincial congresses, 1774–75, and Committee of Safety of the Provincial Congress, 1775. Delegate to Continental Congress, 1774–81; signed Declaration of Independence and Articles of Confederation. Member, state Council, 1775–76, 1779–80; state constitutional convention, 1779–80; and state Senate, 1781–85, 1786–88 (president, 1781–85, 1787–88). Member, state Convention, voted to ratify, despite earlier opposition to Constitution, 1788. Defeated by Fisher Ames for U.S. Representative, 1788. Lieutenant governor, 1789–93. Assumed governorship upon Governor John Hancock's death, 1793. Governor, 1793–97; did not seek reelection, 1797.

AUSTIN, BENJAMIN, JR. (1752–1820)

Antifederalist/Republican

Born Boston. Boston merchant, revolutionary publicist, and follower of Samuel Adams. Author of influential and controversial newspaper essays attacking legal profession under pseudonym "Honestus" (1786). Member, state Senate, 1787–88, 1789–97. Author of Antifederalist "Candidus" essays, 1787–88. Active Republican agitator and publicist, 1790s.

BISHOP, PHANUEL (1739–1812)

Antifederalist/Republican

Born Rehoboth. Militia officer, 1775–76; drafted into Continental Army, 1777, but fined for not serving. Leader of convention movement in Bristol County, 1780s; sympathized with Shaysites. Elected to state Senate, 1787, but denied seat. Member, state House of Representatives, 1787–88, 1792–95, 1797–99; state Convention, voted against ratification, 1788. Member, state Senate, 1788–91; continued vigorous opposition to Constitution in February 1788 session. U.S. Representative, 1799–1807.

BOWDOIN, JAMES (1726–1790)

Federalist/Federalist

Born Boston. Graduated from Harvard College, 1745. Boston merchant. Member, colonial House of Representatives, 1753–56, and colonial Council, 1757–69 (rejected by governor, 1769–70), 1770–74 (rejected by governor, 1774). Named delegate to First Continental Congress, 1774, but declined to attend because of poor health. Member, state Council, 1775–78. President, state constitutional convention, 1779–80. Governor, 1785–87; defeated for reelection by John Hancock, 1787. Member, state Convention, voted to ratify, 1788.

CUSHING, THOMAS (1725–1788)

Federalist/

Born Boston. Graduated from Harvard College, 1744. Boston merchant. Member, colonial House of Representatives, 1761–1774 (speaker, 1766–74). Prominent revolutionary leader, member of three provincial congresses, 1774–75, and member, Committee of Safety, 1775. Delegate to Continental Congress, 1774–75. In early years of Revolution, built and outfitted ships for Continental Navy. Member, state Council, 1775–77, 1778–80. Delegate to Boston and Hartford conventions, 1780. Lieutenant governor, 1780 until death. Acting governor, 1785. Lost gubernatorial election to James Bowdoin, 1785, but reelected lieutenant governor. Elected commissioner to Annapolis Convention, 1786.

CUSHING, WILLIAM (1732–1810)

Federalist/Federalist

Born Scituate. Graduated from Harvard College, 1751; M.A. from Yale College, 1753. Admitted to bar in 1755, and returned to Scituate to practice. Moved to Pownalborough, Maine, 1760, and became justice of the peace in Lincoln County. Justice of state Superior Court of Judicature and then of state Supreme Judicial Court, 1772–89 (chief justice, 1777–89). Member, state constitutional convention, 1779–80. Vice president of state Convention, voted to ratify, 1788. Presidential elector, 1789. Associate justice of U.S. Supreme Court, 1789 until death. (Served as acting chief justice, 1794–95. Declined appointment as chief justice in 1796 due to poor health.)

DALTON, TRISTRAM (1738–1817)

Federalist/Federalist

Born Newbury. Graduated from Harvard College, 1755. Read law but did not practice. Inherited large estate. Represented Newburyport in Second Provincial Congress, 1775. Operated privateers and provided clothing to Continental Army during Revolution. Member from Newburyport, state House of Representatives, 1776–77, 1782–84 (speaker, 1783–84), 1785–86; and state Senate, 1784–85, 1786–89. Elected commissioner to Annapolis Convention but resigned, 1786. Member from Newbury, state Convention, voted to ratify, 1788. U.S. Senator, 1789–91.

DANA, FRANCIS (1743–1811)

Federalist/Federalist

Born Charlestown but raised in Boston. Graduated from Harvard College, 1762. Admitted to bar, 1767. Elected by Cambridge to First Provincial Congress, 1774, but did not take his seat, hoping for reconciliation with Britain. In England, 1775–76, settling father's estate. Member, state Council, 1776–77, 1778–80. Delegate to Continental Congress, 1777–78, signed Articles of Confederation. Secretary to peace commissioner John Adams, 1779–81. U.S. minister to Russia, 1780–83 (in Russia, 1781–83, but never received formally). Delegate to Congress, 1784. Associate justice, state Supreme Judicial Court, 1785–92; chief justice, 1792–1806. Elected commissioner to Annapolis Convention, 1786, and delegate to Constitutional Convention, 1787, but did not attend. Member, state Convention, voted to ratify, 1788. Presidential elector, 1789.

DANE, NATHAN (1752–1835)

Antifederalist/Federalist

Born Ipswich. Graduated from Harvard College, 1778. Admitted to bar, 1782, and began practice at Beverly. Member, state House of Representatives, 1782–86, and state Senate, 1793–99. Delegate to Congress, 1785–88; primary author of Northwest Ordinance, 1787. Defeated as candidate for U.S. Senator, 1788.

GERRY, ELBRIDGE (1744–1814)

Antifederalist/Federalist; Republican

Born Marblehead. Graduated from Harvard College, 1762. Entered family's mercantile business. Member, colonial House of Representatives, 1772–74, three provincial congresses, 1774–75, and Committee of Supplies of Provincial Congress, 1775. Delegate to Congress, 1776–80, 1783–85 (elected 1780–81 but refused to serve); signed Declaration of Independence and Articles of Confederation; member and often president congressional Treasury Board, 1776–79. Member, state House of Representatives, 1776–77, 1780–81, 1786–87. Moved to Cambridge, 1786. Elected commissioner to Annapolis Convention but resigned, 1786. Delegate to Constitutional Convention, 1787. Refused to sign Constitution. U.S. Representative, 1789–93; and Federalist presidential elector, 1796. Along with Charles Cotesworth Pinckney and John Marshall appointed by President John Adams envoy to treat with France, 1797 (XYZ Affair). Unsuccessful Republican candidate for governor, 1800–1803. Republican presidential elector, 1804. Governor, 1810–12 (defeated for reelection). Vice President of U.S., 1813 until death.

GORE, CHRISTOPHER (1758–1827)

Federalist/Federalist

Born Boston. Graduated from Harvard College, 1776. Admitted to bar, 1778. Member, state Convention, voted to ratify, 1788. Member, state House of Representatives, 1788–

90 (resigned), 1808–9. U.S. Attorney for District of Massachusetts, 1789–96. U.S. commissioner to England to settle claims under Jay Treaty, 1796–1804; and *chargé d'affaires* in London, 1803–4. Member, state Senate, 1806–8. Governor, 1809–10 (defeated in 1810 and 1811). U.S. Senator, 1813–16 (resigned). Presidential elector, 1816.

GORHAM, NATHANIEL (1738–1796)
Federalist/Federalist

Born Charlestown. Apprenticed to New London, Conn., merchant, 1753–59; returned to Charlestown as a merchant. Member, colonial House of Representatives, 1771–74; first two provincial congresses, 1774–75; state Board of War, 1778–81; state constitutional convention, 1779–80; state House of Representatives, 1778–80, 1781–88 (speaker, 1781–83, 1785–86); state Senate, 1780–81, 1790–91; delegate to Congress, 1782–83, 1785–87, 1789 (president, 1786–87); and Governor's Council, 1788–90. Delegate to Boston Convention, 1780. Delegate to Constitutional Convention, chairman of Committee of the Whole, 1787, signed Constitution. Member, state Convention, voted to ratify, 1788. With Oliver Phelps purchased 6,000,000 acres of land in western New York owned by Massachusetts, 1788; inability to make payments results in bankruptcy. Supervisor of revenue for District of Massachusetts, 1791–96.

HANCOCK, JOHN (1737–1793)
Federalist/Republican

Born Braintree. Graduated from Harvard College, 1754. Wealthy Boston merchant, learned mercantile trade from his uncle Thomas Hancock in Boston and in London. His ship *Liberty* was seized by British in 1768 for smuggling, resulting in mob action and Hancock's prosecution, which was dropped in 1769. Member, colonial House of Representatives, 1766–72, 1774, and colonial Council, 1772–74. Member, three provincial congresses, 1774–75 (president, first and second congresses); chairman, Committee of Safety of the Provincial Congress, 1774–75. Member, state Council, 1775–76. Delegate to Continental Congress, 1775–78 (president, 1775–77); signed Declaration of Independence and Articles of Confederation. Major general, Massachusetts militia; commanded state forces in unsuccessful expedition in Rhode Island, 1778. Member, state House of Representatives, 1777–80 (speaker in 1779–80); and state constitutional convention, 1779–80. Governor, 1780–85, 1787–93 (dies in office). Elected to Congress, 1785; elected president but never attended, and resigned as president, 1786. Member, state Convention, elected president, but did not attend until late in session when he introduced amendments and voted to ratify, 1788.

KING, RUFUS (1755–1827)
Federalist/Federalist

Born Scarborough, Maine. Graduated from Harvard College, 1777. Studied law with Theophilus Parsons in Newburyport and admitted to Essex County bar in 1780. Member, state House of Representatives, 1784–86. Delegate to Congress, 1784–87. Delegate to Constitutional Convention, 1787, signed Constitution. Member, state Convention, voted to ratify, 1788. Moved to New York City in 1788. (Had married Mary Alsop, daughter of a wealthy New York merchant, 1786.) U.S. Senator from New York, 1789–96, 1813–25; U.S. minister plenipotentiary to Great Britain, 1796–1803, 1825–26. Federalist candidate for Vice President, 1804, 1808, and for President, 1816.

KNOX, HENRY (1750–1806)

Federalist/Federalist

Born Boston. Worked in bookstore and then opened his own. Enlisted in militia, 1768; second in command of Boston grenadiers, 1772. Married daughter of royal secretary, 1774. Volunteer at Bunker Hill, June 1775. Rose in Continental Army from colonel in November 1775 to major-general in March 1782. Chief of Artillery and one of Washington's closest advisors. Commander-in-chief of Continental Army, 1783–84. Organized national Society of the Cincinnati, 1783, and served as its Secretary-General, 1783–99; Vice President, Massachusetts branch, 1783–85. Confederation Secretary at War, 1785–89; and U.S. Secretary of War, 1789–94.

LINCOLN, BENJAMIN (1733–1810)

Federalist/Federalist

Born Hingham. Farmer. Member, three provincial congresses, 1774–75 (secretary, first and second congresses). Member, Committee of Supplies of Provincial Congress, 1774–75. Appointed major-general, Massachusetts militia, 1776, and major-general Continental Line, 1777. Wounded at Battle of Saratoga, 1777. Commander, Southern Department, 1777–80. Captured by British at Charleston, S.C., and exchanged, 1780. Rejoined Washington's army and accepted Cornwallis' sword at Yorktown, 1781. Confederation Secretary at War, 1781–83. Led troops suppressing Shays's Rebellion, 1786–87. Member, state Convention, voted to ratify, 1788. Elected lieutenant governor, 1788. Collector of port of Boston, 1789–1809.

NASSON, SAMUEL (1745–1800)

Antifederalist/?

Born Portsmouth, N.H. Trader in York, Maine, before Revolution. Quartermaster, ensign, and captain in Continental Army and state militia, 1775–78. In 1778 moved to Sanford, Maine, where he was a miller, trader, and farmer. Selectman, 1786–90, 1792–94, 1796–1800; town clerk, 1797–98, 1800; and justice of the peace, 1789–1800. Member, state House of Representatives, 1787–89, and state Convention, voted against ratification, 1788.

OTIS, SAMUEL A. (1740–1814)

Federalist/Federalist

Born Barnstable. Brother of James Otis, Jr., and Mercy Warren. Graduated from Harvard College, 1759. Read law, but became Boston merchant. Member, state House of Representatives, 1776–77, 1781–83, 1784–88 (speaker in 1784–85), and state Board of War, 1776–77. Agent to procure clothing and other supplies for Continental Army, 1777–82. Member, state constitutional convention, 1779–80. Delegate to Congress, 1787–88. Secretary to U.S. Senate, 1789–1814.

PARSONS, THEOPHILUS (1750–1813)

Federalist/Federalist

Born Newbury. Graduated from Harvard College, 1769. Read law, taught school, and admitted to bar at Falmouth, Maine, in 1774. Moved to Newburyport, 1776. Member, state constitutional convention, 1779–80; state House of Representatives, 1779–80, 1787–92; and state Convention, voted to ratify, 1788. Moved to Boston, 1800. Chief justice, state Supreme Judicial Court, 1806 until his death.

SEDGWICK, THEODORE (1746-1813)

Federalist/Federalist

Born West Hartford, Conn. Entered Yale College in 1761 but expelled before he graduated. Received degree dated 1765 in 1772. Read law in Great Barrington, admitted to bar, 1766, and began practice in Sheffield. Author of Sheffield Resolves protesting British policy, 1776. Aide-de-camp to General John Thomas on the invasion of Canada, 1776. Member, state House of Representatives, 1780, 1782-84, 1787-89 (speaker, 1788-89), and state Senate, 1784-86. Moved to Stockbridge, 1785. Delegate to Congress, 1785-86, 1788. Active in suppressing Shays's Rebellion. Member, state Convention, voted to ratify, 1788. U.S. Representative, 1789-96, 1799-1801; and U.S. Senator, 1796-99 (replaced Caleb Strong). Associate justice, state Supreme Judicial Court, 1802 until his death.

SINGLETARY, AMOS (1721-1806)

Antifederalist/?

Born Sutton (in that part now in Millbury). Operated gristmill, 1764-77. Justice of the peace. Town moderator, 1779, 1783, 1784, 1787. Member, second and third provincial congresses, 1775, state House of Representatives, 1775-82, 1783-86, and state Senate, 1787-91. Member, state Convention, voted against ratification, 1788.

STRONG, CALEB (1745-1819)

Federalist/Federalist

Born Northampton. Graduated from Harvard College, 1764. Admitted to bar, 1772. Member, state House of Representatives, 1776-77, 1779-80, 1797-98, state constitutional convention, 1779-80, and state Senate, 1780-81, 1782-83, 1784-89. Delegate to Constitutional Convention, 1787, left in August. Member, state Convention, voted to ratify, 1788. U.S. Senator, 1789-96 (resigned). Governor, 1800-1807, 1812-16.

SULLIVAN, JAMES (1744-1808)

Federalist/Republican

Born Berwick, Maine. Admitted to bar, 1767; began practice in Georgetown, Maine. Moved to Biddeford, Maine, 1769. Member, three provincial congresses, 1774-75, state House of Representatives, 1775-77, 1778-79, 1783-85, and state constitutional convention, 1779-80. Associate justice, state Supreme Judicial Court, 1776-82. Moved to Groton, 1778. Moved to Boston, 1782. Elected to Congress, 1783, but did not attend. Member, governor's Council, 1787-88. Possible author of Federalist "Cassius" essays, 1787. Judge of Probate for Suffolk County, 1788-90. State attorney general, 1790-1807. After five attempts (1797-98, 1804-6), elected governor, 1807, reelected following year, and died in office.

TAYLOR, JOHN (c. 1734-1794)

Antifederalist/?

Probably born in Townshend, Mass. Physician. Selectman, Lunenburg, 1771-74. Member, colonial House of Representatives, 1772-74. Purchased Maine plantation of Sterlington (Union), 1774. Lunenburg delegate, second and third provincial congresses, 1775. Member, state Council, representing Maine territory between the Sagadahoc (Kennebec) River and Nova Scotia, 1775-78. During Revolution moved to Pomfret, Conn., and then to Douglass, Mass., about 1780. Imprisoned for debt, 1784. Member, state House of Representatives, 1787-88, and state Convention, 1788, voted against ratification. Died while imprisoned for debt.

THATCHER, GEORGE (1754–1824)

Federalist/Federalist

Born Yarmouth. Graduated from Harvard College, 1776. Admitted to bar, and began practice in York, Maine. Moved to Biddeford, Maine, 1782. Delegate to Congress, 1787–89, and U.S. Representative, 1789–1801.

THOMPSON, SAMUEL (1735–1797)

Antifederalist/?

Resided in Brunswick, Maine. Selectman, 1768–71. Member, colonial House of Representatives, 1774, three provincial congresses, 1774–75, and state House of Representatives, 1775–77. Appointed lieutenant colonel of Cumberland County militia, 1774, and brigadier general, 1776. Justice of peace, 1779–97. Moved to Topsham, Maine, 1783 or 1784. Member, state House of Representatives, 1784–88, 1790–94, 1797. Member, state Convention, voted against ratification, 1788.

TURNER, CHARLES (1732–1818)

Antifederalist/?

Born Scituate. Graduated from Harvard College, 1752 (M.A., 1755). Minister, First Congregational Parish of Duxbury, 1755–75. Member, state House of Representatives, 1780, and state Senate, 1781–89. Member, state Convention, voted to ratify, despite opposition to Constitution, 1788. Became chaplain of fort on Castle Island, 1789. Moved to Turner, Maine, 1791.

WARREN, JAMES (1726–1808)

Antifederalist/Republican

Born Plymouth. Graduated from Harvard College, 1745. Merchant and farmer. Married Mercy Otis, 1754. Leading Revolutionary agitator. Member, colonial House of Representatives, 1766–74, three provincial congresses, 1774–75, and state House of Representatives, 1775–78, 1779–81, 1787–88 (speaker, 1775–78, 1787–88). Paymaster General, Continental Army, 1775–76. Appointed one of three major-generals of militia, 1776. Member, Continental Navy Board, Eastern Department, 1777–81. Moved to Milton, 1781. Possible author of Antifederalist essays signed “Helvidius Priscus” and “The Republican Federalist.” Defeated as lieutenant governor, 1788. Member, governor’s Council, 1792–94.

WARREN, MERCY (1728–1814)

Antifederalist/Republican

Born Barnstable. Sister of James Otis, Jr., and Samuel A. Otis. Married James Warren, 1754. Lived in Plymouth and Milton. Wrote *The Adulateur: A Tragedy* (1773) and *The Group* (1775), satirical attacks on colonial Governor Thomas Hutchinson and other Loyalists; two tragedies, *The Ladies of Castille* and *The Sack of Rome* (both published in 1790 in *Poems, Dramatic and Miscellaneous*); the Antifederalist *Observations on the New Constitution, and on the Federal and State Conventions* (1788; CC:581) under the pseudonym “A Columbian Patriot”; and the three-volume *History of the Rise, Progress and Termination of the American Revolution* (1805).

WIDGERY, WILLIAM (c. 1753–1822)

Antifederalist/Republican

Born England. Emigrated to Philadelphia with parents. Moved to New Gloucester, Maine. Lieutenant on privateer during Revolution. Practiced law. Member, state House of Representatives, 1787–94, 1797–98, state Convention, voted against ratification, 1788, and state Senate, 1795–96. Selectman, 1789–90, 1794–95.

WINTHROP, JAMES (1752–1821)

Antifederalist/Republican

Born Cambridge. Graduated from Harvard College, 1769. Librarian of Harvard, 1772–87. Appointed register of probate in Cambridge, 1775, and justice of peace, 1782. Served with troops suppressing Shays's Rebellion, 1786–87. Author of Antifederalist "Agrippa" essays and other unsigned newspaper items, 1787–88. Special judge, 1789–91, and judge, Court of Common Pleas, Middlesex County, 1791–1812.

Appendix I

The Massachusetts Constitution

Preamble and Declaration of Rights

Preamble¹

The end of the institution, maintenance and administration of government, is to secure the existence of the body-politic; to protect it; and to furnish the individuals who compose it, with the power of enjoying, in safety and tranquility, their natural rights, and the blessings of life: And whenever these great objects are not obtained, the people have a right to alter the government, and to take measures necessary for their safety, prosperity and happiness.

The body-politic is formed by a voluntary association of individuals: It is a social compact, by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good. It is the duty of the people, therefore, in framing a Constitution of Government, to provide for an equitable mode of making laws, as well as for an impartial interpretation, and a faithful execution of them; that every man may, at all times, find his security in them.

We, therefore, the people of Massachusetts, acknowledging, with grateful hearts, the goodness of the Great Legislator of the Universe, in affording us, in the course of His Providence, an opportunity, deliberately and peaceably, without fraud, violence or surprize, of entering into an original, explicit, and solemn compact with each other; and of forming a new Constitution of Civil Government, for ourselves and posterity; and devoutly imploring His direction in so interesting a design, Do agree upon, ordain and establish, the following *Declaration of Rights, and Frame of Government*, as the CONSTITUTION of the COMMONWEALTH of MASSACHUSETTS.

A Declaration of the Rights of the Inhabitants of the Commonwealth of Massachusetts²

Art. I. All men are born free and equal, and have certain natural, essential, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness.

II. It is the right as well as the duty of all men in society, publicly, and at stated seasons, to worship the SUPREME BEING, the great creator and preserver of the universe. And no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping GOD in the manner and season most agreeable to the dictates of his own conscience; or for his religious profession or sentiments; provided he doth not disturb the public peace, or obstruct others in their religious worship.

III. As the happiness of a people, and the good order and preservation of civil government, essentially depend upon piety, religion and morality; and as these cannot be generally diffused through a community, but by the institution of the public worship of GOD, and of public instructions in piety, religion and morality: Therefore, to promote their happiness, and to secure the good order and preservation of their government, the people of this Commonwealth have a right to invest their legislature with power to authorize and require, and the legislature shall, from time to time, authorize and require, the several towns, parishes, precincts and other bodies politic, or religious societies, to make suitable provision, at their own expence, for the institution of the public worship of GOD, and for the support and maintenance of public protestant teachers of piety, religion and morality, in all cases where such provision shall not be made voluntarily.

And the people of this Commonwealth have also a right to, and do, invest their legislature with authority to enjoin upon all the subjects an attendance upon the instructions of the public teachers aforesaid, at stated times and seasons, if there be any on whose instructions they can conscientiously and conveniently attend.

Provided notwithstanding, that the several towns, parishes, precincts, and other bodies-politic, or religious societies, shall, at all times, have the exclusive right of electing their public teachers, and of contracting with them for their support and maintenance.

And all monies paid by the subject to the support of public worship, and of the public teachers aforesaid, shall, if he require it, be uniformly applied to the support of the public teacher or teachers of his own religious sect or denomination, provided there be any on whose instructions he attends; otherwise it may be paid towards the support of the teacher or teachers of the parish or precinct in which the said monies are raised.

And every denomination of christians, demeaning themselves peaceably, and as good subjects of the Commonwealth, shall be equally under the protection of the law: And no subordination of any one sect or denomination to another shall ever be established by law.

IV. 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.

V. All power residing originally in the people, and being derived from them, the several magistrates and officers of government, vested with authority, whether legislative, executive, or judicial, are their substitutes and agents, and are at all times accountable to them.

VI. No man, nor corporation, or association of men, have any other title to obtain advantages, or particular and exclusive privileges, distinct from those of the community, than what arises from the consideration of services rendered to the public; and this title being in nature neither hereditary, nor transmissible to children, or descendants, or relations by blood, the idea of a man born a magistrate, lawgiver, or judge, is absurd and unnatural.

VII. Government is instituted for the common good; for the protection, safety, prosperity and happiness of the people; and not for the profit, honor, or private interest of any one man, family or class of men: Therefore the people alone have an incontestible, unalienable, and indefeasible right to institute government; and to reform, alter, or totally change the same, when their protection, safety, prosperity and happiness require it.

VIII. In order to prevent those, who are vested with authority, from becoming oppressors, the people have a right, at such periods and in such manner as they shall establish by their frame of government, to cause their public officers to return to private life; and to fill up vacant places by certain and regular elections and appointments.

IX. All elections ought to be free and all the inhabitants of this commonwealth, having such qualifications as they shall establish by their frame of government, have an equal right to elect officers, and to be elected, for public employments.

X. Each individual of the society has a right to be protected by it in the enjoyment of his life, liberty and property, according to standing laws. He is obliged, consequently, to contribute his share to the expence of this protection; to give his personal service, or an equivalent, when necessary: But no part of the property of any individual, can, with justice, be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people: In fine, the people of this Commonwealth are not controulable by any other laws, than those to which their constitutional representative body have given

their consent. And whenever the public exigencies require, that the property of any individual should be appropriated to public uses, he shall receive a reasonable compensation therefor.

XI. Every subject of the Commonwealth ought to find a certain remedy, by having recourse to the laws for all injuries or wrongs which he may receive in his person, property, or character. He ought to obtain right and justice freely, and without being obliged to purchase it; completely, and without any denial; promptly, and without delay; conformably to the laws.

XII. No subject shall be held to answer for any crime or offence, until the same is fully and plainly, substantially and formally, described to him; or be compelled to accuse, or furnish evidence against himself. And every subject shall have a right to produce all proofs that may be favourable to him; to meet the witnesses against him face to face, and to be fully heard in his defence by himself, or his council, at his election. And no subject shall be arrested, imprisoned, despoiled, or deprived of his property, immunities, or privileges, put out of the protection of the law, exiled, or deprived of his life, liberty, or estate, but by the judgment of his peers, or the law of the land.

And the legislature shall not make any law, that shall subject any person to a capital or infamous punishment, excepting for the government of the army and navy, without trial by jury.

XIII. 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.

XIV. Every subject has a right to be secure from all unreasonable searches, and seizures, of his person, his houses, his papers, and all his possessions. All warrants, therefore, are contrary to this right, if the cause or foundation of them be not previously supported by oath or affirmation; and if the order in the warrant to a civil officer, to make search in suspected places, or to arrest one or more suspected persons, or to seize their property, be not accompanied with a special designation of the persons or objects of search, arrest, or seizure: and no warrant ought to be issued but in cases, and with the formalities, prescribed by the laws.

XV. In all controversies concerning property, and in all suits between two or more persons, except in cases in which it has heretofore been otherways used and practiced, the parties have a right to a trial by a jury; and this method of procedure shall be held sacred, unless, in causes arising on the high-seas, and such as relate to mariners wages, the legislature shall hereafter find it necessary to alter it.

XVI. The liberty of the press is essential to the security of freedom in a state: it ought not, therefore, to be restrained in this Commonwealth.

XVII. The people have a right to keep and to bear arms for the common defence. And as in time of peace armies are dangerous to liberty, they ought not to be maintained without the consent of the legislature; and the military power shall always be held in an exact subordination to the civil authority and be governed by it.

XVIII. A frequent recurrence to the fundamental principles of the constitution, and a constant adherence to those of piety, justice, moderation, temperance, industry, and frugality, are absolutely necessary to preserve the advantages of liberty, and to maintain a free government: The people ought, consequently, to have a particular attention to all those principles, in the choice of their officers and representatives: And they have a right to require of their law-givers and magistrates, an exact and constant observance of them, in the formation and execution of the laws necessary for the good administration of the Commonwealth.

XIX. The people have a right, in an orderly and peaceable manner, to assemble to consult upon the common good: give instructions to their representatives; and to request of the legislative body, by the way of addresses, petitions, or remonstrances, redress of the wrongs done them, and of the grievances they suffer.

XX. The power of suspending the laws, or the execution of the laws, ought never to be exercised but by the legislature, or by authority derived from it, to be exercised in such particular cases only as the legislature shall expressly provide for.

XXI. The freedom of deliberation, speech and debate, in either house of the legislature, is so essential to the rights of the people, that it cannot be the foundation of any accusation or prosecution, action or complaint, in any other court or place whatsoever.

XXII. The legislature ought frequently to assemble for the redress of grievances, for correcting, strengthening, and confirming the laws, and for making new laws, as the common good may require.

XXIII. No subsidy, charge, tax, impost, or duties, ought to be established, fixed, laid, or levied, under any pretext whatsoever, without the consent of the people, or their representatives in the legislature.

XXIV. Laws made to punish for actions done before the existence of such laws, and which have not been declared crimes by preceding laws, are unjust, oppressive, and inconsistent with the fundamental principles of a free government.

XXV. No subject ought, in any case, or in any time, to be declared guilty of treason or felony by the legislature.

XXVI. No magistrate or court of law, shall demand excessive bail or sureties, impose excessive fines, or inflict cruel or unusual punishments.

XXVII. In time of peace no soldier ought to be quartered in any house without the consent of the owner; and in time of war such quarters ought not to be made but by the civil magistrate, in a manner ordained by the legislature.

XXVIII. No person can in any case be subjected to law-martial, or to any penalties or pains, by virtue of that law, except those employed in the army or navy, and except the militia in actual service, but by authority of the legislature.

XXIX. It is essential to the preservation of the rights of every individual, his life, liberty, property and character, that there be an impartial interpretation of the laws, and administration of justice. It is the right of every citizen to be tried by judges as free, impartial and independent as the lot of humanity will admit. It is therefore not only the best policy, but for the security of the rights of the people, and of every citizen, that the judges of the supreme judicial court should hold their offices as long as they behave themselves well; and that they should have honorable salaries ascertained and established by standing laws.

XXX. In the government of this Commonwealth, the legislative department shall never exercise the executive and judicial powers, or either of them: The executive shall never exercise the legislative and judicial powers, or either of them: The judicial shall never exercise the legislative and executive powers, or either of them: to the end it may be a government of laws and not of men.

1. *A Constitution or Frame of Government, Agreed upon by the Delegates of the People of the State of Massachusetts-Bay . . . (Revised and Corrected)* (Boston, 1780), 5–6 (Evans 16845).

2. *Ibid.*, 7–13. The body of the Constitution (“Part The Second”) follows on pp. 13–43. For the Constitution, see also Thorpe, III, 1888–1911.

Appendix II

Massachusetts Appoints Delegates to the Constitutional Convention 2 October 1786–9 April 1787

The Annapolis Convention, called to consider the country's commercial problems, adjourned after a brief meeting of commissioners from only five states (11–14 September 1786). The Massachusetts commissioners were within thirty miles of Rock Hall, Md., where they expected to embark on a packet boat to Annapolis across Chesapeake Bay, when they met the returning New York and New Jersey delegates who told them that the Convention had adjourned. The Convention's report, sent to Congress and the states, called for the states to appoint commissioners to meet in Philadelphia on the second Monday in May 1787 "to devise such further provisions as shall appear to them necessary to render the constitution of the Foederal Government adequate to the exigencies of the Union." Governor James Bowdoin submitted the report to the Massachusetts General Court on 2 October 1786. The next day, the legislature appointed a joint committee of five to consider the matter.

On 11 October Rufus King and on 9 November Nathan Dane—two of Massachusetts' delegates to Congress—addressed the House of Representatives. Both men advised caution, suggesting that Congress was a better forum than a convention to propose constitutional changes. The legislature took no action on the Annapolis Convention report before adjourning on 18 November. On 9 February 1787, ten days after it reconvened, the legislature appointed a joint committee of nine to consider the Annapolis Convention report. On 19 February Governor Bowdoin submitted a message to the legislature transmitting the Virginia and North Carolina acts appointing delegates to a constitutional convention. Bowdoin noted that the governors of these two states "warmly recommend a co-operation on the part of this State." Bowdoin told the legislators "The Subject is important, and merits an attentive consideration."

The joint committee reported a resolution recommending that five commissioners be appointed to the proposed Philadelphia convention to consider alterations in the Articles of Confederation. "Such alterations & additions as may be made, to be however consistent with the true republican spirit & genius" of the Articles. The Massachusetts commissioners were "particularly instructed, by no means to interfere with" the provisions of the fifth article of the Articles of Confederation that provided for the annual election of congressional delegates, the power of the states to recall delegates and appoint others in their places, the limitation of the terms of delegates to three years in six, and the prohibition of federal dual officeholding by delegates. The convention's report was to be submitted to Congress, which would determine if all or some of the alterations should be sent to the states for their approval. The Senate adopted the resolution on 21 February and the House the next day.

After the House agreed to the resolution authorizing the appointment of commissioners, the Senate, also on 22 February, ordered that either house could

originate the selection of delegates to the convention and that the choice be sent to the other house for concurrence. The House agreed to this order later that day, but soon changed its position. On 23 February, the House ordered that the choice of delegates be made by joint ballot of the legislature assembled in one room and suggested that the balloting take place on the morning of the 27th. The Senate rejected the House's proposal on 23 February and both houses appointed two members each to a joint committee to consider the matter.

On 1 March the joint committee of four reported an order to the House that the two houses should select convention delegates "in their respective Houses separately at the same time." Each would choose the delegates by a majority vote and the election was to continue until "completed." The House accepted the joint committee's order and sent it to the Senate for concurrence. On Friday, 2 March, Governor Bowdoin sent a message to the Senate transmitting the resolution of Congress of 21 February (CDR, 185-90 and CC:1) calling a convention of delegates to meet in Philadelphia to revise the Articles of Confederation. (This resolution ignored the report of the Annapolis Convention.) The Senate and House appointed members to a joint committee of five to consider Congress' resolution. The Senate then revised the House's order of the previous day. The "new draft" was adopted by both the Senate and the House on 2 March. The new order kept the 1 March House plan intact but also provided for committees of both houses to count the votes and compare the selection of delegates. The order based the appointment of delegates on the congressional resolution.

Both houses agreed that the election of convention delegates would take place on Saturday morning, 3 March. On the first ballot the two houses agreed only on Francis Dana. Four other delegates—Elbridge Gerry, Nathaniel Gorham, Rufus King, and Caleb Strong—were selected on the second ballot.

On 7 March the House passed a resolution that repealed the resolve of 22 February. A substitute resolution was adopted that quoted the congressional resolution of 21 February, acknowledged that the legislature had already elected delegates, and omitted the instructions. The resolution further requested that the governor grant commissions to the five delegates "agreeably to said resolution of Congress." The House also passed a resolution advancing £100 to "three of the Delegates respectively" who were appointed to attend the convention.

The Senate on 9 March accepted the new resolution respecting the commissions for the delegates, but offered an amendment restoring the instructions to the delegates that were incorporated in the 22 February resolution. On 10 March the House rejected the Senate's amendment and the Senate agreed. Governor Bowdoin commissioned the delegates on 9 April.

*Governor James Bowdoin: Message to the General Court
Boston, 2 October 1786¹*

Gentlemen of the Senate & Gentlemen of the House of Representatives—

By the last Post I received a letter of the 14th. of September, dated at Annapolis in Maryland, from John Dickinson Esqr. Chairman of the

Commissioners, lately assembled there, for the purpose of forming Commercial regulations for the United States—

It was accompanied with a Copy of their report to the legislatures of those States, by whom they were deputed: & it appears by it they had seperated without entering upon the business, for which they were appointed.—The like information I had some days before received, by a letter from the gentlemen, appointed on our part, Commissioners in that business.—

The reason of the seperation, as given in the report, is, that the express terms of the delegated powers supposed a deputation from all the states; & having for its object the trade & commerce of the United States, they did not conceive it adviseable to proceed on the business of their mission, under the circumstances of so partial & defective a representation: there being only five States represented.

Deeply impressed however, with the magnitude & importance of the object confided to them, they could not forbear to express their earnest & unanimous wish, that speedy measures may be taken to effect a general meeting of the States in a future convention, for the same, & such other, purposes, as the situation of public affairs may be found to require.

Under that impression, the Commissioners beg leave to suggest their unanimous conviction, that it may essentially tend to advance the interests of the Union, if the States, by whom they have been respectively delegated, would themselves concur; & use their endeavors to procure the concurrence of the other States, in the appointment of Commissioners to meet at Philadelphia on the second Monday in May next, to take into consideration the situation of the United States; to devise such further provision, as shall appear to them necessary, to render the Constitution of the fœderal government, adequate to the exigencies of the Union; & to report to Congress such an Act for that purpose, as when agreed to by them, & afterwards confirmed by the legislature of every state, will effectually provide for the same—

The aforesaid Letters & report will be laid before you, Gentlemen, for your further information; & for your consideration of the Subject matter of them—

A Letter from one of our Delegates in Congress, the honorable Mr. King, dated at Philadelphia the 17th. of September, relative to the same convention, is herewith also communicated;—

James Bowdoin

Council Chamber

Octr. 2d. 1786—

*Senate Proceedings, Monday, 2 October 1786 (excerpt)*²

. . . The Secry came in & read a Message from his Excellency the Governor, which with the papers accompanying he afterwards laid upon the Table read and sent down. . . .

*House Proceedings, Tuesday, 3 October 1786 (excerpt)*³

Met according to adjournment.

The House proceeded to read the papers accompanying the Governours message of yesterday viz a Letter from the Commissioners appointed to meet at Annapolis with Commissioners from the other States, dated Wilmington Sept. 16. 1786. & A Letter from the Hon. R. King, Esqr. dated Phila. 17. Sept. 1786. Another Letter from the same Gentleman dated New York 24 Sept. 1786 accepting his appointment as a Delegate to represent this Commonwealth in Congress the year ensuing. And the proceedings of the Convention at Annapolis dated Sept. 14. 1786. Committed to Mr. Dawes, Mr. Treadwell & Mr. Kilham with such as the Hon. Senate might join

sent up for concurrence . . .

*Senate Proceedings, Tuesday, 3 October 1786 (excerpt)*⁴

. . . Order of House for committing the Governors Message of the 2d. resp. the Convention at Annapolis, to Mr Dawes, Mr Treadwell & Mr Killham—

read & concurred & Eleazer Brooks and Stephen Choate Esqr. is joined. . . .

*Rufus King: Address before the Massachusetts House of Representatives
11 October 1786 (excerpt)*⁵

. . . That the report of the Commercial Convention was before Congress. The Hon. Gentleman observed, that doubts had arisen as to the mode of agreeing upon commercial regulations. The Confederation was the act of the people. No part could be altered but by consent of Congress and confirmation of the several Legislatures. Congress therefore ought to make the examination first, because, if it was done by a convention, no Legislature could have a right to confirm it. Did any Legislature sit for such purpose? no. It must be referred to the people, and then what degree of assent was necessary to make it an article of the confederation? whereas if it was conducted agreeably to the confederation, no such difficulty would exist. Besides, if Congress should not agree upon a report of a convention, the most fatal consequences

might follow. Congress therefore were the proper body to propose alterations. . . .

*Nathan Dane: Address before the Massachusetts House of Representatives
9 November 1786 (excerpt)*⁶

. . . Mr. Dane observed, that there was another subject under consideration, about which different opinions are adopted; he meant the report made by the gentlemen who met at Annapolis, in Convention: that the gentlemen in their report had made use of very general and indefinite expressions, that seem, however, to suggest the propriety of submitting the federal system of government in general to a revision, or to be changed: That it does not fully appear whether they had it in contemplation to do away the present system, and to adopt another on different principles, and with different features, or to preserve the principles and great outlines of the present, and to make some alterations in it, to give it more strength and energy. If the former is intended, may it not be asked, is the publick mind prepared for it? If the latter, will it not be best to consider the progress already made in amending the present system? That the amendments proposed by the recommendations of the 18th of April, 1783, and 30th of April, 1784, will, when obtained, remedy some of its most important defects; and as the states have proceeded so far in adopting them, it must be highly imprudent to submit now to examination, in a different form, objects contained in those amendments, and thereby effectually prevent any further progress in completing these alterations, now almost obtained. Mr. Dane observed, that there are, no doubt, other alterations, that time and experience will point out to be necessary: That it must be soon well understood, that there is a want of energy to constrain each part of the Union seasonably to bear its due proportion of the common burdens; and to hold men in publick trust in a proper state of responsibility, a federal judiciary may be found to be expedient for several purposes, the means of keeping up a punctual representation, &c.—But that a question arises as to the best mode of obtaining these alterations, whether by the means of a convention, or by the constitutional mode pointed out in the 13th article of the confederation. In favour of a convention, it is said, that the States will probably place more confidence in their doings, and that the alterations there may be better adjusted, than in Congress. It is asked, what reason there can be for supposing this, as several of the States consider such a convention highly inexpedient, and some States unconstitutional, and not all the States are agreed even in the propriety of a commercial convention?

that there is not sufficient reason to conclude, from the conduct of the States relative to alterations already proposed (more interesting, perhaps, than any that may hereafter be proposed) that there is a want of confidence in those who recommend them; that the States may generally delegate the same men to the known constitutional assembly, that they may wish to send to a convention; and when proper, can direct those full delegations to attend two or three months, for the purpose of fully adjusting such alterations: that the first principles of government are to be touched with care and attention. . . .

*House Proceedings, Friday, 9 February 1787 (excerpt)*⁷

. . . Mr. Gerry was charged with a message to request the Honble Senate to send down the Govr's message of the 2d. of Octr. last, and the letter of the Convention held at Annapolis, accompanying. Which were brought down accordgly. Read & thereupon Ordered that Mr. Gerry, Mr. Gorham, Mr. Davis, Mr. Fisher and Mr. Kilham with such as the Honble. Senate may join be a Committee to consider the same, and report

sent up for concurrence . . .

*Senate Proceedings, Friday, 9 February 1787 (excerpts)*⁸

. . . Mr. Gerry came up with a Message from the Honble. House, to request the Senate to send down to the House, the Letter from the Delegates appointed to meet in convention at Annapolis, and the Governors Message accompanying—

Sent. . . .

Governors Message of 2d. Octr. last, respq. the Commissioners who met at Annapolis, for the purpose of forming Commercial regulations for the United States & the papers accompanying—committed by the Honble. House to Mr. Gerry, Mr. Gorham, Mr. Davis, Mr. Fisher & Mr. Kilham with such as the Senate may join, to consider and report—

read and concurred & Saml. Adams, Charles Turner, Benja. Goodhue & Tristram Dalton Esqr are joined. . . .

*Governor James Bowdoin: Message to the General Court
Boston, 19 February 1787*⁹

Gentlemen of the Senate & Gentlemen of the House of Representatives.

In the recess of the General Court, I received two letters from Governor Randolph of Virginia, dated at Richmond in that Commonwealth, the first and sixth of December last: transmitting an Act of the

Legislature of that State, for appointing deputies to a convention, proposed to be held in Philadelphia on the second day of May next: for the purpose of revising the federal Constitution.

By the last Post, I also received a letter from Governor Caswell of North Carolina, dated the 12th. of January, inclosing an Act of the Legislature of that State, for appointing deputies for the same purpose.—

A Convention of Commissioners from several States was held at Annapolis in September last, for the purpose of devising & reporting the means of enabling Congress to provide effectually for the commercial interest of the United States: but they finding their commission too much limited, did in their report, represent the necessity of extending the revision of the federal System to all its defects; and recommended, that Deputies for that purpose should be appointed by the several Legislatures of the United States, to meet in Convention in Philadelphia as abovementioned.

The report of the aforesaid Commissioners was laid before you at your last session, together with my message of the second of October, upon the subject of it: to both of which you will please to be referred.—

The letters from the two Governors warmly recommend a cooperation on the part of this State.

The Subject is important, and merits an attentive consideration.—

James Bowdoin

Council Chamber
February 19th. 1787

*Senate Proceedings, Monday, 19 February 1787 (excerpt)*¹⁰

. . . The Secretary came in and delivered a Message from his Excellency the Governor respg. a Convention proposed to be held at Philadelphia—read & with the papers accompanying, committed to the Committee of both Houses appointed the 9th inst. on the Governors Message of the 2d. of Octr. last, respg. the Commissioners who met at Annapolis, for the purpose of forming commercial regulations for the United States—

sent down for concurrence—

came up concurred . . .

*Senate Proceedings, Wednesday, 21 February 1787 (excerpt)*¹¹

. . . Report of Committee appointed on Governors Message respg. Commissioners who met at Annapolis—

read & accepted—

sent down for concurrence . . .

*House Proceedings, Thursday, 22 February 1787 (excerpts)*¹²

Met according to adjournment.

The Hon. T. Durfee Esqr. brought down . . . a report of the Committee on the Govr's Message of the 2d. of Octr. respecting the proceedings of the Convention at Annapolis by way of Resolve. In Senate Febr'y. 21st. 1787. Read & accepted

sent down for concurrence

Read and concurred

*Resolution Authorizing the Appointment of Delegates and Providing Instructions for Them, 22 February 1787*¹³

The committee of both Houses appointed to consider the Governor's Message of the 2d of October last, enclosing with other papers a letter from John Dickinson esqr Chairman of the Commissioners, lately assembled at Annapolis for the purpose of forming commercial regulations for the United States, &c. submit the following resolve for consideration—

S Adams † Order

Resolved that five Commissioners be appointed, by the General Assembly, 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 second day of may next, & with them to consider the trade & commerce of the United States; & how far an uniform system in their commercial intercourse & regulation, may be necessary for their common interest & 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 exigences of the Union; & what further powers may be necessary to be vested in Congress for the common welfare & security, & with them to form a report for that purpose;—Such alterations & additions as may be made, to be however consistent with the true republican spirit & 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.—

And if any of the Commissioners who shall be appointed by the General Assembly, shall resign, or by death, or otherwise, be prevented from attending the said Convention, it shall be in the power of the Governor with the advice of Council to supply any vacancy that may take place as aforesaid, and he is requested to supply such vacancy accordingly.—

*Senate Proceedings, Thursday, 22 February 1787 (excerpt)*¹⁴

. . . Ordered that the choice of Delegates to meet in Convention at Philadelphia, agreeably to a Resolve of this day, originate in either House, to be sent to the other House for concurrence—
sent down for concurrence
came up concurred. . . .

*House Proceedings, Thursday, 22 February 1787 (excerpt)*¹⁵

. . . The Hon A. Wilder Esqr. brought down an order as follows viz. In Senate Febry. 22d. 1787. Ordered that the choice of Delegates to meet in Convention at Philadelphia, agreeably to a Resolve of this day, originate in either House and be sent to the other House for concurrence
Sent down for concurrence
Read and concurred . . .

*House Proceedings, Friday, 23 February 1787 (excerpt)*¹⁶

. . . Mr Goodman was charged with a message to request the Honble Senate to send down the order of yesterday directing the mode of chusing Delegates to represent this Commonwealth in Convention at Philadelphia, which the Hon. T. Durfee Esqr brought down accordingly. Read again Reconsidered & Ordered that the choice of the said Delegates be made by joint ballot of both Houses in one room assembled.
Sent up for concurrence

The House assigned Tuesday next 11. oClk AM for coming to the choice of the said Delegates if agreeable to the Hon. Senate & Mr. Bacon was charged with a message to inform them thereof . . .

*Senate Proceedings, Friday, 23 February 1787 (excerpt)*¹⁷

. . . The House reconsidered their Vote, on the Order determining the manner in which the Delegates to meet at Philadelphia shall be chosen, & ordered that the choice of the said Delegates be made by joint ballot of both Houses in one room assembled—

read & nonconcurrent & ordered that Stephen Choate & Benja. Goodhue Esqr. be a Committee to confer with such Committee as the Honble. House may appoint on the subject matter of this Order—

sent down for concurrence

came up concurred & Mr Gorham & Mr Davis are appointed on the p[ar]t of the House . . .

*House Proceedings, Friday, 23 February*¹⁸

. . . The Hon J. B. Varnum Esqr. brought down the order respecting the mode of chusing Delegates to meet in Convention at Philadelphia and the Vote of the House thereon In Senate Febr. 23. 1787. Read & nonconcurrent & ordered that Stephen Choate & Benjamin Goodhue Esqrs be a Committee to confer with such Committee as the Hon House may appoint, on the subject matter of this order

Sent down for concurrence

Read and concurred & Mr. Gorham & Mr. Davis were appointed on the part of the House. . . .

*House Proceedings, Thursday, 1 March 1787 (excerpt)*¹⁹

. . . The Committee appointed to devise a mode of chusing Delegates to represent this Commonwealth in Convention at Philadelphia reported the following order viz.

[“]Ordered that the two Branches of the Legislature, in the choice of members to represent this Commonwealth in the Convention of the United States, to be holden at Philadelphia in May next, proceed to the election in their respective Houses seperately at the same time; and the majority of the votes in each House, meeting in the same person, shall determine the choice; and that this mode be continued untill the election is compleated” which report was read & accepted

Sent up for concurrence. . . .

*Governor James Bowdoin: Message to the General Court
Boston, 2 March 1787 (excerpt)*²⁰

Gentlemen of the Senate & Gentlemen of the House of Representatives—

... I received [by post] from Mr. Thompson a resolution of Congress of the 21st. of February, expressing the opinion of Congress that it is expedient a Convention of Delegates from the several States should be held on the second Monday of May next at Philadelphia, for the sole & express purpose of revising the Articles of the confederation; & reporting to Congress, & the several Legislatures, such alterations & provisions as shall, when agreed to in Congress, & confirmed by the States, render the federal Constitution adequate to the exigencies of Government, & the preservation of the Union.

The Letters, Gentlemen, will be laid before you by the Secretary—
James Bowdoin

Council Chamber
March 2d. 1787—

*Senate Proceedings, Friday, 2 March 1787 (excerpts)*²¹

... Governors Message (as delivered by the Secretary) respecting a Resolution of Congress for a Convention . . . read and committed to Saml. Adams & Tristram Dalton Esqr. with such as the Honble. House may join, to consider & report

sent down for concurrence

came up concurred & Mr. Gorham, Mr Jones & Mr Vans are joined

Order of House determining the manner in which the Delegates to meet in Convention at Philadelphia

read & concurred as taken into a new draft

sent down for concurrence

came up concurred. . . .

[House order as taken into a new draft by the joint committee]²²
Ordered that the two branches of the Legislature, in the choice of Delegates to represent this Commonwealth in a convention to be holden at Philadelphia on the second monday of May next agreeably to a resolution of Congress passed the 21st of February 1787, proceed to the election in their respective houses separately, at the same time—And the person or persons in whom the majority of the votes in each House shall meet shall be returned duly chosen—And to ascertain this choice the committees of the two houses who shall be appointed to collect, sort & count the votes of each respectively, shall immediately after counting the votes meet & compare their lists, and report the

names of those persons in whom the majority of votes in the two Houses shall meet as aforesaid—

And in case the election of all the Delegates shall not be completed in the first instance, the same mode shall be continued until the whole number is elected—

*House Proceedings, Friday, 2 March 1787 (excerpts)*²³

. . . The Hon. O. Phelps Esqr. brought down the order of the House of yesterday appointing the mode of chusing Delegates to represent this Commonwealth in Convention at Philadelphia. In Senate March 2d. 1787.

Read and concurred as taken into a new draught
sent down for concurrence

Read and concurred . . .

Mr. Davis was charged with a message to propose to the Hon. Senate to come to the choice of Delegates to represent this Com^wlth in Convention at Philadelphia tomorrow morning at 11. oClk. . . .

The Hon E. Brooks Esqr came down & said that he was directed by the Senate to inform the House that they agreed to the proposal. . . .

*Senate Proceedings, Friday, 2 March 1787 (excerpt)*²⁴

. . . Mr Davis came up with a Message & informed the Senate that the House proposed 11. oClock tomorrow for coming to the choice of Delegates to meet in Convention at Philadelphia, if agreeable to the Senate—A Message was sent to inform the House that the Senate agreed to their proposal. . . .

*House Proceedings, Saturday, 3 March 1787 (excerpt)*²⁵

. . . Mr. Jones was charged with a message to acquaint the Hon. Senate that the House were ready to proceed to the choice of five Delegates to represent this Commonwealth in Convention at Philadelphia in May next.

The Hon T. Dalton Esqr. came down and said that the Senate were also ready.

Mr. Otis, Mr. Vans, Mr. Davis, Mr. Frothingham & Mr. Dawes were then appointed a committee to collect count & sort the votes of the House. A return of the House being made, there appeared to be 105 members present. The Committee having attended the service assigned & compared the votes with those of the Hon. Senate reported That

The Hon Francis Dana Esqr. was the only person chosen. Whereupon the House again proceeded to the choice & the committee having proceeded to collect and compare the votes as aforementioned reported That

The Hon. Elbridge Gerry Esqr.
 The Hon. Nathaniel Gorham Esqr
 The Hon. Rufus King Esqr &
 The Hon. Caleb Strong Esqr. were chosen . . .

*Senate Proceedings, Saturday, 3 March 1787 (excerpt)*²⁶

. . . The Committee of each branch of the Legislature appointed to collect, count & sort the Votes in their respective Houses, for five Delegates to represent this Commonwealth in a Convention to be held at Philadelphia, in May next, having met and compared their lists, it appeared that the two Houses were united in the choice of

the Honble. Francis Dana
 Nathl. Gorham
 Elbridge Gerry
 Rufus King &
 Caleb Strong Esqrs

*Senate Proceedings, Monday, 5 March 1787 (excerpt)*²⁷

. . . Order directing the Secretary to notify the Delegates appointed to meet in Convention of their choice &c
 sent down for concurrence
 came up concurred . . .

*House Proceedings, Tuesday, 6 March 1787 (excerpt)*²⁸

. . . The Hon C. Turner Esqr. brought down an order of Senate of this day for notifying the Gentlemen chosen to represent this Commonwealth in Convention at Philadelphia, of their appointments respectively

Sent down for concurrence
 Read and concurred. . . .

*House Proceedings, Wednesday, 7 March 1787 (excerpt)*²⁹

. . . A Resolve repealing the Resolve of the 22d day of February appointing Commissioners to represent this Commonwealth in Convention at Philadelphia. Read & passed
 sent up for concurrence

⟨Whereas on the 22d day of February 1787, it was, by the Legislature of this Commonwealth, Resolved, that five Commissioners be appointed by the General Assembly, who, or any three of whom, were 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 second day of May next for purposes mentioned in said resolution—

Resolved, that the said resolve, & every part thereof be, & it is hereby repealed—

Resolved, that the Secretary be, & he is hereby directed not to publish or print this, or the first mentioned resolve, any resolve or order to the contrary notwithstanding—³⁰

A Resolve appointing Delegates to represent this Commonwealth in Convention at Philadelphia Read and passed

sent up for concurrence

⟨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 to be held at Philadelphia for the sole & express purpose of revising the articles of Confederation, and reporting to Congress & the several Legislatures, such alterations & provisions therein, as shall when agreed to in Congress, and confirmed by the States, render the federal Constitution adequate to the exigences of Government, & the preservation of the Union”—

And Whereas the Legislature of this Commonwealth did on the third day of this present month elect the honorable 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 & express purpose mentioned in the aforesaid resolve of Congress—

Resolved that his excellency the Governour be, & he hereby is requested to grant to the said Francis Dana, Elbridge Gerry, Nathaniel Gorham, Rufus King & Caleb Strong esqrs a commission agreeably to said resolution of Congress³¹

A Resolve for advancing one hundred Pounds to three of the Delegates respectively who are appointed to represent this Commonwealth in Convention at Philadelphia, Read and passed

sent up for concurrence

*Senate Proceedings, Friday, 9 March 1787 (excerpt)*³²

. . . Resolve requesting the Governor to commission the Gentlemen, who were appointed to meet in Convention at Philadelphia—

read & concurred with an amendment at A—
sent down for concurrence . . .

(And it is further Resolved, That the said Delegates on the part of this Commonwealth be, and they are hereby instructed not to accede to any alterations or additions that may be proposed to be made in the present Articles of Confederation, which may appear to them, not to consist with the true republican Spirit and Genius of the said Confederation: and particularly that they by no means interfere with the fifth of the said Articles which provides, “for the annual election of Delegates in Congress, with a power reserved to each State to recal its Delegates, or any of them within the Year & 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”—

Ordered that the Secretary serve the aforementioned Delegates, severally, and such others as may hereafter be appointed in their stead with an attested copy of the last foregoing resolve—³³

*House Proceedings, Saturday, 10 March 1787 (excerpt)*³⁴

. . . The Hon S: Metcalf Esqr brought down . . . the Resolve of the House of the 7th. instant appointing Delegates to represent this Commonwealth in convention. In Senate March 9. 1787. Read & concurred with amendment

sent down for concurrence

Read and Non concurred . . .

*Senate Proceedings, Saturday, 10 March 1787 (excerpts)*³⁵

. . . [Senate amendment] came up nonconcurred—

[House resolution] Read again in Senate & reconsidered & the Senate concur with the Honble. House . . .

[House] Resolve for paying out of the Treasury, One hundred pounds to three of the Delegates appointed to meet in Convention at Philadelphia—

read & concurred

[House] Resolve repealing a resolve of the 22d. Feby. 1787. resp. the Commissioners who are to meet at Philadelphia—

read & concurred . . .

*Commission to the Delegates, 9 April 1787*³⁶

Commonwealth of Massachusetts.

(Seal Append[e]d) By His Excellency James Bowdoin Esquire Governor of the Commonwealth of Massachusetts.—

To the Honorable Francis Dana, Elbridge Gerry, Nathaniel Gorham, Rufus King and Caleb Strong Esquires Greeting.—

Whereas Congress did on the twenty first day of February Ao. Di. 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 to 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 General Court have constituted and appointed you their Delegates to attend and represent this Commonwealth in the said proposed Convention, and have by a resolution of theirs of the tenth of March last, requested me to Commission you for that purpose.—

Now therefore Know Ye, that in pursuance of the resolutions aforesaid, I do by these presents, commission you the said Francis Dana, Elbridge Gerry Nathaniel Gorham, Rufus King & Caleb Strong Esquires or any three of you to meet such Delegates as may be appointed by the other or any of the other States in the Union to meet in Convention at Philadelphia at the time and for the purposes aforesaid.—

In Testimony whereof I have caused the Public Seal of the Commonwealth aforesaid to be hereunto affixed.

Given at the Council Chamber in Boston the Ninth day of April Ao. Dom. 1787 and in the Eleventh Year of the Independence of the United States of America.—

James Bowdoin

By His Excellency's Command
John Avery Junr., Secretary

1. DS, Miscellaneous Legislative Papers, House Files, No. 2197A, M-Ar. The manuscript is marked “(Duplicate)” and is docketed “Govr's Message/Octo. 2. 1786/(Entd.).”

2. MS, Senate Journal, 174, M-Ar.

3. MS, House Journal, 218, M-Ar.

4. MS, Senate Journal, 175–76, M-Ar.

5. *Independent Chronicle*, 12 October. The *Chronicle* prefaced its account of King's address with the following statement: “Yesterday the Hon. Rufus King, Esq; (who arrived here on Sunday last, from Congress) appeared before the Hon. House of Representatives, in compliance with their vote, and gave full information relative to the affairs of the United

States, immediately affecting the interest of this Commonwealth. On this occasion a very crowded audience attended the House, incited both by the critical situation of national matters, and the abilities of the Speaker." King's address was reprinted in the *Massachusetts Gazette*, 13 October, the *Massachusetts Centinel*, 14 October, and *The Boston Magazine*, September–October 1786, 406.

6. *Massachusetts Gazette*, 17 November. Reprinted in *The Boston Magazine*, November–December 1786, 442–43.

7. MS, House Journal, 396, M-Ar.

8. MS, Senate Journal, 343, 344, M-Ar.

9. DS, Miscellaneous Legislative Papers, House Files, No. 2559, M-Ar. The manuscript is docketed "Govrs Message/February 19. 1787/(Entd.)."

10. MS, Senate Journal, 373, M-Ar.

11. MS, Senate Journal, 383, M-Ar.

12. MS, House Journal, 435, M-Ar.

13. MS, Resolves, 1786, chapter 43A, M-Ar. This resolution was proposed and accepted in the Senate on 21 February and adopted by the House the next day. According to Nathaniel Gorham, Samuel Adams (chairman of the joint committee) "is full of doubts & difficulties & finding that he cannot obstruct the report generally wishes to limit the Commission in such manner as I think will exceedingly injure the business" (to Henry Knox, 18 February 1787, GLC 2437, The Henry Knox Papers. The Gilder Lehrman Collection, on deposit at the Pierpont Morgan Library, New York.).

14. MS, Senate Journal, 387, M-Ar.

15. MS, House Journal, 437, M-Ar.

16. MS, House Journal, 440, M-Ar.

17. MS, Senate Journal, 390, M-Ar.

18. MS, House Journal, 440, M-Ar.

19. MS, House Journal, 465, M-Ar.

20. DS, Miscellaneous Legislative Papers, House Files, No. 669, M-Ar. The manuscript is marked "(Duplicate)" and is docketed "Message of the Gove[r]nor respecting a resolution of Congress for a Convention March 2d. 1787."

21. MS, Senate Journal, 422, M-Ar.

22. MS, Miscellaneous Legislative Papers, Senate Files, No. 670/1, M-Ar.

23. MS, House Journal, 472, M-Ar.

24. MS, Senate Journal, 427, M-Ar.

25. MS, House Journal, 475, M-Ar.

26. MS, Senate Journal, 428–29, M-Ar.

27. MS, Senate Journal, 434, M-Ar.

28. MS, House Journal, 480, M-Ar.

29. MS, House Journal, 489–91, M-Ar.

30. For the manuscript copy of the text within angle brackets, see Resolves, 1786, chapter 147, M-Ar.

31. For the manuscript copy of the text within angle brackets, see Resolves, 1786, chapter 147, M-Ar.

32. MS, Senate Journal, 450, M-Ar.

33. For the manuscript copy of the text of the amendment at A within angle brackets, see Resolves, 1786, chapter 147, M-Ar. Amendment A was placed immediately following note 31 above.

34. MS, House Journal, 501, M-Ar.

35. MS, Senate Journal, 450, 453, M-Ar. The first excerpt was recorded by the clerk on the journals after the proceedings for 9 March.

36. Copy, Bankson Journal, 4–5, National Archives.

Appendix III

The Constitution of the United States¹

We the People of the United States, 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, do ordain and establish this Constitution for the United States of America.

Article. I.

Section. 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.

Section. 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 entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section. 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

Section. 4. 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.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

Section. 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

Section. 6. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States which shall have been created, or the Emoluments whereof shall have been encreased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

Section. 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with

the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be re-passed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Section. 8. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

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 Officer thereof.

Section. 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

Section. 10. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

Article. II.

Section. 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

The Electors shall meet in their respective States and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the

President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Persons except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall 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."

Section. 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States,

when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Section. 3. He shall from time to time give to the 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 in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Section. 4. 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.

Article III.

Section. 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

Section. 2. 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;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to 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.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

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 said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Section. 3. Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The 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 attainted.

Article. IV.

Section. 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Section. 2. The Citizens of each State shall be entitled to all privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on

Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

Section. 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Section. 4. The United States shall guarantee to every State in this 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 domestic Violence.

Article. V.

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 this 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; Provided that no Amendment 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 it's equal Suffrage in the Senate.

Article. VI.

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

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.

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 public Trust under the United States.

Article. VII.

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

The Word, "the," being interlined between the seventh and eighth Lines of the first Page, The Word "Thirty" being partly written on an Erasure in the fifteenth Line of the first Page, The Words "is tried" being interlined between the thirty second and thirty third Lines of the first Page and the Word "the" being interlined between the forty third and forty fourth Lines of the second Page.

Attest William Jackson Secretary

Delaware	{	Geo: Read
		Gunning Bedford junr
		John Dickinson
		Richard Bassett
		Jaco: Broom

done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independance of the United States of America the Twelfth In Witness whereof We have hereunto subscribed our Names,

Go: Washington—Presidt.
and deputy from Virginia

New Hampshire	{	John Langdon
		Nicholas Gilman

Massa- chusetts	{	Nathaniel Gorham
		Rufus King

Maryland { James McHenry
Dan of St Thos. Jenifer
Danl Carroll

Virginia { John Blair—
James Madison Jr.

North Carolina { Wm. Blount
Richd. Dobbs Spaight.
Hu Williamson

South Carolina { J. Rutledge
Charles Cotesworth
Pinckney
Charles Pinckney
Pierce Butler

Georgia { William Few
Abr Baldwin

Connecticut { Wm: Saml. Johnson
Roger Sherman

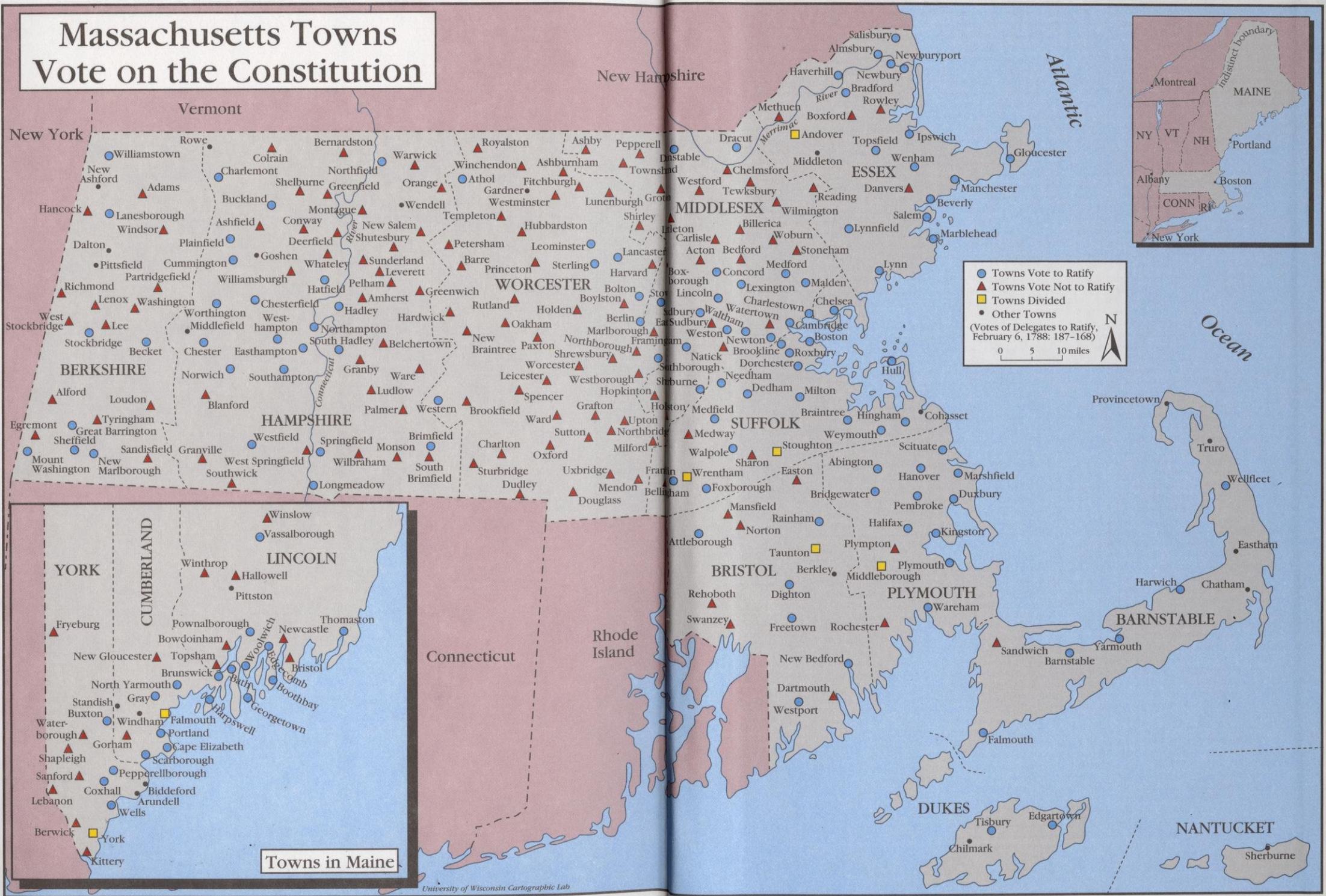
New York . . . Alexander Hamilton

New Jersey { Wil: Livingston
David Brearley
Wm. Paterson
Jona: Dayton

Pensylvania { B Franklin
Thomas Mifflin
Robt Morris
Geo. Clymer
Thos. FitzSimons
Jared Ingersoll
James Wilson
Gouv. Morris

1. Engrossed MS, RG 11, National Archives.

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

states, Massachusetts' twelve newspapers seldom reprinted items from other in-state newspapers; but they frequently reprinted articles and brief reports from out-of-state newspapers. George Mason's objections to the Constitution and Benjamin Franklin's last speech in the Constitutional Convention first appeared in Massachusetts newspapers and were widely reprinted in Massachusetts and nationally. Elbridge Gerry's 18 October letter to the Massachusetts General Court explaining his reasons for not signing the Constitution was printed in every state newspaper and received broad circulation throughout the country.

The local newspaper debate contained many examples of "Ship News," poetry, and dialogues between fictitious characters. Biblical and literary references far outnumber the references to political works (Blackstone, Montesquieu, etc.) so prevalent in other states. Personal attacks were common. Samuel Adams, Elbridge Gerry, and James Warren, three prominent Antifederalists, were particularly disparaged. A heated debate occurred over whether Boston newspaper editors should publish Antifederalist essays if authors refused to submit their names to be divulged upon request. Serialized pseudonymous essays included writings by "Agrippa," "Cassius," and "John De Witt."

Although neither the first large state nor the first New England State to consider the Constitution, Massachusetts had a profound effect on the ratification struggle. Defeat by Massachusetts, in essence, meant the rejection of the Constitution; ratification by Massachusetts markedly improved the possibilities for adoption. The public debate in Massachusetts contained in this and the next volumes sets the stage for the election of ratifying convention delegates by over 300 Massachusetts towns between mid-November and early January 1788.

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. 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 Dr. Leffler have co-edited *Federalists and Antifederalists: The Debate over the Ratification of the Constitution* (1989).

Critical acclaim for *The Documentary History of the Ratification of the Constitution*:

"No student of the period should neglect this splendid scholarly achievement."
AMERICAN HISTORICAL REVIEW

"A reference work's reference work." JOURNAL OF AMERICAN HISTORY

"... the great work will always hold a high and honored place in the annals of American scholarship." VIRGINIA MAGAZINE OF HISTORY AND BIOGRAPHY

"Each new volume now fills another vital part of a heroic mosaic of national history." AMERICAN BAR ASSOCIATION JOURNAL

"... will be of enduring value centuries hence ... one of the most interesting documentary publications we have ever had ... it will stand high among the enduring monuments of our Constitution's bicentennial." NEW YORK HISTORY

"The introductory essay and the headnotes are invariably excellent, and the scholarly apparatus is a model. ... This excellent volume turns a searchlight on the early phase of the struggle over ratification of the Constitution, and we await with confidence subsequent volumes in the series." JOURNAL OF SOUTHERN HISTORY

"These volumes will be used always as examples of the editor's art. The value of each volume and the whole series is awesome in terms of constitutional history." GEORGIA HISTORICAL QUARTERLY

"... a monument not to be bettered and one likely to be a landmark for all future excursions into the history of the ratification of the federal Constitution."
NORTH CAROLINA HISTORICAL REVIEW



The Documentary History of the Ratification of the Constitution

I Constitutional Documents and Records, 1776-1787

Ratification of the Constitution by the States

II Pennsylvania

III Delaware • New Jersey • Georgia • Connecticut

IV-VI Massachusetts

VII Maryland • South Carolina • New Hampshire

VIII-X Virginia

XI-XII New York

XIX North Carolina

XX Rhode Island

Commentaries on the Constitution: Public and Private

XIII 21 February to 7 November 1787

XIV 8 November to 17 December 1787

XV 18 December 1787 to 31 January 1788

XVI 1 February to 31 March 1788

XVII 1 April to 9 May 1788

XVIII

THE STATE HIST
MADIS

Kaminski-4

ISBN 0-87020-292-8

9 0000



9 780870 202926