

powers, of laying and collecting taxes, duties, imposts and excises; of regulating trade, raising and supporting armies, organizing, arming and disciplining the militia, instituting courts, and other general powers. And are by all laws, invested with the power of making all these into proper and necessary, for carrying out this power; and they may to exercise this power; and to annihilate all the State government, and reduce this country to one single government. And if they may do it, it is precisely what they will; for it will be found that the power retained by individuals, small as it is, will be a clog upon the wheels of the government of the United States; the latter therefore will be naturally inclined to remove it out of the way. Besides, it is a truth confirmed by the unerring experience of ages, that every man, and every body of men, invested with power, are ever disposed to increase it, and to acquire a superiority over every thing that stands in their way. This disposition, which is implanted in human nature, will operate in the federal legislature, to resist and ultimately to subvert the State authority, and having such advantages, will not certainly succeed, if the federal government succeeds at all. It must be very evident, that what this constitution wants of being a complete consolidation of the federal parts of the union into one complete government, possessed of perfect legislative, judicial and executive powers, to all intents and purposes, it will necessarily acquire in its exercise and operation.

BRUTUS.
(To be concluded in our next.)

FROM THE CONNECTICUT COURANT.
To the HOLDERS and TILLERS of LAND.

NUMBER IV.
Remarks on the objections made by the Honourable ALBRIDGE GERRIT to the new Constitution.

To conceive a man for an opinion in which he declares himself honest, and in a matter of which all men have a right to judge, is highly injurious; at the same time, when the opinions even of honourable men are admitted to the people, a tribunal before which the meanest citizen has a right to speak, they must abide the consequence of public censure. We are ignorant whether the hon. gentleman possesses state dignities or emoluments, which will be endangered by the next system, or hath motives of personality to prejudice his mind and throw his vote into the opposition; or if he be so, do not wish to evade the objections by such a change. As a member of the general Convention, and deputy from a great State, this honourable person hath a right to speak and be heard. It gives us pleasure to know the extent of what may be objected, or even furnished, by one whose situation was the best to cloy danger, and mark the defects of the constitution; if any such there be. Mr. Gerry, though in the character of an objector, tells us "he was fully convinced that to preserve the union, an efficient government was indispensably necessary, and that it would be difficult to make proper amendments to the old articles of confederation." Therefore by his own concession there is an indispensable necessity of a new system, in many particulars, entirely new. He tells us further, that "if the people reject this altogether, anarchy may ensue," and what fits together, anarchy may ensue, and a total dissolution of the confederation. Many defects in the constitution had better be risked than to fall back upon that state of rude violence, in which every man's hand is against his neighbour, and there is no judge to decide between them, or power of justice to control. But we hope to power, that there is no such alarming defects in the proposed structure of government, and that while a public force is created, the liberties of the people have every possible guard.

Several of the honourable gentleman's objections are expressed in such vague and indefinite terms, that they rather deserve the name of insinuations, and we know not against what particular parts they are pointed. Others are explicit, and if really deserve serious attention. His first objection is, "that there is no adequate provision for a representation of the people." This must have respect either to the number of representatives, or to the manner in which they are chosen. The proper number to constitute a free representation is a matter of judgment, in which honest and wise men often disagree. Were it possible for all the people to convene and give their personal assent, some would think this the best mode of making laws, but in the present instance it is impracticable, and in towns and smaller districts, where all are present, this is doubtless preferable. The State representation is composed of one or two from every town and district, which composes an assembly not so large as to be unwieldy in acting, nor so expensive as to burden the people. But if so numerous a representation were made

from every part of the United States, with our present population, the new Congress would consist of three thousand men; with the population of Great-Britain, to which they may arrive in half a century, of ten thousand; and with the population of France, which shall probably equal in a century and half, of thirty thousand.

Such a body of men might be an army to defend the country in case of foreign invasion, but not a legislature, and the expense to support them would equal the whole national revenue. By the proposed constitution, the new Congress will consist of nearly one hundred and men. When our population is equal to Great-Britain, of three hundred men, and when equal to France, of nine hundred. Plenty of Lawyers! why any gentleman should wish for more, is not conceivable.

Considering the immense territory of America, the objection with many will be on the other side; that when the whole is populated, it will constitute a legislature unmanageable by its members. Convention foreseeing this danger, have foreworded the article, that if the people should at any future time judge necessary, they may diminish the representation.

As the State legislatures have to regulate the internal policy of every town & neighbourhood, it is convenient enough to have one or two men, particularly acquainted with every small district of country, its interests, parties and passions. But the federal legislature can take cognizance only of national questions and interests, which in their very nature are general, and for this purpose five or ten honest and wise men chosen from each State; men who have had previous experience in State legislation, will be more competent than an hundred. From an acquaintance with their own State legislatures, they will always know the sense of the people at large, and the expense of supporting such a number will be as much as is sought to incur.

If the honourable gentleman, in saying "there is no adequate provision for a representation of the people," refers to the manner of choosing them, a reply to this is naturally blended with his second objection, "that they have no security for the right of election." It is impossible to conceive what greater security can be given, by any form of words, than we here find.

The federal representatives are to be chosen by the votes of the people. Every freeman is an elector. The same qualifications which enable you to vote for State representatives, give you a federal voice. It is a right you cannot lose, unless you first annihilate the State legislatures, and declare yourselves incapable of electing, which is a degree of insurrection improbable as a second deluge to drown the world.

Your own assemblies are to regulate the formalities of this choice, and unless they betray you, you cannot be betrayed. But perhaps it may be said, Congress have a power to control this formally as to the time and places of electing, and may allow them here. But this objection, which at first looks frightful, was designed as a guard to the privileges of the electors. Even State assemblies may have their fits of madness and passion, this though not probable is still possible.

We have a recent instance in the State of Rhode-Island, where a desperate junto are governing, contrary to the sense of a great majority of the people. It may be the case in any other State, and should it ever happen, that the ignorance or rashness of the State assemblies, in a fit of jealousy, should deny you this sacred right, of electing, should deny you this sacred right, the deliberate justice of the continent has enabled to interpose and restore more inviolably guarded. This right is therefore more inviolably guarded than it can be by the whole empire. The for-it is guaranteed in which the honourable gentleman proposes his doubts, I wish here to notice some questions which he makes. The proposed plan among others he tells us involves these questions, "whether the federal State government shall be so altered as in effect to be dissolved? Whether in lieu of the State governments the national constitution now proposed shall be substituted?" I wish for power to see on what these questions are founded. No alteration in the State governments, is even proposed, but they are to remain identically the same that they now are. Some powers are to be given into the hands of your federal representatives, such as powers are all in their nature general, such as must be exercised by the necessary; or your commerce, as are absolutely necessary; or your riches, the price of your commodities, your mirth and your safety, will be the sport of every foreign adventurer. Why are we told of the dissolution of our State governments, when by this plan they are indissolubly linked. The national legislature consists of two houses, a Senate and a House of Representatives. The Senate is to be chosen by the assemblies of the particular States; or that if the assemblies are dissolved, the Senate dissolves with them. The national representatives are to be chosen by the same electors,

and under the same qualifications, as choose the State representatives: so that if the State representation be dissolved, the national representation is gone of course.

State representation and government is the basis of the constitutional power proposed. This is the most valuable link in the chain of connection, and affords double security to the rights of the people. Your liberties are pledged to your own State, and by the power of the whole empire. You have a voice in the government of your own State, and in the government of the whole. Were not the gentlemen on whom these remarks are made, very honourable, and by the eminence of office raised above the suspicion of cunning, we should think he had in this instance, insinuated merely to alarm the fears of the people. His other objections will be mentioned in some future number of the

LANDHOLDER.

FOR THE HAMPSHIRE GAZETTE.

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

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

His only objection to the Constitution (after we may presume, a narrow and critical search for facts is), "is an omission of a declaration of rights" which omission Mr. Wilson, and with him every man of common sense and candour, justifies, for this reason, viz. in the State Constitutions a bill of rights is necessary, because whatever is not referred is given, but in the Congressional Constitution whatever is not given is reserved. This, says our author, "is a distinction without a difference, and has the dignity of a quibble, and exerts himself busily in an argument" and exerts himself busily in a play of words and quibbles to all which it is to refer to the distinction to all which it is sufficient to reply, that it must be obvious to a discerning and candid reader, that the new Constitution, although it contains not a declaration of the rights of the people; yet it contains a declaration of the powers given to others; intrinsically with precision defines and limits them; thus firmly and ably fixes the boundaries of their authority, beyond which they cannot pass unless in violation of the Constitution: To be made a formal declaration, that all the rights and powers not mentioned nor defined nor reserved and not granted, would have been a great affront to common sense, as if he had made a grant of a certain tract of land, and other articles of property particularly specified and described in a deed or bill of sale, I should add a particular enumeration of my every other piece of land and article of property, with a declaration in form, that none of these are intended to be granted; for not being granted are certainly reserved, as certainly without a declaration of it. Common sense requires a declaration that articles either of property power not mentioned in the bill are not granted by the bill.

To allude the danger arising from this omission of a bill of rights, and prove "that a dangerous aristocracy springs from it" (the Constitution) "must necessarily swallow up the democratic rights of the union, and sacrifice the liberties of the people to the power and dominion of a few." He refers to the liberty of the press, as a witness taken by Mr. Wilson, to show that a bill of rights is not necessary, because this remains safe if secure without it; for this reason, viz. "it is an express power granted to regulate the press." The Constitution to the liberty of the press nor lets with respect to the liberty of the press; but leaves it as it found it, in the hands of the several State legislatures; by the hands of the several general powers are reserved, "that the particular one committed within them must also be granted;" with keen sagacity discovers a general

presented to Congress "to define and punish offences against the law of nations," and after a plausible parade of inconclusive argumentation, affirms to have proved, "that the power of restraining the press is necessarily involved in the unlimited power of defining offences against the law of nations, or of making treaties, which are to be the supreme law of the land." To clear off the obscurity and confusion which involve the ideas and reasonings of this author, concerning the law of nations and public treaties, and set this matter in a clear and concise point of view, it is needless and would be to no purpose to pursue him through an intricate maze or winding in a pompous declamatory harangue; it is needless, to that end only to consider, that by the law of nations, it intended, these regulations and articles of agreement by which different nations, in their treaties, only with another, mutually bind themselves to regulate their conduct, one towards the other. A violation of such articles is properly defined an offence against the law of nations; and there is and can be no other law of nations, which binds them with respect to their treatment one of another, but these articles of agreement contained in their public treaties and alliances.

These public treaties become the law of the land in the being made by constitutional authority, i. e. among us, by those whom the people themselves have authorized for that purpose, are in a proper sense their own agreements, and therefore as laws, bind the several States, as States, and their inhabitants, as individuals to take notice of and govern themselves according to the articles and rules which are defined and stipulated in them: "The law of the land they bind themselves to performance of the engagements which they have made." How then doth it appear "that a power to define offences against the law of nations necessarily involves a power of restraining the liberty of the press?"

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

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

That our author had a design in the choice of a signature, to lessen a stigma on the worthy patriotic faculties, I can not affirm. Be assured this is by no means the wish of

ANTI-CINCINNATUS.

A. N. T. W. E. R. P., October 1.
Our town is crowded with emigrants from all parts of Holland, which they abandoned, in consequence of their lives and properties being in the utmost danger. The Stadtholder intends to publish a severe prohibition to the departure of the opulent inhabitants of the Republic.

H. A. G. U. E., September 30.
M. de Berkenrode, Ambassador of the Republic at the Court of France, has sent a note of Mr. Secretary Fagel, which the Minister for foreign affairs delivered him at Paris; this note contains in substance, that his most Christian Majesty "is highly offended at the insult offered him by the invasion of Holland by the Prussian troops;" "the Republic being at this time his ally;" "That his Majesty expects that these troops will immediately evacuate the territory of the Republic, and that the King has already given orders to support, by way of arms, the pretensions of this note."

PHILADELPHIA, Nov. 28.
Yesterday a motion was made in the convention that upon the conclusive question for raising or rejecting the proposed federal constitution, the members should be allowed to enter, with the yeas and nays, the reason of their vote; but after some debate, in which it was treated on one side, as a measure only calculated to impede the experience of the convention, and to kindle and disseminate contention among the people, it was lost by a very great majority. The convention then resolved that they would proceed to the consideration of the constitution by articles, and the first article being read, Mr. M'Kean delivered a prefatory observation, in which he strongly indicated mutual indulgence and forbearance. The convention, with contenting further into the discussion of the article before them, adjourned till this day at 10 o'clock, when it will be resumed.

The first article being read, Mr. M'Kean said, I rise to request, that a spirit of conciliation and coolness may prevail in this discussion. The wisest and best men in all countries and ages have differed on the subject of government. The history of ancient government is somewhat obscure, yet enough has been given us to authorize the conclusion, that no two of them were alike. Though China and Sweden are

despotic governments, they are widely different. The monarchs of France and Spain meet in very few points nor are there any two republics, but differ in their forms and powers of government. They all descend from the same parent (the people) but they are of various features and complexions. Even in religion we disagree, to confine ourselves to one fact—how various are the doctrines, church discipline and worship of Christians—though we have but one rule—the New-Testament—the new constitution (if you please). And if men think differently on the most important subject which can interest society, how silly, how extremely narrow is it, that we should quarrel, because we cannot altogether agree on the subject before us. I hope, our enquiries will have information for their object, and that our debates will be conducted with decency and the utmost moderation.

The speech must be admired by every friend to order and dignified reasoning, and will no doubt greatly influence the deliberations of the convention.

While the convention were sitting on the previous day of referring the constitution to a committee of six members, Mr. Wilson made the following declaration: "Shall we, Sir, who we contemplate a great and magnificent empire, could we see a few of its microscopic eyes, to see the impression of a single brick." Mr. Finley, replying to the metaphor, said "I shall not sit for when we are about to erect a large and expensive fabric (as far as it respects us, we are about to erect this mighty fabric of government in Pennsylvania) examine and compare the materials of which we mean to compose it, fitting and combining the parts which shall enter, and rejecting every thing that is useless and rotten." That, concluded Mr. Rufin, is not our business. We are not at this time called upon to raise the structure. The house is already built for us, and we are only asked, whether we choose to occupy it? If we find its apartments commodious, and, upon the whole, that it will calculate to last us from the elements of the firm that threatens, we shall act prudently in occupying it; if otherwise, all that is required of us, is to return the key to those who have built and offered it for our use."

BOSTON, December 13.
Friday last, at 10 o'clock, agreeably to notification, came on at Faneuil Hall the choice of twelve Delegates to meet in Convention at the State House in this town, on the second Wednesday in January next, for the purpose of assembling to raise the Federal Constitution.—At half past twelve the poll closed—when the whole number of votes was 7975—of which

- His Excellency John Hancock, had 775
- Hon. James Bowdoin, 760
- Hon. Samuel Adams, 618
- Hon. William Phillips, 548
- Hon. Caleb Davis, 518
- Do. Charles Jarvis, 514
- John W. Winthrop, 414
- John Adams, Esq., 314
- Thomas Dawes, Jun. Esq., 314
- Rev. Samuel Stillman, 214
- Thomas Bulfinch, Esq., 214
- Christopher Gore, Esq., 214

And were declared to be chosen: The general anxiety which prevailed all ranks of people in the choice of Delegates for the State Convention, privileges, in some degree, a happy relief to the deliberations of that body, which is soon to determine whether Massachusetts will accede to a measure which has for its object the establishment of the glory and happiness of America.

PROVIDENCE, Dec. 8.

A Gentleman from Uxbridge informs, that on Wednesday last, the house of Mr. David Draper, sen. of that town, was consumed by fire, when four persons, perished in the flames, viz. Mr. Draper, aged 80 years, his wife, about 82, and two grand children. Mr. Draper, Jun. with his family, lived in the same house. His wife, who slept in a lower room, on discovering the fire ran up stairs to attempt rescuing the aged couple (who were cripples) and her children; the flames however had got to so great a height, that in order to save herself she was obliged to leap out of a window, and broke one of her ankles. Notwithstanding this accident, she afterwards entered a lower window and took out an infant that had lain with her. The remainder of the family escaped. This sad catastrophe is said to have been occasioned by leaving some pine knots in a chimney.

WORCESTER, Dec. 13.

By a gentleman from the county of Berkshire we are informed, that the Hon. John Bacon, whose abilities as a statesman are well known, and whose character as a worthy citizen is so well established, having misconceived some parts of the federal constitution, was in consequence thereof much opposed to it; as were for the same reason a large majority of the inhabitants of Stockbridge; but on the day of their choice for a Delegate to the State Convention, the Hon. Mr. Sedgwick begged the Federal Constitution

might be read, and then spoke largely on its tendency and design; and so thoroughly convinced the Hon. Mr. Bacon and his adherents of their mistake, that they immediately chose him their delegate; and Mr. Bacon is now said to be as great an advocate for the federal system as he was before his conviction, an opposer.

Lenox, Dec. 8th, 1787.
"On Thursday, the 6th instant, were executed at Lenox, in the county of Berkshire, pursuant to the sentence of the Supreme Judicial Court, John By and Charles Ryle, for the crime of robbery. They were conducted from the prison to the meeting-house under a guard of about one hundred and fifty men (previously ordered to assist the Sheriff in the execution of his duty) where an excellent sermon, well adapted to the occasion, was delivered by the Rev. Mr. West. From these words, Romans xiii. 3 and 4, "But whosoever resisteth that power, resisteth the ordinance of God: he that resisteth shall incur the wrath of God to his punishment. But whosoever shall resist, shall incur the wrath of God, who is the minister of God, a revenger to execute wrath upon him that doeth evil." After which they marched to the gallows, and a numerous concourse of spectators (such an assembly never before drawn together in the county) closed the procession.

"The criminals, ever since their first confinement, until near their very last, did not seem suitably affected, or, in any degree, sensible of their situation. In consequence of the many pardons granted to persons under sentence of death, since their confinement, they were (as they acknowledged) and which many persons vainly encouraged them to believe that the lenity of government would be extended to them also.

"The spectators on this occasion, behaved with seeming sensibility; scarcely a threat was uttered, or a murmur heard against government, for executing the laws upon such vile offenders; but, with deep melancholy, gazed on the spectacle, as a loud and solemn lesson to avoid the shameful death they suffered, and the rock on which they split.

"By the day previous to his execution, gave a short narrative of his life, wherein he acknowledges that he has committed seven robberies in the county of Berkshire, since the late insurrection. He utterly refused to acknowledge any thing, allying that such a narrative might be the means of conveying the news of his shameful death to his friends in Europe, which he would wish to avoid. Their fate is full of instruction, and must force conviction on the minds of all those who have risen up in open rebellion against the laws, that their crimes will not go long unpunished; and however much they defy the power of government, they shall soon meet with their due reward."

LITCHFIELD, Dec. 3.

A few days since, in this town, upwards of 340 Snakes, of every species, excepting the rattle, were found sheltered under a meadow bog; where, it is supposed, they had taken up winter quarters.

NORTHAMPTON, Dec. 19.

We hear from Ludlow, that on the 10th inst. a barn belonging to Mr. Joseph Miller, of that town, containing about 150 bushels of grain, and a large quantity of other produce, was accidentally set on fire and consumed.—Two small children of Mr. Miller's, unnoticed by any of the family, conveyed some fire to the barn yard, which was filled with straw, it caught immediately and communicated to the barn,—one of the children, a girl about 4 years of age, ran affrighted before the fire into a stable for shelter, and fell a victim to the flames.

* The feast of St. JOHN the Evangelist, will be celebrated on Thursday the 27th inst. at Mr. Asabel Pomeroy's, in this town.—Punctual attendance of the brethren is expected.

FOR SALE,

A FARM, lying in

Whately, within a few rods of the meeting-house, well fitted for a tavern, tradesman or trader, with a good and commodious Dwelling-House and Barn, standing thereon, and an excellent Orchard and two good Wells of water. Said Farm contains between thirty and forty acres, and will be sold cheap and payment made easy. PEREZ CHAPIN. Said Chapin requests all persons indebted to him, to make speedy payment, without further notice. Whately, Dec. 19, 1787.