

Friends, Countrymen, Brethren, and Fellow-Citizens,

THE proposed plan of Continental government is now fully known to you. You have read it, I trust, with the attention it deserves.—You have heard the objections that have been made to it.—You have heard the answers to these objections.

If you have attended to the whole, with candour and unbiassed minds, as become men that are possessed and desiring of freedom, you must have been alarmed at the result of your observations. Notwithstanding the splendour of names, which has attended the publication of the new Constitution; notwithstanding the sophistry and vain reasonings that have been urged to support its principles; alas! you must at least have concluded that great men are not always infallible, and that patriotism itself may be led into essential errors.

The objections that have been made to the new Constitution are these:

1. It is not merely (as it ought to be) a confederation of states, but a government of individuals.

2. The powers of Congress extend to the lives, the liberties and the property, of every citizen.

3. The sovereignty of the different states is *ipso facto* destroyed, in its most essential parts.

4. What remains of it will only tend to create violent dissensions between the state governments and the Congress, and terminate in the ruin of the one or the other.

5. The consequence must therefore be, either that the union of the states will be destroyed by a violent struggle, or that their sovereignty will be swallowed up by silent encroachments into an universal aristocracy; because it is clear, that if two different sovereign powers have a co-equal command over the *purpes* of the citizens, they will struggle for the spoils, and the weakest will be in the end obliged to yield to the efforts of the strongest.

6. Congress being possessed of these immense powers, the liberties of the states and of the people are not secured by a bill or declaration of rights.

7. The sovereignty of the states is not expressly retained; the form only, and not the substance of their government, is guaranteed to them by express words.

8. *Trial by jury*, that sacred bulwark of liberty, is abolished in civil cases; and Mr. Wilson, one of the Convention, has told you, that not being able to agree as to the forms of establishing this point, they have left you deprived of the *substantia*. Here are his own words: "The subject was involved in difficulties. The Convention found the task too difficult for them, and left the business as it stands."

9. The liberty of the press is not secured, and the powers of Congress are fully adequate to its destruction, as they are to have the trial of *libels*, or pretended *libels*, against the United States; and may, by a *curled*, abominable *stamp act* (as the *Bowdoin Administration* has done in Massachusetts) preclude you effectually from all means of information. Mr. Wilson has given you no answer to these arguments.

10. Congress have the power of keeping up a *standing army*, in time of peace, and Mr. Wilson has told you that it was necessary.

11. The legislative and executive powers are not kept separate, as every one of the author mistakes, it was not Bowdoin's administration that originated the stamp act in Massachusetts.

American Constitutions declare they ought to be; but they are mixed in a manner entirely novel and unknown, even in the constitution of Great Britain: because,

12. In England, the King only has a nominal negative over the proceedings of the legislature, which he has never dared to exercise since the days of King William; whereas, by the new Constitution, both the President General and the Senate, two executive branches of government, have that negative, and are intended to support each other in the exercise of it.

13. The representation of the lower house is too small, consisting only of 65 members.

14. That of the Senate is so small, that it renders its extensive powers extremely dangerous: It is to consist only of 25 members, two-thirds of whom must concur to conclude any treaty or alliance with foreign powers: Now, we will suppose, that five of them are absent, sick, dead, or unable to attend, twenty one will remain, and eight of these (one-third and one over) may prevent the conclusion of any treaty, even the most favourable to America. Here will be a fine field for the intrigues, and even the bribery and corruption, of European powers.

15. The most important branches of the executive department are to be put into the hands of a single Magistrate, who will be, in fact, an elective King. The militia, the land and naval forces, are to be entirely at his disposal; and therefore,

16. Should the Senate, by the intrigues of foreign powers, become devoted to foreign influence, as was the case of late in Sweden, the people will be obliged, as the Swedes have been, to seek their refuge in the arms of the Monarch or President General.

17. Rotation, that noble prerogative of liberty, is entirely excluded from the new system of government, and great men may, and probably will, be continued in office during their lives.

18. Annual elections are abolished, and the people are not to resume their rights, until the expiration of two, four, and six years.

19. Congress are to have the power of fixing the time, place and manner of holding elections, so as to keep them forever subject to their influence.

20. The importation of slaves is not to be prohibited until the year 1808, and slavery will probably resume its empire in Pennsylvania.

21. The militia is to be under the immediate command of Congress, and men conscientiously scrupulous of bearing arms may be compelled to perform military duty.

22. The new government will be expensive, beyond any we have ever experienced; the judicial department alone, with its concomitant train of judges, justices, chancellors, clerks, sheriffs, coroners, scribes, state attorneys and solicitors, constables, &c. in every state, and in every county in each state, will be a burthen beyond the utmost abilities of the people to bear.—And, upon the whole,

23. A government, partaking of monarchy and aristocracy, will be fully and firmly established; and liberty will be but a name, to adorn the short historic page of the halcyon days of America.

These, my countrymen, are the objections that have been made to the new proposed system of government; and if you read the system itself with attention, you will find them all to be founded in truth. But what have you been told in answer?

I pass over the sophistry of Mr. Wilson, in his equivocal speech at the state

house. His pretended arguments have been echoed and reechoed by every rascal of politics, and victoriously refuted by several patriotic pens. Indeed, if you read this famous speech in a cool dispassionate moment, you will find it to contain no more than a train of pitiful sophistry and evasions unworthy of the man who spoke them. I have taken notice of some of them in stating the objections, and they must, I am sure, have excited your pity and indignation. Mr. Wilson is a man of sense, learning and extensive information; unfortunately for him, he has never sought the more solid fame of patriotism. During the late war he narrowly escaped the effects of popular rage, and the people seldom arm themselves against a citizen in vain. The whole tenor of his political conduct has always been strongly tainted with the spirit of high aristocracy; he has never been known to join in a truly popular measure, and his talents have ever been devoted to the patrician interest. His lofty carriage indicates the lofty mind that animates him, a mind able to conceive and perform great things, but which unfortunately can see nothing great out of the pale of power and worldly grandeur; despising what he calls the inferior order of the people, popular liberty and popular assemblies offer to his exalted imagination an idea of meanness and contemptibility, which he hardly seeks to conceal.—He sees, at a distance, the pomp and pageantry of courts; he sighs after those stately palaces, and that apparatus of human greatness, which his vived fancy has taught him to consider as the supreme good. Men of sublime minds, he conceives, were born a different race from the rest of the fops of men; to them, and them only, he imagines, high heaven intended to commit the reins of earthly government; the remaining part of mankind he sees below, at an immense distance; they, he thinks, were born to serve, to administer food to the ambition of their superiors, and become the footstool of their power.—Such is Mr. Wilson; and, fraught with these high ideas, it is no wonder he should exert all his talents, to support a form of government so admirably contrived to carry them into execution.—But when the people, who possess, collectively, a mass of knowledge superior to his own, enquire into the principles of that government, on the establishment or rejection of which depend their dearest concerns; when he is called upon, by the voice of thousands, to come and explain that favourite system, which he holds forth as an object of their ambition, he comes—he attempts to support by reasoning, what reason never dictated; and, finding the attempt in vain, his great mind, made for nobler purposes, is obliged to stoop to mean evasions and pitiful sophistry; himself not deceived, he strives to deceive the people; and the treasonable attempt delineates his true character, beyond the reach of the pencil of a *Wash or a Paole*, or the pen of a *Valerius*.

An Officer of the late Continental Army, Philadelphia, Nov. 3, 1787.

WHEREAS Hannah, wife of the subscriber, has left my bed and board.—I therefore forbid all persons troubling her with any account, as I will pay no debts of her contracting after the date hereof.

CHILDEAS SMITH, Amberst, Jan. 2, 1788.

ALL persons are hereby forbid troubling Patsy, wife of the subscriber, on my account, as I will pay no debts of her contracting after the date hereof.

EZRA DREWY, Greenfield, Jan. 2, 1788.

FOR SALE, at the Printing-Office in Northampton, The First, Second and Third Part of Webster's Institute.

HAMPSHIRE GAZETTE.

WEDNESDAY, JANUARY 16, 1788.

NORTHAMPTON: PRINTED BY WILLIAM BUTLER, A FEW RODS EAST OF THE COURT-HOUSE.

From the CONNECTICUT COURANT. To the LAND HOLDERS and FARMERS.

NUMBER VII. I have often admired the spirit of candour, liberality, and justice, with which the Convention began and completed the important object of their mission. "In all our deliberations," says the Connecticut Courant, "we kept steady in our view, that which appears to us the greatest interest of every true American, the consolidation of our union, in which is involved our prosperity, felicity, safety, perhaps our national existence. This important consideration, seriously and deeply impressed on our minds, led each state in the Convention to be less rigid in points of inferior magnitude, than might otherwise have been expected; and thus the Constitution which we now present, is the result of a spirit of amity, and of that mutual defence and concession, which the peculiarities of our political situation rendered indispensable."

Let us, my fellow-citizens, take up this constitution with the same spirit of candour and liberality; consider it in all its parts; consider the important advantages which may be derived from it, and the fatal consequences which will probably follow from rejecting it. If any objections are made against it, let us obtain full information on the subject; and then weigh those objections in the balance of cool, impartial reason. Let us see if they be not wholly groundless; but if upon the whole they appear to have some weight, let us consider well, whether they be so important, that we ought on account of them to reject the whole constitution.

Perfection is not the lot of human institutions; that which has the most excellencies and fewest faults, is the best that we can expect. Some very worthy persons, who have not had great advantages for information, have objected against that clause in the constitution, which provides, that no religious test shall ever be required as a qualification to any office or public trust, under the United States. They have been afraid that this clause is unfavourable to religion. But, my countrymen, the sole purpose and effect of it is to exclude persecution, and to secure to you the important right of religious liberty. We are almost the only people in the world, who have a full enjoyment of this important right of human nature. In our country every man has a right to worship God in that way which is most agreeable to his own conscience. If he be a good and peaceable citizen, he is liable to no penalties or incapacities on account of his religious sentiments; or in other words, he is not subject to persecution.

In other parts of the world, it has been, and still is, far different. Systems of religious error have been adopted, in times of ignorance. It has been the interest of tyrannical kings, popes and prelates, to maintain these errors. When the clouds of ignorance began to vanish, and the people grew more enlightened, there was no other way to keep them in error, but to prohibit their altering their religious opinions by severe persecuting laws. In this way persecution became general throughout Europe. It was the universal opinion that one religion must be established by law; and that all who differed in their religious opinions, must suffer the reprobation of persecution. In pursuance of this opinion, when popery was abolished in England, and the church of England was established in its stead, severe penalties were inflicted upon all who differed from the established church.

In the time of the civil wars, in the reign of Charles I. the presbyterians got the upper hand, and inflicted legal penalties upon all who differed from them in their sentiments respecting religious doctrines and discipline. When Charles II. was restored, the Church of England was likewise restored, and the presbyterians and other dissenters were laid under legal penalties and incapacities. It was in this reign, that a religious test was established as a qualification for office; that a law was made requiring all officers civil and military (among other things) to receive the Sacrament of the Lord's Supper, according to the usage of the church of England, written six months after their admission to office, under the penalty of 500l. and disability to hold the office. And by another statute of the same reign, no person was capable of being elected to any office relating to the government of any city or corporation, unless, within a twelve-month before, he had received the Sacrament according to the rites of the church of England. The pretence for making these severe laws, by which all but churchmen were made incapable of any office civil or military, was to exclude the papists; but the real design was to exclude the protestant dissenters. From this account of test-laws, there arises an unfavourable presumption against them. But if we consider the nature of them and the effects which they are calculated to produce, we shall find that they are useless, tyrannical, and peculiarly unjust for the people of this country.

A religious test is an act to be done, or profession to be made, relating to religion (such as partaking of the sacrament according to certain rites and forms, or declaring one's belief of certain doctrines) for the purpose of determining, whether his religious opinions are such, that he is admissible to a public office. A test in favour of any one denomination of christians would be to the last degree absurd in the United States. If it were in favour of either congregationalists, presbyterians, episcopalians, baptists or quakers; it would incapacitate more than three-fourths of the American citizens for any public office; and thus degrade them from the rank of freemen. There needs no argument to prove that the majority of our citizens would never submit to this indignity.

If any test-act were to be made, perhaps the least exceptionable would be one, requiring all persons appointed to office, to declare, at the time of their admission, their belief in the being of a God, and in the divine authority of the scriptures. In favour of such a test, it may be said, that one who believes these great truths, his country, as one who disbelieves them; and may have greater confidence in his integrity. But I answer: His making a declaration of such a belief is no security at all. For suppose neither the word nor the being of a God; and how can he be so governed merely by selfish motives; how easily is it for him to dissemble? how easy is it for him to make a public declaration of his belief in the creed which the law prescribes; and excuse himself by calling it a mere formality? This is the case with the test-laws and creeds in England. The most abandoned characters, partake of the sacrament, in order to qualify themselves for public employments. The clergy are obliged by law to administer the ordinance unto them; and thus prostitute the most sacred office of religion; for it is a civil right in the party to receive the sacrament. In this country, subscribing to the thirty-nine articles is a test for the admission into holy orders. And it is a fact, that many of the clergy do this; when at the same time, they totally disbelieve several of the doctrines contained in them. In short, test-laws are utterly ineffectual; they are no security at all; because men of loose principles will, by an external compliance, evade them. If they exclude any persons, it will be honest men, men of principle, who will rather suffer an injury to their consciences, than to conform to their consciences. If we mean to have those appointed to public offices, who are sincere friends to religion; we the people who appoint them, must take care to choose such characters; and not rely upon such cob-web barriers as test laws are.

But to come to the true principle, by which the question ought to be determined: The business of civil government is to protect the citizen in his rights, to defend the community from hostile powers, and to promote the general welfare. Civil government has no business to meddle with the private opinions of the people. If I demean myself as a good citizen, I am accountable, not to man, but to God, for the religious opinions which I embrace, and the manner in which I worship the Supreme Being. If such had been the universal sentiments of mankind, and they had acted accordingly, persecution, the babe of truth and source of error, with her bloody axe and flaming hand, would never have turned

to great a part of the world into a field of blood. But while I assert the rights of religious liberty, I would not deny that the civil power has a right, in some cases, to interfere in matters of religion. It has a right to prohibit and punish gross immoralities and impieties; because the open practice of these is of evil example and public detriment. For this reason, I heartily approve of our laws against drunkenness, profane swearing, blasphemy, and professed atheism. But in this state, we have never thought it expedient to adopt a test-law; and yet I sincerely believe that we have as great a proportion of religion and morality, as they have in England, where every person who holds a public office, must either be a saint by law, or a hypocrite by practice. A test-law is the parent of hypocrisy, the offspring of error, and the spirit of persecution. Legislatures have no right to set up an inquisition, and examine into the private opinions of men. Test-laws are useless and ineffectual, unjust and tyrannical; therefore the Convention have done wisely in excluding this engine of persecution, and providing that no religious test shall ever be required.

A LANDHOLDER. From the Independent Chronicle. To the PUBLIC. LET me request your unprejudiced attention, to the following remarks, on the production signed HERVIDIUS PRISCUS, in the last Independent Chronicle. I shall not advert to every invidious reflection contained in that performance; many of them, *as is generally*, that they carry an antidote in their very construction, to the poison they were designed to disseminate.

Priscus begins his essay with a passage from the celebrated speech of Mr. Wilson, viz. "That after a lapse of five thousand years, America has now presented the first instance of a people assembled to weigh deliberately and calmly, and to decide, leisurely and peacefully on a form of government, by which they shall bind themselves and posterity." Priscus then adds the following very extraordinary question, "Has he not here suggested the strongest reason that can be urged, for postponing the adoption of the new system?" It may be asked, could *perverse* itself draw a more preposterous, and absurd conclusion, than this query contains? For admitting Mr. Wilson's assertion to be true, and true it is, to the honour of America, does it not clearly follow, that a Constitution, thus calmly and deliberately framed by men, deputed from among ourselves, whose unanimity can be ascribed to Heaven alone, ought in all reason to be speedily adopted as possible, lest the *Demon of Discord*, by the insinuations of Priscus and others, should deprive us of the inestimable opportunity—this IJCID PAUS, the first creation I leave the citizens graceful and melancholy still-festil recorded to blacken the annals of humanity, "That government is the effect of accident, fraud or violence?" It appears a daring objection of Priscus, to calumniate some certain characters in the late Convention, and reflections of this sort are highly invidious; for, so far as they have truth for their basis, the obliquity falls on those states who have deputed such odious characters. According to this *Nylor*, some were "infants," when the principles of the late revolution led the patriots to a noble resistance, &c." The truth is, few if any of the members were under thirty years of age; the majority forty and upwards. With what propriety Priscus places such in their "pupilage," may be gathered from this circumstance,—he recommends to the rising generations, the politics and publications, "the excellent publications upon government," from 69 to 73; and the men of that day are to be the oracles of the youth of the present; but the members of Convention they are to consider as in their "pupilage!" and although venerable from years, abilities and experience.—The assertion of Priscus, that the late Convention have "ambitiously and dangerously" presumed to establish a *Dracoman Code*, and to bind posterity by their "secret councils, in weak, wicked and false: But thank Heaven, the days are over, when such kind of declamation was necessary. To the law and to the testimony."

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