

IN CONGRESS, JULY 4, 1776.
A DECLARATION
 BY THE REPRESENTATIVES OF THE
UNITED STATES OF AMERICA,
 IN GENERAL CONGRESS ASSEMBLED.

WHEN in the Course of human Events, it becomes necessary for one People to dissolve the Political Bonds which have connected them with another, and to assume among the Powers of the Earth, the separate and equal Station to which the Laws of Nature and of Nature's God entitle them, a decent Respect to the Opinions of Mankind requires that they should declare the causes which impel them to this Separation.

We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness.—That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed, that whenever any Form of Government becomes destructive of these Ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its Foundation on such Principles, and organizing its Powers in such Form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient Causes; and accordingly all Experience hath shewn, that Mankind are more disposed to suffer, while Evils are sufferable, than to right themselves by abolishing the Forms to which they are accustomed. But when a long Train of Abuses and Usurpations, pursuing invariably the same Object, evinces a Design to reduce them under absolute Despotism, it is their Right, it is their Duty, to throw off such Government, and to provide new Guards for their future Security. Such has been the patient Sufferance of these Colonies; and such is now the Necessity which constrains them to alter their former Systems of Government. The History of the present King of Great-Britain is a History of repeated Injuries and Usurpations, all having in direct Object the Establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid World.

He has refused his Assent to Laws, the most wholesome and necessary for the public Good.
 He has forbidden his Governors to pass Laws of immediate and pressing Importance, unless suspended in their Operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the Accommodation of large Districts of People, unless those People would relinquish the Right of Representation in the Legislature, a Right inestimable to them, and formidable to Tyrants only.

He has called together Legislative Bodies at Places unusual, uncomfortable, and distant from the Depository of their public Records, for the sole Purpose of fatiguing them into Compliance with his Measures.

He has dissolved Representative Houses repeatedly, for opposing with manly Firmness his Invasions on the Rights of the People.

He has refused for a long Time, after such Dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the Dangers of Invasion from without, and Convulsions within.

He has endeavored to prevent the Population of these States; for that Purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their Migration hither, and raising the Conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.

He has made Judges dependent on his Will alone, for the Tenure of their Offices, and the Amount and Payment of their Salaries.

He has created a multitude of new Offices, and sent hither Swarms of Officers to harass our People, and eat out their Substance.

He has kept among us, in Times of Peace, Standing Armies, without the Consent of our Legislatures.

He has affected to render the Military independent of and superior to the Civil Power.

He has combined with others to subject us to a Jurisdiction foreign to our Constitution, and unacknowledged by our Laws; giving his Assent to their Acts of pretended Legislation:

For quartering large Bodies of Armed Troops among us;

For protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States;

For cutting off our Trade with all Parts of the World;

For imposing Taxes on us without our Consent;

For depriving us, in many Cases, of the Benefits of Trial by Jury;

For transporting us beyond Seas to be tried for pretended Offences;

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an arbitrary Government, and enlarging its Boundaries, so as to render it at once an Example and fit Instrument for introducing the same absolute Rule into these Colonies;

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments;

For suspending our own Legislatures, and declaring themselves invested with Power to legislate for us in all Cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our Seas, ravaged our Coasts, burnt our Towns, and destroyed the Lives of our People.

He is, at this Time, transporting large Armies of foreign Mercenaries to complete the Works of Death, Desolation, and Tyranny, already begun with circumstances of Cruelty and Perfidy, scarcely paralleled in the most barbarous Ages, and totally unworthy the Head of a civilized Nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the Executioners of their Friends and

A DECLARATION

BY THE REPRESENTATIVES OF THE

UNITED STATES OF AMERICA

IN GENERAL CONGRESS ASSEMBLED.

WHEN in the Course of human Events, it becomes necessary for one People "to dissolve the Political Bands which have connected them with another," and to assume among the Powers of the Earth, the separate and equal Station "to which the Laws of Nature's God entitle them," a decent Respect to the Opinions of Mankind requires "that they should declare the causes which impel them to the Separation.

We hold these Truths to be self-evident, "that all Men are created equal," "that they are endowed by their Creator with certain unalienable Rights," that among these are Life, Liberty and the Pursuit of Happiness—That to secure these Rights, Governments are instituted among Men, "deriving their just Powers from the Consent of the Governed," that whenever any Form of Government becomes destructive of these Ends, "it is the Right of the People to alter or to abolish it, and to institute new Government, laying its Foundation on such Principles, and organizing its Powers in such Form, as to them shall seem most likely to effect their Safety and Happiness." Prudence, indeed, will dictate that Governments long established should not be changed for light and transient Causes; and according to the established Course of our Colonies, it is their Right, it is their Duty, to throw off such Government, and to provide new Guards for their future Security." Such has been the Patient Sufferance of these Colonies; and such is now the Necessity which constrains them to alter their former Systems of Government." The History of the United States having in direct Object the Establishment of an absolute Tyranny over these States, He has refused his Assent to Laws, the most wholesome and necessary for the public Good.

He has forbidden his Governors to pass Laws of immediate and pressing Importance, unless suspended in their Operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the Accommodation of large Districts of People, unless those People would relinquish the Right of Representation to the Legislature, a Right inestimable to them, and formidable to Tyrants only.

He has called together Legislative Bodies at Places unusual, uncomfortable, and distant from the Depository of their public Records, for the sole Purpose of fatiguing them into Compliance with his Measures.

He has dissolved Representative Houses repeatedly, for opposing with manly Spirit his Invasions on the Rights of the People.

A Declaration By the Representatives of the UNITED STATES
OF AMERICA, in General Congress assembled.

When in the course of human events it becomes necessary for ^{one} people to dissolve the political bands which have connected them with ^{another}, and to ~~assume for that new situation in which they have hitherto remained, it is~~ as ^{separate and equal} ~~equal~~ among the powers of the earth the ~~station~~ station to which the laws of nature & of nature's god entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to ~~the~~ ^{the} separation.

We hold these truths to be ^{self-evident} ~~and~~ that all men are created equal, ~~independent~~ ^{they are endowed by their creator with ~~certain~~}; that ~~from that equal creation they derive~~ ^{rights that} ~~rights~~ ^{these} ~~inherent~~ ^{unalienable}, among ~~which~~ ^{are} ~~life, liberty, & the pursuit of happiness; that to secure these~~ ^{rights}, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government ~~shall~~ becomes destructive of these ends, it is the right of the people to alter or to abolish it, & to institute new government, laying it's foundation on such principles & organising it's powers in such form, as to them shall seem most likely to effect their safety & happiness. prudence indeed will dictate that governments long established should not be changed for

formed, I observed Mr. Jay speaking to R. H. Lee, and leading him by the button of his coat to me. "I understand, sir," said he to me, "that this gentleman informed you, that Governor Livingston drew the Address to the people of Great Britain." I assured him, at once, that I had not received that information from Mr. Lee, and that not a word had ever passed on the subject between Mr. Lee and myself; and after some explanations the subject was dropped. These gentlemen had had some sparrings in debate before, and continued ever very hostile to each other.

I prepared a draught of the declaration committed to us. It was too strong for Mr. Dickinson. He still retained the hope of reconciliation with the mother country, and was unwilling it should be lessened by offensive statements. He was so honest a man, and so able a one, that he was greatly indulged even by those who could not feel his scruples. We therefore requested him to take the paper, and put it into a form he could approve. He did so, preparing an entire new statement, and preserving of the former only the last four paragraphs and half of the preceding one. We approved and reported it to Congress, who accepted it. Congress gave a signal proof of their indulgence to Mr. Dickinson, and of their great desire not to go too fast for any respectable part of our body, in permitting him to draw their second petition to the King according to his own ideas, and passing it with scarcely any amendment. The disgust against this humility was general; and Mr. Dickinson's delight at its passage was the only circumstance which reconciled them to it. The vote being passed, although further observation on it was out of order, he could not refrain from rising and expressing his satisfaction, and concluded by saying, "There is but one word, Mr. President, in the paper which I disapprove, and that is the word *Congress*"; on which Ben Harrison rose and said, "There is but one word in the paper, Mr. President, of which I approve, and that is the word *Congress*."

On the 22d of July, Dr. Franklin, Mr. Adams, R. H. Lee, and myself, were appointed a committee to consider and report on Lord North's conciliatory resolution. The answer of the Virginia Assembly on that subject having been approved, I was requested by the committee to prepare this report, which will account for the similiarity of feature in the two instruments.

On the 15th of May, 1776, the convention of Virginia instructed their delegates in Congress, to propose to that body to declare the colonies independent of Great Britain, and appoint a committee to prepare a declaration of rights and plan of government.

In Congress, Friday, June 7, 1776.

The delegates from Virginia moved, in obedience to instructions from their constituents, that the Congress should declare that these United colonies are, and of right ought to be, free and independent states, that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved; that measures should be immediately taken for procuring the assistance of foreign powers, and a Confederation be formed to bind the colonies more closely together.

The House being obliged to attend at that time to some other business, the proposition was referred to the next day, when the members were ordered to attend punctually at ten o'clock.

Saturday, June 8. They proceeded to take it into consideration, and referred it to a committee of the whole, into which they immediately resolved themselves, and passed that day and Monday, the 10th, in debating on the subject.

It was argued by Wilson, Robert R. Livingston, E. Rutledge, Dickinson, and others—

That, though they were friends to the measures themselves, and saw the impossibility that we should ever again be united with Great Britain, yet they were against adopting them at this time:

That the conduct we had formerly observed was wise and proper now, of deferring to take any capital step till the voice of the people drove us into it:

That they were our power, and without them our declarations could not be carried into effect:

That the people of the middle colonies (Maryland, Delaware, Pennsylvania, the Jerseys and New York) were not yet ripe for bidding adieu to British connection, but that they were (fast ripening) and, in a short time, would join in the general voice of America:

That the resolution, entered into by this House on the 15th of May, for suppressing the exercise of all powers derived from the crown, had

shown, by the ferment into which it had thrown these middle colonies, that they had not yet accommodated their minds to a separation from the mother country:

That some of them had expressly forbidden their delegates to consent to such a declaration, and others had given no instructions, and consequently no powers to give such consent:

That if the delegates of any particular colony had no power to declare such colony independent, certain they were, the others could not declare it for them; the colonies being as yet perfectly independent of each other:

That the assembly of Pennsylvania was now sitting above stairs, their convention would sit within a few days, the convention of New York was now sitting, and those of the Jerseys and Delaware counties would meet on the Monday following, and it was probable these bodies would take up the question of Independence, and would declare to their delegates the voice of their state:

That if such a declaration should now be agreed to, these delegates must retire, and possibly their colonies might secede from the Union:

That such a secession would weaken us more than could be compensated by any foreign alliance:

That in the event of such a division, foreign powers would either refuse to join themselves to our fortunes, or, having us so much in their power as that desperate declaration would place us, they would insist on terms proportionably more hard and prejudicial:

That we had little reason to expect an alliance with those to whom alone, as yet, we had cast our eyes:

That France and Spain had reason to be jealous of that rising power, which would one day certainly strip them of all their American possessions:

That it was more likely they should form a connection with the British court, who, if they should find themselves unable otherwise to extricate themselves from their difficulties, would agree to a partition of our territories, restoring Canada to France, and the Floridas to Spain, to accomplish for themselves a recovery of these colonies:

That it would not be long before we should receive certain information of the disposition of the French court, from the agent whom we had sent to Paris for that purpose:

That if this disposition should be favorable, by waiting the event of the present campaign, which we all hoped would be successful, we should have reason to expect an alliance on better terms:

That this would in fact work no delay of any effectual aid from such ally, as, from the advance of the season and distance of our situation, it was impossible we could receive any assistance during this campaign:

That it was prudent to fix among ourselves the terms on which we should form alliance, before we declared we would form one at all events:

And that if these were agreed on, and our Declaration of Independence ready by the time our Ambassador should be prepared to sail, it would be as well as to go into that Declaration at this day.

On the other side, it was urged by J. Adams, Lee, Wythe, and others, that no gentleman had argued against the policy or the right of separation from Britain, nor had supposed it possible we should ever renew our connection; that they had only opposed its being now declared:

That the question was not whether, by a Declaration of Independence, we should make ourselves what we are not; but whether we should declare a fact which already exists:

That, as to the people or parliament of England, we had always been independent of them, their restraints on our trade deriving efficacy from our acquiescence only, and not from any rights they possessed of imposing them, and that so far, our connection had been federal only, and was now dissolved by the commencement of hostilities:

That, as to the King, we had been bound to him by allegiance, but that this bond was now dissolved by his assent to the last act of Parliament, by which he declares us out of his protection, and by his levying war on us, a fact which had long ago proved us out of his protection; it being a certain position in law, that allegiance and protection are reciprocal, the one ceasing when the other is withdrawn:

That James the Second never declared the people of England out of his protection, yet his actions proved it, and the Parliament declared it:

No delegates then can be denied, or ever want, a power of declaring an existing truth:

That the delegates from the Delaware counties having declared their constituents ready to join, there are only two colonies, Pennsylvania and Maryland, whose delegates are absolutely tied up, and that these

had, by their instructions, only reserved a right of confirming or rejecting the measure:

That the instructions from Pennsylvania might be accounted for from the times in which they were drawn, near a twelve-month ago, since which the face of affairs has totally changed:

That within that time, it had become apparent that Britain was determined to accept nothing less than a *carte-blanche*, and that the King's answer to the Lord Mayor, Aldermen and Common Council of London, which had come to hand four days ago, must have satisfied every one of this point:

That the people wait for us to lead the way:

That *they* are in favor of the measure, though the instructions given by some of their *representatives* are not:

That the voice of the representatives is not always consonant with the voice of the people, and that this is remarkably the case in these middle colonies:

That the effect of the resolution of the 15th of May has proved this, which, raising the murmurs of some in the colonies of Pennsylvania and Maryland, called forth the opposing voice of the freer part of the people, and proved them to be the majority even in these colonies:

That the backwardness of these two colonies might be ascribed, partly to the influence of proprietary power and connections, and partly, to their having not yet been attacked by the enemy:

That these causes were not likely to be soon removed, as there seemed no probability that the enemy would make either of these the seat of this summer's war:

That it would be vain to wait either weeks or months for perfect unanimity, since it was impossible that all men should ever become of one sentiment on any question:

That the conduct of some colonies, from the beginning of this contest, had given reason to suspect it was their settled policy to keep in the rear of the confederacy, that their particular prospect might be better, even in the worst event:

That, therefore, it was necessary for those colonies who had thrown themselves forward and hazarded all from the beginning, to come forward now also, and put all again to their own hazard:

That the history of the Dutch Revolution, of whom three states only

confederated at first, proved that a secession of some colonies would not be so dangerous as some apprehended:

That a Declaration of Independence alone could render it consistent with European delicacy, for European powers to treat with us, or even to receive an Ambassador from us:

That till this, they would not receive our vessels into their ports, nor acknowledge the adjudications of our courts of admiralty to be legitimate, in cases of capture of British vessels:

That though France and Spain may be jealous of our rising power, they must think it will be much more formidable with the addition of Great Britain; and will therefore see it their interest to prevent a coalition; but should they refuse, we shall be but where we are; whereas without trying, we shall never know whether they will aid us or not:

That the present campaign may be unsuccessful, and therefore we had better propose an alliance while our affairs wear a hopeful aspect:

That to wait the event of this campaign will certainly work delay, because, during the summer, France may assist us effectually, by cutting off those supplies of provisions from England and Ireland, on which the enemy's armies here are to depend; or by setting in motion the great power they have collected in the West Indies, and calling our enemy to the defence of the possessions they have there:

That it would be idle to lose time in settling the terms of alliance, till we had first determined we would enter into alliance:

That it is necessary to lose no time in opening a trade for our people, who will want clothes, and will want money too, for the payment of taxes:

And that the only misfortune is, that we did not enter into alliance with France six months sooner, as, besides opening her ports for the vent of our last year's produce, she might have marched an army into Germany, and prevented the petty princes there, from selling their unhappy subjects to subdue us.

It appearing in the course of these debates, that the colonies of New York, New Jersey, Pennsylvania, Delaware, Maryland, and South Carolina were not yet matured for falling from the parent stem, but that they were fast advancing to that state, it was thought most prudent to wait a while for them, and to postpone the final decision to July 1st; but, that this might occasion as little delay as possible, a committee

was appointed to prepare a Declaration of Independence. The committee were John Adams, Dr. Franklin, Roger Sherman, Robert R. Livingston, and myself. Committees were also appointed, at the same time, to prepare a plan of confederation for the colonies, and to state the terms proper to be proposed for foreign alliance. The committee for drawing the Declaration of Independence, desired me to do it. It was accordingly done, and being approved by them, I reported it to the House on Friday, the 28th of June, when it was read, and ordered to lie on the table. On Monday, the 1st of July, the House resolved itself into a committee of the whole, and resumed the consideration of the original motion made by the delegates of Virginia, which, being again debated through the day, was carried in the affirmative by the votes of New Hampshire, Connecticut, Massachusetts, Rhode Island, New Jersey, Maryland, Virginia, North Carolina and Georgia. South Carolina and Pennsylvania voted against it. Delaware had but two members present, and they were divided. The delegates from New York declared they were for it themselves, and were assured their constituents were for it; but that their instructions having been drawn near a twelve-month before, when reconciliation was still the general object, they were enjoined by them to do nothing which should impede that object. They, therefore, thought themselves not justifiable in voting on either side, and asked leave to withdraw from the question; which was given them. The committee rose and reported their resolution to the House. Mr. Edward Rutledge, of South Carolina, then requested the determination might be put off to the next day, as he believed his colleagues, though they disapproved of the resolution, would then join in it for the sake of unanimity. The ultimate question, whether the House would agree to the resolution of the committee, was accordingly postponed to the next day, when it was again moved, and South Carolina concurred in voting for it. In the meantime, a third member had come post from the Delaware counties, and turned the vote of that colony in favor of the resolution. Members of a different sentiment attending that morning from Pennsylvania also, her vote was changed, so that the whole twelve colonies who were authorized to vote at all, gave their voices for it; and, within a few days, the convention of New York approved of it, and thus supplied the void occasioned by the withdrawing of her delegates from the vote.

Congress proceeded the same day to consider the Declaration of Independence, which had been reported and lain on the table the Friday preceding, and on Monday referred to a committee of the whole. The pusillanimous idea that we had friends in England worth keeping terms with, still haunted the minds of many. For this reason, those passages which conveyed censures on the people of England were struck out, lest they should give them offence. The clause too, reproaching the enslaving the inhabitants of Africa, was struck out in complaisance to South Carolina and Georgia, who had never attempted to restrain the importation of slaves, and who, on the contrary, still wished to continue it. Our northern brethren also, I believe, felt a little tender under those censures; for though their people had very few slaves themselves, yet they had been pretty considerable carriers of them to others. The debates, having taken up the greater parts of the 2d, 3d, and 4th days of July, were, on the evening of the last, closed; the Declaration was reported by the committee, agreed to by the House and signed by every member present, except Mr. Dickinson. As the sentiments of men are known not only by what they receive, but what they reject also, I will state the form of the Declaration as originally reported. The parts struck out by Congress shall be distinguished by a black line drawn under them;¹ and those inserted by them shall be placed in the margin, or in a concurrent column.²

A DECLARATION BY THE REPRESENTATIVES OF THE UNITED STATES OF AMERICA, IN GENERAL CONGRESS ASSEMBLED

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

¹The editors have substituted the device of italicizing and enclosing in brackets the parts struck out by Congress.

²These insertions are printed in capitals.

We hold these truths to be self evident: that all men are created equal; that they are endowed by their Creator with CERTAIN [*inherent and*] inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly all experience hath shown that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, [*begun at a distinguished period and*] pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to ALTER [*expunge*] their former systems of government. The history of the present king of Great Britain is a history of REPEATED [*unremitting*] injuries and usurpations, ALL HAVING [*among which appears no solitary fact to contradict the uniform tenor of the rest, but all have*] in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world [*for the truth of which we pledge a faith yet unsullied by falsehood*].

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and, when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature, a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly [*and continually*] for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time after such dissolutions to cause others to be elected, whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise, the state remaining, in the meantime, exposed to all the dangers of invasion from without and convulsions within.

He has endeavored to prevent the population of these states; for that purpose obstructing the laws for naturalization of foreigners, refusing to pass others to encourage their migrations hither, and raising the conditions of new appropriations of lands.

He has OBSTRUCTED [*suffered*] the administration of justice BY [*totally to cease in some of these states*] refusing his assent to laws for establishing judiciary powers.

He has made [*our*] judges dependent on his will alone for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, [*by a self-assumed power*] and sent hither swarms of new officers to harass our people and eat out their substance.

He has kept among us in times of peace standing armies [*and ships of war*] without the consent of our legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitutions and unacknowledged by our laws, giving his assent to their acts of pretended legislation for quartering large bodies of armed troops among us; for protecting them by a mock trial from punishment for any murders which they should commit on the inhabitants of these states; for cutting off our trade with all parts of the world; for imposing taxes on us without our consent; for depriving us IN MANY CASES of the benefits of trial by jury; for transporting us beyond seas to be tried for pretended offences; for abolishing the free system of English laws in a neighboring province, establishing therein

an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these COLONIES [states]; for taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments; for suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here BY DECLARING US OUT OF HIS PROTECTION, AND WAGING WAR AGAINST US [withdrawing his governors and declaring us out of his allegiance and protection].

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation and tyranny already begun with circumstances of cruelty and perfidy SCARCELY PARALLELED IN THE MOST BARBAROUS AGES, AND TOTALLY unworthy the head of a civilized nation.

He has constrained our fellow citizens taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has EXCITED DOMESTIC INSURRECTION AMONG US, AND HAS endeavored to bring on the inhabitants of our frontiers, the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes and conditions [of existence].

[He has incited treasonable insurrections of our fellow citizens, with the allurements of forfeiture and confiscation of our property.

He has waged cruel war against human nature itself, violating its most sacred rights of life and liberty in the persons of a distant people who never offended him, captivating and carrying them into slavery in another hemisphere, or to incur miserable death in their transportation hither. This piratical warfare, the opprobrium of INFIDEL powers, is the warfare of the CHRISTIAN king of Great Britain. Determined to keep open a market where MEN should be bought and sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or to restrain this execrable commerce. And that this assemblage of horrors might want no fact of distinguished die, he is now exciting those very people to rise in

arms among us, and to purchase that liberty of which he has deprived them, by murdering the people on whom he also obtruded them: thus paying off former crimes committed against the LIBERTIES of one people, with crimes which he urges them to commit against the LIVES of another.]

In every stage of these oppressions we have petitioned for redress in the most humble terms: our repeated petitions have been answered only by repeated injuries.

A prince whose character is thus marked by every act which may define a tyrant is unfit to be the ruler of a FREE people [who mean to be free. Future ages will scarcely believe that the hardiness of one man adventured, within the short compass of twelve years only, to lay a foundation so broad and so undisguised for tyranny over a people fostered and fixed in principles of freedom.]

Nor have we been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend AN UNWARRANTABLE [a] jurisdiction over US [these our states]. We have reminded them of the circumstances of our emigration and settlement here, [no one of which could warrant so strange a pretension: that these were effected at the expense of our own blood and treasure, unassisted by the wealth or the strength of Great Britain: that in constituting indeed our several forms of government, we had adopted one common king, thereby laying a foundation for perpetual league and amity with them: but that submission to their parliament was no part of our constitution, nor ever in idea, if history may be credited: and,] we HAVE appealed to their native justice and magnanimity AND WE HAVE CONJURED THEM BY [as well as to] the ties of our common kindred to disavow these usurpations which WOULD INEVITABLY [were likely to] interrupt our connection and correspondence. They too have been deaf to the voice of justice and of consanguinity. WE MUST THEREFORE [and when occasions have been given them, by the regular course of their laws, of removing from their councils the disturbers of our harmony, they have, by their free election, re-established them in power. At this very time too, they are permitting their chief magistrate to send over not only soldiers of our common blood, but Scotch and foreign mercenaries to invade and destroy us. These facts have given the last stab to agonizing affection, and manly spirit bids us to renounce forever these unfeeling brethren. We must endeavor to forget our former love for them,

and hold them as we hold the rest of mankind, enemies in war, in peace friends. We might have a free and a great people together; but a communication of grandeur and of freedom, it seems, is below their dignity. Be it so, since they will have it. The road to happiness and to glory is open to us, too. We will tread it apart from them, and] acquiesce in the necessity which denounces our [eternal] separation AND HOLD THEM AS WE HOLD THE REST OF MANKIND, ENEMIES IN WAR, IN PEACE FRIENDS!

We therefore the representatives of the United States of America in General Congress assembled, do in the name, and by the authority of the good people of these [states reject and renounce all allegiance and subjection to the kings of Great Britain and all others who may hereafter claim by, through or under them; we utterly dissolve all political connection which may heretofore have subsisted between us and the people or parliament of Great Britain: and finally we do assert and declare these colonies to be free and independent states,] and that as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent states may of right do.

And for the support of this declaration, we mutually pledge

We, therefore, the representatives of the United States of America in General Congress assembled, appealing to the supreme judge of the world for the rectitude of our intentions, do in the name, and by the authority of the good people of these colonies, solemnly publish and declare, that these united colonies are, and of right ought to be free and independent states; that they are absolved from all allegiance to the British crown and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved; and that as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent states may of right do.

And for the support of this

¹In this closing section, where additions and deletions have been lengthy, the editors follow Jefferson's device of printing his version in the left column, and the final adopted text in the right column.

each other our lives, our fortunes, and our sacred honor.

declaration, with a firm reliance on the protection of divine providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

The Declaration thus signed on the 4th, on paper, was engrossed on parchment, and signed again on the 2d of August.

[Some erroneous statements of the proceedings on the Declaration of Independence having got before the public in later times, Mr. Samuel A. Wells asked explanations of me, which are given in my letter to him of May 12, '19, before and now again referred to. I took notes in my place while these things were going on, and at their close wrote them out in form and with correctness, and from 1 to 7 of the two preceding sheets, are the originals then written; as the two following are of earlier debates on the Confederation, which I took in like manner.]¹

On Friday, July 12, the committee appointed to draw the articles of Confederation reported them, and, on the 22d, the House resolved themselves into a committee to take them into consideration. On the 30th and 31st of that month, and 1st of the ensuing, those articles were debated which determined the proportion, or quota, of money which each state should furnish to the common treasury, and the manner of voting in Congress. The first of these articles was expressed in the original draught in these words. "Art. XI. All charges of war and all other expenses that shall be incurred for the common defence, or general welfare, and allowed by the United States assembled, shall be defrayed out of a common treasury, which shall be supplied by the several colonies in proportion to the number of inhabitants of every age, sex, and quality, except Indians not paying taxes, in each colony, a true account of which, distinguishing the white inhabitants, shall be triennially taken and transmitted to the Assembly of the United States."

Mr. Chase moved that the quotas should be fixed, not by the number of inhabitants of every condition, but by that of the "white inhabitants." He admitted that taxation should be always in proportion to

¹In this case, the remarks in brackets are Jefferson's.

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.

71. THE QUOCK WALKER CASE

Massachusetts, 1783

(A. B. Hart, ed. *Commonwealth History of Massachusetts*, Vol. IV, p. 37-8)

The status of slavery in Massachusetts was, throughout the Revolutionary period, a matter of uncertainty. As early as 1770—two years before Lord Mansfield's decision in the famous Somerset case, in the case of *James v. Lechmere* the Superior Court of Massachusetts ruled that the plaintiff, a negro, was entitled to his freedom under the laws of the province and the terms of the royal charter. In the course of his decision in the case of *Winchendon v. Hatfield*, Chief Justice Parsons said, "Several negroes born in this country of imported slaves demanded their freedom of their masters by suit at law, and obtained it by a judgement of court. The defence of the master was faintly made, for such was the temper of the times, that a restless, discontented slave was worth little; and when his freedom was obtained in a course of legal proceedings, the master was not holden for his future support if he became poor. But in the first action, involving the right of the master, which came before the Supreme Judicial Court after the establishment of the Constitution, the judges declared that by virtue of the first article of the Declaration of Rights, slavery in this State was no more". This was the case of *Quock Walker v. Nathaniel Jennison*, 1783. Jennison, indicted for assault on Walker, justified his assault on the ground that Walker was his slave. The Court, however, speaking through Chief Justice Cushing, ruled that the first article of the Declaration of Rights had abolished slavery in Massachusetts. The case was not reported, but in 1874 Chief Justice Horace Gray read from the original notebook of Chief Justice Cushing, the following extract from his decision. See, G. H. Moore, *Notes on the History of Slavery in Massachusetts*; M. S. Locke, *Anti-Slavery in America, 1619-1808*; J. C. Hurd, *The Law of Freedom and of Bondage*, Vol. I, p. 263 4, Vol. II, p. 28-30; W. O'Brien, "Did the Jennison Case Outlaw Slavery in Massachusetts?" *William and Mary Quarterly* XVII (1960), 219.

CUSHING, C. J. As to the doctrine of slavery and the right of Christians to hold Africans in perpetual servitude, and sell and treat them as we do our horses and cattle, that (it is true) has been heretofore countenanced by the Province Laws formerly, but nowhere is it expressly enacted or established. It has been a usage—a usage which took its origin from the practice of some of the European nations, and the regulations of British government respecting the then Colonies, for the benefit of trade and wealth. But whatever sentiments have formerly prevailed in this particular or slid in upon us by the example of others, a different idea has taken place with the people of America, more favorable to the natural rights of mankind, and to that natural, innate desire of Liberty, which with Heaven (without regard to color, complexion, or shape of noses-features) has inspired all the human race. And upon this ground our Constitution of Government, by which the people of this Commonwealth have solemnly bound themselves, sets out with declaring that all men are born free and equal—and that every subject is entitled to liberty, and to have it guarded by the laws, as well as life and property—and in short is totally repugnant to the idea of being born slaves. This being the case, I think the idea of slavery is inconsistent with our own conduct and Constitution; and there can be no such thing as perpetual servitude of a rational creature, unless his liberty is forfeited by some criminal conduct or given up by personal consent or contract . . . *Verdict Guilty.*

72. THE ARTICLES OF CONFEDERATION

Agreed to by Congress November 15, 1777; ratified and in force, March 1, 1781

(Richardson, ed. *Messages and Papers*, Vol. I, p. 9 ff.)

Congress resolved June 11, 1776, that a committee should be appointed to draw up articles of confederation between the Colonies. A plan proposed by John Dickinson formed the basis of the articles as proposed to Congress and, after some debate and a few changes, adopted, November 15, 1777. Representatives of the States signed the Articles during 1778 and 1779; Maryland alone refused to ratify the Articles until Congress had arrived at some satisfactory solution of the land question. The debates on the Articles, Jefferson's Notes on the Debates, and the Official Letter of Congress accompanying the Articles, can be found in Elliot's *Debates* (1861 ed.) Vol. I, p. 69 ff. The Articles of Confederation constituted the first effort of Americans to solve the problem of imperial order, and should be studied in comparison with the Albany Plan of Union and the Constitution. On the Articles of Confederation see, R. Frothingham, *Rise of the Republic of the United States*, ch. xii; G. Bancroft, *History* Author's last rev. Vol. V, ch. xiv; A. C. McLaughlin, *Confederation and Constitution*, ch. iii; G. T. Curtis, *Constitutional History of the United States*, Vol. I.

TO ALL TO WHOM these Presents shall come, we the undersigned Delegates of the States affixed to our Names send greeting. Whereas the Delegates of the United States of America in Congress assembled did on the fifteenth day of November in the Year of our Lord One Thousand Seven Hundred and Seventy seven, and in the Second Year of the Independence of America agree to certain articles of Confederation and perpetual Union between the States of New Hampshire, Massachusetts-bay, Rhodeisland and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia in the Words following, viz. "Articles of Confederation and perpetual Union between the states of New Hampshire, Massachusetts-bay, Rhodeisland and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.

Art. I. The Stile of this confederacy shall be "The United States of America."

Art. II. Each state retains its sovereignty, freedom and independence, and every Power, Jurisdiction and right, which is not by this confederation expressly delegated to the United States, in Congress assembled.

Art. III. The said states hereby severally enter into a firm league of friendship with each other, for their common defence, the security of their Liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever.

Art. IV. The better to secure and perpetuate mutual friendship and intercourse among the people of the different states in this union, the free inhabitants of each of these states, paupers, vagabonds and fugitives from Justice excepted, shall be entitled to all privileges and immunities of free citizens in the several states; and the people of each state shall have free ingress and regress to and from any other state, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions and restrictions as the inhabitants thereof respectively, provided that such restriction shall not extend so far as to prevent the removal of property imported into any state, to any other state of which the Owner is an inhabitant; provided also that no imposition, duties or restriction shall be laid by any state, on the property of the united states, or either of them.

If any Person guilty of, or charged with treason, felony, or other high misdemeanor in any state, shall flee from Justice, and be found in any of the united states, he shall upon demand of the Governor or executive power, of the state from which he fled, be delivered up and removed to the state having jurisdiction of his offence.

Full faith and credit shall be given in each of these states to the records, acts and judicial proceedings of the courts and magistrates of every other state.

Art. V. For the more convenient management of the general interests of the united

4. The supreme Executive authority of the United States to be vested in a Governor, to be elected to serve during good behaviour—His election to be made by Electors chosen by electors chosen by the people in the Election Districts aforesaid; or by electors chosen for that purpose by the respective Legislatures—provided that if an election be not made within a limited time, the President of the Senate shall be the Governor. The Governor to have a negative upon all laws about to be passed—and the execution of all laws passed—to be the Commander-in-Chief of the land and naval forces and of the militia of the United States—to have the entire direction of war when authorized or begun—to have, with the advice and approbation of the Senate, the power of making all treaties—to have the appointment of the heads or chief officers of the departments of finance, war, and foreign affairs—to have the nomination of all other officers (ambassadors to foreign nations included) subject to the approbation or rejection of the Senate—to have the power of pardoning all offences but treason, which he shall not pardon without the approbation of the Senate.

5. On the death, resignation, or removal of the Governor, his authorities to be exercised by the President of the Senate (until a successor be appointed).

6. The Senate to have the sole power of declaring war—the power of advising and approving all treaties—the power of approving or rejecting all appointments of officers except the heads or chiefs of the departments of finance, war, and foreign affairs.

7. The supreme judicial authority of the United States to be vested in twelve judges,

to hold their offices during good behavior, with adequate and permanent salaries. This court to have original jurisdiction in all causes of capture, and an appellate jurisdiction (from the courts of the several States) in all causes in which the revenues of the General Government or the citizens of foreign nations are concerned.

8. The Legislature of the United States to have power to institute courts in each State for the determination of all causes of capture and of all matters relating to their revenues, or in which the citizens of foreign nations are concerned.

9. The Governor, Senators, and all officers of the United States to be liable to impeachment for mal and corrupt conduct, and upon conviction to be removed from office, and disqualified for holding any place of trust or profit. All impeachments to be tried by a court, to consist of the judges of the Supreme Court, chief or senior judge of the Superior Court of law of each State—provided that such judge hold his place during good behavior and have a permanent salary.

10. All laws of the particular States contrary to the Constitution or laws of the United States to be utterly void. And the better to prevent such laws being passed the Governor or President of each State shall be appointed by the General Government, and shall have a negative upon the laws about to be passed in the State of which he is Governor or President.

11. No State to have any forces, land or naval—and the militia of all the States to be under the sole and exclusive direction of the United States, the officers of which to be appointed and commissioned by them.

87. THE CONSTITUTION OF THE UNITED STATES

(Richardson, ed. *Messages and Papers*, Vol. I, p. 21 ff.)

Following the recommendation of the Annapolis Convention, Congress adopted, February 21, 1787, a resolution that "it is expedient that on the second Monday in May next a Convention of delegates who shall have been appointed by the several states be held at Philadelphia for the sole and express purpose of revising the Articles of Confederation." A quorum, however, did not assemble at Philadelphia until May 25, when the convention proceeded to organize. The convention continued its work throughout

the summer of 1787 and on September 15 agreed to the Constitution as reported from the Committee on Style. On the 17th September the Constitution was signed, and submitted to Congress. By resolution of September 28, Congress submitted the Constitution to the States. By June 21, 1788, nine States had ratified the Constitution; Rhode Island, the last of the thirteen States to ratify, acted on May 29, 1790. Congress by resolution of September 13, 1788, fixed the date for the election of a President and the

organization of the new government under the Constitution. The resolutions of Congress, the Debates and Proceedings of the Convention, the ratifications of the several States, and related material can be found in *Documents Illustrative of the Formation of the Union of the American States*, ed. by C. C. Tansill. The literature on the Constitution is voluminous. The classic analysis is the *Federalist*, written by Madison, Hamilton and Jay. Almost equally valuable is Judge Story's *Commentaries on the Constitution*, 2 vols. More recent accounts are: C. Warren, *The Making of the Constitution*; A. C. McLaughlin, *Confederation and Constitution*; M. Farrand, *Fathers of the Constitution*; M. Farrand, *Framing of the Constitution*; C. A. Beard, *Economic Interpretation of the Constitution*. The struggle over ratification can be followed in J. Elliot's *Debates in the Several State Conventions*, etc. 5 Vols.; and O. G. Libby, *Geographical Distribution of the Vote on the Federal Convention*; J. B. McMaster and F. D. Stone, *Pennsylvania and the Federal Constitution*; S. B. Harding, *Contest over Ratification in Massachusetts*; C. E. Miner, *Ratification of the Federal Constitution by the State of New York*; L. I. Trenholme, *Ratification of the Federal Constitution in North Carolina*; B. C. Steiner, *Maryland's Adoption of the Federal Constitution*; F. G. Bates, *Rhode Island and the Union*; H. G. Grigsby, *History of the Virginia Federal Convention of 1788*, 2 Vols. On the amendments, see C. Borgeaud, *Adoption and Amendment of Constitutions*.

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.

ART. 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 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.

Sec. 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 Ap-

pointments 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 Citizens 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.

Sec. 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.

Sec. 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.

Sec. 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 increased 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.

Sec. 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 repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Sec. 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 a 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.

Sec. 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.

Sec. 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 its 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.

ART. II

Sec. 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 Person 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 encreased 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."

Sec. 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.

Sec. 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.

Sec. 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.

ART. III

Sec. 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.

Sec. 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.

Sec. 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.

ART. IV

Sec. 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.

Sec. 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.

Sec. 3. New States may be admitted by the Congress into this Union; but no new States 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.

Sec. 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.

ART. 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.

ART. 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 Con-

stitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

ART. 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.

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 Independence of the United States of America the Twelfth. In witness whereof We have hereunto subscribed our Names,

G^o WASHINGTON—Presid^t
and deputy from Virginia

New Hampshire	{ JOHN LANGDON NICHOLAS GILMAN	Delaware	{ GEO: READ GUNNING BEDFORD jun JOHN DICKINSON RICHARD BASSETT JACO: BROOM
Massachusetts	{ NATHANIEL GORHAM RUFUS KING		
Connecticut	{ WM SAM ^l JOHNSON ROGER SHERMAN	Maryland	{ JAMES M ^c HENRY DAN OF ST ^h THO ^s JENIFER DAN ^l CARROLL
New York	{ ALEXANDER HAMILTON	Virginia	{ JOHN BLAIR— JAMES MADISON JR.
New Jersey	{ WIL: LIVINGSTON DAVID BREARLEY WM PATERSON JONA: DAYTON	North Carolina	{ WM BLOUNT RICH ^d DOBES SPAIGHT HU WILLIAMSON
Pennsylvania	{ B FRANKLIN THOMAS MIFFLIN ROBT MORRIS GEO. CLYMER THO ^s FITZSIMONS JARED INGERSOLL JAMES WILSON GOUV MORRIS	South Carolina	{ J. RUTLEDGE CHARLES COTESWORTH PINCKNEY CHARLES PINCKNEY PIERCE BUTLER
		Georgia	{ WILLIAM FEW ABR BALDWIN

Articles in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

[The first ten amendments went into effect November 3, 1791.]

ART. I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ART. II

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

ART. III

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

ART. IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ART. V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

ART. VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

ART. VII

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

ART. VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ART. IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

ART. X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

ART. XI

Jan. 8, 1798

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

ART. XII

Sept. 25, 1804

The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as

Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists 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 for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing 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. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.—The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

ART. XIII

Dec. 18, 1865

Sec. 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Sec. 2. Congress shall have power to enforce this article by appropriate legislation.

ART. XIV

July 28, 1868

Sec. 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Sec. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Sec. 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Sec. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But

neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Sec. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

ART. XV

March 30, 1870

Sec. 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude—

Sec. 2. The Congress shall have power to enforce this article by appropriate legislation—

ART. XVI

February 25, 1913

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States and without regard to any census or enumeration.

ART. XVII

May 31, 1913

The Senate of the United States shall be composed of two senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the Constitution.

ART. XVIII

January 29, 1919

After one year from the ratification of this article, the manufacture, sale, or transporta-

tion of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by Congress.

ART. XIX

August 26, 1920

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any States on account of sex.

The Congress shall have power by appropriate legislation to enforce the provisions of this article.

ART. XX

February 6, 1933

Sec. 1. The terms of the President and Vice-President shall end at noon on the twentieth day of January, and the terms of Senators and Representatives at noon on the third day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

Sec. 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the third day of January, unless they shall by law appoint a different day.

Sec. 3. If, at the time fixed for the beginning of the term of the President, the President-elect shall have died, the Vice-President-elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President-elect shall have failed to qualify, then the Vice-President-elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President-elect nor a Vice-President-elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act

accordingly until a President or Vice-President shall have qualified.

Sec. 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice-President whenever the right of choice shall have devolved upon them.

Sec. 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Sec. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

ART. XXI

December 5, 1933

Sec. 1. The eighteenth article of amendment

to the Constitution of the United States is hereby repealed.

ART. XXII

February 26, 1951

Sec. 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

For articles subsequent to Article XXII see page 633.

88. OBJECTIONS TO THE FEDERAL CONSTITUTION

Letter of Robert Yates and John Lansing to the Governor of New York
1787

(J. Elliot, ed. *Debates in the Several State Conventions on the Adoption of the Federal Constitution*, 1861 ed., Vol. I, p. 480 ff.)

Yates and Lansing, delegates to the Federal Convention from New York, refused to sign the Constitution; Alexander Hamilton alone signed from New York State. Opposition to the new Constitution in New York was intense, and ratification was secured only after nine other States had already ratified. See, E. W. Spaulding, *New York in the Critical Period, 1783-1789*; O. G. Libby, *Geographical Distribution of the Vote of the Thirteen States on the Federal Constitution*; C. E. Miner, *Ratification of the Federal Constitution by the State of New York*.

... We beg leave, briefly, to state some cogent reasons, which, among others, influenced us to decide against a consolidation of the states. These are reducible into two heads:—

1st. The limited and well-defined powers under which we acted, and which could not, on any possible construction, embrace an idea of such magnitude as to assent to a general constitution, in subversion of that of the state.

2nd. A conviction of the impracticability of establishing a general government, pervading every part of the United States, and extending essential benefits to all.

Our powers were explicit, and confined to the sole and express purpose of revising the Articles of Confederation, and reporting such alterations and provisions therein, as should render the Federal Constitution adequate to the exigencies of government, and the preservation of the Union.

From these expressions, we were led to believe that a system of consolidated government could not, in the remotest degree, have been in contemplation of the legislature of this state; for that so important a trust, as the adopting measures which tended to deprive the state government of its most essential rights of sovereignty, and to place it in a dependent situation, could not have been confided by implication; and the circumstance, that the acts of the Convention were to receive a state approbation in the last resort.

ISAAC KRAMNICK was born in 1938 and educated at Harvard University, where he received a B.A. degree in 1959 and a Ph.D. in 1965, and at Peterhouse, Cambridge. He has taught at Harvard, Brandeis, Yale and Cornell, where he is now Professor of Government. He is married to Miriam Brody and lives in Ithaca, New York. Among his publications are *Bolingbroke and His Circle*, *The Rage of Edmund Burke* and numerous articles on eighteenth-century topics. He has edited William Godwin's *Enquiry Concerning Political Justice*, Thomas Paine's *Common Sense* and the *Thomas Paine Reader* for the Penguin Classics. Most recently he is the author, with Barry Sheerman, M.P., of *Laski: A Life on the Left*.

JAMES MADISON
ALEXANDER HAMILTON
and JOHN JAY

THE FEDERALIST PAPERS



EDITED BY ISAAC KRAMNICK

PENGUIN BOOKS

(1788; 1987)

The definition of a *confederate republic* seems simply to be "an assemblage of societies," or an association of two or more states into one state. The extent, modifications, and objects of the federal authority are mere matters of discretion. So long as the separate organization of the members be not abolished; so long as it exists, by a constitutional necessity, for local purposes; though it should be in perfect subordination to the general authority of the union, it would still be, in fact and in theory, an association of states, or a confederacy. The proposed Constitution, so far from implying an abolition of the State governments, makes them constituent parts of the national sovereignty, by allowing them a direct representation in the Senate, and leaves in their possession certain exclusive and very important portions of sovereign power. This fully corresponds, in every rational import of the terms, with the idea of a federal government.

In the Lycian confederacy, which consisted of twenty-three CITIES, or republics, the largest were entitled to *three* votes in the COMMON COUNCIL, those of the middle class to *two*, and the smallest to *one*. The COMMON COUNCIL had the appointment of all the judges and magistrates of the respective CITIES. This was certainly the most delicate species of interference in their internal administration; for if there be any thing that seems exclusively appropriated to the local jurisdictions, it is the appointment of their own officers. Yet Montesquieu, speaking of this association, says: "Were I to give a model of an excellent Confederate Republic, it would be that of Lycia." Thus we perceive that the distinctions insisted upon were not within the contemplation of this enlightened civilian; and we shall be led to conclude that they are the novel refinements of an erroneous theory.

PUBLIUS [Hamilton]

NUMBER X

THE SAME SUBJECT CONTINUED

AMONG the numerous advantages promised by a well-constructed Union, none deserves to be more accurately developed than its tendency to break and control the violence of faction. The friend of popular governments never finds himself so much alarmed for their character and fate as when he contemplates their propensity to this dangerous vice. He will not fail, therefore, to set a due value on any plan which, without violating the principles to which he is attached, provides a proper cure for it. The instability, injustice, and confusion introduced into the public councils have, in truth, been the mortal diseases under which popular governments have everywhere perished, as they continue to be the favorite and fruitful

topics from which the adversaries to liberty derive their most specious declamations. The valuable improvements made by the American constitutions on the popular models, both ancient and modern, cannot certainly be too much admired; but it would be an unwarrantable partiality to contend that they have as effectually obviated the danger on this side, as was wished and expected. Complaints are everywhere heard from our most considerate and virtuous citizens, equally the friends of public and private faith and of public and personal liberty, that our governments are too unstable, that the public good is disregarded in the conflicts of rival parties, and that measures are too often decided, not according to the rules of justice and the rights of the minor party, but by the superior force of an interested and overbearing majority. However anxiously we may wish that these complaints had no foundation, the evidence of known facts will not permit us to deny that they are in some degree true. It will be found, indeed, on a candid review of our situation, that some of the distresses under which we labor have been erroneously charged on the operation of our governments; but it will be found, at the same time, that other causes will not alone account for many of our heaviest misfortunes; and, particularly, for that prevailing and increasing distrust of public engagements and alarm for private rights which are echoed from one end of the continent to the other. These must be chiefly, if not wholly, effects of the unsteadiness and injustice with which a factious spirit has tainted our public administration.

By a faction I understand a number of citizens, whether amounting to a majority or minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community.

There are two methods of curing the mischiefs of faction: the one, by removing its causes; the other, by controlling its effects.

There are again two methods of removing the causes of faction: the one, by destroying the liberty which is essential to its existence; the other, by giving to every citizen the same opinions, the same passions, and the same interests.

It could never be more truly said than of the first remedy that it was worse than the disease. Liberty is to faction what air is to fire, an aliment without which it instantly expires. But it could not be a less folly to abolish liberty, which is essential to political life, because it nourishes faction than it would be to wish the annihilation of air, which is essential to animal life, because it imparts to fire its destructive agency.

The second expedient is as impracticable as the first would be unwise. As long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed. As long as the connection

subsists between his reason and his self-love, his opinions and his passions will have a reciprocal influence on each other; and the former will be objects to which the latter will attach themselves. The diversity in the faculties of men, from which the rights of property originate, is not less an insuperable obstacle to a uniformity of interests. The protection of these faculties is the first object of government. From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results; and from the influence of these on the sentiments and views of the respective proprietors ensues a division of the society into different interests and parties.

The latent causes of faction are thus sown in the nature of man; and we see them everywhere brought into different degrees of activity, according to the different circumstances of civil society. A zeal for different opinions concerning religion, concerning government, and many other points, as well of speculation as of practice; an attachment to different leaders ambitiously contending for pre-eminence and power; or to persons of other descriptions whose fortunes have been interesting to the human passions, have, in turn, divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other than to co-operate for their common good. So strong is this propensity of mankind to fall into mutual animosities that where no substantial occasion presents itself the most frivolous and fanciful distinctions have been sufficient to kindle their unfriendly passions and excite their most violent conflicts. But the most common and durable source of factions has been the various and unequal distribution of property. Those who hold and those who are without property have ever formed distinct interests in society. Those who are creditors, and those who are debtors, fall under a like discrimination. A landed interest, a manufacturing interest, a mercantile interest, a moneyed interest, with many lesser interests, grow up of necessity in civilized nations, and divide them into different classes, actuated by different sentiments and views. The regulation of these various and interfering interests forms the principal task of modern legislation and involves the spirit of party and faction in the necessary and ordinary operations of government.

No man is allowed to be a judge in his own cause, because his interest would certainly bias his judgment, and, not improbably, corrupt his integrity. With equal, nay with greater reason, a body of men are unfit to be both judges and parties at the same time; yet what are many of the most important acts of legislation but so many judicial determinations, not indeed concerning the rights of single persons, but concerning the rights of large bodies of citizens? And what are the different classes of legislators but advocates and parties to the causes which they determine?

Is a law proposed concerning private debts? It is a question to which the creditors are parties on one side and the debtors on the other. Justice ought to hold the balance between them. Yet the parties are, and must be, themselves the judges; and the most numerous party, or in other words, the most powerful faction must be expected to prevail. Shall domestic manufacturers be encouraged, and in what degree, by restrictions on foreign manufacturers? are questions which would be differently decided by the landed and the manufacturing classes, and probably by neither with a sole regard to justice and the public good. The apportionment of taxes on the various descriptions of property is an act which seems to require the most exact impartiality; yet there is, perhaps, no legislative act in which greater opportunity and temptation are given to a predominant party to trample on the rules of justice. Every shilling with which they overburden the inferior number is a shilling saved to their own pockets.

It is in vain to say that enlightened statesmen will be able to adjust these clashing interests and render them all subservient to the public good. Enlightened statesmen will not always be at the helm. Nor, in many cases, can such an adjustment be made at all without taking into view indirect and remote considerations, which will rarely prevail over the immediate interest which one party may find in disregarding the rights of another or the good of the whole.

The inference to which we are brought is that the causes of faction cannot be removed and that relief is only to be sought in the means of controlling its effects.

If a faction consists of less than a majority, relief is supplied by the republican principle, which enables the majority to defeat its sinister views by regular vote. It may clog the administration, it may convulse the society; but it will be unable to execute and mask its violence under the forms of the Constitution. When a majority is included in a faction, the form of popular government, on the other hand, enables it to sacrifice to its ruling passion or interest both the public good and the rights of other citizens. To secure the public good and private rights against the danger of such a faction, and at the same time to preserve the spirit and the form of popular government, is then the great object to which our inquiries are directed. Let me add that it is the great desideratum by which alone this form of government can be rescued from the opprobrium under which it has so long labored and be recommended to the esteem and adoption of mankind.

By what means is this object attainable? Evidently by one of two only. Either the existence of the same passion or interest in a majority at the same time must be prevented, or the majority, having such coexistent passion or interest, must be rendered, by their number and local situation,

unable to concert and carry into effect [schemes of oppression.] If the impulse and the opportunity be suffered to coincide, we well know that neither moral nor religious motives can be relied on as an adequate control. They are not found to be such on the injustice and violence of individuals, and lose their efficacy in proportion to the number combined together, that is, in proportion as their efficacy becomes needful.

From this view of the subject it may be concluded that a pure democracy, by which I mean a society consisting of a small number of citizens, who assemble and administer the government in person, can admit of no cure for the mischiefs of faction. A common passion or interest will, in almost every case, be felt by a majority of the whole; a communication and concert results from the form of government itself; and there is nothing to check the inducements to sacrifice the weaker party or an obnoxious individual. Hence it is that such democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths. Theoretic politicians, who have patronized this species of government, have erroneously supposed that by reducing mankind to a perfect equality in their political rights, they would at the same time be perfectly equalized and assimilated in their possessions, their opinions, and their passions.

A republic, by which I mean a government in which the scheme of representation takes place, opens a different prospect and promises the cure for which we are seeking. Let us examine the points in which it varies from pure democracy, and we shall comprehend both the nature of the cure and the efficacy which it must derive from the Union.

The two great points of difference between a democracy and a republic are: first, the delegation of the government, in the latter, to a small number of citizens elected by the rest; secondly, the greater number of citizens and greater sphere of country over which the latter may be extended.

The effect of the first difference is, on the one hand, to refine and enlarge the public views by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations. Under such a regulation it may well happen that the public voice, pronounced by the representatives of the people, will be more consonant to the public good than if pronounced by the people themselves, convened for the purpose. On the other hand, the effect may be inverted. Men of factious tempers, of local prejudices, or of sinister designs, may, by intrigue, by corruption, or by other means, first obtain the suffrages, and then betray the interests of the people. The question resulting is, whether small or extensive republics are;

most favorable to the election of proper guardians of the public weal; and it is clearly decided in favor of the latter by two obvious considerations.

In the first place it is to be remarked that however small the republic may be the representatives must be raised to a certain number in order to guard against the cabals of a few; and that however large it may be they must be limited to a certain number in order to guard against the confusion of a multitude. Hence, the number of representatives in the two cases not being in proportion to that of the constituents, and being proportionally greatest in the small republic, it follows that if the proportion of fit characters be not less in the large than in the small republic, the former will present a greater option, and consequently a greater probability of a fit choice.

In the next place, as each representative will be chosen by a greater number of citizens in the large than in the small republic, it will be more difficult for unworthy candidates to practice with success the vicious arts by which elections are too often carried; and the suffrages of the people being more free, will be more likely to center on men who possess the most attractive merit and the most diffusive and established characters.

It must be confessed that in this, as in most other cases, there is a mean, on both sides of which inconveniences will be found to lie. By enlarging too much the number of electors, you render the representative too little acquainted with all their local circumstances and lesser interests; as by reducing it too much, you render him unduly attached to these, and too little fit to comprehend and pursue great and national objects. The federal Constitution forms a happy combination in this respect; the great and aggregate interests being referred to the national, the local and particular to the State legislatures.

The other point of difference is the greater number of citizens and extent of territory which may be brought within the compass of republican than of democratic government; and it is this circumstance principally which renders factious combinations less to be dreaded in the former than in the latter. The smaller the society, the fewer probably will be the distinct parties and interests composing it; the fewer the distinct parties and interests, the more frequently will a majority be found of the same party; and the smaller the number of individuals composing a majority, and the smaller the compass within which they are placed, the more easily will they concert and execute their plans of oppression. Extend the sphere and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength and to act in unison with each other. Besides other impediments, it may be

remarked that, where there is a consciousness of unjust or dishonorable purposes, communication is always checked by distrust in proportion to the number whose concurrence is necessary.

Hence, it clearly appears that the same advantage which a republic has over a democracy in controlling the effects of faction is enjoyed by a large over a small republic—is enjoyed by the Union over the States composing it. Does this advantage consist in the substitution of representatives whose enlightened views and virtuous sentiments render them superior to local prejudices and to schemes of injustice? It will not be denied that the representation of the Union will be most likely to possess these requisite endowments. Does it consist in the greater security afforded by a greater variety of parties, against the event of any one party being able to outnumber and oppress the rest? In an equal degree does the increased variety of parties comprised within the Union increase this security? Does it, in fine, consist in the greater obstacles opposed to the concert and accomplishment of the secret wishes of an unjust and interested majority? Here again the extent of the Union gives it the most palpable advantage.

The influence of factious leaders may kindle a flame within their particular States but will be unable to spread a general conflagration through the other States. A religious sect may degenerate into a political faction in a part of the Confederacy; but the variety of sects dispersed over the entire face of it must secure the national councils against any danger from that source. A rage for paper money, for an abolition of debts, for an equal division of property, or for any other improper or wicked project, will be less apt to pervade the whole body of the Union than a particular member of it, in the same proportion as such a malady is more likely to taint a particular county or district than an entire State.

In the extent and proper structure of the Union, therefore, we behold a republican remedy for the diseases most incident to republican government. And according to the degree of pleasure and pride we feel in being republicans ought to be our zeal in cherishing the spirit and supporting the character of federalists.

PUBLIUS [Madison]

NUMBER XI

THE UTILITY OF THE UNION IN RESPECT TO COMMERCE AND A NAVY

THE importance of the Union, in a commercial light, is one of those points about which there is least room to entertain a difference of opinion, and

which has, in fact, commanded the most general assent of men who have any acquaintance with the subject. This applies as well to our intercourse with foreign countries as with each other.

There are appearances to authorize a supposition that the adventurous spirit, which distinguishes the commercial character of America, has already excited uneasy sensations in several of the maritime powers of Europe. They seem to be apprehensive of our too great interference in that carrying trade, which is the support of their navigation and the foundation of their naval strength. Those of them which have colonies in America look forward to what this country is capable of becoming with painful solicitude. They foresee the dangers that may threaten their American dominions from the neighborhood of States, which have all the dispositions and would possess all the means requisite to the creation of a powerful marine. Impressions of this kind will naturally indicate the policy of fostering divisions among us and of depriving us, as far as possible, of an ACTIVE COMMERCE in our own bottoms. This would answer the threefold purpose of preventing our interference in their navigation, of monopolizing the profits of our trade, and of clipping the wings by which we might soar to a dangerous greatness. Did not prudence forbid the detail, it would not be difficult to trace, by facts, the workings of this policy to the cabinets of ministers.

If we continue united, we may counteract a policy so unfriendly to our prosperity in a variety of ways. By prohibitory regulations, extending at the same time throughout the States, we may oblige foreign countries to bid against each other for the privileges of our markets. This assertion will not appear chimerical to those who are able to appreciate the importance to any manufacturing nation of the markets of three millions of people—increasing in rapid progression, for the most part exclusively addicted to agriculture, and likely from local circumstances to remain in this disposition; and the immense difference there would be to the trade and navigation of such a nation, between a direct communication in its own ships and an indirect conveyance of its products and returns, to and from America, in the ships of another country. Suppose, for instance, we had a government in America capable of excluding Great Britain (with whom we have at present no treaty of commerce) from all our ports: what would be the probable operation of this step upon her politics? Would it not enable us to negotiate, with the fairest prospect of success, for commercial privileges of the most valuable and extensive kind in the dominions of that kingdom? When these questions have been asked upon other occasions, they have received a plausible, but not a solid or satisfactory answer. It has been said that prohibitions on our part would produce no change in the system of Britain, because she could prosecute her trade with us

Benjamin Franklin and the American self

Kendall Johnson
Swarthmore College

Franklin's epitaph, written by himself as a young man:

**The Body of
B. Franklin,
Printer;
Like the Cover of an old Book,
Its Contents torn out,
And script of its Lettering and Gilding,
Lies here, Food for Worms.
But the Work shall not be wholly lost:
For it will, as he believ'd, appear once more,
In a new & more perfect Edition,
Corrected and amended By the Author.
He was born Jan. 6, 1706
Died 17-- (written 1728)**

Final Epitaph:
Benjamin and Deborah Franklin: 1790



Charles E. Mills, *Franklin the Printer* (c. 1900-1920)
Photo courtesy Library of Congress.
David Martin, Benjamin Franklin (1767)
Oil on canvas on panel
White House, Washington, D.C., United States

Excerpts from *Autobiography*

(1791 in French; 1793 in English, translated from French; 1818 first English edition; 1868 includes all 4 parts)

Twyford, at the Bishop of St. Asaph's 1771.

Dear Son [William Franklin, Royal Governor of New Jersey],



Robert Feke, *Young Franklin* (1748)

I have ever had a Pleasure in obtaining any little Anecdotes of my Ancestors. You may remember the Enquiries I made among the Remains of my Relations when you were with me in England; and the Journey I took for that purpose. Now imagining it may be equally agreeable to you to know the Circumstances of my Life, many of which you are yet unacquainted with; and expecting a Weeks uninterrupted Leisure in my present Country Retirement, I sit down to write them for you. To which I have besides some other Inducements. Having emerg'd from the Poverty and Obscurity in which I was born and bred, to a State of Affluence and some Degree of Reputation in the World, and having gone so far thro' Life with a considerable Share of Felicity, the conducting Means I made use of, which, with the Blessing of God, so well succeeded, my Posterity may like to know, as they may find some of them suitable to their own Situations, and therefore fit to be imitated. That Felicity, when I reflected on it, has induc'd me sometimes to say, that were it offer'd to my Choice, I should have no Objection to a Repetition of the same Life from its Beginning, only

asking the Advantage Authors have in a second Edition to correct some Faults of the first. So would I if I might, besides corr[ectin]g the Faults, change some sinister Accidents and Events of it for others more favourable, but tho' this were deny'd, I should still accept the Offer. However, since such a Repetition is not to be expected, the next Thing most like living one's Life over again, seems to be a Recollection of that Life; and to make that Recollection as durable as possible, the putting it down in Writing. Hereby, too, I shall indulge the Inclination so natural in old Men, to be talking of themselves and their own past Actions, and I shall indulge it, without being troublesome to others who thro' respect to Age might think themselves oblig'd to give me a Hearing, since this may be read or not as any one pleases. And lastly, (I may as well confess it, since my Denial of it will be believ'd by no body) perhaps I shall a good deal gratify my own Vanity. Indeed I scarce ever heard or saw the introductory Words, Without Vanity I may say, &c. but some vain thing immediately follow'd. Most People dislike Vanity in others whatever Share they have of it themselves, but I give it fair Quarter wherever I meet with it, being persuaded that it is often productive of Good to the Possessor and to others that are within his Sphere of Action: And therefore in many Cases it would not be quite absurd if a Man were to thank God for his Vanity among the other Comforts of Life.

On Method of expressing oneself through language

While I was intent on improving my Language, I met with an English Grammar (I think it was Greenwood's) at the End of which there were two little Sketches of the Arts of Rhetoric and Logic, the latter finishing with a Specimen of a Dispute in the Socratic Method. And soon after I procur'd Xenophon's Memorable Things of Socrates, wherein there are many Instances of the same Method. I was charm'd with it, adopted it, dropt my abrupt Contradiction, and positive Argumentation, and put on the humble Enquirer and Doubter. And being then, from reading Shaftsbury and Collins, become a real Doubter in many Points of our Religious Doctrine, I found this Method safest for my self and very embarrassing to those against whom I used it, therefore I took a Delight in it, practis'd it continually and grew very artful and expert in drawing People even of superior Knowledge into Concessions the Consequences of which they did not foresee, entangling them in Difficulties out of

which they could not extricate themselves, and so obtaining Victories that neither my self nor my Cause always deserved.

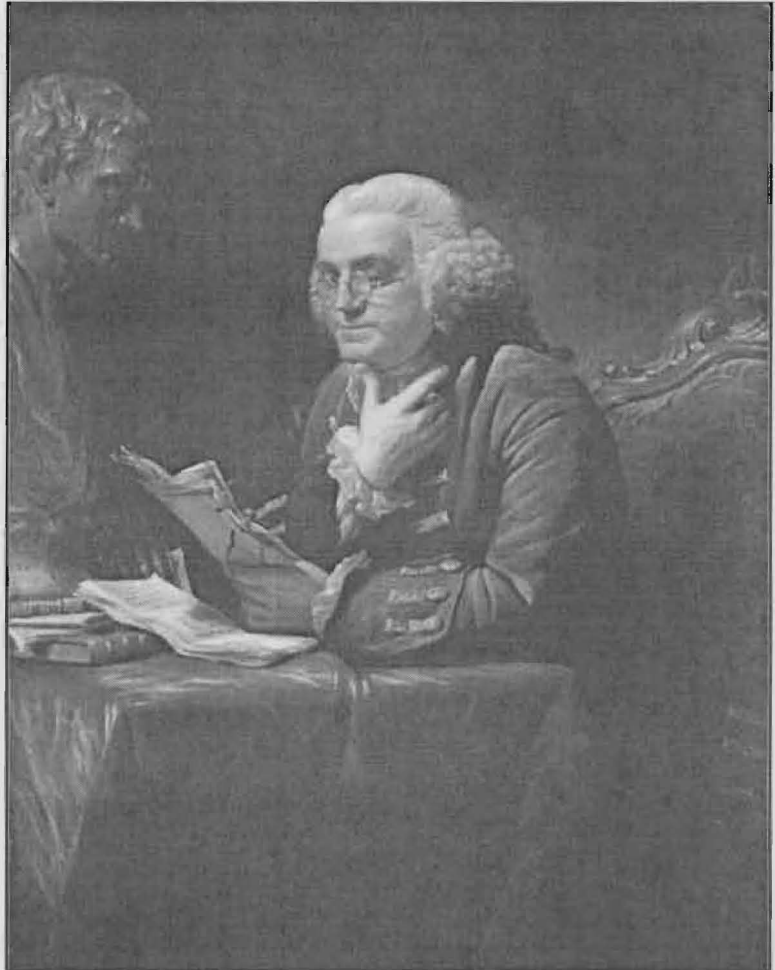
I continu'd this Method some few Years, but gradually left it, retaining only the Habit of expressing my self in Terms of modest Diffidence, never using when I advance any thing that may possibly be disputed, the Words, *Certainly, undoubtedly*, or any others that give the Air of Positiveness to an Opinion; but rather say, *I conceive*, or *I apprehend a Thing to be so or so*, *It appears to me*, or *I should think it so or so for such and such Reasons*, or *I imagine it to be so*, or *it is so if I am not mistaken*. This Habit I believe has been of great Advantage to me, when I have had occasion to inculcate my Opinions and persuade Men into Measures that I have been from time to time engag'd in promoting.

[Story of arrival in Philadelphia]

I have been the more particular in this Description of my Journey, and shall be so of my first Entry into that City, that you may in your Mind compare such unlikely Beginnings with the Figure I have since made there. I was in my Working Dress, my best Cloaths being to come round by Sea. I was dirty from my Journey; my Pockets were stuff'd out with Shirts and Stockings; I knew no Soul, nor where to look for Lodging. I was fatigu'd with Travelling, Rowing and Want of Rest. I was very hungry, and my whole Stock of Cash consisted of a Dutch Dollar and about a Shilling in Copper. The latter I gave the People of the Boat for my Passage, who at first refus'd it on Account of my Rowing; but I insisted on their taking it, a Man being sometimes more generous when he has but a little Money than when he has plenty, perhaps thro' Fear of being thought to have but little.

Then I walk'd up the Street, gazing about, till near the Market House I met a Boy with Bread. I had made many a Meal on Bread, and inquiring where he got it, I went immediately to the Baker's he directed me to in second

Street; and ask'd for Bisket, intending such as we had in Boston, but they it seems were not made in Philadelphia, then I ask'd for a threepenny Loaf, and was told they had none such: so not considering or knowing the Difference of Money and the greater Cheapness nor the Names of his Bread, I bad him give me three penny worth of any sort. He gave me accordingly three great Puffy Rolls. I was surpriz'd at the Quantity, but took it, and having no room in my Pockets, walk'd off, with a Roll under each Arm, and eating the other. Thus I went up Market Street as far as fourth Street, passing by the Door of Mr. Read, my future Wife's Father, when she standing at the Door saw me, and thought I



David Martin, *Benjamin Franklin* (1772). Year depicted 1766.
Pennsylvania Academy of the Fine Arts, Philadelphia

made as I certainly did a most awkward ridiculous Appearance. Then I turn'd and went down Chestnut Street and part of Walnut Street, eating my Roll all the Way, and coming round found my self again at Market Street Wharff, near the Boat I came in, to which I went for a Draught of the River Water, and being fill'd with one of my Rolls, gave the other two to a Woman and her Child that came down the River in the Boat with us and were waiting to go farther. Thus refresh'd I walk'd again up the Street, which by this time had many clean dress'd People in it who were all walking the same Way; I join'd them, and thereby was led into the great Meeting House of the Quakers near the Market. I sat down among them, and after looking round a while and hearing nothing said, being very drowzy thro' Labour and want of Rest the preceding Night, I fell fast asleep, and continu'd so till the Meeting broke up, when one was kind enough to rouse me. This was therefore the first House I was in or slept in, in Philadelphia.

[Reasonable creature]

I believe I have omitted mentioning that in my first Voyage from Boston, being becalm'd off Block Island, our People set about catching Cod and hawl'd up a great many. Hitherto I had stuck to my Resolution of not eating animal Food; and on this Occasion, I consider'd with my Master Tryon, the taking every Fish as a kind of unprovok'd Murder, since none of them had or ever could do us any Injury that might justify the Slaughter. All this seem'd very reasonable. But I had formerly been a great Lover of Fish, and when this came hot out of the Frying Pan, it smelt admirably well. I balanc'd some time between Principle and Inclination: till I recollected, that when the Fish were opened, I saw smaller Fish taken out of their Stomachs: Then thought I, if you eat one another, I don't see why we mayn't eat you. So I din'd upon Cod very heartily and continu'd to eat with other People, returning only now and then occasionally to a vegetable Diet. So convenient a thing it is to be a reasonable Creature, since it enables one to find or make a Reason for every thing one has a mind to do.

[Print shop in England]

At my first Admission into this Printing House, I took to working at Press, imagining I felt a Want of the Bodily Exercise I had been us'd to in America, where Presswork is mix'd with Composing. I drank only Water; the other Workmen, near 50 in Number, were great Guzzlers of Beer. On occasion I carried up and down Stairs a large Form of Types in each hand, when others carried but one in both Hands. They wonder'd to see from this and several Instances that the Water-American as they call'd me was stronger than themselves who drank strong Beer. We had an Alehouse Boy who attended always in the House to supply the Workmen. My Companion at the Press, drank every day a Pint before Breakfast, a Pint at Breakfast with his Bread and Cheese; a Pint between Breakfast and Dinner; a Pint at Dinner; a Pint in the Afternoon about Six o'Clock, and another when he had done his Day's-Work. I thought it a detestable Custom. But it was necessary, he suppos'd, to drink strong Beer that he might be strong to labour. I endeavour'd to convince him that the Bodily Strength afforded by Beer could only be in proportion to the Grain or Flour of the Barley dissolved in the Water of which it was made; that there was more Flour in a Penny-worth of Bread, and therefore if he would eat that with a Pint of Water, it would give him more Strength than a Quart of Beer. He drank on however, and had 4 or 5 Shillings to pay out of his Wages every Saturday Night for that muddling Liquor; an Expence I was free from. And thus these poor Devils keep themselves always under.

[Thirteen Virtues]

It was about this time that I conceiv'd the bold and arduous Project of arriving at moral Perfection. I wish'd to live without committing any Fault at any time; I would conquer all that either Natural Inclination, Custom, or Company might lead me into. As I knew, or thought I knew, what was right and wrong, I did not see why I might not always do the one and avoid the other. But I soon found I had undertaken a Task of more Difficulty than I had imagined. While my Attention was taken up in guarding against one Fault, I was often surpriz'd by another. Habit took the Advantage of Inattention. Inclination was sometimes too strong for Reason. I concluded at length, that the mere speculative Conviction that it was our Interest to be compleatly virtuous, was not sufficient to prevent our Slipping, and that the contrary Habits must be broken and good ones acquired and established, before we can have any Dependence on a steady uniform Rectitude of Conduct. For this purpose I therefore contriv'd the following Method.

In the various Enumerations of the moral Virtues I had met with in my Reading, I found the Catalogue more or less numerous, as different Writers included more or fewer Ideas under the same Name.

Temperance, for Example, was by some confin'd to Eating and Drinking, while by others it was extended to mean the moderating every other Pleasure, Appetite, Inclination or Passion, bodily or mental, even to our Avarice and Ambition. I propos'd to myself, for the sake of Clearness, to use rather more Names with fewer Ideas annex'd to each, than a few Names with more Ideas; and I included under Thirteen Names of Virtues all that at that time occur'd to me as necessary or desirable, and annex'd to each a short Precept, which fully express'd the Extent I gave to its Meaning.



C. N. Cochin drawing, 1777; engraved by A.H. Richie

These Names of Virtues with their Precepts were

1. Temperance.

Eat not to Dulness. Drink not to Elevation.

2. Silence.

Speak not but what may benefit others or yourself. Avoid trifling Conversation.

3. Order.

Let all your Things have their Places. Let each Part of your Business have its Time.

4. Resolution.

Resolve to perform what you ought. Perform without fail what you resolve.

5. Frugality.

Make no Expence but to do good to others or yourself: i.e. Waste nothing.

6. Industry.

Lose no Time. Be always employ'd in something useful. Cut off all unnecessary Actions.

7. Sincerity.

Use no hurtful Deceit. Think innocently and justly; and, if you speak, speak accordingly.

8. Justice.

Wrong none, by doing Injuries or omitting the Benefits that are your Duty.

9. Moderation.

Avoid Extreams. Forbear resenting Injuries so much as you think they deserve.

10. Cleanliness.

Tolerate no Uncleaness in Body, Cloaths or Habitation.

11. Tranquility.

Be not disturbed at Trifles, or at Accidents common or unavoidable.

12. Chastity.

Rarely use Venery but for Health or Offspring; Never to Dulness, Weakness, or the Injury of your own or another's Peace or Reputation.

13. Humility.

Imitate Jesus and Socrates.

My Intention being to acquire the Habitude of all these Virtues, I judg'd it would be well not to distract my Attention by attempting the whole at once, but to fix it on one of them at a time, and when I should be Master of that, then to proceed to another, and so on till I should have gone thro' the thirteen. And as the previous Acquisition of some might facilitate the Acquisition of certain others, I arrang'd them with that View as they stand above. Temperance first, as it tends to procure that Coolness and Clearness of Head, which is so necessary where constant Vigilance was to be kept up, and Guard maintained, against the unremitting Attraction of ancient Habits, and the Force of perpetual Temptations. This being acquir'd and establish'd, Silence would be more easy, and my Desire being to gain Knowledge at the same time that I improv'd in Virtue, and considering that in Conversation it was obtain'd rather by the use of the Ears than of the Tongue, and therefore wishing to break a Habit I was getting into of Prattling, Punning and Joking, which only made me acceptable to trifling Company, I gave Silence the second Place. This, and the next, Order, I expected would allow me more Time for attending to my Project and my Studies; Resolution, once become habitual, would keep me firm in my Endeavours to obtain all the subsequent Virtues; Frugality and Industry, by freeing me from my remaining Debt, and producing Affluence and Independance, would make more easy the Practice of Sincerity and Justice, &c. &c. Conceiving then that agreeable to the Advice of Pythagoras in his Golden Verses daily Examination would be necessary, I contriv'd the following Method for conducting that Examination.

I made a little Book in which I allotted a Page for each of the Virtues. I rul'd each Page with red Ink, so as to have seven Columns, one for each Day of the Week, marking each Column with a Letter for the Day. I cross'd these Columns with thirteen red Lines, marking the Beginning of each Line with the first Letter of one of the Virtues, on which Line and in its proper Column I might mark by a little black Spot every Fault I found upon Examination to have been committed respecting that Virtue upon that Day.

I determin'd to give a Week's strict Attention to each of the Virtues successively. Thus in the first Week my great Guard was to avoid every the least Offence against Temperance, leaving the other Virtues to their ordinary Chance, only marking every Evening the Faults of the Day. Thus if in the first Week I could keep my first Line marked T clear of Spots, I suppos'd the Habit of that Virtue so much strengthen'd and its opposite weaken'd, that I might venture extending my Attention to include the next, and for the following Week keep both Lines clear of Spots. Proceeding thus to the last, I could go thro' a Course compleat in Thirteen Weeks, and four Courses in a Year. And like him who having a Garden to weed, does not attempt to eradicate all the bad Herbs at once, which would

exceed his Reach and his Strength, but works on one of the Beds at a time, and having accomplish'd the first proceeds to a Second; so I should have, (I hoped) the encouraging Pleasure of seeing on my Pages the Progress I made in Virtue, by clearing successively my Lines of their Spots, till in the End by a Number of Courses, I should be happy in viewing a clean Book after a thirteen Weeks daily Examination.

Form of the Pages

Temperence							
Eat Not to Dullness							
Drink not to Elevation							
	S	M	T	W	T	F	S
T							
S	••	•		•		•	
O	•	•	•		•	•	•
R			•			•	
F			•			•	
I			•				
S							
J							
M							
Cl.							
T							
Ch.							
H							

[...] My List of Virtues contain'd at first but twelve: But a Quaker Friend having kindly inform'd me that I was generally thought proud; that my Pride show'd itself frequently in Conversation; that I was not content with being in the right when discussing any Point, but was overbearing and rather insolent; of which he convinc'd me by mentioning several Instances; I determin'd endeavouring to cure myself if I could of this Vice or Folly among the rest, and I added Humility to my List, giving an extensive Meaning to the Word. I cannot boast of much Success in acquiring the Reality of this Virtue; but I had a good deal with regard to the Appearance of it. I made it a Rule to forbear all direct Contradiction to the Sentiments of others, and all positive Assertion of my own. I even forbid myself agreeable to the old Laws of our Junto, the Use of every Word or Expression in the Language that import'd a fix'd Opinion; such as *certainly, undoubtedly, &c.* and I adopted instead of them, *I conceive, I apprehend, or I imagine a thing to be so or so*, or it so appears to me at present. When another asserted something, that I thought an Error, I deny'd my self the Pleasure of contradicting him abruptly, and of showing immediately some Absurdity in his Proposition; and in answering I began by observing that in certain Cases or Circumstances his Opinion would be right, but that in the present case there appear'd or seem'd to me some Difference, &c. I soon found the Advantage of this Change in my Manners. The Conversations I engag'd in went on more pleasantly. The modest way in which I propos'd my Opinions, procur'd them a readier Reception and less Contradiction; I had less Mortification when I was found to be in the wrong, and I more easily prevail'd with others to give up their Mistakes and join with me when I happen'd to be in the right. And this Mode, which I at first put on, with some violence to natural Inclination, became at length so easy and so habitual to me, that perhaps for these Fifty Years past no one has ever heard a dogmatical Expression escape me. And to

this Habit (after my Character of Integrity) I think it principally owing, that I had early so much Weight with my Fellow Citizens, when I proposed new Institutions, or Alterations in the old; and so much Influence in public Councils when I became a Member. For I was but a bad Speaker, never eloquent, subject to much Hesitation in my choice of Words, hardly correct in Language, and yet I generally carried my Points.

[Treating with the Indians at Carlisle]

The Year following, a Treaty being to be held with the Indians at Carlisle, the Governor sent a Message to the House, proposing that they should nominate some of their Members to be join'd with some Members of Council as Commissioners

for that purpose. The House nam'd the



John Trumbull, *Declaration of Independence*, 1819

Speaker (Mr. Norris) and myself; and being commission'd we went to Carlisle, and met the Indians accordingly. As those People are extreemly apt to get drunk, and when so are very quarrelsome and disorderly, we strictly forbad the selling any Liquor to them; and when they complain'd of this Restriction, we told them that if they would continue sober during the Treaty, we would give them Plenty of Rum when Business was over. They promis'd this; and they kept their Promise--because they could get no Liquor--and the Treaty was conducted very orderly, and concluded to mutual Satisfaction. They then claim'd and receiv'd the Rum. This was in the Afternoon. They were near 100 Men, Women and Children, and were lodg'd in temporary Cabins built in the Form of a Square just without the Town. In the Evening, hearing a great Noise among them, the Commissioners walk'd out to see what was the Matter. We found they had made a great Bonfire in the Middle of the Square. They were all drunk Men and Women, quarrelling and fighting. Their dark-colour'd Bodies, half naked, seen only by the gloomy Light of the Bonfire, running after and beating one another with Firebrands, accompanied by their horrid Yellings, form'd a Scene the most resembling our Ideas of Hell that could well be imagin'd. There was no appeasing the Tumult, and we retired to our Lodging. At Midnight a Number of them came thundering at our Door, demanding more Rum; of which we took no Notice. The next Day, sensible they had misbehav'd in giving us that Disturbance, they sent three of their old Counsellors to make their Apology. The Orator acknowledg'd the Fault, but laid it upon the Rum; and then endeavour'd to excuse the Rum, by saying, *The great Spirit who made all things made every thing for some Use, and whatever Use he design'd any thing for, that Use it should always be put to: Now, when he made Rum, he said, let this be for indians to get drunk with. And it must be so.* And indeed if it be the Design of Providence to extirpate these Savages in order to make room for Cultivators of the Earth, it seems not improbable that Rum may be the appointed Means. It has already annihilated all the Tribes who formerly inhabited the Sea-coast.

[The Junto]

I should have mention'd before, that in the Autumn of the preceding Year I had form'd most of my ingenious Acquaintance into a Club for mutual Improvement, which we call'd the Junto. We met on Friday Evenings. The Rules I drew up requir'd that every Member in his Turn should produce one or more Queries on any Point of Morals, Politics or Natural Philosophy, to be discuss'd by the Company, and once in three Months produce and read an Essay of his own Writing on any Subject he pleased. Our Debates were to be under the Direction of a President, and to be conducted in the sincere Spirit of Enquiry after Truth, without Fondness for Dispute, or Desire of Victory; and to prevent Warmth all Expressions of Positiveness in Opinion, or of direct Contradiction, were after some time made contraband and prohibited under small pecuniary Penalties.

[...] Our Club, the Junto, was found so useful, and afforded such Satisfaction to the Members, that several were desirous of introducing their Friends, which could not well be done without exceeding what we had settled as a convenient Number, viz. Twelve. We had from the Beginning made it a Rule to keep our Institution a Secret, which was pretty well observ'd. The Intention was, to avoid Applications of improper Persons for Admittance, some of whom perhaps we might find it difficult to refuse. I was one of those who were against any Addition to our Number, but instead of it made in writing a Proposal, that every Member



Benjamin West, *Benjamin Franklin Drawing Electricity from the Sky* (ca. 1816)

separately should endeavour to form a subordinate Club, with the same Rules respecting Queries, &c. and without informing them of the Connexion with the Junto. The Advantages propos'd were the Improvement of so many more young Citizens by the Use of our Institutions; Our better Acquaintance with the general Sentiments of the Inhabitants on any Occasion, as the Junto-Member might propose what Queries we should desire, and was to report to Junto what pass'd in his separate Club; the Promotion of our particular Interests in Business by more extensive Recommendations; and the Increase of our Influence in public Affairs and our Power of doing Good by spreading thro' the several Clubs the Sentiments of the Junto. The Project was approv'd, and every Member undertook to form his Club: but they did not all succeed. Five or six only were compleated, which were call'd by different Names, as the Vine, the Union, the Band, &c. They were useful to themselves, and afforded us a good deal of Amusement, Information and Instruction, besides answering in some considerable Degree our Views of influencing the public Opinion on particular Occasions, of which I shall give some Instances in course of time as they happened. [...]

I began now to turn my Thoughts a little to public Affairs, beginning however with small Matters. The City Watch was one of the first Things that I conceiv'd to want Regulation. It was managed by the Constables of the respective Wards in Turn. The Constable warn'd a Number of Housekeepers to attend him for the Night. Those who chose never to attend paid him Six Shillings a Year to be excus'd, which was suppos'd to be for hiring Substitutes; but was in reality much more than was

necessary for that purpose, and made the Constableness a Place of Profit. And the Constable for a little Drink often got such Ragamuffins about him as a Watch, that reputable Housekeepers did not chuse to mix with. Walking the rounds too was often neglected, and most of the Night spent in Tippling. I thereupon wrote a Paper to be read in Junto, representing these Irregularities, but insisting more particularly on the Inequality of this Six Shilling Tax of the Contables, respecting the Circumstances of those who paid it, since a poor Widow Housekeeper, all whose Property to be guarded by the Watch did not perhaps exceed the Value of Fifty Pounds, paid as much as the wealthiest Merchant who had Thousand of Poundsworth of Goods in his Stores. On the whole I proposed as a more effectual Watch, the Hiring of proper Men to serve constantly in that Business; and as a more equitable Way of supporting the Charge, the levying a Tax that should be proportion'd to Property. This Idea being approv'd by the Junto, was communicated to the other Clubs, but as arising in each of them. And tho' the Plan was not immediately carried into Execution, yet by preparing the Minds of People for the Change, it paved the Way for the Law obtain'd a few Years after, when the Members of our Clubs were grown into more Influence.

**Samuel Johnson, *The Rambler*
No. 4. Saturday, 31 March 1750.**

[...] The works of fiction, with which the present generation seems more particularly delighted, are such as exhibit life in its true state, diversified only by accidents that daily happen in the world, and influenced by passions and qualities which are really to be found in conversing with mankind.

This kind of writing may be termed not improperly the comedy of romance, and is to be conducted nearly by the rules of comic poetry. Its province is to bring about natural events by easy means, and to keep up curiosity without the help of wonder: it is therefore precluded from the machines and expedients of the heroic romance, and can neither employ giants to snatch away a lady from the nuptial rites, nor knights to bring her back from captivity; it can neither bewilder its personages in deserts, nor lodge them in imaginary castles.

[...]

These books [i.e. new books written in the eighteenth century] are written chiefly to the young, the ignorant, and the idle, to whom they serve as lectures of conduct, and introductions into life. They are the entertainment of minds unfurnished with ideas, and therefore easily susceptible of impressions; not fixed by principles, and therefore easily following the current of fancy; not informed by experience, and consequently open to every false suggestion and partial account.

That the highest degree of reverence should be paid to youth, and that nothing indecent should be suffered to approach their eyes or ears; are precepts extorted by sense and virtue from an ancient writer, by no means eminent for chastity of thought. The same kind, tho' not the same degree of caution, is required in every thing which is laid before them, to secure them from unjust prejudices, perverse opinions, and incongruous combinations of images.

In the romances formerly written, every transaction and sentiment was so remote from all that passes among men, that the reader was in very little danger of making any application to himself; the virtues and crimes were equally beyond his sphere of activity; and he amused himself with heroes and with traitors, deliverers and persecutors, as with beings of another species, whose actions were regulated upon motives of their own, and who had neither faults nor excellences in common with himself.

But when an adventurer is levelled with the rest of the world, and acts in such scenes of the universal drama, as may be the lot of any other man; young spectators fix their eyes upon him with closer attention, and hope by observing his behaviour and success to regulate their own practices, when they shall be engaged in the like part.

John Lock on education (vs. Pastor Robinson)

The Little and insensible Impressions on our tender Infancies, have very important and lasting Consequences: And there 'tis, as in the fountains of some Rivers, where a gentle Application of the Hand turns the flexible Waters into Channels that make them take quite contrary courses, and by this little Direction given them at first in the Source, they receive different Tendencies, and arrive at last, at very remote and distant Places.

I imagine the Minds of children as easily turned this or that way, as Water itself.

-John Locke, *Some Thoughts Concerning Education*, 1693

The Adams Exchange

In the new Code of laws which I suppose it will be necessary for you to make I desire you would Remember the Ladies, and be more generous and favorable to them than your ancestors. Do not put such unlimited power into the hands of the Husbands. Remember all Men would be tyrants if they could. If perticular [sic] care and attention is not paid to the Ladies we are determined to foment a Rebellion, and will not hold ourselves bound by any Laws in which we have no voice, or Representation.

Abigail Adams to John Adams (March 31, 1776)

As to your extraordinary Codes of laws, I cannot but laugh. We have been told that our Struggle has loosened the bands of Government every where. That children and Apprentices were disobedient-- that schools and Colledges [sic] were grown turbulent-- that Indians slighted their Guardians and Negroes grew insolent to their masters. But your letter was the first Intimation that another Tribe more numerous and powerful than all the rest were grown discontented. ... Depend upon it, We know better than to repeal our masculine systems.

John Adams to Abigail Adams (April 14, 1776)

The Constitution of the United States (1787)

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.

An Act in Addition to "An Act for the Punishment of Certain Crimes Against the United States," or The Sedition Act (14 July 1798)

SEC. 2. And be it farther enacted, That if any person shall write, print, utter or publish, or shall cause or procure to be written, printed, uttered or published, or shall knowingly and willingly assist or aid in writing, printing, uttering or publishing any false, scandalous and malicious writing or writings against the government of the United States, or either house of the Congress

of the United States, or the President of the United States, with intent to defame the said government, or either house of the said Congress, or the said President, or to bring them, or either of them, into contempt or disrepute; or to excite against them, or either or any of them, the hatred of the good people of the United States, or to stir up sedition within the United States, or to excite any unlawful combinations therein, for opposing or resisting any law of the United States, or any act of the President of the United States, done in pursuance of any such law, or of the powers in him vested by the constitution of the United States, or to resist, oppose, or defeat any such law or act, or to aid, encourage or abet any hostile designs of any foreign nation against United States, their people or government, then such person, being thereof convicted before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding two thousand dollars, and by imprisonment not exceeding two years.

The Coquette (1797)

Letter VIII.

To Mr. Charles Deighton

[....]

But I fancy this young lady is a coquette; and if so, I shall avenge my sex, by retaliating the mischiefs, she meditates against us. Not that I have ill designs; but only to play off her own artillery, by using a little unmeaning gallantry. And let her beware the consequences. (18)

[....]

Peter Sanford

Letter XIV.

To Miss Lucy Freeman

[....] talking about Mr. Boyer]

From a scene of constraint and confinement, ill suited to my years and inclination, I have just launched into society. My heart beats high in expectation of its fancied joys. My sanguine imagination paints, in alluring colors, the charms of youth and freedom, regulated by virtue and innocence. [...] I recoil at the thought of immediately forming a connection, which must confine me to the duties of domestic life, and make me dependent for happiness, perhaps too, for subsistence, upon a class of people, who will claim the right of scrutinizing every part of my conduct; and by censuring those foibles, which I am conscious of not having prudence to avoid may render me completely miserable [....] Our short acquaintance renders it impossible for me to decide what operations of my mind may hereafter be. You must either quit the subject, or leave me to the exercise of my free will, which perhaps may coincide with your present wishes.

[....]

(29)

Eliza Wharton

Letter XL

To Mr. T. Selby

Congratulate me, my friend, that I have thus overcome my feelings, and repelled the infatuating wiles of a deceitful girl. I would not be understood to impeach Miss Wharton's virtue; I mean her chastity. Virtue in the common acceptance of the term, as applied to the sex, is confined to that particular, you know. But in my view, this is of little importance, where all other virtues are wanting!

(78)

J. Boyer

Letter L

To Mrs. Lucy Sumner

[....]

I am sometimes half inclined to seek, in festive mirth, a refuge from thought and reflection. I would escape, if possible, from the idea of Mr. Boyer. This I have never been able to accomplish, since he dropped a tear upon my hand, and left me. I marked the spot with my eye; and twenty times in a day, do I view it and fondly imagine it still there. How could I give him pain! I hope his happy Maria never will! I hope she will reward that merit, which I have slighted! but I forbear. This theme carries away my pen. (109)

Eliza Wharton.

Letter LXVI

To Mrs. Lucy Sumner.

[....]

I doubted not but Major Sanford was the person I had seen; and the discovery of Eliza's guilt, in this infamous intrigue, almost deprived me of thought and recollection! My blood thrilled with horror at this sacrifice of virtue! (142)

[....]

Not long, however, shall I [Eliza] be subject to these embarrassments. Greif has undermined my constitution. My health has fallen a sacrifice to a disordered mind. But I regret not its departure! I have not a single wish to live. Nothing which the world affords can restore my former serenity and happiness! (146)

[...]

Julia Granby

Letter LXXIII

To Miss Julia Granby

[.....]

Upon you reflecting and steady mind, my dear Julia, I need not inculcate the lessons which may be drawn from this woefraught tale; but for the sake of my sex in general, I wish it engraved upon every heart that virtue alone, independent of the trappings of wealth, the parade of equipage, and the adulation of gallantry, can secure lasting felicity. From the melancholy story of Eliza Wharton, let the American fair learn to reject with disdain every insinuation derogatory to their true dignity and honor. Let them despise, and for ever banish the man, who can glory in seduction of innocence and the ruin of reputation. Too associate, is to approve; to approve, is to be betrayed!

I am, &c. Lucy Sumner

(167-168)

Way Down East: A Simple Story of Plain People (1920)

Directed by DW Griffith

Clips

Opening title cards:

Since the beginning of time man has been polygamous - even the saints of Biblical history - but the Son of Man gave a new thought, and the world is growing nearer the true ideal. He gave of One Man for One Woman. Not by laws - our Statutes are now overburdened by ignored laws - but within the heart of man, the truth must bloom that his greatest happiness lies in his purity and constancy. Today Woman brought up from childhood to expect ONE CONSTANT MATE possibly suffers more than at any other point in the history of mankind, because not yet has the man-animal reached this high standard - except perhaps in theory.

If there is anything in this story that brings home to men the suffering caused by our selfishness, perhaps it will not be in vain.

Time and place - in the story world of make-believe

Characters - nowhere - yet everywhere

Incidents - never occurred - yet always happening

Let us suppose a remote village in New England.

Ending title cards:

The one man for the one woman, between them the Sacramental bond-- Life's cleanest and sweetest.
T:H:E E:N:D



Figure 1: Opening shot of remote village in New England where Anna Moore (played by Lillian Gish) lives with her mother. They are poor and worried about money.



Figure 2: Anna Moore, abandoned by Lennox Sanderson (the father) and in a boarding house with her very ill baby.



Figure 3: Anna baptizes her baby.

39



Figure 4: Anna floating on ice toward doom.



Figure 5: Anna and Davide Barlett getting married.

J. Hector St. John Crèvecoeur, *Letters from an American Farmer* (First edition 1782)

Letter 1: Introduction

[1] You can write full as well as you need, and will improve very fast; trust to my prophecy, your letters, at least, will have the merit of coming from the edge of the great wilderness, three hundred miles from the sea and three thousand miles over that sea: this will be no detriment to them, take my word for it. You intend one of your children for the gown, who knows but Mr. F. B. may give you some assistance when the lad comes to have concerns with the bishop; it is good for American farmers to have friends even in England. What he requires of you is but simple what we speak out among ourselves, we call conversation, and a letter is only conversation put down in black and white. (Penguin Edition, 44)

[2] Were I in Europe I should be tired with perpetually seeing espaliers, plashed hedges, and trees dwarfed into pigmies. Do let Mr. F. B. see on paper a few American wild cherry trees, such as nature forms them here, in all her unconfined vigour, in all the amplitude of their extended limbs and spreading ramifications—let him see that we are possessed with strong vegetative embryos. After all, why should not a farmer be allowed to make use of his mental faculties as well as others; because a man works, is not he to think, and if he thinks usefully, why should not he in his leisure hours set down his thoughts? I have composed many a good sermon as I followed my plough. The eyes not being then engaged on any particular object, leaves the mind free for the introduction of many useful ideas. It is not in the noisy shop of a blacksmith or of a carpenter, that these studious moments can be enjoyed; it is as we silently till the ground, and muse along the odoriferous furrows of our low lands, uninterrupted either by stones or stumps; it is there that the salubrious effluvia of the earth animate our spirits and serve to inspire us; every other avocation of our farms are severe labours compared to this pleasing occupation: of all the tasks which mine imposes on me ploughing is the most agreeable, because I can think as I work; my mind is at leisure; my labour flows from instinct, as well as that of my horses; there is no kind of difference between us in our different shares of that operation; one of them keeps the furrow, the other avoids it; at the end of my field they turn either to the right or left as they are bid, whilst I thoughtlessly hold and guide the plough to which they are harnessed. (Penguin Edition, 46-47)

Letter 2: On the Situation, Feelings, and Pleasures of an American Farmer

[3] Yet when young I entertained some thoughts of selling my farm. I thought it afforded but a dull repetition of the same labours and pleasures. I thought the former tedious and heavy, the latter few and insipid; but when I came to consider myself as divested of my farm I then found the world so wide, and every place so full, that I began to fear lest there would be no room for me. My farm, my house, my barn, presented to my imagination, objects from which I adduced quite new ideas; they were more forcible than before. Why should not I find myself happy, said I, where my father was? He left me no good books it is true, he gave me no other education than the art of reading and writing; but he left me a good farm, and his experience; he left me free from debts, and no kind of difficulties to struggle with.—I married, and this perfectly reconciled me to my situation; my wife rendered my house all at once chearful and pleasing; it no longer appeared gloomy and solitary as before; when I went to work in my fields I worked with more alacrity and sprightliness; I felt that I did not work for myself alone, and this encouraged me much. My wife would often come with her

kitting in her hand, and sit under the shady trees, praising the straightness of my furrows, and the docility of my horses; this swelled my heart and made every thing light and pleasant, and I regretted that I had not married before. (Penguin, 52)

[4] The instant I enter on own land, the bright idea of property, of exclusive right, of independence exalt my mind. Precious soil, I say to myself, by what singular custom of law is it that thou wast made to constitute the riches of the freeholder ? What should we American farmers be without the distinct possession of that soil? It feeds, it clothes us, from it we draw even a great exuberancy, our best meat, our richest drink, the very honey of our bees comes from this privileged spot. No wonder we should thus cherish its possession, no wonder that so many Europeans who have never been able to say that such portion of land was theirs, cross the Atlantic to realize that happiness. This formerly rude soil has been converted by my father into a pleasant farm, and in return it has established all our rights; on it is founded our rank, our freedom, our power as citizens, our importance as inhabitants of such a district. [...]The father thus ploughing with his child, and to feed his family, is inferior only to the emperor of China ploughing as an example to his kingdom. (Penguin, 54, 55)

Letter 3: What is an American?

[5] What then is the American, this new man? He is either an European, or the descendant of an European, hence that strange mixture of blood, which you will find in no other country. I could point out to you a family whose grandfather was an Englishman, whose wife was Dutch, whose son married a French woman, and whose present four sons have now four wives of different nations. *He* is an American, who leaving behind him all his ancient prejudices and manners, receives new ones from the new mode of life he has embraced, the new government he obeys, and the new rank he holds He becomes an American by being received in the broad lap of our great *Alma Mater*. Here individuals of all nations are melted into a new race of men, whose labours and posterity will one day cause great changes in the world. Americans are the western pilgrims, who are carrying along with them that great mass of arts, sciences, vigour, and industry which began long since in the east; they will finish the great circle. The Americans were once scattered all over Europe; here they are incorporated into one of the finest systems of population which has ever appeared, and which will hereafter become distinct by the power of the different climates they inhabit. The American ought therefore to love this country much better than that wherein either he or his forefathers were born. [...]Men are like plants; the goodness and flavour of the fruit proceeds from the peculiar soil and exposition in which they grow. We are nothing but what we derive from the air we breathe, the climate we inhabit, the government we obey, the system of religion we profess, and the nature of our employment. Here you will find but few crimes; these have acquired as yet no root among us. I wish I were able to trace all my ideas; if my ignorance prevents me from describing them properly, I hope I shall be able to delineate a few of the outlines, which are all I propose. (What is an American; Penguin, 70, 71)

Letter 9: Description of Charles Town; Thoughts on Slavery; On Physical Evil: A Melancholy Scene

[6] While all is joy, festivity, and happiness in Charles-Town, would you imagine that scenes of misery overspread in the country? Their ears by habit are become deaf, their hearts are hardened; they neither see, hear, nor feel for the woes of their poor slaves, from whose painful labours all their

wealth proceeds. Here the horrors of slavery, the hardship of incessant toils, are unseen; and no one thinks with compassion of those showers of sweat and of tears which from the bodies of Africans, daily drop, and moisten the ground they till. (Penguin, 168)

[7] The following scene will I hope account for these melancholy reflections, and apologize for the gloomy thoughts with which I have filled this letter: my mind is, and always has been, oppressed since I became a witness to it. I was not long since invited to dine with a planter who lived three miles from —, where he then resided. In order to avoid the heat of the sun, I resolved to go on foot, sheltered in a small path, leading through a pleasant wood. I was leisurely travelling along, attentively examining some peculiar plants which I had collected, when all at once I felt the air strongly agitated; though the day was perfectly calm and sultry. I immediately cast my eyes toward the cleared ground, from which I was but at a small distance, in order to see whether it was not occasioned by a sudden shower; when at that instant a sound resembling a deep rough voice, uttered, as I thought, a few inarticulate monosyllables. Alarmed and surprized, I precipitately looked all round, when I perceived at about six rods distance something resembling a cage, suspended to the limbs of a tree; all the branches of which appeared covered with large birds of prey, fluttering about, and anxiously endeavouring to perch on the cage. Actuated by an involuntary motion of my hands, more than by any design of my mind, I fired at them; they all flew to a short distance, with a most hideous noise: when, horrid to think and painful to repeat, I perceived a negro, suspended in the cage, and left there to expire! I shudder when I recollect that the birds had already picked out his eyes, his cheek bones were bare; his arms had been attacked in several places, and his body seemed covered with a multitude of wounds. From the edges of the hollow sockets and from the lacerations with which he was disfigured, the blood slowly dropped, and tinged the ground beneath. No sooner were the birds flown, than swarms of insects covered the whole body of this unfortunate wretch, eager to feed on his mangled flesh and to drink his blood. I found myself suddenly arrested by the power of affright and terror; my nerves were convulsed; I trembled, I stood motionless, involuntarily contemplating the fate of this negro, in all its dismal latitude. The living spectre, though deprived of his eyes, could still distinctly hear, and in his uncouth dialect begged me to give him some water to allay his thirst. Humanity herself would have recoiled back with horror; she would have balanced whether to lessen such reliefless distress, or mercifully with one blow to end this dreadful scene of agonizing torture ! Had I had a ball in my gun, I certainly should have despatched him ; but finding myself unable to perform so kind an office, I sought, though trembling, to relieve him as well as I could. A shell ready fixed to a pole, which had been used by some negroes, presented itself to me; filled it with water, and with trembling hands I guided it to the quivering lips of the wretched sufferer. Urged by the irresistible power of thirst, he endeavoured to meet it, as he instinctively guessed its approach by the noise it made in passing through the bars of the cage. "Tanké, you whité man, tanke you, pute some poy'son and givé me." "How long have you been hanging there?" I asked him. "Two days, and me no die; the birds, the birds; aaah "me!" Oppressed with the reflections which this shocking spectacle afforded me, I mustered strength enough to walk away, and soon reached the house at which I intended to dine. There I heard that the reason for this slave being thus punished, was on account of his having killed the overseer of the plantation. They told me that the laws of self-preservation rendered such executions necessary; and supported the doctrine of slavery with the arguments generally made use of to justify the practice; with the repetition of which I shall not trouble you at present. Adieu. (Penguin, 177)

From *The Sketchbook of Geoffrey Crayon, Gent.* (1819-20)

Washington Irving

"Rip Van Winkle"

The great error in Rip's composition was an insuperable aversion to all kinds of profitable labor. It could not be from the want of assiduity or perseverance; for he would sit on a wet rock, with a rod as long and heavy as a Tartar's lance, and fish all day without a murmur, even though he should not be encouraged by a single nibble. He would carry a fowlingpiece on his shoulder for hours together, trudging through woods and swamps, and up hill and down dale, to shoot a few squirrels or wild pigeons. He would never refuse to assist a neighbor even in the roughest toil, and was a foremost man at all country frolics for husking Indian corn, or building stone-fences; the women of the village, too, used to employ him to run their errands, and to do such little odd jobs as their less obliging husbands would not do for them. In a word, Rip was ready to attend to anybody's business but his own; but as to doing family duty, and keeping his farm in order, he found it impossible. In fact, he declared it was of no use to work on his farm; it was the most pestilent little piece of ground in the whole country; every thing about it went wrong, and would go wrong, in spite of him. His fences were continually falling to pieces; his cow would either go astray, or get among the cabbages; weeds were sure to grow quicker in his fields than anywhere else; the rain always made a point of setting in just as he had some outdoor work to do; so that though his patrimonial estate had dwindled away under his management, acre by acre, until there was little more left than a mere patch of Indian corn and potatoes, yet it was the worst-conditioned farm in the neighborhood. (Penguin, 30)

In a long ramble of the kind on a fine autumnal day, Rip had unconsciously scrambled to one of the highest parts of the Kaatskill mountains. He was after his favorite sport of squirrel shooting, and the still solitudes had echoed and re-echoed with the reports of his gun. Panting and fatigued, he threw himself, late in the afternoon, on a green knoll, covered with mountain herbage, that crowned the brow of a precipice. From an opening between the trees he could overlook all the lower country for many a mile of rich woodland. He saw at a distance the lordly Hudson, far, far below him, moving on its silent but majestic course, with the reflection of a purple cloud, or the sail of a lagging bark, here and there sleeping on its glassy bosom, and at last losing itself in the blue highlands.

On the other side he looked down into a deep mountain glen, wild, lonely, and shagged, the bottom filled with fragments from the impending cliffs, and scarcely lighted by the reflected rays of the setting sun. For some time Rip lay musing on this scene; evening was gradually advancing; the mountains began to throw their long blue shadows over the valleys; he saw that it would be dark long before he could reach the village, and he heaved a heavy sigh when he thought of encountering the terrors of Dame Van Winkle. (32-33)

He entered the house, which, to tell the truth, Dame Van Winkle had always kept in neat order. It was empty, forlorn, and apparently abandoned. This desolateness overcame all his connubial fears—he called loudly for his wife and children—the lonely chambers rang for a moment with his voice, and then all again was silence.

He now hurried forth, and hastened to his old resort, the village inn—but it too was gone. A large rickety wooden building stood in its place, with great gaping windows, some of them broken and mended with old hats and petticoats, and over the door was painted, "The Union Hotel, by Jonathan Doolittle." Instead of the great tree that used to shelter the quiet little Dutch inn of yore, there now was reared a tall, naked pole, with something on the top that looked like a red night-cap, and from it was fluttering a flag, on which was a singular assemblage of stars and stripes— all this

was strange and incomprehensible. He recognized on the sign, however, the ruby face of King George, under which he had smoked so many a peaceful pipe; but even this was singularly metamorphosed. The red coat was changed for one of blue and buff, a sword was held in the hand instead of a sceptre, the head was decorated with a cocked hat, and underneath was painted in large characters, GENERAL WASHINGTON. (36-37)

"The Legend of Sleepy of Hollow"

In this by-place of nature there abode, in a remote period of American history, that is to say, some thirty years since, a worthy wight of the name of Ichabod Crane, who sojourned, or, as he expressed it, "tarried," in Sleepy Hollow, for the purpose of instructing the children of the vicinity. He was a native of Connecticut, a State which supplies the Union with pioneers for the mind as well as for the forest, and sends forth yearly its legions of frontier woodmen and country schoolmasters. The cognomen of Crane was not inapplicable to his person. He was tall, but exceedingly lank, with narrow shoulders, long arms and legs, hands that dangled a mile out of his sleeves, feet that might have served for shovels, and his whole frame most loosely hung together. His head was small, and flat at top, with huge ears, large green glassy eyes, and a long snipe nose, so that it looked like a weather-cock perched upon his spindle neck to tell which way the wind blew. To see him striding along the profile of a hill on a windy day, with his clothes bagging and fluttering about him, one might have mistaken him for the genius of famine descending upon the earth, or some scarecrow eloped from a cornfield. (274)

The pedagogue's mouth watered as he looked upon this sumptuous promise of luxurious winter fare. In his devouring mind's eye, he pictured to himself every roasting-pig running about with a pudding in his belly, and an apple in his mouth; the pigeons were snugly put to bed in a comfortable pie, and tucked in with a coverlet of crust; the geese were swimming in their own gravy; and the ducks pairing cosily in dishes, like snug married couples, with a decent competency of onion sauce. In the porkers he saw carved out the future sleek side of bacon, and juicy relishing ham; not a turkey but he beheld daintily trussed up, with its gizzard under its wing, and, peradventure, a necklace of savory sausages; and even bright chanticleer himself lay sprawling on his back, in a side dish, with uplifted claws, as if craving that quarter which his chivalrous spirit disdained to ask while living.

As the enraptured Ichabod fancied all this, and as he rolled his great green eyes over the fat meadow lands, the rich fields of wheat, of rye, of buckwheat, and Indian corn, and the orchards burdened with ruddy fruit, which surrounded the warm tenement of Van Tassel, his heart yearned after the damsel who was to inherit these domains, and his imagination expanded with the idea, how they might be readily turned into cash, and the money invested in immense tracts of wild land, and shingle palaces in the wilderness. Nay, his busy fancy already realized his hopes, and presented to him the blooming Katrina, with a whole family of children, mounted on the top of a wagon loaded with household trumpery, with pots and kettles dangling beneath; and he beheld himself bestriding a pacing mare, with a colt at her heels, setting out for Kentucky, Tennessee,—or the Lord knows where! (278)

"He had, however, a happy mixture pliability and perservance in his nature; he was in form and spirit like a supple jack-- yielding, but tough; though he bent, he never broke; and though he bowed beneath the slightest pressure, yet, the moment it was away-- jerk!-- he was as erect, and carried his head as high as ever. (282)

Ralph Waldo Emerson, "Nature" (1836)

Introduction:

[1] Our age is retrospective. It builds the sepulchres of the fathers. It writes biographies, histories, and criticism. The foregoing generations beheld God and nature face to face; we, through their eyes. Why should not we also enjoy an original relation to the universe? Why should not we have a poetry and philosophy of insight and not of tradition, and a religion by revelation to us, and not the history of theirs? Embosomed for a season in nature, whose floods of life stream around and through us, and invite us by the powers they supply, to action proportioned to nature, why should we grope among the dry bones of the past, or put the living generation into masquerade out of its faded wardrobe? The sun shines to-day also. There is more wool and flax in the fields. There are new lands, new men, new thoughts. Let us demand our own works and laws and worship. [...] (Introduction)

Chapter 1, Nature:

[2] To go into solitude, a man needs to retire as much from his chamber as from society. I am not solitary whilst I read and write, though nobody is with me. But if a man would be alone, let him look at the stars. The rays that come from those heavenly worlds, will separate between him and what he touches. One might think the atmosphere was made transparent with this design, to give man, in the heavenly bodies, the perpetual presence of the sublime. Seen in the streets of cities, how great they are! If the stars should appear one night in a thousand years, how would men believe and adore; and preserve for many generations the remembrance of the city of God which had been shown! But every night come out these envoys of beauty, and light the universe with their admonishing smile.

The stars awaken a certain reverence, because though always present, they are inaccessible; but all natural objects make a kindred impression, when the mind is open to their influence. Nature never wears a mean appearance. Neither does the wisest man extort her secret, and lose his curiosity by finding out all her perfection. Nature never became a toy to a wise spirit. The flowers, the animals, the mountains, reflected the wisdom of his best hour, as much as they had delighted the simplicity of his childhood. [...]

[3] When we speak of nature in this manner, we have a distinct but most poetical sense in the mind. We mean the integrity of impression made by manifold natural objects. It is this which distinguishes the stick of timber of the wood-cutter, from the tree of the poet. The charming landscape which I saw this morning, is indubitably made up of some twenty or thirty farms. Miller owns this field, Locke that, and Manning the woodland beyond. But none of them owns the landscape. There is a property in the horizon which no man has but he whose eye can integrate all the parts, that is, the poet. This is the best part of these men's farms, yet to this their warranty-deeds give no title. [...]

[4] In the woods, we return to reason and faith. There I feel that nothing can befall me in life, -- no disgrace, no calamity, (leaving me my eyes,) which nature cannot repair. Standing on the bare ground, -- my head bathed by the blithe air, and uplifted into infinite space, -- all mean egotism vanishes. I become a transparent eye-ball; I am nothing; I see all; the currents of the Universal Being circulate through me; I am part or particle of God. The name of the nearest friend sounds then foreign and accidental: to be brothers, to be acquaintances, -- master or servant, is then a trifle and a disturbance. I am the lover of uncontained and immortal beauty. In the wilderness, I find

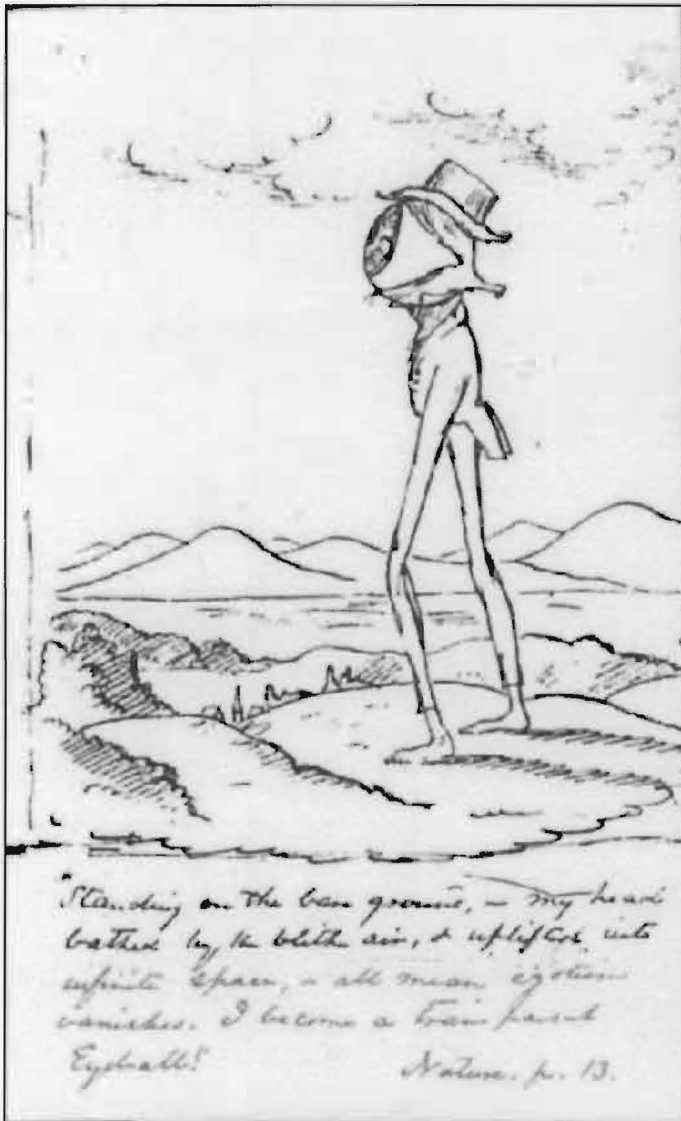
something more dear and connate than in streets or villages. In the tranquil landscape, and especially in the distant line of the horizon, man beholds somewhat as beautiful as his own nature.

Chapter IV: Language

[5] Words are signs of natural facts. The use of natural history is to give us aid in supernatural history: the use of the outer creation, to give us language for the beings and changes of the inward creation. Every word which is used to express a moral or intellectual fact, if traced to its root, is found to be borrowed from some material appearance. Right means straight; wrong means twisted. Spirit primarily means wind; transgression, the crossing of a line; supercilious, the raising of the eyebrow. We say the heart to express emotion, the head to denote thought; and thought and emotion are words borrowed from sensible things, and now appropriated to spiritual nature. Most of the process by which this transformation is made, is hidden from us in the remote time when language was framed; but the same tendency may be daily observed in children. Children and savages use only nouns or names of things, which they convert into verbs, and apply to analogous mental acts.

[6] As we go back in history, language becomes more picturesque, until its infancy, when it is all poetry; or all spiritual facts are represented by natural symbols. The same symbols are found to make the original elements of all languages. It has moreover been observed, that the idioms of all languages approach each other in passages of the greatest eloquence and power. And as this is the first language, so is it the last. This immediate dependence of language upon nature, this conversion of an outward phenomenon into a type of somewhat in human life, never loses its power to affect us. It is this which gives that piquancy to the conversation of a strong-natured farmer or back-woodsman, which all men relish. [...] Hundreds of writers may be found in every long-civilized nation, who for a short time believe, and make others believe, that they see and utter truths, who do not of themselves clothe one thought in its natural garment, but who feed unconsciously on the language created by the primary writers of the country, those, namely, who hold primarily on nature. But wise men pierce this rotten diction and fasten words again to visible things; so that picturesque language is at once a commanding certificate that he who employs it, is a man in alliance with truth and God.

RETURN TO SYLLABI



Caricature of the "transparent eyeball"
by Christopher Cranch

**Letter to Martin Van Buren President of the
United States (1836)**

Sir:

(PROTESTING INDIAN REMOVAL)

The seat you fill places you in a relation of credit and nearness to every citizen. By right and natural position, every citizen is your friend. Before any acts contrary to his own judgment or interest have repelled the affections of any man, each may look with trust and living anticipation to your government. Each has the highest right to call your attention to such subjects as are of a public nature, and properly belong to the chief magistrate; and the good magistrate will feel a joy in meeting such confidence. In this belief and at the instance of a few of my friends and neighbors, I crave of your patience a short hearing for their sentiments and my own: and the circumstances that my name will be utterly unknown to you will only give the fairer chance to your equitable construction of what I have to say.

Sir, my communication respects the sinister rumors that fill this part of the country concerning the Cherokee people. The interest always felt in the aboriginal population -- an interest naturally growing as that decays -- has been heightened in regard to this tribe. Even in our distant State some good rumor of their worth and civility has arrived. We have learned with joy their improvement in the social arts. We have read their newspapers. We have seen some of them in our schools and colleges. In common with the great body of the American people, we have witnessed with sympathy the painful labors of these red men to redeem their own race from the doom of eternal inferiority, and to borrow and domesticate in the tribe the arts and customs of the Caucasian race. And notwithstanding the unaccountable apathy with which of late years the Indians have been

sometimes abandoned to their enemies, it is not to be doubted that it is the good pleasure and the understanding of all humane persons in the Republic, of the men and the matrons sitting in the thriving independent families all over the land, that they shall be duly cared for; that they shall taste justice and love from all to whom we have delegated the office of dealing with them.

The newspapers now inform us that, in December, 1835, a treaty contracting for the exchange of all the Cherokee territory was pretended to be made by an agent on the part of the United States with some persons appearing on the part of the Cherokees; that the fact afterwards transpired that these deputies did by no means represent the will of the nation; and that, out of eighteen thousand souls composing the nation, fifteen thousand six hundred and sixty-eight have protested against the so-called treaty. It now appears that the government of the United States choose to hold the Cherokees to this sham treaty, and are proceeding to execute the same. Almost the entire Cherokee Nation stand up and say, "This is not our act. Behold us. Here are we. Do not mistake that handful of deserters for us;" and the American President and the Cabinet, the Senate and the House of Representatives, neither hear these men nor see them, and are contracting to put this active nation into carts and boats, and to drag them over mountains and rivers to a wilderness at a vast distance beyond the Mississippi. As a paper purporting to be an army order fixes a month from this day as the hour for this doleful removal.

In the name of God, sir, we ask you if this be so. Do the newspapers rightly inform us? Man and women with pale and perplexed faces meet one another in the streets and churches here, and ask if this be so. We have inquired if this be a gross misrepresentation from the party opposed to the government and anxious to blacken it with the people. We have looked at the newspapers of different parties and find a horrid confirmation of the tale. We are slow to believe it. We hoped the Indians were misinformed, and that their remonstrance was premature, and will

40

turn out to be a needless act of terror.

The piety, the principle that is left in the United States, if only in its coarsest form, a regard to the speech of men, forbid us to entertain it as a fact. Such a dereliction of all faith and virtue, such a denial of justice, and such deafness to screams for mercy were never heard of in times of peace and in the dealing of a nation with its own allies and wards, since the earth was made. Sir, does this government think that the people of the United States are become savage and mad? From their mind are the sentiments of love and a good nature wiped clean out? The soul of man, the justice, the mercy that is the heart in all men, from Maine to Georgia, does abhor this business.

In speaking thus the sentiments of my neighbors and my own, perhaps I overstep the bounds of decorum. But would it not be a higher indecorum coldly to argue a matter like this? We only state the fact that a crime is projected that confounds our understanding by its magnitude, a crime that really deprives us as well as the Cherokees of a country for how could we call the conspiracy that should crush these poor Indians our government, or the land that was cursed by their parting and dying imprecations our country, any more? You, sir, will bring down that renowned chair in which you sit into infamy if your seal is set to this instrument of perfidy; and the name of this nation, hitherto the sweet omen of religion and liberty, will stink to the world.

You will not do us the injustice of connecting this remonstrance with any sectional and party feeling. It is in our hearts the simplest commandment of brotherly love. We will not have this great and solemn claim upon national and human justice huddled aside under the flimsy plea of its being a party act. Sir, to us the questions upon which the government and the people have been agitated during the past year, touching the prostration of the currency and of trade, seem but notes in comparison. These hard times, it is true, have brought the discussion home to every farmhouse and poor man's house in this town; but it is the chirping of grasshoppers beside the immortal question whether justice shall be done by the race of civilized to the race of savage man, whether all the attributes of reason, of civility, of justice, and even of mercy, shall be put off by the American people, and so vast an outrage upon the Cherokee Nation and upon human nature shall be consummated.

One circumstance lessens the reluctance with which I intrude at this time on your attention my conviction that the government ought to be admonished of a new historical fact, which the discussion of this question has disclosed, namely, that there exists in a great part of the Northern people a gloomy diffidence in the moral character of the government.

On the broaching of this question, a general expression of despondency, of disbelief that any good will accrue from a remonstrance on an act of fraud and robbery, appeared in those men to whom we naturally turn for aid and counsel. Will the American government steal? Will it lie? Will it kill? -- We ask triumphantly. Our counselors and old statesmen here say that ten years ago they would have staked their lives on the affirmation that the proposed Indian measures could not be executed; that the unanimous country would put them down. And now the steps of this crime follow each other so fast, at such fatally quick time, that the millions of virtuous citizens, whose agents the government are, have no place to interpose, and must shut their eyes until the last howl and wailing of these tormented villages and tribes shall afflict the ear of the world.

I will not hide from you, as an indication of the alarming distrust, that a letter addressed as mine is, and suggesting to the mind of the Executive the plain obligations of man, has a burlesque character in the apprehensions of some of my friends. I, sir, will not beforehand treat you with the contumely of this distrust. I will at least state to you this fact, and show you how plain and humane people, whose love would be honor, regard the policy of the government, and what injurious inferences they draw as to the minds of the governors. A man with your experience in affairs must have seen cause to appreciate the futility of opposition to the moral sentiment. However feeble the sufferer and however great the oppressor, it is in the nature of things that the blow should recoil upon the aggressor. For God is in the sentiment, and it cannot be withstood. The potentate and the people perish before it; but with it, and its executor, they are omnipotent.

I write thus, sir, to inform you of the state of mind these Indian tidings have awakened here, and to pray with one voice more than you, whose hands are strong with the delegated power of fifteen millions of men, will avert with that might the terrific injury which threatens the Cherokee tribe.

With great respect, sir, I am your fellow citizen,

Ralph Waldo Emerson