

Luther Martin: Address No. II, *Maryland Journal*, 21 March 1788

To the CITIZENS *of* MARYLAND.

...Is it not possible, as I so frequently exhausted the politeness of the Convention, that some of those marks of fatigue and disgust, with which he intimates I was mortified as oft as I attempted to speak, might, at that time, have taken place, and have been of such a nature as to attract his attention;—or, perhaps, as the Convention was prepared to slumber whenever I rose, the Landholder, among others, might have sunk into sleep, and at that very moment might have been feasting his imagination with the completion of his ambitious views, and dreams of future greatness:—But supposing I never did declare in Convention, that I thought the system defective in those essential points, will it amount to a positive proof that I approved the system in those respects, or that I culpably neglected an indispensable duty? Is it not possible, whatever might have been my insolence and assurance when I first took my seat, and however fond I might be at that time of obtruding my sentiments, that the many rebuffs with which I met—the repeated mortifications I experienced—the marks of fatigue and disgust with which my eyes were sure to be assailed wherever I turned them—one gaping here—another yawning there—a third slumbering in this place—and a fourth snoring in that—might so effectually have put to flight all my original arrogance, that, as we are apt to run into extremes, having at length become convinced of my comparative nothingness, in so august an assembly, and one in which the science of government was so perfectly understood, I might sink into such a state of modesty and diffidence, as not to be able to muster up resolution enough to break the seal of silence and open my lips, even after the rays of light had begun to penetrate my understanding, and in some measure to chase away those clouds of error and ignorance, in which it was enveloped on my first arrival.—Perhaps, had I been treated with a more forbearing indulgence while committing those memorable blunders, for want of a sufficient knowledge in the science of Government, I might, after the rays of light had illuminated my mind, have rendered my country much more important services, and not only assisted in raising some of the pillars, but have furnished the edifice with a new roof of my own construction, rather better calculated for the convenience and security of those who might wish to take shelter beneath it, than that which it at present enjoys.—Or even admitting I was not mortified, as I certainly ought to have been, from the Landholder's account of the matter, into a total loss of speech, was it in me, who considered the system, for a *variety* of reasons, absolutely inconsistent with your political welfare and happiness, a culpable neglect of duty in not endeavouring, and that against every chance of success, to remove one or two defects, when I had before ineffectually endeavoured to clear it of the others, which, therefore, I knew must remain. . . .

An honourable member from South-Carolina, most anxiously sought to have a clause inserted, securing the Liberty of the Press, and *repeatedly* brought this subject before the Convention, but could not obtain it.—I am almost positive he made the same attempt to have a stipulation in favour of Liberty of Conscience, but in vain.—The more

the system advanced, the more was I impressed with the necessity of not merely attempting to secure a few rights, but of digesting and forming a complete bill of rights, including those of states and of individuals, which should be assented to, and prefixed to the constitution, to serve as a barrier between the general government and the respective states and their citizens; because the more the system advanced, the more clearly it appeared to me that the framers of it did not consider that either states or men had any rights at all, or that they meant to secure the enjoyment of any to either the one or the other; accordingly, I devoted a part of my time to the actually preparing and draughting such a bill of rights, and had it in readiness before I left the Convention, to have laid it before a committee.—I conversed with several members on the subject; they agreed with me on the propriety of the measure, but, at the same time, expressed their sentiments that it would be impossible to procure its adoption if attempted.—A very few days before I left the Convention, I shewed to an honourable member sitting by me, a proposition, which I then had in my hand, couched in the following words, “Resolved, that a committee be appointed to prepare and report a bill of rights, to be prefixed to the proposed constitution,” and I then would instantly have moved for the appointment of a committee for that purpose, if he would have agreed to second the motion, to do which he hesitated, not as I understood from any objection to the measure, but from a conviction in his own mind, that the motion would be in vain.

Thus, my fellow-citizens, you see that so far from having no objections to the system on this account, while I was at Convention, I not only then thought a bill of rights necessary, but I took some pains to have the subject brought forward, which would have been done, had it not been for the difficulties I have stated:—At the same time I declare, that when I drew up the motion, and was about to have proposed it to the Convention, I had not the most distant hope it would meet with success...And from the best judgment I could form while in Convention, I then was, and yet remain, decidedly of the opinion, that ambition and interest had so far blinded the understanding of some of the principal framers of the constitution, that while they were labouring to erect a fabrick by which they themselves might be exalted and benefited. . . .

And so anxious were its zealous promoters to hasten to a birth this misshapen, heterogeneous monster of ambition and interest, that, for some time before the Convention rose, upon the least attempt to alter its form, or modify its powers, the most fretful impatience was shewn, such as would not have done much honour to a state assembly, had they been sitting as long a time, and their treasury empty; while it was repeatedly urged on the contrary, but urged in vain, that in so momentous an undertaking, in forming a system for such an extensive continent, on which the political happiness of so many millions, even to the latest ages, may depend, no time could be too long—no thought and reflection too great—and that if by continuing six months, or even as many years, we could free the system from all its errors and defects, it would be the best use to which we could possibly devote our time. . . .

I must frankly acknowledge, however it may operate as a proof of my dullness and stupidity, that the “ignorance in the science of government” under which I laboured at first, was not removed by more than two months close application, under those august and enlightened masters of the science, with which the Convention abounded, nor was I

able to discover during that time, either by my own researches, or by any light borrowed from those luminaries, any thing in the history of mankind, or in the sentiments of those who have favoured the world with their ideas on government, to warrant or countenance the motley mixture of a system proposed; a system which is an innovation in government of the most extraordinary kind;—a system neither wholly *federal*, nor wholly *national*—but a strange hotch-potch of both—just so much federal in appearance as to give its advocates, in some measure, an opportunity of passing it as such upon the unsuspecting multitude, before they had time and opportunity to examine it,...

As I fully intended to have returned to the Convention before the completion of its business, my colleagues very probably might, and were certainly well warranted to, give that information the Landholder mentions; but whether the Convention was led to conclude that I “would have honoured the constitution with my signature, had not indispensable business called me away,” may be easily determined after stating a few facts.—The Landholder admits I was *at first* against the system.—When the compromise took place on the subject of representation, I in the most explicit manner declared in Convention, that though I had concurred in the report, so far as to consent to proceed upon it, that we might see what kind of a system might be formed, yet I disclaimed every idea of being bound to give it my assent, but reserved to myself the full liberty of finally giving it my negative, if it appeared to me inconsistent with the happiness of my country.—In a desultory conversation, which long after took place in Convention, one morning before our honourable president¹¹ took the chair, he was observing how unhappy it would be should there be such a diversity of sentiment as to cause any of the members to oppose the system when they returned to their states;—on that occasion I replied, that I was confident no state in the union would more readily accede to a proper system of government than Maryland, but that the system under consideration was of such a nature, that I never could recommend it for acceptance;—that I thought the state never ought to adopt it, and expressed my firm belief that it never would.

An honourable member from Pennsylvania, objected against that part of the sixth article which requires an oath to be taken by the persons there mentioned, in support of the constitution, observing (as he justly might from the conduct the convention was then pursuing) how little such oaths were regarded: I immediately joined in the objection, but declared my reason to be, that I thought it such a constitution as no friend of his country ought to bind himself to support.—And not more than two days before I left Philadelphia, another honourable member from the same state, urged most strenuously that the convention ought to hasten their deliberations to a conclusion, assigning as a reason, *that the assembly of Pennsylvania was just then about to meet, and that it would be of the greatest importance to bring the system before that session of the legislature, in order that a convention of the state might be immediately called to ratify it, before the enemies of the system should have an opportunity of making the people acquainted with their objections, at the same time declaring that if the matter should be delayed, and the people have time to hear the variety of objections which would be made to it by its opposers, he thought it doubtful whether that state, or any state in the union, would adopt it.*(a) As soon as the honourable member took his seat, I rose and observed, that I was precisely of the same opinion, that the people of America

never would, nor did I think they ought to, adopt the system, if they had time to consider and understand it, whereas a proneness for novelty and change—a conviction that some alteration was necessary, and a confidence in the members who composed the Convention might possibly procure its adoption, if brought hastily before them—but that these sentiments induced me to wish that a very different line of conduct should be pursued from that recommended by the honourable member—I wished the people to have every opportunity of information, as I thought it much preferable that a bad system should be rejected at first, than hastily adopted, and afterwards be unavailingly repented of. If these were instances of my “high approbation,” I gave them in abundance, as all the Convention can testify, and continued so to do till I left them.

That I expressed great regret at being obliged to leave Philadelphia, and a fixed determination to return, if possible, before the Convention rose, is certain—That I might declare that I had rather lose an hundred guineas than not to be there at the close of the business is very probable—and it is possible that some who heard me say this, not knowing my reasons, which could not be expressed without a breach of that secrecy to which we were enjoined, might erroneously have concluded that my motive was the gratification of vanity, in having my name enrolled with those of a Franklin and a Washington. As to the *first*, I cordially join in the tribute of praise so justly paid to the enlightened philosopher and statesman, while the polite friendly and affectionate treatment myself and my family received from that venerable sage, and the worthy family in which he is embosomed, will ever endear him to my heart—The name of Washington is far above my praise!—Would to Heaven that, on this occasion, one more wreath had been added to the number of those which are twined around his amiable brow!—that those with which it is already surrounded, may flourish with immortal verdure, nor wither or fade till time shall be no more, is my fervent prayer! and may that glory which encircles his head, ever shine with undiminished rays!

To find myself under the necessity of opposing such illustrious characters, whom I venerated and loved, filled me with regret, but viewing the system in the light I then did, and yet do view it, to have hesitated would have been criminal; complaisance would have been guilt.

If it was the idea of my State, that whatever a Washington or Franklin approved, was to be blindly adopted, she ought to have spared herself the expence of sending any members to the Convention, or to have instructed them implicitly to follow where they led the way.

It was not to have my “name enrolled with the other labourers,” that I wished to return to Philadelphia—that sacrifice which I must have made of my principles by putting my name to the constitution, could not have been effaced by any derivative lustre it could possibly receive from the bright constellation with which it would have been surrounded.—My object was, in truth, the very reverse, as I had uniformly opposed the system in its progress, I wished to have been present at the conclusion, to have then given it my solemn negative, which I certainly should have done, even had I stood single and alone, being perfectly willing to leave it to the cool and impartial investigation both of the present and of future ages to decide who best understood the science of government—who best knew the rights of men and of states—who best consulted the

true interest of America, and who most faithfully discharged the trust reposed in them, those who agreed to, or those who opposed, the new Constitution—and so fully have I made up my own mind on this subject, that as long as the history of mankind shall record the appointment of the late Convention, and the system which has been proposed by them, it is my highest ambition that my name may be also recorded as one who considered the system injurious to my country, and as such opposed it.

Having shewn that I did not “alter my opinion after I left Philadelphia,” and that I acted no “contradictory parts on the great political stage,” and, therefore, that there are none such to *reconcile*, the reason assigned by the Landholder for *that purpose*, doth not deserve my notice, except only to observe, that he shrewdly intimates there is already a junto established, who are to share in, and deal out the offices of this new government at their will and pleasure, and that they have already fixed upon the character who is to be “Deputy Attorney-General of the United States for the State of Maryland.” If this is true, it is worth while to inquire of whom this junto consists, as it might lead to a discovery of the persons, for the gratification of whose ambition and interest this system is prepared, and is, if possible, to be enforced; and from the disposition of offices already allotted in the various and numerous departments, we possibly might discover whence proceeds the conviction and zeal of some of its advocates.

Baltimore, March 19, 1788.

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