The Landholder No. X, *Maryland Journal*, 29 February 1788

"Landholder" IV, V, and VIII criticized Elbridge Gerry for his actions in the Constitutional Convention and his objections to the Constitution. Because of his knowledge of the Constitutional Convention, in general, and Luther Martin's actions in the Convention, in particular, it seems likely that the Maryland "Landholder" was one of Martin's fellow Convention delegates from Maryland who supported the Constitution–Daniel of St. Thomas Jenifer, Daniel Carroll, or James McHenry. Jenifer is a good possibility. The essay below is among the most scathing attacks on Martin.

To the Honourable LUTHER MARTIN, Esq;

SIR, I have just met with your performance, in favour of the Honourable Mr. Gerry, published in the Maryland Journal of the 18th January, 1788.

As the Public may be ignorant of the sacrifice you have made of your resentments on this occasion, you will excuse me for communicating what your extreme modesty must have induced you to conceal. You, no doubt, remember that you and Mr. Gerry never voted alike in Convention, except in the instances I shall hereafter enumerate. He uniformly opposed your principles, and so far did you carry your abhorrence of his politics, as to inform certain members to be on their guard against his wiles, for that, he and Mr. Mason held private meetings, where plans were concerted "to aggrandise, at the expence of the small States, Old Massachusetts and the Ancient Dominion." After having thus opposed him and accused him, to appear his Champion and *intimate acquaintance*, has placed you beyond the reach of ordinary panegyric.

Having done this justice to your magnanimity, I cannot resist drawing the veil of the Convention a little further aside; not, I assure you, with any intention to give pain to your Constituents, but merely to induce them to pity you for the many piercing mortifications you met with in the discharge of your duty.

The day you took your seat must be long remembered by those who were present; nor will it be possible for you to forget the astonishment your behaviour almost instantaneously produced. You had scarcely time to read the propositions which had been agreed to after the fullest investigation, when, without requesting information, or to be let into the reasons of the adoption of what you might not approve, you opened against them, in a speech which held during two days, and which might have continued two months, but for those marks of fatigue and disgust you saw strongly expressed on whichever side of the house you turned your mortified eyes.–There needed no other display to fix your character and the rank of your abilities, which the Convention would have confirmed by the most distinguishing silence, had not a certain similarity in genius provoked a sarcastic reply from the pleasant Mr. Gerry;3 in which he admired the strength of your lungs and your profound knowledge in the first principles of government; mixing and illustrating his little remarks with a profusion of those hems, that never fail to lengthen out and enliven his oratory. This reply (from your *intimate acquaintance*) the match being so equal and the contrast so comic, had the happy effect to put the house in good humour, and leave you a prey to the most humiliating reflections. But these

did not teach you to bound your future speeches by the lines of moderation; for the very next day you exhibited, without a blush, another specimen of eternal volubility. It was not however to the duration of your speeches, you owed the perfection of your reputation. You, *alone*, advocated the political heresy, that the people *ought not to be trusted with the election of representatives*. You held the jargon, that notwithstanding each State had an equal number of votes in the Senate, yet the States were *unequally* represented in the Senate. You espoused the tyrannic principle, that where a State refused to comply with a requisition of Congress for money, that an army should be marched into its bowels, to fall indiscriminately upon the property of the innocent and the guilty, instead of having it collected, as the Constitution proposed, by the mild and equal operation of laws. One hour you sported the opinion, that Congress, afraid of the militia resisting their measures, would neither arm nor organize them: and the next, as if men required no time to breathe between such contradictions, that they would harrass them by long and unnecessary marches, till they wore down their spirit and rendered them fit subjects for despotism. You too contended that the *powers* and *authorities* of the new Constitution must destroy the liberties of the people; but that the same powers and authorities might be safely trusted with the old Congress. You cannot have forgotten, that by such ignorance in politics and contradictory opinions, you exhausted the politeness of the Convention, which at length prepared to slumber when you rose to speak: nor can you have forgotten, you were only twice appointed a member of a Committee, or that these appointments were made, merely to avoid your endless garrulity, and if possible, lead you to reason, by the easy road of familiar conversation.

But lest you should say that I am a record only of the bad, I shall faithfully recognize whatever occurred to your advantage. You originated that clause in the Constitution which enacts, that "*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 the law of any State to the contrary notwithstanding*." You voted that an *appeal* should lay to the supreme judiciary of the United States, for the correction of all errors both in *law and fact*. You also agreed to the clause that declares *nine States to be sufficient to put the government in motion*. These are among the greater positive virtues you exhibited in the Convention; but it would be doing you injustice were I to omit those of a negative nature.

Since the publication of the Constitution, every topic of vulgar declamation has been employed to persuade the people, that it will destroy the *trial by jury*, and is defective for being without a *bill of rights*. You, Sir, had more candour in the Convention than we can allow to those declaimers out of it; there you never signified by any motion or expression whatever, that it stood in need of a bill of rights, or in anywise endangered the trial by jury. In these respects the Constitution met your entire approbation: for had you believed it defective in these essentials, you ought to have mentioned it in Convention, or had you thought it wanted further guards, it was your *indispensable duty to have proposed them*. I hope to hear that the same candour that influenced you on this occasion, has induced you to obviate any improper impressions such publications may have excited in your constituents, when you had the honour to appear before the General Assembly.

From such high instances of your approbation (for every member, like you, had made objections to parts of the Constitution) the Convention were led to conclude that you would have honoured it with your signature, had you not been called to Maryland upon some indispensable business; nor ought it to be withheld from you, that your colleagues informed many Gentlemen of the House, that you told them you intended to return before its completion.

Durst I proceed beyond these *facts*, to which the whole Convention can witness, I would ask you why you changed your opinion of the Constitution after leaving Philadelphia. I have it from good authority, that you complained to an intimate acquaintance, that nothing grieved you so much as the apprehension of being detained in Maryland longer than you could wish; for that you had rather lose one hundred guineas, than not have your name appear to the Constitution. But as this circumstance seems to have been overlooked when you composed your defence of Mr. Gerry, you may have your recollection of it revived by applying to Mr. Young, of Spruce-Street, Philadelphia, to whom you made your complaint.

But leaving this curious piece of human vanity to such further investigation as you may think it deserves, let us come to those matters more particularly between us.

You have said, that you "never heard Mr. Gerry, or any other member, introduce a proposition for the redemption of continental money, according to its nominal or any other value; nor did you ever hear that such a proposition had been offered to the Convention, or had been thought of."

That the Public may clearly comprehend what degree of credit ought to be given to this kind of evidence, they should know the time you were *absent* from the Convention, as well as the time you *attended*. If it should appear that you were only *a few days absent*, when unimportant business was the object, they will conclude in your favour, provided they entertain a good opinion of your veracity; on the other hand, should it appear that you were absent *nearly half the session*, however your veracity may be esteemed, they must reject your evidence. As you have not stated this necessary information, I shall do it for you.–

The Session of Convention commenced the 14th of May, and ended the 17th of September, which makes 126 days–You took your seat the 10th of June, and left it the 4th of September, of which period you were absent at Baltimore 10 days, and as many at New-York, so that you attended only 66 days out of 126.

Now, Sir, is it to be presumed that you could have been minutely informed of all that happened in Convention, and *committees of Convention*, during the 60 days of your absence; or does it follow by any rule of reasoning or logic, that because a thing did not happen in the 66 days you were present, that it did not happen in the 60 days which you did not attend?–Is it anywise likely that you could have heard what passed, especially during the last 13 days, within which period the Landholder has fixed the apostacy of Mr. Gerry; or if it is likely that your particular *intimacy* with Mr. Gerry, would stimulate to inquiries respecting his conduct, why is it that we

do not see Mr. M'Henry's verification of your assertion, who was of the *committee* for considering a provision for the debts of the Union?...

These points being dismissed, it remains only to reconcile the contradictory parts you have acted on the great political stage.

You entered the Convention without a sufficient knowledge in the science of government, where you committed a succession of memorable blunders; as the work advanced, some rays of light penetrated your understanding, and enabled you (as has been shewn) to assist in raising some of its pillars, when the desire of having your name enrolled with the other labourers, drew from you that remarkable complaint so expressive of vanity and conviction. But self-interest soon gained the ascendant. You quickly comprehended the delicacy of your situation, and this restored your first impressions in all their original force. You thought the *Deputy Attorney-General of the United States for the State of Maryland*, destined for a different character, and that inspired you with the hope, that you might derive from a desperate opposition what you saw no prospect of gaining by a contrary conduct. But I will venture to predict, that though you were to double your efforts, you would fail in your object. I leave you now to your own reflections, under a promise, however, to give my name to the Public, should you be able to procure any indifferent testimony to contradict a single fact I have stated.

February–, 1788.

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