

## **William Symmes in the Massachusetts Ratification Convention, 22 January 1788**

Mr. SYMMES. Mr. President, in such an assembly as this, and on a subject, that puzzles the oldest politicians, a young man, sir, will scarcely dare to think for himself; but if he venture to speak, the effort must certainly be greater.—This Convention is the first representative body in which I have been honoured with a seat, and men will not wonder that a scene at once so new, and so august, should confuse, oppress, and almost disqualify me to proceed.

Sir, I wish to bespeak the candour of the Convention—that candour which I know, I need but ask to have it extended to me, while I make a few indigested observations on the paragraph now in debate. I have hitherto attended with diligence but no great anxiety, to the reasoning of the ablest partizans on both sides of the question. Indeed I could have wished for a more effectual, and (if I may term it so) a more feeling representation in the lower house, and for a representation of the people in the senate—I have been and still am desirous of a rotation in office, to prevent the final perpetuation of power in the same men.—And I have not been able clearly to see why the place and manner of holding elections should be in the disposal of Congress.

But, sir, in my humble opinion, these things are comparative by the lesser things of the law.—They doubtless have their influence in the grand effect, and so are essential to the system—But, sir, I view the section to which we have at length arrived, as the cement of the fabrick, and this clause as the key-stone, or (if I may apply the metaphor) the magick talisman on which the fate of it depends.

Allow me, sir, to recall to your remembrance that yesterday, when States were in doubt about granting to Congress a five per cent, impost, and the simple power of regulating trade—the time, when so delicate was the patriotick mind, that power was to be transferred with reluctant, with a sparing hand—and the most obvious utility could scarcely extort it from the people. It appears to me of some importance, to consider this matter, and to demand complete satisfaction upon the question, why an unlimited power in the affair of taxation, is so soon required? Is our situation so vastly different, that the powers so lately sufficient, are now but the dust of the balance? I observe, sir, that many men, who within a few years past, were strenuous opposers of an augmentation of the power of Congress, are now the warmest advocates of power, so large as not to admit of a comparison with those which they opposed. Cannot some of them state their reasons then, and their reasons now, that we may judge of their consistency—or shall we be left to suppose that the opinions of politicians, like those of the multitude, vibrate from one extreme to the other, and that we have no men among us to whom we can entrust the philosophick task of pointing out the golden mean? At present, Congress have no power to lay taxes, &c. nor even to compel a compliance with their requisitions. May we not suppose, that the members of the great Convention, had severely felt the impotency of Congress, while they were in it, and therefore were rather too keenly set for an effectual increase of power? That the difficulties they had

encountered, in obtaining decent requisitions, had wrought in them a degree of impatience, which prompted them to demand the purse-strings of the nation, as if we were insolvent, and the proposed Congress were to compound with our creditors?— Whence, Sir, can this great I had almost said, this bold demand have originated? Will it be said that it is but a consistent and necessary part of the general system? I shall not deny these gentlemen the praise of inventing a system completely consistent with itself, and pretty free from contradiction—but I would ask, I shall expect to be answered, how a system can be necessary for us, of which this is a consistent and necessary part?

But, Sir, to the paragraph in hand—Congress, &c.

Here, Sir, (however kindly Congress may be pleased to deal with us) is a very good and valid conveyance of all the property in the United States—to certain uses indeed, but those uses capable of any construction, the trustee may think proper to make. This body is not amenable to any tribunal, and therefore, this Congress can do no wrong—It will not be denied that they may tax us to any extent, but some gentlemen are fond of arguing that this body never will do any thing but what is for the common good. Let us consider that matter.

Faction, Sir, is the vehicle of all transactions in publick bodies, and when gentlemen know this so well, I am rather surprized to hear them so sanguine in this respect. The prevalent faction is the body—these gentlemen, therefore, must mean that the prevalent faction will always be right, and that the true patriots will always out number the men of less and selfish principles. From this it would follow, that no publick measure was ever wrong, because it must have been passed by the majority, and so, I grant no power ever was, or will be abused.—In short, we know that all governments have degenerated, and consequently have abused the powers reposed in them, and why we should imagine better of the proposed Congress than of myriads of publick bodies who have gone before them, I cannot at present conceive.

Sir, we ought (I speak it with submission) to consider that what we now grant from certain motives, well grounded at present, will be exacted of posterity as a prerogative when we are not alive, to testify the tacit conditions of the grant—that the wisdom of this age will then be pleaded by those in power—and that the cession we are now about to make will be actually clothed with <the venerable habit of ancestral sanction.>

Therefore, sir, I humbly presume we ought not to take advantage of our situation in point of time, so as to bind posterity to be obedient to laws, they may very possibly disapprove, nor expose them to a rebellion which at that period will very probably end only in their farther subjugation.

The paragraph in question is an absolute decree of the people. The Congress shall have power—it does not say that they shall exercise it—but our necessities say, they must and the experience of ages says, that they will, and finally, when the expenses of the nation, by their ambition are grown enormous, that they will oppress and subject.—For, sir, they may lay taxes, duties, imposts and excises! One would suppose that the Convention, sir, were not at all afraid to multiply words when any thing was to be got by it. By another clause, all imposts and duties, on exports and imports, wherever laid, go into the federal chest—so that Congress may not only lay imposts and excises, but all imposts and duties that are laid on imports and exports, by any State, shall be a part of

the national revenue—and besides, Congress may lay an impost on the produce and manufactures of the country, which are consumed at home.—And all these shall be equal through the States.—Here, sir, I raise two objections; 1st. that Congress should have this power. It is a universal, unbounded permission; and as such, I think, no free people ought ever to consent to it, especially in so important a matter as that of property. I will not descend, sir, to an abuse of this future Congress, until it exists, nor then, until it misbehaves, nor then, unless I dare. But I think that some certain revenue amply adequate to all necessary purposes, upon a peace establishment, but certain and definite would have been better, and the collection of it might have been guaranteed by every State to every other. We should then have known to what we were about to subscribe and should have cheerfully granted it. But now, we may indeed grant, but who can cheerfully grant he knows not what?

Again, sir, I object to the equality of these duties through the States. It matters not with me, in the present argument, which of them will suffer by this proportion. Some probably will, as the consumption of dutied articles will not, if we may judge from experience, be uniform in all.

But some say, with whom I have conversed, it was for this reason that taxes were provided, that by their assistance the defect of duties in some States ought to be supplied. Now then, let us suppose, that the duties are so laid, that if every State paid in proportion, to that which paid most, the duties alone would supply a frugal treasury. Some States will pay but half their proportion, and some will scarcely pay any thing. But those in general who pay the least duty, viz. the inland States, are least of all able to pay a land tax, and therefore I do not see but this tax would operate most against those who are least able to pay it.

I humbly submit it, sir, whether, if each State had its proportion of some certain gross sum assigned, according to its numbers, and a power was given to Congress, to collect the same, in case of default in the State, this would not have been a safer Constitution. For, sir, I also disapprove of the power to collect, which is here vested in Congress; it is a power, sir, to burden us with a standing army of ravenous collectors; harpies perhaps from another State, but who, however, were never known to have bowels for any purpose, but to fatten on the life-blood of the people. In one age or two this will be the case, and when the Congress shall become tyrannical, these vultures, their servants, will be the tyrants of the village, by whose presence, all freedom of speech and action, will be taken away.

Sir, I shall be told that these are imaginary evils—but I hold to this maxim, that power was never given (of this kind especially) but it was exercised, nor ever exercised but it was finally abused. We must not be amused with handsome probabilities, but we must be assured that we are in no danger, and that this Congress could not distress us, if they were ever so much disposed.

To pay the debts, &c. [Article I, section 8: “The Congress shall have Power To lay and collect Taxes... to pay the Debts and provide for the common Defence and general Welfare of the United States....”]

These words, sir, I confess are an ornament to the page. And very musical words—But they are too general to be understood as any kind of limitations of the power of

Congress, and not very easy to be understood at all. When Congress have the purse, they are not confined to rigid œconomy, and the word debts here is not confined to debts already contracted, or indeed, if it were, the term “general welfare” might be applied to any expenditure whatever. Or if it could not, who shall dare to gainsay the proceedings of this body at a future day, when according to the course of nature it shall be too firmly fixed in the saddle, to be overthrown by any thing but a general insurrection? An event not to be expected considering the extent of this Continent; and if it were to be expected, a sufficient reason in itself for rejecting this or any Constitution that would tend to produce it.

This clause, sir, contains the very sinews of the Constitution. And I hope the universality of it may be singular; but it may be easily seen, that it tends to produce in time, as universal powers in every other respect. As the poverty of individuals prevents luxury, so the poverty of publick bodies, whether sole or aggregate, prevents tyranny. A nation cannot, perhaps, do a more politick thing, than to supply the purse of its sovereign with that parsimony, which results from a sense of the labour it costs, and so to compel him to comply with the genius of his people, and conform to their situation, whether he will or not. How different will be our conduct, if we give the entire disposal of our property to a body, as yet almost unknown in theory, in practice quite heterogeneous in its composition, and whose maxims are yet intirely unknown.

Sir, I wish the gentlemen, who so ably advocate this instrument, would enlarge upon this formidable clause and I most sincerely wish that the effect of their reasoning may be my conviction. For, sir, I will not dishonour my constituents, by supposing that they expect me to resist that which is irresistible; the force of reason. No, sir, my constituents ardently wish for a firm, efficient continental government, but fear the operation of this which is now proposed. Let them be convinced that their fears are groundless, and I venture to declare in their name, that no town in the commonwealth, will sooner approve the form, or be better subjects under it.

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