

Uncus, *Maryland Journal*, 9 November 1787

"Uncus" is an answer to "Centinel" I and II, which had been reprinted in the *Maryland Journal* on 30 October and 2 November. "Uncus" was the only major critique of "Centinel" to originate outside of Pennsylvania. It was reprinted in the Boston *American Herald* on 10 December and in the Providence *United States Chronicle* on 10 January 1788. For additional criticism of "Centinel" by "Uncus," see the *Maryland Journal*, 30 November.

Mr. Goddard, When you began publishing the *Centinel* in numbers, I expected we should have had one in each of your papers for some weeks, hoping, that after he had done finding fault with the doings of the late convention, the members of which were either too designing,—of too aristocratic principles,—too old,—or too ignorant, "inexperienced and fallible," for business of such magnitude; *he* would, by the *perfect rule* existing in his own mind, by which he has tried and condemned the proposed constitution, exhibit to the world a perfect model; which these States would have only to read, and invite "those who are competent to the task of developing the principles of government," to come forward, approve and adopt.

If *Centinel* has not done writing, I wish you would not cease publishing his numbers. Do let him enjoy *full liberty of the press*. A man who can so easily pervade the breasts of men, reducing to mere machines, characters, who have been as much revered in Europe, for their wisdom, as idolized in America for the rectitude of their conduct; and can prove them *wholly* disqualified for what they have ever been thought, and it seems nature herself had designed them; must certainly be *competent to the task of not only developing the principles of government, but the radical and secondary causes, by which every man is actuated; and can inform the United States, when they have made a proper, or an improper choice of men, to the highest posts in office.*

Doctor Franklin's character, both as politician and legislator, is too securely established in the mind of every American, to be reached by the pen, or sullied by the ink of *Centinel*. And to say that the "unsuspecting goodness" of General Washington should cause him tamely to see a people, for whom he had with his sword, for ten years exposed his life and fortune, enslaved by a few designing men, is as great an insult to his vigilance, as to say, that he was an inexperienced legislator was false. For many years before the war, he was a member of the assembly in Virginia. He was a member of the first American Congress; and of his superior abilities as a legislator, his Circular-Letter and other writings abundantly prove.

It is a vulgar saying, that a *Bear* with a *sore head* will growl in the *serenest weather*, tho' at liberty to range unmolested through the most *luxuriant fields, orchards and vineyards, loaded with the most delicious fruits*. What has been the cause of *Centinel's sore head*, in what his great disappointment consists, or what are his *terrible fears*, is to me unknown; but, that it would have been impossible for the late Convention to have pleased him, I think is sufficiently evident, by his declaring *two characters* incapable of holding seats there, for which, not only America, but perhaps all Europe, would have thought of all others the most suitable. Of other characters he complains and of none does he speak favourably.

It would be useless to *refill* a news-paper with repetition of the *Centinel's*

objections—*Nothing done by the Convention pleases him!* In No. 1, he says, “if it were not for the stability and attachment which time and habit give to government, it would be in the power of the enlightened and aspiring, if they should combine, at any time, to destroy the best establishments”—If this be true, the forming a bill of rights would have been as needless as its existence would have been useless;—for, in the *first* instance, *it* would be no kind of security to the people—and in the *last*, the people do not want such a security, having already *every* “*stability and attachment which time and habit*” can render necessary to fix in their minds, the greatest horror of tyranny, and the most sacred and exalted ideas of *that liberty*, which they have *ever* enjoyed, and to which they know they are entitled. Speaking of the constitution of Great-Britain he says, “the only operative and efficient check upon the conduct of administration, is *the sense of the people at large;*” and are not *the sentiments of “the people at large” of these States, as tenacious of their liberties* as those of England?

To proceed with the contradictions and inconsistencies of Centinel, would perhaps be thought an insult to the understanding of an enlightened community; but would not much ink have been saved, and the little expended to better purpose, had he declared, in *a few words*, that man is *an imperfect creature*, and, that owing to a difference of constitution, climate and education, he did not believe they would ever all think *exactly* alike; and, as it was not *certain* that, *even* should a law, dictated by *that wisdom* which cannot err, be offered *them*, they would all agree to it, it would be the *best* to have *none?*

The *Centinel* seems almost *expiring with fear*, for “*the liberty of the press*”—By his idea of the subject, one would think he had just made his escape from a *Turkish Haram*, or had been buoyed from the gloomy regions of a *Spanish mine*. It is almost impossible that a man, who was educated in any of the Christian nations of Europe, and really so, that any one, who is an inhabitant of any of the United States of America, should be ignorant that “the liberty of the press” is what the people, for whom the late Convention were acting, look upon as a privilege, with which every inhabitant is born;—a right which Nature, and Nature’s God, has given, and too sacred to require being mentioned in the national transactions of these states. Had *it* been reserved by a particular article, posterity might imagine *we* thought *it wanted* written laws for security; an idea we would not choose should disgrace the legislature of the United States. If in England, “the only operative and efficient check upon the conduct of administration is *the sense of the people at large;*” what *greater* security for the “liberty of the press” would the *Centinel* wish for, than “*the sense of the people at large*” of these states.

The “*sense of the people at large*” obliges the august Emperor of China, once a year, to hold the plough—the “*sense of the people at large*” obliged David, absolute monarch of Israel, to “go forth and speak comfortably to the people.”—*It*, in a great degree, influences the Monarch of France, and *it* has ever had great influence on the court of Great-Britain;—and when we reflect how well acquainted each member of the Convention were with “*the sense of the people at large*” of these states, is it not surprising, with what minuteness they have barred against *every encroachment* upon the liberties of the people, which would not have disgraced “*the sense of the people at*

large,” whom *they* represented? *No man* can possibly be admitted into Congress, unless born, or having resided within these states for a term of years sufficient for him to inform himself of “*the sense of the people at large*” for whom he is to make laws.

In art. 1, sect. 5, it is ordained, that “each house shall keep a journal of its proceedings, and, from time to time, publish the same,” &c.—In the same article, sect. 7, it is ordained, “that the names of the persons voting for, and against a bill, shall be entered on the journals of each house respectively;” that those, who vote contrary to the minds [of] their constituents, may be exposed. Should Congress, *for once*, unfortunately be composed of the *Centinel’s* “*aristocratical junto*,” they will have but two years to abuse the confidence, which the people have placed in them, before part of “that *aristocratic junto*” must leave the house, to make room for others, who will be a restraint upon the remainder, by retarding their iniquitous proceedings, and punctually informing their constituents of their *breach of trust*.

I believe, there is not a single article, wherein the *new plan* has proposed any amendment to the *old*, but what would be objected to by *Centinel*. To some he has objected, where they have made no amendment; as the power of Congress to try causes without a jury, which they have ever possessed.

For want of facts to allege, how sophistically does *Centinel* strive to pervert the meaning of the 6th article—when, it expressly says, that all treaties made, or which shall be made, under the authority of the United States, “shall be the supreme law of the land;”—meanly endeavouring to convey an idea to his readers, that, by granting to Congress the power of forming a constitution for making treaties, and transacting the business of the Union, which shall be “the supreme law of the land,” the power of Congress must, “necessarily, absorb the state legislatures and judicatories; and that such was the contemplation of the framers of it.”—An assertion as abusive to the characters who composed that truly respectable body, as impossible to be drawn from the *letter*, and evident meaning of that article.

So decided have the Convention been in not infringing upon the internal police of the states, that they ordain in art. 4, sect. 4, that Congress shall not only allow, but “shall guarantee to every state in the Union, a republican form of government,” and shall support them in the same, against either external or internal opposition. But, says *Centinel* “Congress are to have power to lay and collect taxes, duties, imposts and excises,” &c.—A *great absurdity indeed*, that a body, who are under an absolute necessity of contracting debts, should be in possession of *any means* by which they can discharge them! The *Centinel* is *far* more unreasonable than were the *Egyptian* task-masters;—they demanded brick without straw; but the Israelites could, possibly, collect stubble for a substitute. *He growls* that “Congress have power to lay and collect taxes, duties, imposts and excises,” without providing *even stubble* for a substitute. A newspaper could not contain observations on *each* of the objections made by the *Centinel*. He says “*the sense of the people at large*,” secures the liberty enjoyed by the subjects of Great Britain.—We know *it* has gained America her freedom—of which spirit he appears sensible, by quoting “the attempt of Governor Colden, of New-York, before the revolution, to re-examine the facts, and re-consider the damages in the case of *Forsey* and *Cunningham*, produced about the year 1764, a flame of patriotic and successful

opposition that will not be easily forgotten:—The cause of which opposition was, “the *patriotic flame*” which arose from among the people; since which, *that patriotic spirit* has been gaining strength by exertion, and stability by establishment:—And yet, *he* asserts that *this spirit of patriotism* will, without the least opposition, resign its liberties to Congress whenever they shall be demanded.—It would be, perhaps, the only instance in nature, wherein the effect, increasing regularly with the cause, at last, while the cause is still acting with full vigor, the effect entirely gets the better of the cause, and acts directly against it.

The *Centinel’s* long and laboured harangue respecting courts of justice being appointed by Congress in each State, to try common actions of debt, &c. must be a creature of his own designing, or deluded imagination. To fix that matter beyond the reach of dispute, the new proposed plan has expressly limited the jurisdiction of Congress, as to such authority; “to exercise exclusive legislation in all cases whatever, over such districts, (not exceeding ten miles square) as may, by cession of particular States and acceptance of Congress, become the seat of 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, dockyards, and other needful buildings, &c.” The authority which the proposed plan gives to Congress, to form treaties, regulate trade, decide disputes between different States, and between individuals respecting lands &c. the *Centinel* seems either artfully, or ignorantly to suppose, they can and *will exercise*, respecting the internal police of each State.

Does the new proposed plan give Congress more power than is absolutely necessary they should possess, to enable them to act for the interest—secure the trade—protect and support the honour of the States? If not, is it not absurd to object by saying, when they are in possession of *this* they can soon gain *more*? By this rule they never must have *any*. Most people no doubt, will agree with *Centinel*, in this particular, that the freedom of a nation does not so much depend on what a piece of parchment may contain,—as their virtue,—ideas of liberty—and “*the sense of the people at large*.” It was not *Magna Charta* written on parchment, which united the English Barons to oppose King John; but, the united opposition of the Barons that *forced* from King John *Magna Charta*. Is it a sufficient reason to debar a *virtuous people* from the benefit of any laws, because perfect ones would not constitute the happiness of a *vicious people*?

When the Americans shall have lost their virtue—when those sentiments of liberty which pervade the breasts of freemen, shall cease to glow in their bosoms, *bills of right* will not secure their liberties. But whilst they practice *virtue*, and retain *those sentiments*,—from whence can a *Congress* be collected, who will *dare* infringe their liberties; or be ignorantly hardy enough to attempt “*the liberty of the press*.” Should it be thought best at any time hereafter to amend the plan; sufficient provision for it is made in Art. 5, Sect. 3, without placing ourselves in the situation of a conquered people; or being obliged, like the devoted Poles, when divided among three powers, to sue for such *conditions* as we could obtain.

Baltimore, November 8.

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