

## Instructions to Newport's General Assembly Deputies, 28 March

1788

*The following are the Instructions from the Town of Newport to their Deputies in the General Assembly, on the Subject of the Federal Constitution.*

The Committee to whom was referred to draw Instructions for the Deputies of the town of Newport to use their influence to obtain of the Honorable General Assembly of this State, at their next session, an act to empower the several towns in this State to call Town-Meetings, and appoint Delegates for the purpose of holding a State Convention, to take into consideration the Form of Government proposed for the United States of America, by the General Convention held at Philadelphia, Sept. 17, 1787—which Constitution or Form of Government, was sent to the several Legislatures of the different States, by the Honorable Congress of the United States, on the 28th of September last, recommending that State Conventions should be appointed to decide upon it, agreeable to the request of the General Convention,

Beg leave to report—That after deliberately and maturely considering the *mode* the Legislature of this State hath been pleased to prescribe to their constituents, for judging and determining upon the propriety of adopting the abovementioned Form of Government for the United States—humbly conceive, and are unanimously of opinion,—

1st. That it is unconstitutional, unprecedented, inefficacious, and inconsistent with the act itself:—Unconstitutional, because contrary to the mode pointed out by the General Convention of the nation, as well as that *constituted* by the Honorable Congress of the United States:—Unprecedented, because every other State in the Union has appointed State Conventions to decide upon it:—Inefficacious, because a decision obtained in this way, either for or against the new Form of Government, prevents any legal or prescribed channel through which it might be conveyed to the federal Council of the nation, and therefore nugatory:—Inconsistent, as we humbly conceive, as the act of the Legislature of the State referring this proposed Government to the people of the respective towns for their determination, confesses, that in them (the people) resides all power upon this subject—and then goes on to direct the manner of voting by polls in a way novel and unprecedented; depriving the freemen of their liberty, contrary to law, custom and usage of the State—for if the people alone have a right to frame a new Constitution of Government, what right has the Legislature to restrict them to any particular *mode* or time?

2dly. That this mode of discussing, or rather *confusing* this momentous subject, deprives the citizens of this State of that necessary means of information which the citizens of our sister States have by the one recommended by the General Convention and the Honorable Congress—which

mode has been unanimously adopted, by the other States in the Union, without any objection by those most opposed to the Government itself.

3dly. That this way of transacting the business, with submission, we conceive is treating the confederated wisdom of the United States with *additional* disrespect and indignity, by deciding upon a subject so solemn as a System of Government (which cost several months of toilsome investigation, by the first men of character and abilities the world knows) in Town-Meetings, where impatience and disorder more or less prevail, and where it is difficult to speak, more difficult to be heard, and almost impossible to discuss points of far less magnitude as they ought. And at this critical and important period of our national affairs, when a dissolution of the civil compact is threatened, when, instead of widening the difficulties already subsisting between this and our sister States, it ought to be the constant prayer, and unremitting attention of every individual, and body of men in this State, to harmonise and cement the Union upon which our existence as a State more especially, and that of our nation depends.

4thly. That it is now generally agreed by all denominations of men in this country, that the old Confederation is inefficient in points most essential to support us as a confederated nation.

This being a melancholy truth of experienced demonstration, we cannot but admire the wisdom of the General Convention, as well as of the Congress, in recommending the proposed System of Government to be canvassed in State Conventions.

That as there were unavoidable concessions of State to State in the General Convention, so the mode of State Conventions appeared to them most likely to do ample justice on the one hand to the merits of the new Government as a national compact; and on the other, that the State Delegates, from the various towns, whose local interests might appear at first view to render it necessary that similar concessions might be made by the different members, and if thought best, amendments might be recommended to the Federal Council of the States, as hath been done by a neighbouring State.<sup>2</sup> Whereas, if decided upon by Town-Meetings, it must be either hastily adopted, or totally rejected, without any proposed amendments whatever; which we fear, the latter will not only intirely destroy the small remains of union among the States, but preclude the possibility of establishing a government in any other way, than by that *dernier* resort, which includes the complicated calamities of *civil war, famine, pestilence, tyranny, ignorance, and savage manners*:

Wherefore the Committee submit the following Resolutions, viz. Resolved, That the Deputies of this town be instructed by force of argument, and by an honest appeal to our unalienable, constitutional rights—they endeavour to convince the General Assembly, that the mode of inquiring into the new Constitution, recommended as aforesaid by the General Convention and the Honorable the Congress, and pursued by the other States, is the most just, eligible, satisfactory and safe. And that they use their influence in the General

Assembly, that the aforesaid mode, recommended by the Convention and Congress, by a Convention of Delegates, be adopted accordingly.

Your Committee, in pursuance of their appointment do also report the following Resolve to be passed, relative to the Tender and Limitation Laws:

Resolved, That the Deputies aforesaid, be instructed to urge a repeal of the Tender and Limitation Laws, agreeable to the Petition and Memorial of the respectable Society of people called Quakers, presented to the Legislature of this State at their session held in February, A. D. 1788.

All which is humbly submitted, by

HENRY BLISS,

ROBERT TAYLOR,

CHRISTO. ELLERY,

THOMAS RUMREIL,

ISAAC SENTER,

WM. CHANNING,

HENRY GOODWIN,

GEORGE SEARS.

*Newport, March 27th, 1788.*