

Town Meeting: Petition to the General Assembly, 26 March 1788

At a TOWN-MEETING of the FREEMEN of the Town of PROVIDENCE, legally assembled (by Adjournment) at the State-House, on the 26th Day of March, A. D. 1788.

Whereas the Committee appointed on the 24th instant, to draught a Petition to the Honorable the General Assembly, that a Convention of Delegates may be recommended by the Legislature, to be called for considering the Constitution for the United States, transmitted by Congress to this State, have this day made their report; which, having had two several readings, Resolved, That the same be received: And it is further resolved unanimously, That a copy thereof be made out and signed by the Clerk, in behalf of this meeting, and delivered to the Deputies of this town to be preferred to the Honorable the General Assembly, to be holden (by adjournment) at East-Greenwich, in the County of Kent, on the last Monday in March instant. A true copy:

Witness,

DANIEL COOKE, T. Clerk.

The Petition above referred to, is in the words following, to wit:—

To the Honorable the GENERAL ASSEMBLY
of the State of RHODE-ISLAND, &c.

The PETITION of the FREEMEN of the Town of PROVIDENCE, in Town-Meeting legally assembled (by Adjournment) on the 26th Day of March, A. D. 1788,

HUMBLY SHEWETH, That your Petitioners being assembled in pursuance of an act passed by the Legislature of this State, at their session in February last, *submitting to the consideration of the freemen of this State the report of the Convention of Delegates for a Constitution for the United States, as agreed on in Philadelphia the 17th of September, A. D. 1787—*and feeling themselves deeply impressed with the weight and magnitude of the subject, under reference to them, beg leave, with most respectful deference, to lay before the Honorable Legislature the unanimous result of their most calm and deliberate considerations and discussions on this subject.

The formation of a Constitution, or fundamental laws for a State, your Petitioners consider as the most arduous, as well as most important work to which the people can be called: It therefore seems to require not only the exercise of the wisdom and experience of all the people, but that this wisdom and experience should have full scope to display itself to advantage; and that all the Members should severally be put into a situation to profit and be edified by each other.—The most natural and simple idea of the mode of proceeding in this business, among a people resolved into a state of nature, would seem to be, that all the people should be assembled on some spacious plain, to consult on the subject, discuss and adopt a Constitution for themselves. In antient times, and in small republics, this measure has been taken with success; but in the present case, where is the spot commodious for assembling all the freemen of this State?—And where is the man who could be heard to advantage by such a

numerous assembly?—In this method therefore in vain do we seek for the benefit of the wisdom of our friends in other parts of the State, to assist our reason and guide our judgment in this momentous affair.

These observations will yet become more striking when applied to the Federal Union, and the doctrine of *Representation* will force itself on our minds in an instant. Such is the weakness of the human mind in its most improved state, and such the shortness of human life, that it has been found necessary to divide and parcel out the business thereof, into various hands, to the end, that each may avail himself of the skill and experience of all others, in their various occupations, and a mutual dependence on each other become the interest and safety of all.

Your Petitioners apprehend that Representation is a fundamental principle in the existing Constitution of this State.—The laws which operate throughout the State are made by Representatives of the people, and could not be regularly made by an assembly of all the freemen, or acting at home in their several Town-Meetings: In neither of which cases, could the parties to be affected more immediately by such laws have an opportunity to be heard with convenience, and to have their reasons examined and discussed with candour and deliberation.—When therefore a subject of universal concernment offers itself for the consideration and discussion of the freemen of the State, and which cannot regularly be passed upon by the ordinary Representatives, assembled in their legislative capacity, in orderly pursuance of the existing principle of Representation, other Representatives for the special purpose of deciding thereon, as it would seem to your Petitioners, should be appointed.

It doth not appear to your Petitioners, that either the Federal Convention or Congress have attempted to deprive the freemen of this State of the benefits to be expected from an examination, discussion and decision on the subject now under reference to them, by a State Convention for that special purpose.

The great Federal Convention, held at Philadelphia, resolved that their work should “*be laid before the United States in Congress assembled;*” and the President’s letter adds, that it is “*submitted to the consideration of the United States in Congress assembled;*” by which expressions it was clearly open to amendments by Congress at their pleasure; and we are informed that such amendments were in fact proposed in Congress, but not adopted.²

The same great Convention further give their opinion, that after their work shall have passed through the hands of Congress, it should be “*submitted to a Convention of Delegates, chosen in each State by the people thereof, under the recommendation of its Legislature.*” —This submission being in general terms cannot be understood as confining such Convention to adopt or reject it in gross, and as precluding the consideration or proposal of amendments, nor has in fact been so understood by the States of Virginia and Massachusetts; before the Convention of the former it is to be laid by order of their Legislature, for free and full discussion³—and the Convention of the latter have actually proposed several amendments.⁴

The whole agency of Congress in this affair seems to have been to lay it before the States as they received it from the Convention. If therefore the freemen of any State are precluded from the benefit of proposing amendments it must be done by their own Legislature, and by no other body of men who have taken measures relative to this work.

From the prevailing opinion throughout this Union, from the acts of Congress, as well as of most of the Legislatures of these States, and particularly from the acts of this State, granting to Congress the power to levy and collect an impost, and to regulate trade, as well as from the actual embarrassments of public affairs, and private distress and ruin of many individuals, your Petitioners presume themselves authorized to believe, that the old Confederation of the United States is not adequate to all the purposes of the Federal Union.—And whether the proposed new Constitution is the greatest improvement thereon, remains a question to be resolved by this State in common with her sister States in the Union. The most eligible mode of proceeding in this business therefore is the simple point of enquiry.

It occurs to your Petitioners that the mode pointed out by the act under present consideration is inexpedient and improper, because,

1st. In this mode the sea-port towns cannot hear and examine the arguments of their brethren in the country on this subject, nor can they in return be possessed of our views thereof; so that each separate interest will act under an impression of private and local motives only, uninformed of those reasons and arguments which might lead to measures of common utility and public good.

2dly. Not only will much information be denied in this mode, but a full hearing of the cause will be impossible: For other States are interested, and their interests in many cases opposite to ours.—How far it may be proper to sacrifice a State interest to obtain federal protection requires great and deep thought; and how much power ought to be vested in Congress to enable them to vindicate the national honor is not easily determined by those who are best acquainted with the actual circumstances of both the friends and enemies of the United States; yet every individual freeman ought to investigate these great questions in some good degree before he can decide on this Constitution: The time therefore to be spent in this business would prove a great tax on the freemen to be assembled in Town-Meetings, which must be kept open not only three days but three months or more, in proportion as the people at large have more or less information.

3dly. All the letters and papers containing the information aforesaid could not be conveniently copied and dispersed into all the towns in this State, to be read to all the freemen; and in case they should decide without an entire knowledge of the public affairs of the Union there could be no security for a just decision.

4thly. The mode pointed out may exclude many of the freemen from voting at all. Votes are only to be taken by yea and nay. All persons therefore who are not ripe for judging by themselves, and wish to devolve it on a Convention are excluded from a voice; as likewise all others who may be decidedly in favour of

certain amendments, and not willing to vote individually by yea or nay. The votes and influence of both these descriptions of citizens will be necessarily excluded: And as those only who vote can bind themselves individually, how are those to be bound who do not vote? They are not represented, nor can they be bound under that idea by the doings of their neighbours; so that after three-quarters of the State may have individually voted for the new Constitution, a principle is yet to be sought for to bind the other quarter.

5thly. This mode of voting is in other respects indecisive: For the United States in Congress assembled will not receive and count the votes of individuals, nor will they take a certificate thereof from the General Assembly as a warrant to them to bind the State: They can only attend to the voice of a Convention duly authorized to act on the subject, and to bind all the individuals in the State, in virtue of having been appointed their Representatives for this purpose, agreeably to the line pointed out by the Federal Convention. To what purpose then are all the towns to be put to this great expence of time and trouble, to investigate and vote on this important national concernment, when all their doings will be void, and a Convention must be finally had, before Congress can receive any information from the State, whether the new Constitution has been adopted or rejected.

6thly. This method of voting deprives this State of the privilege of proposing amendments, which can be done and agreed to in a Convention only. After having been excluded from a hearing, by the policy of the State, in the formation of the proposed Constitution, would it not be a repetition of injury to the freemen of this State to deny them the privilege of proposing such amendments as they might judge necessary, and of discussing the Constitution in the same mode as adopted by all the other States?—Have they not a right, as composing one member of the Union, to have their voice heard on this subject, before a Constitution shall be adopted by all their sister States, to which they must finally submit?—This argument, in the view of your Petitioners, will gain strength from the suggestion thrown out by some in justification of the present mode, that the people are more enlightened here than elsewhere, and have a greater sense of freedom: If this suggestion is well founded, their voice was more wanted in the Federal Convention, and their remarks and improvements in a State Convention, to be brought forward and ingrafted with the Constitution are more necessary.—Have not the freemen of our sister States a right to claim this service at our hands, and have not the freemen of this State a right to *demand* it?

7thly. The present Congress, a body known and acknowledged by this State, having recommended the calling a Convention for this purpose, and twelve States having complied therewith, your Petitioners cannot avoid expressing their regret, that a mode of deciding on this question so novel, ineffectual, and injurious to the people of this State should have been substituted in the stead of one recommended by a legal body, and sanctioned by such great authorities; and which in every point of view promises to be the best and only mode of putting an end to this business.

8thly. Your Petitioners will only add, that in all events a Convention will become necessary. This State however sovereign and independent cannot exist without a connexion with her sister States: and if a Convention be not held at a period when the proceedings of this State might have an influence on the Federal Councils, and the doings of other States, one must of necessity be held sooner or later to join in the general American Confederacy, after having lost all opportunity of influencing, or having any direction in the formation of that Confederacy.

Whether on the whole it be adviseable to adopt, reject, or amend, the proposed Constitution your Petitioners beg leave to decline deciding in their individual capacities, for the foregoing reasons, which they have thought necessary to lay before your honorable body in explanation of their conduct on this occasion. And they beg leave to offer the strongest assurance of their sincere love to their country and attachment to the liberties thereof, as well as of their ardent wish for the establishment of an efficient Federal Government, on such principles as may secure to the States their necessary jurisdictions and power, and to individual citizens their just rights and privileges. And to accomplish these great objects in the most regular, safe and satisfactory manner, your Petitioners HUMBLY PRAY, this Honorable General Assembly to recommend the calling a Convention in this State, at such time and place as they in their wisdom may judge most for the public welfare.

And as in duty bound will ever pray, &c.

Signed by the unanimous order, and in behalf of the Freemen of the Town of Providence, legally warned and assembled in Town-Meeting as aforesaid,

Per

Daniel Cooke, T. Clerk.