

Virginia Independent Chronicle, 31 October 1787

Mr. W—'s speech to the meeting at Philadelphia, says a correspondent, is really a laughable performance. *When the people, said the orator, established the powers of legislation under their separate governments, they vested their representatives with every right and authority, which they did not in explicit terms reserve; but the congressional authority is to be collected from the positive grant alone, expressed in the instrument.* This, it seems, is so self-evident a principle, as to be never in danger of being questioned in future, and it will no doubt be sufficient security for posterity to know, that a Pennsylvania attorney established it; and from thence thought himself sufficiently authorised to draw the following conclusion. "Hence it is *evident* that in the former case every thing which is not reserved is given, but, in the latter the reverse prevails, and every thing which is not given is reserved." Bravo J—y! this is rare security for the liberty of the press, "that sacred palladium of national freedom."

The futility of this assertion, that, "the trial by jury is abolished in civil cases," is detected by him, "taking the advantage of his professional experience," and from this we learn, that it is not yet abolished, but that it may, if Congress think fit; but he undoubtedly knows, that juries are found inconvenient in excise business. He says, that *the vesting of a power in Congress to keep up a standing army in time of peace is no new prerogative, because it is exercised at present on the banks of the Ohio:* But this subtle reasoner did not consider, that it is now a time of war on the banks of the Ohio.

There never was a charge, said he, made with less reason than that of the dread of an aristocracy from this Fæderal Constitution, and he proves it by Mr. Adams's doctrine of balances; but neither he, nor the *balancer*, ever considered the futility of that doctrine in a country, where the members composing the different departments of government are necessarily of the same rank, have the same views and interests, and where the only balance, which it was of consequence to attend to, is that between the governors and the governed, has been unfortunately forgotten in this Fæderal Constitution.

In the next place he tells us, much to the purpose, that *those who have used the word, corporation, are not aware of its extent, that though in common parlance, it signifies petty associations, it may be applied even to the Fæderal Union.* In the same manner, it may be said, that those, who make use of the word, *Chief Magistrate*, applied to our governor, do not know the extent of it; as it may also be applied to the *Grand Sultan*. But the strength of his argument is yet to come, for he plainly *proves* that the Fæderal Constitution does not annihilate the state governments, because it calls them *Legislatures*. They would be cross children indeed, who would cry for a whistle when they get something in the shape of one, especially, when the same *whistle* is given to it. But why shall we be so wayward as to be alarmed at Congress's having the power of internal taxation and of laying on excise duties, do not we hear how he says: "I will venture to predict, that the great revenue of the United States must and always will be raised by impost, for being less obnoxious and more productive, the interests of the government will be best promoted by the accommodation of the people." It would seem then, that dominion not revenue was the motive of inserting it; but no matter, let us give up our liberties, there is no danger, he says we shall be kindly used, and that we

shall have a LEGISLATURE, sure never there was as more explicit bill of rights!!! He says, that it is only interested people, who set their faces against the Fœderal Constitution, it is really a pity that it should miscarry, for he has given the public so striking a specimen of his abilities, that, no doubt, he would get much practice in the supreme Fœderal Court, should it be thought advisable to allow the benefit of council there.

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