

## Valerius, Virginia *Independent Chronicle*, 23 January 1788

To the Honorable RICHARD HENRY LEE, member of Congress for the state of Virginia. Sir, Presuming on the importance of your political character, and the *supposed* weight which your name might, perhaps, carry with it, you have produced to the consideration of the public, through the medium of a *friend*, your collected objections to the new plan of confederation. Disdaining the clandestine mode of conveying information under a fictitious signature, you have boldly given your *name* to the public, and with a peculiar air of importance, you thought the *channel* of a pamphlet was more respectable and better suited to the dignity of your letter, than that of a newspaper.<sup>2</sup> The purpose, which you had in view, was judiciously conceived. For, a man of your sagacity and experience must have known, that a literary reputation, it is immaterial, whether it is justly acquired or not, sometimes supplies the place of genius, and a *great name*, on many occasions, makes up for a deficiency of argument. I confess myself pleased with the spirit, which you have shewn on this occasion; but, I suspect, sir, that there are some persons who will be perhaps so *uncharitably* disposed as to attribute the voluntary publication of your *name*, to something more than *spirit*. Personal resentments, and above all, an irascible disposition, wounded by repeated disappointments of a public nature, may perhaps, be supposed, by your *enemies*, to be the secret causes of your violent opposition to the fœderal constitution. Be this as it may, I might, probably, have been tempted to follow *your* example, and even annex *my name* to this address, if I was not deterred, by seeing the very little attention, and respect, which a *printed letter*, though recommended by the Honorable signature of Richard Henry Lee, receives from the Public.

It is not, sir, my intention to dissect your letter, nor apply to every argument, or rather *paragraph*, in your celebrated epistle. This would be a task, as tedious, as it would be disagreeable. The triumphs of victory, even over so respectable a personage as yourself, would scarcely recompence me for the fatigues and disgusts, which I should suffer in obtaining it. In political, as well as military contests, very little honor can be acquired, or laurels gained by defeating a weak and defenceless adversary. For, you must, sir, permit me to tell you, however disagreeable the language may be to a man of your *delicate* feelings and *sacred regard* to truth, that your letter, though published with so much formality, is but one continued series of “strong assertion without proof, declamation without argument, and violent censures without dignity or moderation.”

I am, sir, a plain, unlettered man; I pretend not to an extensive knowledge in the many sciences of government. I have, scarcely, the reading of an obscure individual. But, the little knowledge, which I do possess, and I sincerely thank the *good being* for that little—effectually secures me from being carried away by the *haughty* overbearance of *great names*, and may, perhaps, enable me to detect the errors, and unravel the sophistry of even so *consummate* a politician as yourself.

In the begining of your letter, you assert, that the proposed fœderal constitution is defective; that amendments are necessary, and that to make these amendments, another convention ought to be called. Nay, you have gone fa[r]ther. To save *this convention* a great deal of deliberation and debate, and the *United States* much

additional and unnecessary expence, you have graciously been pleased to point out the defects, and, without application, magisterially propose suitable amendments. What astonishing condescension! How generously patriotic! It is most *devoutly* to be wished, that your grateful county would liberally reward you at *some future period*, for this unsolicited kindness, and rest assured, sir, I should not interpose to stop your exaltation. I am not, sir, a blind and enthusiastic admirer of the new constitution. I feel myself equally removed from that *puerile* admiration, which will see no fault, and can endure no change, and that *distempered* sensibility, which is, tremblingly, alive *only* to perceptions of inconveniency. I do not believe, that the constitution is absolutely perfect; but I am sure, sir, you have not convinced that it is defective. It is from the perceptible and long observed operation; from the regular progress of cause and effect, that imperfections in free governments are to be discovered, and adequate remedies applied. It appears to my understanding, clear beyond a doubt, that experience *only* can teach us the pernicious tendency of *that* new system of government, which you, in your *political visions*, have been pleased to discover. Permit me, now, to ask you a few simple questions. Have you considered the peril, and perhaps, the impracticability of calling another convention? Do you think it possible to obtain another conventional representation, which promises to collect more wisdom, and produce firmer integrity, than the last? Have you compared the fœderal constitution, not with models of speculative perfection, but with the actual chance of obtaining a better? Are you certain, that the defects, which you have discovered, really exist, and that the amendments, which you propose, would be adopted? And, pray! sir, why might not all your *boasted* amendments be as liable to objections as the defective parts, which you have, with such peculiar sagacity discovered in the fœderal constitution? As the doctrine of infallibility is rapidly declining, even in the *papal* dominions, perhaps you intend to transplant it into the uncultivated wilds of America, or else revive it in your own person. But, believe me, sir, it will not thrive in the American soil; neither will the sanction of *your* name procure it an implicit reception among *us*.

You say, that, "in the new constitution the president and the senate have two thirds of the legislative power." By what species of *calculation*, you have, *so accurately*, ascertained this point, I cannot conceive. It cannot be by *division* alone. It must then be by *your* favorite rule—*multiplication*—or perhaps by *both*. But, to be serious—with all due deference to your superior knowledge of *figures*, it may, in *my* humble opinion, be easily shewn that you have, in this enumeration at least, committed an egregious mistake. It is to be supposed, for you have given us no *data* to go upon, that you have divided the legislative power equally between the *president* and the *senate*. By this division, the *president* will have one *third*, the *senate* the *other*, and both together, (you will correct me, if I am wrong in my *calculation*) make *two thirds*, which is the *quantity* you have discovered. Whether the *senate* possesses one *third* or *more*, I must confess, I am unable to determine *exactly*. But, of *this* much I am sure, that the president cannot possess, without we call in the assistance of your *favorite rule*, the *one third* of legislative power, which you have, so *generously*, given him. As I never make an assertion without proof, I will fairly state the case, and appeal to the understanding of *every* man to draw the conclusion. The senate has the power of originating all bills,

except *revenue bills*, in common with the house of representatives, and *no bill* can pass into a law without the approbation of *two thirds* of both houses. From this exclusion of the *senate* with respect to *money bills*, it is plain, that this *body* does not possess such extensive legislative power, as the house of representatives. The *president* can originate *no* bill of any denomination, and *his* negative, which, by the bye, is his *only* legislative power, is of *no* avail, provided *two thirds* of both houses concur in the bill. Hence, it is clear, that the *president* does not even possess such extensive legislative power as the house of representatives, and the *president* as the *senate*, how can it, justly, be made to appear, that the *president* and *senate* have *two thirds* of the legislative power?

You ask with an air of triumph, "can the most critic eye discover responsibility in this potent corps!" mea[n]ing, I suppose, the *president* and *senate*. Permit me, sir, to continue my usual stile of interrogation, as it best suits my capacity, and by opposing question to question, compel you to pronounce your own refutation. Is not the *president* responsible to the people, who, indirectly, elect him, and to the house of representatives, who can impeach him? Is not the senate amenable to the different state legislatures; by whose breath they exist and can be in a moment annihilated, and to the house of representatives also, which has the sole power of impeachment? Lay *your* hand upon *your* heart, sir, and answer these questions, with *that* candour and honesty, as if you were in the immediate presence of your *God*.

Your next assertion is, "That Virginia has but one vote in thirteen in the choice of the president, and this thirteenth vote not of the people, but electors, two removes from the people." It is *extremely* disagreeable to me to give a direct contradiction to a gentleman of your respectable appearance, but in this instance, you have committed such a *flagrant violation* of the truth, that I cannot forbear it. Take up, sir, the federal constitution, read *that* part, which respects the election of the *president*, and contradict *me* if you can. Afterwards compare it with your *own* account, and blush for your folly and indiscretion.

Each state, that is, the citizens of each state, are to appoint in such a manner, as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives, to which each state may be entitled in *Congress*. Now, as Virginia is entitled to twelve members to both houses, it must appoint an equal number of electors; and as each elector has two votes, Virginia will have, of course, *twenty-four* votes in the choice of a *president*, and these *twenty-four* votes will be, but *one* remove from the people. It is only, on a particular occasion, which may, perhaps, never occur, that the state has but *one* vote in thirteen. As you appear to be entirely ignorant of *this* matter, to oblige *you*, sir, I will mention it. When, upon the examination of the certificates, transmitted by each state to *Congress*, it is found, that no one person has a majority of votes, but that *two* or *more* have an equal number, then the house of representatives shall immediately choose *one* of them for *president*. But, in choosing the *president*, the votes are to be taken by *states*, the representation from *each* state having but *one* vote. The prudence, which dictated this exception from the general mode of election, is very conspicuous. The case can occur, but rarely, and when ever it does occur, Congress must elect *one* from the number of those who are highest, but equal in the list. How then dare you presume to assert in such general terms, that Virginia can

have but one vote in the choice of a president, when by the constitution, it is, clearly, entitled to twenty-four. When I see questions of the highest national importance *thus* unfairly treated, and the first principles of the fœderal constitution grossly misrepresented, I must confess, that I cannot restrain my resentment. It must give pain to every benevolent mind, to see men of reputed abilities, and in *whose* integrity, much public confidence is reposed, giving into such *low* artifices, and descending so much *beneath* their true line of character. I would, fondly, believe, sir, that you are the *dupe* of your own sophistry, and that, the many mistakes contained in your *printed* letter, proceed rather from ignorance, than from a premeditated design to deceive. But, let your motives be what they may, you must permit me, sir, to tell you, that there is such a fund of good sense in *this country* as will effectually prevent the *people* from being lead *astray* by any man or description of men whatsoever.

Have you, sir, weighed the consequences of committing your name, accompanied with such misrepresentations, to the free discussion, and merited censures of an insulted people? Are you aware of the injury which you do your *favorite* cause? Do you think that the people are to be deceived by such low arts? I am, sir, a candid, *very* candid man, and perhaps the familiar mode of *my* interrogations may displease the delicacy of *your* feeling.

You positively assert, "that the constitution is highly and dangerously obligarchic." This, Sir, is *another* of your numerous assertions without proof, and though it *may* receive the concurrence of your correspondent, yet his *solitary* approbation will not stamp it with the signature of truth. The assertion in its present form, is not entitled to my notice, but produce *your* arguments, and I, thus, in the most unequivocal manner, oblige *myself* to prove them groundless.

The reflection you have thrown upon the house of representatives, savours strongly of an exasperated spirit; you stile it "a mere shred or rag of representation." But, the description is as false, as the language is vulgar. What! shall a body of the *choicest sons* of America, elected by the unbought, unbiassed voices of *a whole nation*, entrusted with sovereign powers, and whose important charge is the common defence and general welfare of *thirteen confederated states*, shall *this* body be stiled "the mere shred and rag of representation." For shame! sir, for shame! let me beg of you to be more guarded in your expressions. Do not let your passions force from you such indecent and improper language.

"With the constitution," you say, "came from the convention, so many members of that body to *Congress*, and of those too, who were among the most fiery zealots for their system, that the votes of three states being with them, two states divided by them, and many others mixed with them, it is easy to see that *Congress* could have little opinion upon the subject."<sup>3</sup> This sentence is so tedious, contradictory and ambiguous, that really it is scarcely worth the trouble to comprehend it. But, as I intend to examine it a *little* in a subsequent letter, I shall at present make but one remark upon it. It is this, that it conveys an insinuation as little worthy of the gravity of your character, as it is useless to your purposes; it appears too much like a peevish expression of resentment, or the hasty language of pique and invective.

The fœderal constitution, sir, has been submitted, by the unanimous consent of Congress, to the consideration of the people, in the same unaltered shape, in which it came from the hands of its parents. It goes forth among us in the unprotected situation of an *orphan*, with a modest request to all, entreating, that it may be heard, before it is abused, and examined, before it is condemned. To blacken its reputation by false reports, and disfigure its most lovely features with wanton levity, would discover uncommon cruelty of heart, and awaken resentment in the bosom of every honest, humane man.

From the manner in which this letter will reach you, you must perceive, that it was not intended for your private amusement *only*. I wished, at once, to point out to you *your errors*, and remove from the minds of my fellow citizens, the *bad* impressions, which they might have made.

I am unknown to you, sir, and perhaps I will *ever* remain so. I fear *no man's frowns*,<sup>4</sup> I dread *no man's resentment*. As long as I am capable of exercising that rational *intellect* which the *good being* has been pleased to impart to me, I shall consider it as *my* duty to stand forth and endeavour to undeceive the people, when the *vilest* arts are made use of to mislead and delude them.

I shall conclude this letter with a quotation from a late anonymous writer, not only, because it is applicable to our respective situations, but because it conveys my sentiments in more expressive language, than I am capable of using.

“To such as make a fictitious signature an objection to belief, I reply, that it matters very little, who is the author of sentiments, which are intended for public consideration; that error, though supported by *dignified* names, will never be adopted; and that truth though it comes from a cottage, will always prevail.”

Dec. 1787.

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