

## **Protest of the Newport and Providence Deputies, 15 September 1787**

State of Rhode Island & Providence Plantations In General Assembly September Session AD 1787.

We the Subscribers beg leave to protest against the Report of a Letter to the President of Congress, assigning the reasons for the Legislature of this State's refusing to send Members to the Convention at Philadelphia for revising the Articles of Confederation &c. For the following Reasons. 1st. For that it has never been thought heretofore by the Legislature of this State, or while it was a Colony, inconsistent with or any Innovation upon the Rights and Liberties of the Citizens of this State to concur with the Sister States or Colonies in appointing Members or Delegates to any Convention proposed for the General Benefit, but with the highest approbation of the good people of this State and while a Colony, the Legislature have at various times agreed to Conventions with the Sister States and Colonies and found their Interests greatly served thereby. That to the Congress appointed in the begining of the late arduous struggle with Great Britain, the Members sent from this then Colony were appointed with the fullest power for carrying on a Defensive War with and finally for declaring these States Independant of Great Britain, and for forming Articles of Confederation, both which Glorious events were received and confirmed by the Legislature of this State with the loudest Acclamations of the people at large.

2dly. That the Powers mentioned in said Letter to have been invested in Congress, for the regulating Trade were granted by the Legislature of this State, as also finally granting the Impost, which is inconsistant with the Ideas contained in said Letter, That all such powers are not in the Legislature, but in the people at large.

3dly. That by the Articles of Confederation which hath become part of the Constitution of the State it is expressly provided, That when any Alteration is made in the Articles of Confederation it shall be agreed to in a Congress of the United States and be afterwards confirmed by the Legislatures of every State. Which is plainly expressive, that, this Power is in the Legislature only.

4thly. By the Articles of Confederation, the appointment of Delegates in Congress is declared to be by the Legislatures of the several States in such manner as the Legislatures of each State shall direct.—That therefore as the power of appointing Delegates did begin and was continued in the Legislature of this State for several Years, and until by Act of the same Legislature the Election of Delegates to Congress was committed to the people at large; and as the General Assembly still on the Death or Resignation of any of the Delegates of this State, or on the recall of any Delegate or Delegates, do exercise the power of appointing others in their Stead, and do by a Law they have enacted prevent their Delegates from proceeding to Congress until special Order or Direction from the Legislature; so it is certain The Legislature had Constitutionally the power of sending Delegates to Congress,—and to presume they have not Power to send Members to a proposed Convention, recommended by Congress, and under the Invitations of their Sister States, must be inconsistant with those powers which all Legislatures must be

presumed to possess for the preservation of the Rights Liberties and Priviledges of the People,— Inconsistant with the most common Apprehension; and that a Contrary supposition is most absurd.

5thly. As it would have been our highest Honor and Interest, to have complied with the tender Invitations of our Sister States, and of Congress,—So our Non-compliance hath been our highest Imprudence, And therefore it would have been more Consistant with our Honor and dignity to have lamented our mistake, and decently appollogised for our Errors, than to have endeavoured to support them on ill founded reasons and indefensible principles.—For these and other reasons which might have been added had we not been expressly limited to one Hour for making our protest, We disscent from the Reasons suggested in said Letter.

Hy Marchant		Joan Brown		
Geo: Champlin	}	Welcome Arnold	}	
John Topham		Members for the Town of Newport		Benja Bourne
Daniel Mason				Joseph Nightingale

Wm Tripp

A True Copy, Witness

Hy Sherburne Dy Secry

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