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To the MEMBERS *of the* CONVENTION *of* MASSACHUSETTS. . . .

Let us now proceed to the provision in the system for a representation of the people, which is the *corner stone* of a free government. The Constitution provides, art. 1st, sect. 2, "that representatives and direct taxes shall be apportioned among the several States, which may be included within this union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other persons." ["]Representatives" then are to be "apportioned among the several States, according to their respective numbers," and *five* slaves, in computing those numbers, are to be classed with *three* freemen—By which rule, fifty thousand slaves, having neither *liberty* or *property*, will have a representative in that branch of the legislature—to which more especially will be committed, the *protection of the liberties*, and *disposal of all the property* of the freemen of the Union—for thus stands the new Constitution. Should it be said, that not *the slaves* but their *masters* are to send a representative, the answer is plain—If the *slaves* have a *right* to be represented, they are *on a footing* with *freemen*, *three* of *whom* can then have no more than an equal right of representation with *three slaves*, and these when qualified by property, may elect or be elected representatives, *which is not the case*: But if they have not a right to be represented, their masters can have no right derived from their *slaves*, for *these* cannot transfer to others what they have not themselves. Mr. Locke, in treating of political or civil societies, chap. 7, sect. 85, says, that men "being in the state of slavery, not capable of any property, cannot, in that state, be considered as any part of civil society, the chief end whereof, is the preservation of property." If slaves, then, are no part of civil society, there can be no more reason in admitting them, than there would be in admitting the *beasts* of the field, or *trees* of the forest, to be classed with *free electors*. What covenant are the freemen of Massachusetts about to ratify? A covenant that will degrade them to the *level of slaves*, and give to the States who have as many blacks as whites, *eight* representatives, *for the same number of freemen* as will enable this State to elect *five*—Is this an *equal*, a *safe*, or a *righteous* plan of government? Indeed it is not. But if to encrease these objections, it should be urged, "that representation being regulated by the same rule as taxation, and taxation being regulated by a rule intended to ascertain the relative property of the States, representation will then be regulated by the principle of property." This *answer* would be the only one that could be made, for representation, according to the new Constitution is to be regulated, either by *numbers* or *property*.

Let us now inquire of those who take this ground, what right they have to put a construction on the constitution, which is repugnant to the express terms of the Constitution itself? This

provides, "that representatives shall be apportioned among the several States, *according to their respective numbers.*" Not a word of *property* is mentioned, but the word "numbers" is repeatedly expressed—Admitting however that property was intended by the Constitution as the rule of representation, does this *mend the matter*? It will be but a short time, after the adoption of the new Constitution, before the State *legislatures*, and *establishments in general* will be so *burthensome* and *useless* as to make the people desirous of being rid of them, for they will not be able to support them. The *State appointment* of Representatives will then cease, but *the principle of representation according to property*, will undoubtedly be retained, and before *it is established* it is necessary to consider whether it is a just *one*, for if *once* it is *adopted* it will *not be easily altered.*—According to this principle, a man worth £.50,000 is to have as many votes for representatives in the new Congress, as *one thousand men*, worth £.50 each: And *sixty such nabobs* may send *two* representatives, while *sixty thousand* freemen having £.50 *each* can only send the same number. Does not this establish in the representative branch of the new Congress, a principle of aristocracy, with a vengeance? The Constitution of the several States, admit of no such principle, neither can any freeman with safety thus surrender, not only the intire disposition of their property, but also, the controul of their liberties and lives to a few opulent citizens. Should it be said that the rule of federal taxation, being advantageous to the State, it should be content with the same rule for representation. The answer is plain, the rule gives no advantage, but is supposed to be advantageous to Massachusetts, and to be an accommodation very beneficial to the southern States: But admiting this State will be benefited by the rule, is it disposed to sell its birthright, the right of an equal representation in the federal councils *for so small a consideration*? Would this State give up that right to any State that would pay our whole proportion of *direct* and *indirect taxes*? Shall we relinquish some of the most essential rights of government, which are our only security for every thing dear to us, to avoid our proportion of the publick expense? shall we give up all we have, for a small part of it? This if agreed to, would be no great evidence of our wisdom or foresight. But it is not probable, in the opinion of some of the ablest advocates for the new system, that *direct taxes* will ever be levied on the States, and if not, the provision for levying such taxes will be *nugatory*: We shall receive no kind of benefit from it, and shall have committed ourselves to the mercy of the states having slaves, *without any consideration whatever.* Indeed, should direct taxes be necessary, shall we not by increasing the representation of those States, put it in their power to prevent the levying such taxes, and thus defeat our own purposes? Certainly we shall, and having given up a substantial and *essential* right, shall in lieu of it, have a mere *visionary advantage*. Upon the whole then, it must be evident, that we might as well have committed ourselves to the parliament of Great-Britain, under the idea of a *virtual representation* as in this manner resign ourselves to the federal government.

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