

## **The People: Unconstitutionalism, *Middlesex Gazette*, 10 December 1787**

As the new Constitution so called is a matter of the greatest importance to this country, to which it behooveth everyone to contribute his mite, we therefore presume to show our opinion and we are sorry to see that some have written in a style bordering upon enthusiastic madness and in that way extol the great and good men and some undispected [*sic*] sections in the draft; and though we wish to see the Congress possessed of as much power as the case requires, we do not wish them possessed of more. We therefore take the liberty to say we think there [*is*] in that Constitution very ambiguous, dangerous, and unnecessary matter. We would further premise that the least ambiguity is dangerous, as this is in the nature of a grant and is, as all other grants, to be taken strongest against us the grantors. We therefore hold that if there is anything that may be made an ill use of, it should be corrected. Doubtless those good men that formed it thought they would make a good use of all the powers, but we query whether any body of men ever did not carry their powers to the extent.

The first objection we make to it is the grant of power the Congress will have of all our estates by impost, excise, and taxation unlimited and to put as much of that money in their own pockets as they please. This is an unlimited grant—and we think it would have been better to have had the representation dependent on the state legislatures for their pay, and then they would have been under less temptation to have made excessive grants to the [Senate or others?]; but as it now stands, they are under temptation to say to the Senate, as some British officers do, if we give you a goose, you can afford to give us a feather. We have heard but one reason why the deputies should pay themselves and that is the fear that the state legislatures would not give them what is adequate. If this reason is true, it is a very bad one; but we do not think it well founded.

We know those gentlemen that went first to Congress had as much as they asked for, and all that have been since, we understand, have had more. We cannot perceive why the Congress should have the power of controlling our elections of our deputies as to time, place, and mode. We know of no reason why they should interfere with our common law courts (which have stood an hundred and fifty years equal in rectitude to any in the world) and impose upon us a court of appeals in the common law to judge in equity law and fact denying the benefit of a jury, on credit the only security of property to the common or poor people; and as it is the only thing that has saved the British people from tyranny, we think it is the only thing that will save us as to that high court. We are sorry to say we think it would be the direct road to bribery and corruption. Let Congress have all the powers that is necessary for them and let them be therewith content.

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