

TO THE P R I N T E R.

S I R,

THE inclosed letter contains the reasons of his Excellency Governor Randolph for refusing his signature to the proposed Fæderal Constitution of Government submitted to the several states by the late Convention at Philadelphia. The manner in which we have obtained it, and the authority by which we convey it to the Public, through the channel of your Press, will be explained by the letter herewith sent to you, which, we request may precede his Excellency's letter to the Speaker of the House of Delegates in your publication of them.

*M. S M I T H,
CHARLES M. THRUSTON.
JOHN H. BRIGGS.
MANN PAGE, jun.*

[Richmond, 1787.]

*Ford no. 146
Barons 20669*

To his Excellency EDMUND RANDOLPH, Esquire.

S I R,

December 2, 1787.

IT has been reported in various parts of the state, that the reasons which governed you in your disapprobation of the proposed Federal Constitution, no longer exist; and many of the people of this Commonwealth have wished to know what objections could induce you to refuse your signature to a measure so flattering to many principal characters in America, and which is so generally supposed to contain the seeds of prosperity and happiness to the United States.

We are satisfied, sir, that the time is passed, when you might with propriety have been requested to communicate your sentiments to the General Assembly on this subject; but, as you have been pleased to favor us with your observations in private, and we conceive they would not only afford satisfaction to the public, but also be useful by the information and instruction they will convey, we hope, you can have no objection to enable us to make them public through the medium of the Press. We have the honor to be, with respectful esteem, Sir, your most obedient servants,

M. SMITH,

CHARLES M. THRUSTON,

JOHN H. BRIGGS.

MANN PAGE, jun.

To M. Smith, Charles M. Thruston, John H. Briggs, and Mann Page, jun. Esquires.

GENTLEMEN,

December 10, 1787.

YOUR favor of the second instant, requesting permission to publish my letter on the new Constitution, gives me an opportunity of making known my sentiments, which, perhaps I ought not to decline. It has been written ever since its date, and was intended for the General Assembly. But I have hitherto been restrained from sending it to them, by motives of delicacy arising from two questions depending before that body, the one respecting the Constitution, the other myself. At this day too I feel an unwillingness to bring it before the Legislature, lest in the diversity of opinion, I should excite a contest unfavorable to that harmony with which I trust the great subject will be discussed. I therefore submit the publication of the letter to your pleasure.

I beg leave however, to remind you, that I have only mentioned my objections to the Constitution in general terms, thinking it improper, and too voluminous, to explain them at full length. But it is my purpose to go at large into the Constitution when a fit occasion shall present itself.

I am, Gentlemen, with the greatest respect, your most obedient servant,
EDMUND RANDOLPH.

A
L E T T E R
OF HIS EXCELLENCY
EDMUND RANDOLPH, Esquire,
ON THE
FEDERAL CONSTITUTION.

RICHMOND, OCTOBER 10, 1787.

S I R,

THE Constitution, which I inclosed to the General Assembly in a late official letter, appears without my signature. This circumstance, although trivial in its own nature, has been rendered rather important to myself at least, by being misunderstood by some, and misrepresented by others—As I disdain to conceal the reasons for withholding my subscription, I have always been, still am, and ever shall be, ready to proclaim them to the world. To the legislature therefore, by whom I was deputed to the Federal Convention, I beg leave now to address them; affecting no indifference to public opinion, but resolved not to court it by an unmanly sacrifice of my own judgment.

As this explanation will involve a summary, but general review of our federal situation, you will pardon me, I trust, although I should transgress the usual bounds of a letter.

Before my departure for the Convention, I believed, that the confederation was not so eminently defective, as it had been supposed. But after I had entered into a free communication with those, who were best informed of the condition, and interest of each state; after I had compared the intelligence derived from them, with the properties which ought to characterize the government of our union, I became persuaded, that the confederation was destitute of every energy, which a constitution of the United States ought to possess.

For the objects proposed by its institution were, that it should be a shield against foreign hostility, and a firm resort against domestic commotion: that it should cherish trade, and promote the prosperity of the states under its care.

But these are not among the attributes of our present union. Severe experience under the pressure of war—a ruinous weakness, manifested since the return of peace—and the con-

temptation of those dangers, which darken the future prospect, have condemned the hope of grandeur and of safety under the auspices of the confederation.

In the exigencies of war indeed the history of its effects is short; the final ratification having been delayed until the beginning of the year 1781. But howsoever short, this period is distinguished by melancholy testimonies, of its inability to maintain in harmony the social intercourse of the states, to defend Congress against incroachments on their rights, and to obtain by requisitions supplies to the federal treasury or recruits to the federal armies. I shall not attempt an enumeration of the particular instances; but leave to your own remembrance and the records of Congress, the support of these assertions.

In the season of peace too not many years have elapsed; and yet each of them has produced fatal examples of delinquency, and sometimes of pointed opposition to federal duties. To the various remonstrances of Congress I appeal for a gloomy, but unexaggerated narrative of the injuries, which our faith, honor and happiness have sustained by the failures of the states.

But these evils are past; and some may be led by an honest zeal to conclude, that they cannot be repeated. Yes, sir; they will be repeated as long as the confederation exists, and will bring with them other mischiefs, springing from the same source, which cannot be yet foreseen in their full array of terror.

If we examine the constitutions, and laws of the several states, it is immediately discovered, that the law of nations is unprovided with sanctions in many cases, which deeply affect public dignity and public justice. The letter, however of the confederation does not permit Congress to remedy these defects, and such an authority, although evidently deducible from its spirit, cannot, without a violation of the second article, be assumed. Is it not a political phenomenon, that the head of the confederacy should be doomed to be plunged into war, from its wretched impotency to check offences against this law? And sentenced to witness in unavailing anguish the infraction of their engagements to foreign sovereigns?

And yet this is not the only grievous point of weakness. After a war shall be inevitable, the requisitions of Congress for quotas of men or money, will again prove unproductive and fallacious. Two causes will always conspire to this baneful consequence.

1. No government can be stable, which hangs on human inclination alone, unbiassed by the fear of coercion; and
 2. from the very connection between states bound to proportionate contributions,—jealousies and suspicions naturally arise, which at least chill the ardor, if they do not excite the murmurs of the whole. I do not forget indeed, that by one sudden impulse our part of the American continent has been thrown into a military posture, and that in the earlier annals of the war, our armies marched to the field on the mere recommendations of Congress. But ought we to argue from a contest, thus signalized by the magnitude of its stake, that as often as a flame shall be hereafter kindled, the same enthusiasm will fill our legions? or renew them, as they may be thinned by losses?

If not, where shall we find protection? Impressions, like those, which prevent a compliance with requisitions of regular forces, will deprive the American republic of the services of militia. But let us suppose, that they are attainable, and acknowledge, as I always shall, that they are the natural support of a free government. When it is remembered, that in their absence agriculture must languish; that they are not habituated to military exposures and the rigor of military discipline, and that the necessity of holding in readiness successive detachments, carries the expence far beyond that of enlistments—this resource ought to be adopted with caution.

As strongly too am I persuaded, that requisitions for money will not be more cordially received. For besides the distrust, which would prevail with respect to them also; besides the opinion, entertained by each state of its own liberality and unsatisfied demands against the United States, there is another consideration, not less worthy of attention. The first rule for determining each quota was the value of all land granted or surveyed, and of the buildings and improvements thereon. It is no longer doubted, that an equitable, uniform mode of estimating that value, is impracticable; and therefore twelve states have substituted the number of inhabitants under certain limitations, as the standard according to which money is to be furnished. But under the subsisting articles of the union, the assent of the thirteenth state is necessary, and has not yet been given. This does of itself lessen the hope of procuring a revenue for federal uses; and the miscarriage of the impost almost rivets our dependency.

Amidst these disappointments, it would afford some consolation, if when rebellion shall threaten any state, an ultimate asylum could be found under the wing of Congress.

But it is at least equivocal, whether they can intrude forces into a state, rent asunder by civil discord, even with the purest solicitude for our federal welfare, and on the most urgent intreaties of the state itself. Nay the very allowance of this power would be pageantry alone, from the want of money and of men.

To these defects of Congressional power, the history of man has subjoined others, not less alarming. I earnestly pray, that the recollection of common sufferings, which terminated in common glory, may check the sallies of violence, and perpetuate mutual friendship between the states. But I cannot presume, that we are superior to those unsocial passions, which under like circumstances have infested more ancient nations. I cannot presume, that through all time, in the daily mixture of American citizens with each other, in the conflicts for commercial advantages, in the discontents, which the neighborhood of territory has been seen to engender in other quarters of the globe, and in the efforts of faction and intrigue—thirteen distinct communities under no effective superintending controul (as the United States confessedly now are notwithstanding the bold terms of the confederation) will avoid a hatred to each other deep and deadly.

In the prosecution of this inquiry we shall find the general prosperity to decline under a system thus unnerved. No sooner is the merchant prepared for foreign ports with the treasures, which this new world kindly offers to his acceptance, than it is announced to him, that they are shut against American shipping, or opened under oppressive regulations. He urges Congress to a counter-policy, and is answered only by a condolence on the general misfortune. He is immediately struck with the conviction, that until exclusion shall be opposed to exclusion and restriction to restriction, the American flag will be disgraced. For who can conceive, that thirteen legislatures, viewing commerce under different relations, and fancying themselves, discharged from every obligation to concede the smallest of their commercial advantages for the benefit of the whole, will be wrought into a concert of action in defiance of every prejudice? Nor is this all:—Let the great improvements be recounted, which have enriched and illustrated Europe: Let it be noted, how few those are, which will be absolutely denied to the United States, comprehending within their boundaries the choicest blessings of climate, soil and navigable waters; then let the most sanguine patriot banish, if he can, the mortifying belief, that all these must sleep, until they shall

be roused by the vigour of a national government.

I have not exemplified the preceding remarks by minute details; because they are evidently fortified by truth, and the consciousness of United America. I shall therefore no longer deplore the unfitness of the confederation to secure our peace; but proceed, with a truly unaffected distrust of my own opinions, to examine what order of powers the government of the United States ought to enjoy? how they ought to be defended against incroachment? whether they can be interwoven in the confederation without an alteration of its very essence? or must be lodged in new hands? shewing at the same time the convulsions, which seem to await us from a dissolution of the union or partial confederacies.

To mark the kind and degree of authority, which ought to be confided to the government of the United States is no more than to reverse the description, which I have already given, of the defects of the confederation.

From thence it will follow, that the operations of peace and war will be clogged without regular advances of money, and that these will be slow indeed, if dependent on supplication alone. For what better name do requisitions deserve, which may be evaded or opposed, without the fear of coercion? But although coercion is an indispensable ingredient, it ought not to be directed against a state, as a state; it being impossible to attempt it except by blockading the trade of the delinquent, or carrying war into its bowels. Even if these violent schemes were eligible, in other respects both of them might perhaps be defeated by the scantiness of the public chest; would be tardy in their complete effect, as the expence of the land and naval equipments must be first reimbursed; and might drive the proscribed state into the desperate resolve of inviting foreign alliances. Against each of them lie separate unconquerable objections. A blockade is not equally applicable to all the states, they being differently circumstanced in commerce and in ports; nay an excommunication from the privileges of the union would be vain, because every regulation or prohibition may be easily eluded under the rights of American citizenship, or of foreign nations. But how shall we speak of the intrusion of troops? shall we arm citizens against citizens, and habituate them to shed kindred blood? shall we risque the inflicting of wounds, which will generate a rancour never to be subdued? would there be no room to fear, that an army accustomed to fight, for the establish

ment of authority, would salute an emperor of their own? Let us not bring these things into jeopardy. Let us rather substitute the same process, by which individuals are compelled to contribute to the government of their own states. Instead of making requisitions to the legislatures, it would appear more proper, that taxes should be imposed by the federal head, under due modifications and guards: that the collectors should demand from the citizens their respective quotas, and be supported as in the collection of ordinary taxes.

It follows too, that, as the general government will be responsible to foreign nations, it ought to be able to annul any offensive measure, or enforce any public right. Perhaps among the topics on which they may be aggrieved or complain, the commercial intercourse, and the manner, in which contracts are discharged, may constitute the principal articles of clamour.

It follows too, that the general government ought to be the supreme arbiter for adjusting every contention among the states. In all their connections therefore with each other, and particularly in commerce, which will probably create the greatest discord, it ought to hold the reins.

It follows too, that the general government ought to protect each state against domestic as well as external violence.

And lastly it follows, that through the general government alone can we ever assume the rank, to which we are entitled by our resources and situation.

Should the people of America surrender these powers, they can be paramount to the constitutions, and ordinary acts of legislation, only by being delegated by them. I do not pretend to affirm, but I venture to believe, that if the confederation had been solemnly questioned in opposition to our constitution or even to one of our laws, posterior to it, it must have given way. For never did it obtain with us a higher ratification, than a resolution of Assembly in the daily firm.

This will be one security against incroachment. But another not less effectual is, to exclude the individual states from any agency in the national government, as far as it may be safe, and their interposition may not be absolutely necessary.

But now, sir, permit me to declare, that in my humble judgment the powers by which alone the blessings of a general government can be accomplished, cannot be interwoven

in the confederation without a change of its very essence; or in other words, that the confederation must be thrown aside. This is almost demonstrable from the inefficacy of requisitions and from the necessity of converting them into acts of authority. My suffrage, as a citizen, is also for additional powers. But to whom shall we commit these acts of authority, these additional powers? To Congress?—When I formerly lamented the defects in the jurisdiction of Congress, I had no view to indicate any other opinion, than that the federal head ought not to be so circumscribed. For free as I am at all times to profess my reverence for that body, and the individuals, who compose it, I am yet equally free to make known my aversion to repose such a trust in a tribunal so constituted. My objections are not the visions of theory, but the result of my own observation in America, and of the experience of others abroad. 1. The legislative and executive are concentrated in the same persons. This, where real power exists, must eventuate in tyranny. 2. The representation of the states bears no proportion to their importance. This is an unreasonable subjection of the will of the majority to that of the minority. 3. The mode of election and the liability to be recalled may too often render the delegates rather partizans of their own states, than representatives of the union. 4. Cabal and intrigue must consequently gain an ascendancy in a course of years. 5. A single house of legislation will some times be precipitate, perhaps passionate. 6. As long as seven states are required for the smallest, and nine for the greatest votes, may not foreign influence at some future day insinuate itself, so as to interrupt every active exertion? 7. To crown the whole, it is scarcely within the verge of possibility, that so numerous an assembly should acquire that secrecy, dispatch, and vigour, which are the test of excellence in the executive department.

My inference from these facts and principles is, that the new powers must be deposited in a new body, growing out of a consolidation of the union, as far as the circumstances of the states will allow. Perhaps, however, some may meditate its dissolution, and others partial consolidation.

The first is an idea awful indeed and irreconcilable with a very early, and hitherto uniform conviction, in a without union we must be undone. For before the voice of war was heard, the pulse of the then colonies was tried and found to beat in unison. The united labour of our enemies was to divide, and the policy of every Congress to

bind us together. But in no example was this truth more clearly displayed, than in the prudence, with which independence was unfolded to the light, and in the forbearance to declare it, until America almost unanimously called for it. After we had thus launched into troubles, never before explored, and in the hour of heavy distress, the remembrance of our social strength not only forbade despair, but drew from Congress the most illustrious repetition of their settled purpose to despise all terms, short of independence.

Behold then, how successful and glorious we have been, while we acted in fraternal concord. But let us discard the illusion, that by this success and this glory the crest of danger has irrecoverably fallen. Our governments are yet too youthful to have acquired stability from habit. Our very quiet depends upon the duration of the union. Among the upright and intelligent, few can read without emotion the future fate of the states, if severed from each other. Then shall we learn the full weight of foreign intrigue—Then shall we hear of partitions of our country. If a prince, inflamed by the lust of conquest, should use one state, as the instrument of enslaving others—if every state is to be wearied by perpetual alarms, and compelled to maintain large military establishments—if all questions are to be decided by an appeal to arms, where a difference of opinion cannot be removed by negotiation—in a word, if all the direful misfortunes, which haunt the peace of rival nations, are to triumph over the land—for what have we contended? Why have we exhausted our wealth? Why have we basely betrayed the heroic martyrs of the federal cause?

But dreadful as the total dissolution of the union is to my mind, I entertain no less horror at the thought of partial confederacies. I have not the least ground for supposing, that an overture of this kind would be listened to by a single state; and the presumption is, that the politics of the greater part of the states flow from the warmest attachment to an union of the whole. If however a lesser confederacy could be obtained, by Virginia, let me conjure my countrymen well to weigh the probable consequences, before they attempt to form it.

On such an event, the strength of the union would be divided into two or perhaps three parts. Has it so increased since the war as to be divisible?—and yet remain sufficient for our happiness?

The utmost limit of any partial confederacy, which Vir-

ginia could expect to form, would comprehend only the three southern states, and her nearest northern neighbour. But they, like ourselves, are diminished in their real force, by the mixture of an unhappy species of population.

Again may I ask, whether the opulence of the United States has been augmented since the war? This is answered in the negative by a load of debt, and the declension of trade.

At all times must a southern confederacy support ships of war, and soldiery. As soon would a navy move from the forest, and an army spring from the earth, as such a confederacy, indebted, impoverished in its commerce, and destitute of men, could, for some years at least provide an ample defence for itself.

Let it not be forgotten, that nations, which can enforce their rights, have large claims against the United States, and that the creditor may insist on payment from any one of them. Which of them would probably be the victim? The most productive and the most exposed. When vexed by reprisals or war, the southern states will sue for alliances on this continent or beyond sea. If for the former, the necessity of an union of the whole is decided. If for the latter, America will, I fear, re-act the scenes of confusion and bloodshed, exhibited among most of those nations, which have, too late, repented the folly of relying on auxiliaries.

Two or more confederacies cannot but be competitors for power. The ancient friendship between the citizens of America, being thus cut off, bitterness and hostility will succeed in its place. In order to prepare against surrounding danger, we shall be compelled to vest somewhere or other power approaching near to a military government.

The annals of the world have abounded so much with instances of a divided people, being a prey to foreign influence, that I shall not restrain my apprehensions of it, should our union be torn asunder. The opportunity of insinuating it will be multiplied in proportion to the parts, into which we may be broken.

In short, sir, I am fatigued with summoning up to my imagination the miseries, which will harass the United States, if torn from each other, and which will not end, until they are superseded by fresh mischiefs under the yoke of a tyrant.

I come therefore to the last and perhaps only refuge in our difficulties, a consolidation of the union, as far as cir-

cumstances will permit. To fulfil this desirable object, the constitution was framed by the Fœderal Convention. A quorum of eleven states, and the only member from a twelfth have subscribed it; Mr. MASON of Virginia, Mr. GERRY of Massachusetts and myself having refused to subscribe.

Why I refused, would, I hope, be solved to the satisfaction of those, who know me, by saying that a sense of duty commanded me thus to act. It commanded me, sir, For believe me, that no event of my life ever occupied more of my reflection. To subscribe seemed to offer no inconsiderable gratification; since it would have presented me to the world, as a fellow-labourer with the learned and zealous statesmen of America. But it was far more interesting to my feelings, that I was about to differ from three of my colleagues; one of whom is, to the honor of the country, which he has served, imbosomed in their affections, and can receive no praise from the highest lustre of language; the other two of whom have been long enrolled among the wisest and best lovers of the commonwealth; and the unshaken and intimate friendship of all of whom I have ever prized, and still do prize, as among the happiest of all my acquisitions. I was no stranger to the reigning partiality for the members, who composed the convention; and had not the smallest doubt, that from this cause, and from the ardor for a reform of government, the first applauses at least would be loud, and profuse. I suspected too, that there was something in the human breast, which for a time would be apt to confine a temperateness in politicks into an enmity to the union. Nay I plainly foresaw, that in the discussions of parties, a middle line would probably be interpreted into a want of enterprize and decision. But these considerations, how seducing soever, were feeble opponents to the suggestions of my conscience. I was sent to exercise my judgment, and to exercise it was my fixed determination; being instructed by even an imperfect acquaintance with mankind, that self approbation is the only true reward, which a political career can bestow, and that popularity would have been but another name for perdition. if to secure it, I had given up the freedom of thinking for myself.

It would have been a peculiar pleasure to me, to have ascertained, before I left Virginia, the temper and genius of my fellow-citizens, considered relatively to a government, so substantially differing from the confederation, as that,

which is now submitted. But this was for many obvious reasons impossible: and I was thereby deprived of what I thought the necessary guides.

I saw however that the confederation was tottering from its own weakness, and that the sitting of the convention was a signal of its total insufficiency. I was therefore ready to assent to a scheme of government, which was proposed, and which went beyond the limits of the confederation, believing, that without being too extensive it would have preserved our tranquility, until that temper and that genius should be collected.

But when the plan which is now before the General Assembly, was on its passage through the convention, I moved, that the state-conventions should be at liberty to amend, and that a second general Convention should be holden to discuss the amendments, which should be suggested by them. This motion was in some measure justified by the manner, in which the confederation was forwarded originally, by Congress to the state-legislatures, in many of which amendments were proposed, and those amendments were afterwards examined in Congress. Such a motion was doubly expedient here, as the delegation of so much more power was sought for. But it was negatived. I then expressed my unwillingness to sign. My reasons were the following.

1. It is said in the resolutions, which accompany the constitution, that it is to be submitted to a convention of Delegates, chosen in each state by the people thereof, for their assent and ratification. The meaning of these terms is allowed universally to be, that the Convention must either adopt the constitution in the whole, or reject it in the whole, and is positively forbidden to amend. If therefore I had signed, I should have felt myself bound to be silent as to amendments, and to endeavor to support the constitution without the correction of a letter. With this consequence before my eyes and with a determination to attempt an amendment, I was taught by a regard for consistency not to sign.

2. My opinion always was, and still is, that every citizen of America, let the crisis be what it may, ought to have a full opportunity to propose through his representatives any amendment, which in his apprehension tends to the public welfare—By signing I should have contradicted this sentiment.

3. A constitution ought to have the hearts of the people

on its side. But if at a future day it should be burthen-
some, after having been adopted in the whole, and they
should insinuate, that it was in some measure forced upon
them, by being confined to the single alternative of taking
or rejecting it altogether, under my impressions and with my
opinions I should not be able to justify myself had I signed.

4. I was always satisfied, as I have now experienced,
that this great subject, would be placed in new lights and
attitudes by the criticism of the world, and that no man
can assure himself, how a constitution will work for a course
of years, until at least he shall have heard the observations of
the people at large. I also fear more from inaccuracies in a
constitution, than from gross errors in any other composi-
tion; because our dearest interests are to be regulated by it,
and power, if loosely given, especially where it will be in-
terpreted with great latitude, may bring sorrow in its execu-
tion. Had I signed with these ideas, I should have virtually shut
my ears against the information, which I ardently desired.

5. I was afraid, that if the Constitution was to be sub-
mitted to the people, to be wholly adopted or wholly reject-
ed by them, they would not only reject it, but bid a lasting
farewell to the union. This formidable event I wished to
avert, by keeping myself free to propose amendments, and
thus, if possible, to remove the obstacles to an effectual
government. But it will be asked, whether all these argu-
ments were not well weighed in Convention. They were,
sir, and with great candor. Nay, when I called to mind
the respectability of those, with whom I was associated, I
almost lost confidence in these principles. On other occa-
sions I should cheerfully have yielded to a majority; on
this the fate of thousands, yet unborn, enjoined me not to
yield, until I was convinced—

Again may I be asked, why the mode pointed out in the
Constitution for its amendment, may not be a suffi-
cient security against its imperfections, without now
arresting it in its progress?—My answers are, 1. that it is
better to amend, while we have the Constitution in our
power, while the passions of designing men are not yet enlist-
ed and while a bare majority of the states may amend,
than to wait for the uncertain assent of three fourths of the
states. 2. That a bad feature in government becomes
more and more fixed every day. 3. That frequent chang-
es of a Constitution even if practicable ought not to be
wished, but avoided as much as possible: and 4. That in
the present case it may be questionable, whether, after the

particular advantages of its operation shall be discerned, three fourths of the states can be induced to amend.

I confess, that it is no easy task, to devise a scheme which shall be suitable to the views of all. Many expedients have occurred to me, but none of them appear less exceptionable than this: that if our Convention should choose to amend, another federal Convention be recommended: that in that federal Convention the amendments proposed by this, or any other state, be discussed; and if incorporated in the constitution or rejected, or if a proper number of the other states should be unwilling to accede to a second Convention, the constitution be again laid before the same state-conventions, which shall again assemble on the summons of the Executives, and it shall be either wholly adopted, or wholly rejected, without a further power of amendment. I count such a delay, as nothing in comparison with so grand an object; especially too as the privilege of amending must terminate after the use of it once.

I should now conclude this letter, which is already too long, were it not incumbent on me from having contended for amendments, to set forth the particulars, which I conceive to require correction. I undertake this with reluctance; because it is remote from my intentions to catch the prejudices or prepossessions of any man. But as I mean only to manifest, that I have not been actuated by caprice, and now to explain every objection at full length would be an immense labour, I shall content myself with enumerating certain heads, in which the constitution is most repugnant to my wishes

The two first points are the equality of suffrage in the Senate, and the submission of commerce to a mere majority in the legislature, with no other check than the revision of the President. I conjecture that neither of these things can be corrected; and particularly the former; without which we must have risen perhaps in disorder.

But I am sanguine in hoping, that in every other, justly obnoxious clause, Virginia, will be seconded by a majority of the states. I hope, that she will be seconded 1. in causing all ambiguities of expression to be precisely explained: 2. in rendering the President ineligible after a given number of years: 3. in taking from him either the power of nominating to the judiciary offices, or of filling up vacancies which therein may happen during the recess of the senate, by granting commissions which shall expire at the end of their next session: 4. in taking from him the power of pardoning

for treason, at least before conviction : 5. in drawing a line between the powers of Congress and individual States ; and in defining the former ; so as to leave no clashing of jurisdictions nor dangerous disputes : and to prevent the one from being swallowed up by the other, under the cover of general words, and implication : 6. in abridging the power of the Senate to make treaties the supreme laws of the land : 7. in providing a tribunal instead of the Senate for the impeachment of Senators : 8. in incapacitating the Congress to determine their own salaries : and in limiting and defining the judicial power.

The proper remedy must be consigned to the wisdom of the convention : and the final step, which Virginia shall pursue, if her overtures shall be discarded, must also rest with them.

But as I affect neither mystery nor subtilty, in politics, I hesitate not to say, that the most fervent prayer of my soul is the establishment of a firm, energetic government ; that the most inveterate curse, which can befall us, is a dissolution of the union ; and that the present moment, if suffered to pass away unemployed, can never be recalled. These were my opinions, while I acted as a Delegate ; they sway me, while I speak as a private citizen. I shall therefore cling to the union, as the rock of our salvation, and urge Virginia to finish the salutary work, which she has begun. And if after our best efforts for amendments they cannot be obtained, I scruple not to declare, (notwithstanding the advantage, which such a declaration may give to the enemies of my proposal,) that I will, as an individual citizen, accept the constitution ; because I would regulate myself by the spirit of America.

You will excuse me, sir, for having been thus tedious. My feelings and duty demanded this exposition : for through no other channel could I rescue my omission to sign from misrepresentation, and in no more effectual way could I exhibit to the General Assembly an unreserved history of my conduct.

I have the honor, Sir, to be, with great respect, your most obedient servant,

EDMUND RANDOLPH.

*The Honorable the Speaker }
of the House of Delegates. }*