

SECRET

PROCEEDINGS AND DEBATES

OF THE

CONVENTION

ASSEMBLED AT PHILADELPHIA, IN THE YEAR 1787,

FOR THE PURPOSE OF FORMING THE

CONSTITUTION

OF

THE UNITED STATES OF AMERICA

by Luther Martin

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SECRET

PROCEEDINGS AND DEBATES

OF THE

FEDERAL CONVENTION.

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PROCEEDINGS AND DEBATES

OF THE

CONVENTION

ASSEMBLED AT PHILADELPHIA, IN THE YEAR 1787,

FOR THE PURPOSE OF FORMING THE

CONSTITUTION

OF

THE UNITED STATES OF AMERICA.

FROM NOTES TAKEN BY THE LATE ROBERT YATES, ESQUIRE, CHIEF
JUSTICE OF NEW YORK, AND COPIED BY JOHN LANSING, JUN.
ESQUIRE, LATE CHANCELLOR OF THAT STATE,
MEMBERS OF THAT CONVENTION.

INCLUDING

“THE GENUINE INFORMATION,”

LAI D BEFORE THE LEGISLATURE OF MARYLAND,

By LUTHER MARTIN, Esquire,

THEN ATTORNEY-GENERAL OF THAT STATE, AND MEMBER OF THE SAME CONVENTION.

ALSO,

OTHER HISTORICAL DOCUMENTS, RELATIVE TO THE FEDERAL
COMPACT OF THE NORTH AMERICAN UNION.

CINCINNATI:
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P R E F A C E

THE historians of kings, with a religious care, collect the first words, the first sentiments, and the first acts of their infancy ; in the age of innocence, those great personages have not yet acquired the art of disguise ; and philosophy, more than once, has prognosticated, what they would be on the throne, by what they have been in the nursery.

The historians of free nations ought not to be less attentive to collect whatever may throw light on the origin of their government, on the principles which have guided their legislators, and on the seeds of disease from which human prudence has never been able to guard entirely human institutions. The exhibition of such facts impresses the mind with clear and achromatic ideas of the nature, action, and power of those political bodies, much better than the most elaborate dissertations.

It is to increase that source of public instruction, that a friend of American history, who long ago

had secured in his portfolio the original notes of Mr. Yates of the secret proceedings of the convention that framed the present Constitution of the United States, has thought that it would be useful to give publicity to those authentic documents; especially at a period when improvements and alterations in the local constitution of one of the main pillars of the North American union, are about to be undertaken. These documents may serve to show the constitutional lines drawn by the true spirit of 1776, and patriotically defended by the old republicans of 1787; and account, in many respects, for a succession of events which are the natural, if not the necessary results of a preëxisting order of things.

Congress has lately caused to be published the journal of the formal proceedings of the federal convention; but, if we are allowed to repeat what has previously been observed on that subject, in the proposals circulated for publishing the present collection, that official journal has left history in the dark as to the views of the legislators and the principles upon which they acted; and it is in reality nothing but a diplomatic skeleton, deprived of its vital parts. Messrs. Hamilton, Jay, and Madison, in the numbers so well known under the title of the *Federalist*, which made their appearance previous to the interpolation of the ten declaratory

and restrictive amendments, so fortunately insisted on by the States, have, it is true, entered into ample discussions and elaborate comments to assist the public judgment in the investigation of the plan of constitution presented to the consideration of the States. But discussions and comments are not history; and history is never more attractive than when it presents to us on the scene, the actors of great transactions; opens, as it were, the doors of their most secret councils to the curiosity of the reader, and procures him, without the compulsion of a literary *dictatorat*, the pleasing task of judging for himself of public men and public measures.

It is to be regretted, that Mr. Yates left the convention before the draft of the Constitution was completed; but he left it after all the basis urged by the promoters of the favored plan had been adopted by a majority of the representatives of the States; and what he did not hear, has not escaped the vigilance of Mr. Luther Martin, whose report is inserted before the notes of Mr. Yates, because it embraces a more general view of the subject, and may serve as a key to discriminate the several interlocutors mentioned in the Debates.

We possess no other testimony concerning the secret proceedings of the federal convention. It is said, that Mr. Madison has also, during the sit-

tings of that body, made his memorandums of the controversies which have arisen in debating the merits of the Constitution, and that he intends to publish them. It will be an additional diffusion of radiant matter on a system of government admirably well calculated for the general and local administration of extensive free countries, — a system, whose excellence and brilliant success have rendered it, not only the pattern, but also the centre of gravity and the point of rest of the several confederacies forming themselves every day on this immense continent, with more rapidity than Herschel has discovered his new constellations. The talents and the veracity of Mr. Madison insure the belief, that his memoirs will enrich our annals, and that his paternal feelings for the *Federalist* will not affect the rigidity of his narratives as an historian.

THE EDITOR.

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