

An
Address
to the

Inhabitants of the District
of Maine
Upon the Subject of their
Separation
from the Present
Government of Massachusetts
by One of Their Fellow Citizens.

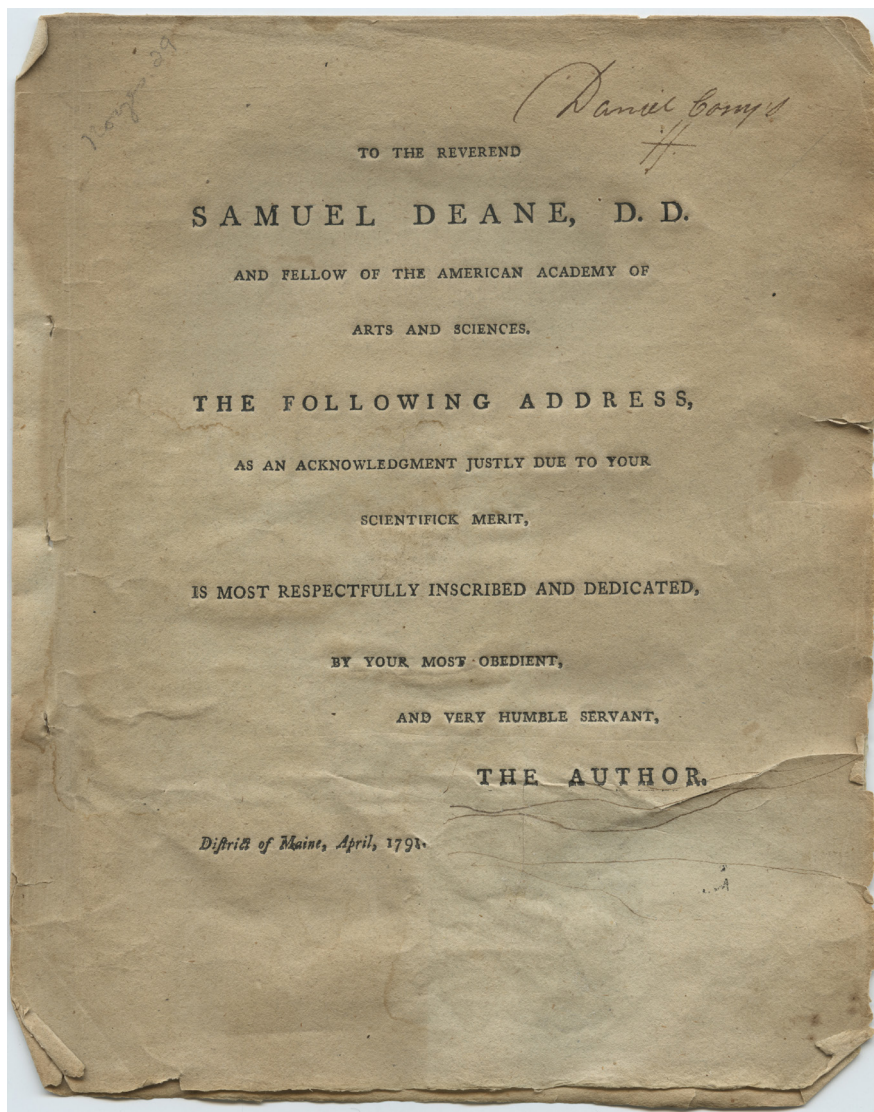
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Description: "An Adress to the Inhabitants of the District of Maine..." By Daniel Davis, Portland, 1791



TO THE REVEREND

SAMUEL DEANE, D. D.

AND FELLOW OF THE AMERICAN ACADEMY OF
ARTS AND SCIENCES.

THE FOLLOWING ADDRESS,

AS AN ACKNOWLEDGMENT JUSTLY DUE TO YOUR

SCIENTIFICK MERIT,

IS MOST RESPECTFULLY INSCRIBED AND DEDICATED,

BY YOUR MOST OBEDIENT,

AND VERY HUMBLE SERVANT,

THE AUTHOR.

District of Maine, April, 1791.

To the Reverend

Samuel Deane, D.D.

And fellow of the American Academy of

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The Author.

District of Maine, April, 1791

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THE separation of the district of Maine from the present government of Massachusetts was a subject, which, from the year 1785 to the year 1788, occupied much of the publick attention. A business of so much importance, and pregnant with so many advantages to that part of the country which we inhabit, ought not to sink into oblivion. During the time comprehended in the abovementioned periods, it went through a fair and general discussion. Besides the candid examination of it in the public newspapers, the Portland Convention, consisting of delegates from a respectable number of towns in the district, gave the subject its due consideration. A very large majority of that Convention, after a lengthy and deliberate enquiry into the state of the district, and its relative situation with the Commonwealth at large, deemed it expedient and necessary for us to become a separate government. To carry this determination into effect, they chose a committee to draft and prefer to the General Court, a dutiful and respectful Address, stating their wishes to be dismembered from the western part of the Commonwealth, their reasons for wishing to be thus dismembered, and requesting their concurrence therein. This address would undoubtedly have produced a final decision of the Legis-

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lature upon the question, had not the very particular and distressed situation of the government, at the time it was presented, absorbed every other publick consideration.— This time happened to be immediately subsequent to the late unhappy insurrections. While the disordered state of the government continued, the attention of the Legislature could not with propriety have been called to the subject; and thus the whole business fell asleep, and remained unattended to, and almost unthought of, till the session of the General Court held in January, 1791.

So far as the sentiments of the people could be collected, by repeatedly conversing with the principal men in most of the populous towns in the district, or by their delegates to the Portland Convention, there is reason to conclude, that, in the year 1787, a government in this territory would have been agreeable to a majority of its inhabitants. But many reasons which did not then exist, now operate to render such an event extremely desirable. The adoption, and firm establishment of the constitution of the United States, is one of the first. The several objects of legislation which are the most difficult to manage, are, by that constitution, taken out of the hands of the state governments; and referred to the Legislature of the Union. This must be considered as a great relief to those, whose lot it may be to administer a government, without the necessary experience. The intricate and important business of finance, laying and collecting duties, imposts and excises, regulating commerce with foreign nations and the several States, declaring war, raising armies and navies, and making provision for their support, and rules for their government, together with other concerns of such a nature, are trusts which will not hereafter devolve upon those who are called to administer the State governments.

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To this I might add many others of great weight and importance, to convince such as were formerly in a state of suspense, that the present time affords the golden opportunity to revive the important work of establishing a government in the district of Maine. But these will, with greater propriety, come under consideration hereafter.

In order to consider this subject clearly, it will be necessary—

First, To enumerate, and enlarge upon, the advantages which will accrue to the citizens of this district, by a separation from Massachusetts, and an admission into the Union.

Secondly, To mention, and endeavour to obviate, the objections which have been raised against such a measure.—
And,

Lastly, To make it appear, that no time ought to be lost, in applying to the Legislatures of the Commonwealth, and of the Union, for their consent.

I. I will endeavour to enumerate the advantages to be gained by the District :—And I shall not here confine myself merely to those benefits and advantages, which will immediately and sensibly result from the establishment of the government ; as all the reasons (from whatever source they may be drawn) in favour of, and all the inconveniences which would probably be remedied by such a measure, may with propriety be here considered.

The first and most obvious reason, and indeed that from which most of the others must be derived, is *our detached and already dismembered situation from the other parts of the Commonwealth*. According to the present territorial situation of

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The first and most obvious reason, and indeed that from which most of the others must be derived, is *our detached and already dismembered situation from the other parts of the Commonwealth*. According to the present territorial situation of

Massachusetts and Newhampshire, it seems to be thwarting the designs of nature, for the district of Maine to continue any longer connected with another government, than what mere necessity dictates. We inhabit an extensive tract of country, which, by the intervention of the state of Newhampshire, is divided and separated from every part of the Commonwealth, with which we are in other respects connected. There is therefore the same reason for our being attached to the government of Newyork or Southcarolina, as to Massachusetts, except that it does not operate in an equal degree; that is, the distance to the seat of government, for instance, would in that case be greater, and of course the inconveniences of such a connection greater. But we are now at a *great* distance from the seat of government—we are now as totally separated from Massachusetts, with respect to local situation, as we are from Newyork or Southcarolina—and we are now embarrassed with many of the same troubles and inconveniences that we should be, were our seat of government in either of the last mentioned States.

We shall be entitled to *send two Senators to the Federal Legislature*, when we become a distinct member of the Union. This is one of the advantages that we may realize, in consequence of the establishment of the constitution of the United States, which provides, that “the Senate shall be composed of two Senators from each State, chosen by the legislature thereof.” The happy effects to be derived from the appointment of two persons to so important a station, are, the inducements which it will afford (to those of our fellow citizens whose education and characters allow them the prospect of being elected to fill it) to qualify themselves by gaining the necessary information, and to conduct themselves in such a manner, as to enjoy the confidence and ap-

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probation of the wise and good part of the community—the political knowledge which they must necessarily gain by paying attention to, and taking a part in the business of Congress—the propagating of that knowledge among their fellow citizens at home—the circulation of the money which their compensations will entitle them to receive—and lastly, their returning from their elevated stations to mix, converse with, and come down to the level of their masters the people.

Besides these advantages, which will be wholly confined to the District, there are others which the Commonwealth at large, and the northern States in general, will enjoy, by this addition of two members to the Federal Senate. Every person who is acquainted with the commerce, inhabitants, and mode of living in the various parts of the continent, must acknowledge, that there is a great diversity of interest between the northern and southern States. The journals of Congress, or such of their proceedings as have been made publick in the newspapers, for the last two years, sufficiently evidence the truth of this fact. But were it not for these, it is well known that the commercial interests of the two extremes of the continent are almost in direct opposition to each other; and that the mode of education, manners, and habits of life, are evidently different at the southward, from what they are in the Newengland States. Opposite interests, and opposite modes of life, very naturally create opposite sentiments. Hence it is, that in most of the decisions of Congress, upon questions which affect the general interest of the United States, we find the southern gentlemen upon one side, & those from the northward upon the other. The publick business is hereby much retarded; and, in some instances, the influence and power of the southern members, have produced laws and de-

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The fisheries, those important and valuable sources of livelihood and wealth to some of our best citizens, are now on the decline; and the carrying trade by the American shipping, in such a situation, that it must absolutely be given up, unless some regulations in its favour are speedily adopted. One of these regulations must be, an additional tonnage upon foreign shipping, to prevent their becoming carriers of the southern produce. But such is the partiality of the merchants of the southern States, in favour of shipping owned and navigated by Europeans, that their representatives in Congress will never consent to such a tonnage, until they are compelled to it by a majority of votes.

These are evils of the first magnitude. The best and most important interests of this Commonwealth in particular, as well as of the northern States at large, are materially affected by them. What remedy shall we apply? Perhaps it is out of our power, at this time, to provide one that is perfectly adequate; but it is, nevertheless, our duty to effect all that we possibly can for this purpose. We ought to become a separate government; and thereby give to the northern interest an addition of two Senators in the Federal Legislature.

Having enlarged upon the advantages of an additional number of Federal Senators, I will now mention one or two other reasons which ought to induce us to wish for a government of our own, and which are also of a general nature.

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The constitution of the United States is so happily constructed, that so long as it is faithfully administered, the powers which it gives to Congress, and those retained by the several States, will be kept clearly distinct, and be properly exercised by each of them respectively. But whenever it is *unfaithfully* administered, Congress may usurp powers which they have no constitutional right to exercise; and in the course of time, bring about a *consolidation of the States*. This is an event which we have no reason to believe will be effected very suddenly—perhaps not in the present age. But if it should happen at all, it is such an event as every friend to the prosperity of his country must deprecate more than all the catalogue of political mischiefs.—The best security that we have against it, is that laudable jealousy which the Legislatures of the several States will constantly exercise over the administration of the general government. This jealousy will operate as a check upon Congress. For should they attempt a usurpation of any powers not expressly delegated to them by the constitution, the State Legislatures will immediately consider such an attempt as an encroachment upon their rights; upon this principle, that whatever powers are not expressly delegated to Congress, are impliedly reserved to the people. If these observations are founded on the principles of the Federal Union, it will necessarily follow, that the more of these checks there are, the greater will be the safety in the administration of the government, both of the United States, and the individual States. An additional Legislature in the District of Maine, will be an additional check upon the power of Congress.

This argument ought to have its due weight in the scale. I profess to be as free as any man from groundless jealousies of the administration of the Federal Government. But it

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ought to be considered, that the constitution of the United States is to be transmitted to, and trusted in, the hands of posterity; --that we can neither foresee, or prevent, any changes in the principles or morals of mankind, which the lapse of one or two centuries may introduce, and which may be very unfriendly to the liberties and happiness of future generations.

Another important argument in favour of a dismemberment of the district, is, *that we shall have the government administered in the midst of the people.* The advantages which will flow from a government thus administered are very numerous, as every person must be sensible, who is the least acquainted with the business. The people at large will not then be so far removed from the sources of political information, as they are at present. It is of great importance, that they should be as well informed of the measures which their Legislators are pursuing, as their situation will admit. They will then be able to form a just opinion of such measures, and of those who pursue them. Information of this kind will be the means of preventing erroneous and false representations of the conduct of the Legislature. This is an evil which too much care cannot be taken to prevent. It creates a groundless disaffection between the people and their rulers, which generally produces the worst mischiefs to society.—Designing men, who happen to be disaffected towards the Government, may avail themselves of the ignorance which people far removed from the seat of governmental information are necessarily involved in; and by imposing upon their credulity, induce them to believe that the best of men are become the worst of tyrants. False representations of this kind, by men of this character, were undoubtedly a principal cause

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of the late civil discords, which terminated in nothing short of high treason and rebellion.

In addition to these advantages, the interest of every part of the District is so precisely the same, that the laws of the new government might be constructed in such a manner, as to apply directly to the local situation, climate, habits and business of every part of the territory. It cannot be said that this is the case with the present laws of Massachusetts, as they respect us. In many instances their laws have an injurious operation upon us; but admitting that was not the case, it is nevertheless true, that many new ones might be instituted more congenial to the state of the country, than any that ever have been, or ever will be enacted by that government, until the eastern interest predominates over the western. Whether it will be prudent for us to wait the arrival of that period before we attempt to do ourselves justice, I leave to the determination of those who have considered the subject. But in private life we generally suppose, that when a man's business lies at a distance from him, he cannot superintend it with that care and attention which is necessary to prevent its falling into a deranged and relaxed situation.—It is the same with the present government. We are considered as the excrescence of the family; and their language is, “We have enough to do in taking care of the Commonwealth in *general*; and if we make laws adapted particularly to the District of Maine, we must do the same for every county in the State.”—This I confess is the language of truth. Let us then relieve them from so distressing an embarrassment, and make laws for ourselves. For, being at present but a minor part of the Commonwealth, whenever a law is proposed to be enacted, which would be advantageous to the Commonwealth in general, but adverse to the interest of this part of it in

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particular, it will not only be the interest, but the duty of the General Court to pass it. It will also be the duty of our own members to promote it, although it should be *against their interest*. For every one of them is under the sacred obligations of an oath, to discharge the duties of his appointment impartially, and according to his best skill and judgment. They cannot, therefore, without a violation of their oaths, be governed by their own interest, or the interest of those whom they represent, when it comes in competition with that of the majority.—Thus it appears, that in all the instances of the nature of those which I dwell upon, the duty of the General Court will oblige them to enact such laws as may have a cruel operation upon us, and that *our own members will be under oath to oppress us*.

We may rationally indulge a hope, that the establishment of a Legislative Body in the District *will be the means of changing for the better, the present melancholly state of religion and learning*.—It does not come within the compass of my present undertaking to point out the necessity of supporting the institutions of the former, or the benefits that may be derived from a laudable use of the latter of these ornaments and blessings of human life. But I cannot forbear to add, that without them, mankind would soon degenerate into savage ferocity; and society, instead of presenting us with the scenes of delightful enjoyment, would exhibit the sad, uncomely picture of vicious and capricious folly. None, therefore, but the abandoned & profligate will deny, that the benefits of a good government greatly depend upon the instructions and examples of a learned and liberal clergy; and none but the debased and degenerate will assert, that the establishment of regular and well ordered schools of learning, will not tend equally to promote the true in-

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terest of an enlightened people. The disadvantages and disorders which many parts of the District are obliged constantly to combat, and which those instructions which are gained from schools, and from the pulpit, would undoubtedly tend to remove, must afford real anxiety and distress to every heart that wishes for the prosperity and happiness of mankind. But it would afford greater anxiety and distress to such a heart, if the real state of the district in this respect were truly described. I will not undertake to perform the painful task. It is enough for me to say, that the present laws of Massachusetts are inadequate to the complete removal of these evils.

In the old inhabited parts of the Commonwealth, the people have been so long accustomed to provide for the support of ministers & schoolmasters, that mere habit would be sufficient to induce them to continue in the laudable practice. But in a new country, where the inhabitants are, for a number of years, obliged to encounter every hardship, and use every exertion for the support of their families, they frequently regret the want, but seldom provide for the means of publick worship and private instruction. Thus the same habit which in an ancient settlement operates in favour of such a provision, in a new one has a contrary tendency. The force of this habit often tends to persuade people, that they cannot afford the means for education of their children, when they might do it without inconvenience to themselves or families.

The neglect with which the laws for the regulations of schools are treated, by many of the towns in this part of the country, seems to meet with a general indulgence. I will not undertake to enumerate those, which for a long time have been, and still continue in this neglect. But let

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any man who is acquainted with the country, especially the three easternmost counties, call to his mind the number of towns which ought by law to have been provided with ministers and schoolmasters for the last ten years; and then let him inquire how many of them have been punished for their neglect of being thus provided, in the course of that time. The result of that enquiry will afford full proof, that very little notice has been taken of the laws; and also, that unless some amendments in them are introduced, the benefits which they were designed to dispense will never be enjoyed by the people in the eastern country. But these amendments cannot be obtained until the governmental connection with Massachusetts is dissolved. In the western parts of the Commonwealth, the institutions of religion and learning, are generally attended to, and therefore, as to the people there, the laws for their support have no need of amendments. But most unfortunately for us, it is otherwise here; and our duty as men, as citizens and as christians, calls aloud upon us to introduce a legislature into the very center of the mischief, in order the more effectually to abolish it.

Another very important advantage that we shall enjoy by a separation from Massachusetts, will be *the sitting of a Supreme Judicial Court twice a year in some, and once at least in all the counties in the district.* At present we are indulged with but one term of that Court annually in each of the counties of York, Cumberland and Lincoln; and it is now holden in Lincoln but once a year for that, and the counties of Hancock and Washington. The extent of the Commonwealth, and the quantity of business they are called upon to transact, is so great, that it is impracticable to effect a more favourable arrangement in that department.

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All the business of the District, which a Supreme Court will, for some years to come be called to transact, will not probably require more than eight weeks in each year, exclusive of the time they are traveling. A fortnight in each of the counties wherein the Supreme Court is at present holden, would be amply sufficient for the whole of their business. A Supreme Court, therefore, in case of a separation, might be conveniently holden twice a year in the counties of York, Cumberland and Lincoln, and once (or oftener if necessary) in those of Hancock and Washington.

The relief which this arrangement would afford to the people would be very great. For in each of the two western counties there is but one week allowed for the whole of the business. The consequence is, that very often near one half of it is left unfinished, for want of time. Parties and their witnesses, with all the horrors of poverty in their appearance, are obliged to attend the Court the whole of the week, and at the end of it, return to their families with their business undone, disappointed, dissatisfied and impoverished. Their complaints are loud and affecting, and of such a nature that they cannot be removed. But, it is of great consequence to the interest and happiness of the citizens, that their wrongs should be redressed without delay; and we cannot provide for them a greater blessing than the speedy and prompt administration of justice.

An additional number of terms of the Supreme Judicial Court would also relieve the people from a very considerable expense, which is now annually incurred in the support of criminals committed for trial. This is an evil which is daily increasing. It is not an unusual thing, for persons to be confined in the jails, at the publick expense, for nine or ten months together, waiting for nothing but the re-

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turn of the Supreme Judicial court, to give them their trial.* Upon a fair calculation, one half of this expense would be avoided, if the terms of that court could be increased in the manner before stated. But, suppose an *innocent man* to be committed for an offence not bailable; or if it is, the person unable to procure either bail or the benefits of a *habeas corpus*: The public must not only defray the expenses of his confinement, but the injured prisoner may suffer the pains and horrors of a twelve months imprisonment, without any other satisfaction than what arises from a conscious innocence, and the pleasure of reproaching the government for its delay.

The trouble, expense and injury occasioned by *keeping the Clerks office of the Supreme Judicial Court at Boston*, are very great, and call for an immediate remedy. At present, if a man recovers judgment for a debt, he cannot obtain an execution (without which his judgment is fruitless) until he sends for it to Boston. Many an honest cause has been lost by the ignorant or careless party, who has procrastinated the procuring of his necessary papers from this office, until the distance, or some other difficulty, has prevented his obtaining them in season for trial. In many instances, they have been unable to defray the expense; and in all, the trouble of doing business there from this part of the country, is grievous and intolerable.

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The advantages of a Supreme Judicial Court would be peculiarly great in the counties of Hancock and Washington. Their law business would be done nearer home; and their eyes would be regaled with a pleasure, that many of the inhabitants have been quite unaccustomed to enjoy—I mean the pleasure of seeing the respectable rulers of the people, acting in concert with the magistrates of their own counties, in carrying on the business of good government. Their situation is so remote from any place where justice has been administered by a collection of magistrates (until the late establishment of their county courts) that many of them must necessarily be strangers to judicial proceedings.* It is really to be wished, that the sitting of a Supreme Judicial Court among them may be accomplished. Besides the political and legal information which they might gain by it, the annual return of the Judges among them would create habits of respect and reverence for their characters. These would be insensibly extended to the laws; and naturally produce the enjoyments of peace and good order.

An argument of great weight in favour of a Separate Government, is, *the inequality with which the publick taxes operate upon us.*—Taxes apportioned according to a general valuation, must always have, in some degree, an unequal operation, where the article taxed is of greater value in one part of the Commonwealth than in another. A farmer in this part of the country is taxed as much for

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the same quantity of stock, and the same number of acres of land, as a farmer is in the vicinity of Boston. This is evidently unjust; because a cow in that vicinity is of double the value of one in this; and ten acres of land may be managed there in such a manner as to produce more profit to the owner, than a hundred acres are made to yield in any part of the eastern country. In addition to this, the length and severity of our winters are such as to require, at least, one fourth part more of forage to support our stock, than is required for that purpose at the westward. We are also subject to the loss of our crops by untimely frosts and wild beasts, which are by no means so destructive in the southern and western counties as they are here.

These difficulties, arising from such sources as, in our present political situation, nothing but the hand of Omnipotence can remove, necessarily and greatly decrease the value of our lands and stock, and reduce them far below the general value of the same property elsewhere. For this injury there can be no radical cure but a system of revenue founded upon a valuation of the property of this district in particular: And if the consequences of it were thoroughly traced, it would be found that the taxes which we annually pay more than our just and equitable proportion, would go far towards the support of a government of our own.

There are in the district of Maine upwards of *thirty unincorporated plantations*, the inhabitants of which do not at present enjoy their full proportion of the public privileges. This is an argument in favour of a new government, which ought to have its due weight. By putting them in a better situation in this respect, we shall derive additional support and assistance from them in the government. By incorporating them with town privileges, we should reap the

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advantages of an increased representation. Members of the general court, coming from the interior parts of the country where most of these plantations are situated, would bring with them credible accounts of the wants and grievances of infant and indigent settlements, which always require the fostering hand of government for their encouragement and protection. When they are called upon to bear their proportion of the public burthens, their representatives will be instrumental in quieting the complaints which generally follow these demands, by removing their apprehensions that their rulers are spending their money unnecessarily; and by explaining to them the real state and management of the publick concerns. This will tend to establish in their minds that confidence in publick men, and their measures, without which the harmony, so necessary to be cultivated between them and the people, will be in a great measure destroyed.

We need not apprehend, *at present*, any danger from making our House of Representatives too unwieldy, by the increase of its number. The business of legislation is important, and ought not to be transacted in a hurry. The greatest inconvenience arising from a numerous representation, is, that it retards the publick business. But much more injustice may be done to the publick, in running through the discussion of a measure in one day; and, by not thoroughly digesting it, determining *wrong*; than, by spending a week upon it, and finally determining *right*.—I am sensible that it is a favourite sentiment with many, that a small representation is preferable to a large one; because it can dispatch the publick business with greater speed. In some respects this sentiment is just; in others it is not so. But, all things considered, there certainly is greater *safety* in a full representation than in a small one.

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It is highly probable, that the establishment of a Government in this District will *induce men of learning and education to settle in it*. It will be happy for us, if, by this means, we can add to the number of our men of literature. Persons of this character, who happen to be a little tinctured with ambition, will probably make the first attempt. They will consider that the new State must have its officers, civil, military and judicial. This will open a field for their ambitious and aspiring geniuses. They will imagine a young Government in a new country, to be the proper theatre for the commencement of their career; and although they may be deceived in their expectations, the country may gain a number of respectable citizens.

Immigrations of other valuable citizens will probably be increased by a new Government. Should this be the case, the interest of, and improvements in, husbandry will be advanced, the country opened, and many of the hardships, which we now encounter from climate and local situation, alleviated. Good policy will dictate the enacting of laws for the encouragement of agriculture; for inviting strangers to settle upon governmental lands, free from taxes for a number of years;—and for making other regulations of a similar nature.

A great inconvenience which we labour under in having *all our money that is raised and expended for the support of Government, carried out of the District*, will be remedied by a separation from Massachusetts. All the money which we now pay towards the support of government, and the discharge of its debts, is carried to the seat of government, there deposited, and there expended. With this inconvenience may be also ranked others of a similar nature. While the seat of government remains at Boston, we are necessarily

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called to that capital to transact all our public business. — Nothing can be done at the offices of the Secretary, Treasurer, Commissary General, Clerk of the Supreme Court, &c. &c. without traveling, at a great expense, from sixty to four hundred miles. It is true opportunities by water frequently happen, and in the most easterly parts of the District, are generally embraced; but their uncertainty often occasions delays and disappointments, to the great injury of the people.

If the money, which is necessarily carried out of the country by these means, could be retained in circulation at home, it would contribute towards the removal of some of the many complaints arising from the scarcity of cash. All the money sent out of the District in this manner, is the same to us as if it were sent out of the world. Our policy ought therefore to be such as will contribute to keep it among ourselves. In the back and recently settled parts of the country, cash is scarcely known as a medium of trade. When the people are called upon for their taxes, it frequently happens that they are obliged to make great sacrifices of their property in order to obtain cash; and when the trouble of procuring it at any rate, is taken into consideration, humanity requires that we should exert ourselves for their relief.

There is another consideration, which ought to come into the list of reasons in favour of a new government in this District; and that is, *the appointment of such State officers as now are, or in future may be, in the gift of the federal administration.* We are now considered by the federal government, merely as a part of, or rather as an appendage to, the Commonwealth of Massachusetts. Whenever, therefore, any thing is to be done, or any appointments made, in fa-

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vour of the State at large, our situation is at present such as does not entitle us to the expectation of being benefitted by them. I will mention only one instance, which has lately happened.

By the passing of the excise bill, which Congress have now agreed to, there is an officer in each State, called a Supervisor of the excise. The emoluments of this office, will be handsome; but the President of the United States could not with propriety appoint to it a person whose place of residence is remote from the capital. Indeed, his duty requires that he should appoint a man situated in the centre of the business. As there is one of these officers only in each State, if we had been a separate government at the time of passing the before mentioned bill, the country in general, and very probably the town of Portland in particular, would have been benefitted by the appointment of a Supervisor of the excise.*

It does not require the spirit of prophecy to predict, that we shall constantly be in the way of similar advantages, should we become a distinct member of the Union. But, so long as we continue in our present situation, we can have no reason to expect the enjoyment of any of them.

To these observations it may be added, that our dignity and respectability will be increased, by our becoming a member of the great federal body; and when it is found that our governmental concerns are well managed in the hands of our own publick men, the idea will create a cer-

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tain regard and attachment to the welfare of the District, which will tend to ripen and expand the noble principles of patriotism, in the minds of those who are accustomed to feel for the prosperity of their country.

The pay now expended in Boston, by the Senators and Representatives of the people, during their attendance of the General Court, will centre at the seat of the new government; and the circulation of it be thence extended into the country.— Wherever this place may be, it will be more rapidly settled by men in trade than it otherwise would; who may not only benefit themselves but the whole country by the circulation of their property. Such are our advantages for ship building and navigation, that the number of wealthy importers of their own goods, will probably be increased.— They will by these means be able to dispose of them at a lower price than they can now be purchased at; the benefits of which will be extended to the poor and industrious part of the country.

We shall also reap the advantages of the growth and increase of the country, by dissolving our connection with the present government. This argument does not operate with the same force now, as it did before the late assumption of the greater part of the State debt. But it still has weight, because there is still a publick debt to be provided for, and because the expenses of a new government will not increase in proportion to the increase of the people.

In order to demonstrate its importance, let it be considered, that our part of the publick taxes, before the last valuation was taken, was about one eleventh of the whole.— This valuation was ordered to be taken in the year 1783; and was completed in the latter part of the year 1785.—

tain regard and attachment to the welfare of the District, which will tend to ripen and expand the noble principles of patriotism, in the minds of those who are accustomed to feel for the prosperity of the country.

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But such is the increase of our numbers since that time, that if a valuation should be taken in the present year, and the taxes afterwards laid upon the polls only, we should pay nearly, if not quite, *one fifth* of the whole taxes of government.* I will not undertake to determine how it would be, if the taxes were laid upon the estates as well as the polls; because it is not certain that our property increases in proportion to our numbers. But admitting our number of inhabitants to be 95,000, and those to the west of Newhampshire, to be 378,787 (which is the return of the Marshal of Massachusetts District) our proportion to their's is about as one to four—as common arithmetick will demonstrate.——Now, if we had obtained a separation, when our proportion of the publick debt, and other public burthens, were only a tenth, allowing that we had made no provision to reduce them, it would now have been only half as difficult to pay them as it was then; because we now have double the number of inhabitants to apportion them upon. And such is the effect of the increase of our country in this respect, that if we delay the business of a separation until after a new valuation is ordered to be taken, our proportion of the taxes of the present government, will fall very little short of double the sum to what it was seven years ago.

By the constitution of the Commonwealth, the General Court are obliged to order a valuation to be taken once in ten years; and as much oftener as the publick good may require. As it is now more than seven years since the last

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valuation bill passed, and as two years are commonly taken up in putting it in execution, we may reasonably expect that, in the course of the next year a valuation will inevitably be ordered to be taken.* We ought therefore to hasten the progress of a separation on this account.

The *present prosperous state of the publick treasury*, is another reason in favour of a separate government. While the consolidated debt of the Commonwealth hung like a dead weight upon the shoulders of the people, it was conjectured that the difficulty we should meet with in adjusting our proportion, and the danger of our being unable or unwilling to provide for the payment of it, would be a reason for the General Court to withhold their consent to the measure.

The whole of this debt, before the assumption of about four fifths of it by Congress, amounted to upwards of five millions of dollars; four millions of which are now taken into the hands of Congress, and must be provided for out of the resources of the general government. We have, therefore, nothing to do with it. The balance, or that part unassumed, and which the Commonwealth have now to provide for, will in the beginning of the year 1792, and including the interest, amount to £.560,000. To this is to be added about £.75,000, now due from the treasury of the Commonwealth to individuals, and is commonly called the debt due by warrants and due bills (which includes the orders upon back taxes) amounting in the whole to the sum of £635,000.

* The house of Representatives ordered a valuation to be taken in February 1790, and passed a bill for that purpose, which was negatived in the Senate. They passed another bill for the same purpose the last February, which was also negatived in the Senate. We may expect that a third attempt will prevail.

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To discharge this sum, we may rely upon the following resources. First, the demand which the Commonwealth has against the United States for advances made in carrying on the late war, more than her proportion. Commissioners have been appointed by Congress, to receive and allow the demands of this nature, which the several States have against the United States. The General Court, more than a year ago, appointed a gentleman,* with full power to exhibit and enforce these claims and accounts of the Commonwealth; who has been laboriously employed in the business to the present time. And from the best information that I can obtain, as to the state of it, he will be able to bring the whole to a close, in the course of the present year. The sum which will be found due to the Commonwealth, upon this settlement, cannot be precisely ascertained; but it is generally supposed by those who are acquainted with the business, that the balance in our favour will amount to a sufficient sum to discharge the whole of the unassumed part of the consolidated debt.—I will mention only two facts to shew that this opinion is well founded.

When the armies of the United States were disbanded, at the conclusion of the late war, nearly one third of all the troops then in service, belonged to the Massachusetts line.—If this be true (and I had the information from good authority) it cannot be doubted that we supported more than our proportion of continental troops; and that we shall be credited accordingly in the adjustment of our demands against the United States.

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In order to discharge the £.75,000, due, as beforementioned, by warrants and due bills, we have more than that sum due to the treasury, upon taxes prior to No. 8, which is already appropriated for that purpose. Whenever the collection of these taxes is enforced, we shall find the treasury of the Commonwealth quite clear of debt. But, admitting that I am too sanguine in my expectations from the settlement of our demands against the United States; we have continental securities now in the treasury, to the amount of £.90,000, the price of which is daily increasing, and will soon rise to their nominal value. There is £.100,000 in specie due to the Commonwealth, from the late purchaser of the Genesee lands—Messieurs Gorham and Phelps's bond to the Commonwealth for £.100,000, in consolidated notes, which the General Court have agreed to receive at 6*f*. 8*d*. in the pound—£.73,000, the proceeds of 750,000 acres of eastern lands already sold; and the whole amount of taxes No. 8 & 9, amounting to £.55,000.

Besides the agreeable prospect which arises from the foregoing statement, we have to mention, that the committee for sale of eastern lands compute, that we have about eight millions of acres in the whole territory, which is daily selling, and daily increasing in value. Some parts of

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Let us now see how the balance stands upon the whole.

Against the Commonwealth.

Balance of unassumed debt, including the interest to Jan. 1792,	£.560,000
Amount of warrants, due bills, &c.	75,000
	<u>£.635,000</u>

In favour of the Commonwealth.

Amount of Continental Securities in the treasury,	£. 90,000
Due for the Genesee lands, in specie,	100,000
Amount of Gorham & Phelps's bond,	33,333
Proceeds of eastern lands already sold,	73,000
Amount of taxes No. 8 and 9,	55,000
Value of eastern lands unsold,	400,000
	<u>751,333</u>
<i>Balance in favour of the Commonwealth,</i>	<u>£.116,333</u>

The foregoing statement is made without including in the credit of the Commonwealth any sum we are to receive from the United States, as the balance of our account against them. And the reader will perceive that no discount is made upon the continental paper, from the idea that it will soon rise to its nominal value.

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I think it must now plainly appear, that the unembarrassed, or rather the prosperous state of the treasury of the Commonwealth, is a great reason in favour of our separation from Massachusetts. Indeed, it is very evident, that if the publick property should be judiciously managed, it might be put into such a situation as speedily to pay off the publick debt; and the residue might be appropriated in such a manner as to produce an income which would go far towards defraying the annual expenses of the civil list. — When this happy period will arrive, I cannot undertake to say; but sure I am, that the proportion of the publick property which belongs to this District, whenever it comes into the hands of a Legislature of our own, may be so disposed of as to produce the happiest effects to the community.

II. I WILL now, according to my proposed original intention, state, and endeavour to obviate, such objections as have been raised against a separate government in the District of Maine.

It has been said, *that multiplying the number of States will be very inconvenient; and productive of disagreeable consequences, to the general interest of the nation.* — This was a real and weighty objection in my mind, while the States were under the confederation. The absolute and unlimited sovereignty with which each State was then invested, rendered the general, and particularly the commercial interest of the Union extremely perplexed. In those decisions, where the various interests of the extensive whole were affected, unanimity was out of the question; and as decisions of this kind were frequently made, an increase of the number of States would then have been an increase of their perplexities. — But the state of the Union, in this ref-

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pect, is far different from what it then was. That excellent and sublime production of human genius, the federal constitution, has bound the United States together, with lasting cords, in the sure bundle of national prosperity.—The division of a State is now no longer an evil; but by being properly conducted, may be converted into an important advantage. The great objection against it, which formerly existed, is now removed. It is now no longer in the power of a single State in the Union, to prevent the adoption of wise and necessary regulations, merely by obstinately withholding its consent to them. Having provided against this evil by the establishment of the federal constitution, we may now offer the same reason for dividing a State, when the interest or convenience of its inhabitants require it, as would operate in favour of dividing a town, in a similar situation. The object of the State Legislatures is now, merely, to establish such local laws and regulations, as will tend to make all the burthens of government rest lightly upon the shoulders of the people. The management of all the intricate and weighty concerns of government, as has been shewn in a former page, is in the hands of Congress. Those of a less important nature can always be more understandingly managed by a Legislature in the vicinity of its constituents. Perhaps the true interest of the United States at large requires, that their number should be increased. I will suppose, for instance, the time to be now arrived, when, according to the number of the inhabitants in the United States, the federal House of Representatives must consist of two hundred members, and the number of States to be the same as when the constitution was framed. There being no increase of the number of States, and of course no increase of the number of federal Senators, it would be in the power of fourteen men to put a negative

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It has also been objected, *that the difficulty of adjusting and settling our proportion of the publick debt, and of the unimproved lands which now belong to the Commonwealth, will be insurmountable.*—The former of these difficulties, I trust, is now removed by the prosperous change of our affairs concerning it. As to the latter, that of dividing the State lands, I can see no difficulty at all in the business. If a division of them takes place, it is not to be expected that our several proportions can be ascertained to a single acre. We have now such surveys of them, as to render their quantity generally known. But perhaps there is no necessity of their being divided in the present situation of things. Let the present committee for their sale be continued in their office, and authorized to go on to dispose of them, on the joint account of the two States. It will be easy to ascertain and settle our proportion of the proceeds;—and whatever that proportion is, we may either have credit for the amount in the treasury of the Commonwealth, if that should be found convenient, after the terms of our separation are agreed upon; if not, it may be paid immediately into our own treasury. I can foresee no possible injury that will accrue to us from this mode of conducting the business.—We shall, at all events, retain the jurisdiction over the land which may be in this manner sold; and thus avail ourselves, not only of our proportion of the money which the lands may sell for, but reap the advantages and

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4 Another objection, and which I have lately heard made to our separation from Massachusetts, is, *that it will be the means of transferring to the federal Judicial Courts, all actions and controversies between the citizens of the two States.*—It is certainly true, that being citizens of different States, in case a separation is obtained, their controversies of a certain kind and amount will be cognizable in the District or Circuit Courts of the United States. But it is also true, that when a plaintiff in any action thus cognizable, chooses a federal jurisdiction, it will be in *favour* of the citizens of this District. For by the judicial bill of the United States it is enacted, “That no citizen shall be arrested in one District for trial in another, in any civil action, before a District or Circuit Court. And no civil action shall be bro’t before either of said Courts against an inhabitant of the United States by any original process in any other District, than that whereof he is an inhabitant, or in which he shall be found at the time of the service of the writ.” Instead, therefore, of being liable to be called to answer to the actions of parties in distant counties of the Commonwealth, as we now are, the certain consequence of a separation will be, that no citizen can be sued in any court of law, *in any case whatever*, which is not holden in some part of the District, unless he happens to be arrested when he is out of it. For no process proceeding from the Judicial Courts of a State, can run into, or be executed in, any place that is not within the State where it is issued. And by the foregoing extract it appears, that no civil action can be instituted against an inhabitant of the United States, in any of the federal Courts, which are not holden in the District where he has his residence.

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The consequences of a separation on this account, thus appear to be *in favour* of the measure, instead of operating against it. The scandalous practice, which has too long prevailed, of negotiating notes of hand merely for the purpose of increasing the cost of suing them (by commencing actions upon them in the extreme corners of the State in the name of nominal or fictitious plaintiffs) will be effectually abolished. The unfortunate, and perhaps indigent debtor, by this means, has been frequently loaded with a bill of cost, equal to, if not greater, than the sum he has been sued for; to the disgrace of the hard hearted creditor who consented to it, and the avaricious attorney who encouraged and conducted the suit.

But, in many instances, the real plaintiff may live in a distant county, and will be justified in calling the party with whom he is contending as near to his own door as possible. In all these cases, the enormous sums of money which are now paid for bills of cost, and other expenses incurred by the travel and attendance of parties and their witnesses, will be saved to those who are obliged to attend the judicial courts in the west and south parts of the Commonwealth.

But all these considerations aside, I apprehend the people will continue to be too partial to the judicial courts of the State, to wish to change them for any other. And without entering into an examination of the comparative merit or advantages of the two jurisdictions, we may safely conclude that there is no danger of the federal court's being preferred to those which we shall hereafter institute by a Legislature of our own choosing.

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The consequence of a separation on this account, thus appear to be *in favour* of the measure, instead of operating against it. The scandalous practice, which has too long prevailed, of negotiating notes of hand merely for the purpose of increasing the cost of suing them (by commencing actions upon them in the extreme corners of the State in the name of nominal or fictitious plaintiffs) will be effectually abolished. The unfortunate, and perhaps indigent debtor, by this means, has been frequently loaded with a bill of cost, equal to, if not greater, than the sum he has been sued for; to the disgrace of the hard hearted creditor who consented to it, and the avaricious attorney who encouraged and conducted the suit.

But, in many instances, the real plaintiff may live in a distant county, and will be justified in calling the party with whom he is contended as near to his own door as possible. In all these cases, the enormous sums of money which are now paid for bills of cost, and other expenses incurred by the travel and attendance of parties and their witnesses, will be saved to those who are obliged to attend the judicial courts in the west and south parts of the Commonwealth.

But all these considerations aside, I apprehend the people, will continue to be too partial to the judicial courts of the State, to wish to change them for any other. And without entering into an examination of the comparative merit or advantages of the two jurisdictions, we may safely conclude that there is no danger of the federal court's being preferred to those which we shall hereafter institute by a legislature of our own choosing.

A want of learned and experienced men, has been alleged as

an unanswerable argument against a new government.— Those who are weak enough to make this objection, ought to be acquainted, not only with the character of the inhabitants of the District in general, and those in particular who have already served an apprenticeship in politicks, but also with the nature of the business they will be called to transact. It is improper to particularize any number of gentlemen, whose abilities might be proved equal to the duties of any office they may be called to sustain under the new government. But the nature of their business may be considered and explained, and the people hereby assisted in forming an opinion as to the probability of its being performed with honour to the government, and credit to those who may be employed in it.

✕ The executive, legislative, and judicial departments of government, are those which will most require the exercise of abilities, integrity and industry.—For the first, nothing more will be required than discretion, sound judgment, an acquaintance with the world and with publick life. The structure of most, if not all the constitutions on the continent, have denied to this department the exercise of any powers, which even an improper use of, could render very prejudicial to the people. But notwithstanding this, the person who is called to fill it, has an opportunity of gaining such an ascendancy over the minds of the people, that by a prudent management of their confidence, he may in some measure direct the politicks of the State.— The place, however, that is commonly assigned him by the frame of government, rather constitutes him a respectable master of ceremony, than gives to him the exercise of any important powers. In this, neither sublimity of genius, nor profundity of erudition, are *absolutely* necessary.

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As to the second, viz. the legislative department, we may observe, as we have repeatedly done before, that the most difficult and important business of it is transferred to the general government. With respect to the residue, it is chiefly done already. The present code of Massachusetts laws (except those which will require alteration or amendment before they are put in operation here) will doubtless be adopted. There are enough of them in all conscience; and I sincerely believe, that if there was not another to be added to them which would affect the general regulations of property, or the administration of justice, it would be far better than the continual change through which they have passed for the last seven years.

The future business of a General Court, after the government is once firmly established, will consist principally of such local regulations as any men of common understanding and sound judgment will be capable of making. I trust we have as great a proportion of such men in the District of Maine, as there are in any part of the Commonwealth. We may, therefore, go on with a new government, on this account, with the utmost safety.

But the judicial department must be filled by men of great abilities and integrity, in order to insure a happy administration of the new government. Much of its dignity and importance will depend upon a bench of Supreme Judges, filled by men of this character. For the wisest and best laws may be enacted by the legislature; but the people cannot enjoy the benefit of them, unless they are wisely interpreted, and put in operation, by the Judicial Courts.

I flatter myself that four or five men may be found in the District of Maine, whose knowledge of the law, whose

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integrity and judgment will be found equal to an honourable discharge of the duties of a Supreme Court. A knowledge of the intricate and abstruse points of law, will doubtless be of service to them; at least so far as to guard them against any unjust attempts of the gentlemen of the bar, to mislead them. Sound judgment, quick penetration, patient investigation, and candid deliberate inquiry, together with a knowledge of the general principles of law, will go very far to make up the character of a valuable and an upright judge. We certainly have more than five men in the District who are in every respect deserving this character. I could enumerate double the number without the least hesitation.

We shall have still less difficulty to encounter from the supposed want of men of learning and experience in forming a constitution. We shall have at least fourteen models before us to select from, some of which are allowed, both in Europe and America, to contain the utmost perfection of human wisdom in matters of civil policy. The constitution of this Commonwealth in particular, under the authority of which we have been so long and so happily governed, has been generally reckoned one of the best. That of the United States, which contains the collected wisdom of the whole continent, varies from it but in some few instances. In forming one for ourselves, we shall have, not only the advantage of comparing the two together, and judging for ourselves upon that comparison; but we shall also be able to correct any errors in the former which a ten year's experience and practice upon it, may dictate.

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entirely upon the future conduct of the people. If they mean to throw away their money by supporting a great number of useless officers in luxury and debauchery, the objection is certainly well founded. But if, on the contrary, they are determined to create no more of them than may be found necessary for the management of the affairs of the State with propriety and dispatch, and to allow them such salaries as will be a handsome equivalent for their services, and *no more*, it will be found that we shall *save money* by the exchange of governments.

The expenses of the government of Massachusetts before the adoption of the federal constitution, amounted annually to £18,000; but since that time, they have been considerably less. The business of the General Court does not now take up so much time, as it then did; and the pay of the members of Congress, which was then a State charge, is now taken from the treasury of the United States. These two circumstances have reduced the annual expense of the present government to £15,000. The proportion of this sum which the citizens of this District will pay after a new valuation is taken, being one fifth, will be £3000. As has been formerly observed, we must expect that the General Court will order a new valuation to be taken in the course of the next year. Our calculations, therefore, ought all to be made according to the proportion of taxes which we shall be obliged to pay after that time: Because, let us be ever so expeditious, we shall be probably more than a year in settling the terms of our separation with the government, and in obtaining the consent of Congress.

I will now exhibit an estimate of the expenses of a government in this District which will fall some what short of

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£.3000 per annum, and then endeavour to defend it, by explaining my reasons for each article.

GOVERNOUR,	£.300
Ten Senators, 60 days each, at 6 ^s . per day,	180
Forty Representatives, 60 days each, at 5 ^s .	600
Travel of 10 Senators and 40 Representatives, averaging 100 miles each, computing 20 miles as a days attendance,	75
Secretary,	100
Treasurer,	120
Clerks of the Senate, and of the House, each 30 ^s .	60
Messenger to the General Court,	25
Chief Justice of the Supreme Judicial Court,	220
Three associate Judges, 200 ^s . each,	600
Attorney General,	150
Chaplain to the General Court,	9
Total,	£.2439

By this estimate it appears, that after a valuation is taken, provided the increase of property in the District has been equal to that of its numbers, we shall save annually the sum of £.561 by becoming a separate Government, if it can be made to appear that the estimate is accurate and reasonable. If it is too high, as many will think it is, it will follow that a larger sum will be saved.

In the first place, the sum of £.300 will be an ample support for the Chief Magistrate, whom I choose to call a *Governour*. For as the federal constitution allows no title except that of *President*, to the first man in the nation (and while the office is sustained by its present illustrious posses-

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essor, I may add, the first man in the world) to give the same title to the Chief Magistrate of a single State, will be found not only improper, but inconvenient.

But in order to shew that the sum of £300 is ample for the support of a Governour, it may be said, that there is no part of the District where that sum, regularly paid and economically expended, will not support a family in as good a stile as will be consistent with the present state of society in this part of the country. The refinements of luxury in this wooden world would be ridiculous. Besides the pernicious example of idleness which they would set before the people, the catalogue of vices they would engender might alarm and affright the plain honest citizen. We have no occasion, therefore, to make any allowance for the expenses they would create.

An attention to a little private business would be not at all incompatible with the true dignity of a Governour. By this means he might not only increase his property, but set an example of industry to the publick. From the peculiarity of our situation he would be unexposed to many expenses which devolve upon Governours of others States, by the visits of strangers of distinction, whom decency obliges them to notice.

The next article in the foregoing estimate, is an allowance of 6*s*. per day for ten Senators, supposing their business to require their attendance 60 days in a year. This allowance will be found fully competent for the pay of that branch of the Legislature. It is 6*d*. less per day than our present Senators have received for some years past. This sum will not be thought too large; the doubt as to this article is, whether 60 days in a year will be a sufficient allow-

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ance of time for their business to be done in. We must form our opinion upon this point, by comparing the business of the whole Commonwealth with what will probably arise hereafter in this District.

The General Court of Massachusetts, since the establishment of the federal constitution, has generally sat from eighty to ninety days in the year. Much of that time has been taken up, in debating upon subjects which we shall have nothing to do with in future. From the great number of people in the Commonwealth, who have constant occasion to apply to the Legislature for remedies which no other tribunal in the government can provide, their private business necessarily occupies a great share of their attention; perhaps a much greater, than that of a publick nature. The numbers of this District being much less, the business of our future General Court will be less of course. For these reasons, it may be fairly concluded, that although more than sixty days in a year may be necessary upon the first establishment of the Government, in order to put it into operation, yet, after that time, the ordinary business of it will not require more than fifty or sixty days at most.

The number of Senators will doubtless be as many as twelve, but not more than ten out of the number will be constantly attending the General Court.

The travel of the Senators and of the Representatives must both be paid out of the publick chest. I have computed this at £75, allowing twenty miles travel to be equal to a day's attendance (which is the present custom) and supposing the number of Representatives to be forty, and their travel to average each a hundred miles, including the distance to and from the seat of government. Forty Rep-

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representatives are as few as we can expect the General Court to consist of, when we consider that there are now sixty nine incorporated towns in the District which have a right to be represented, and also the number of plantations which will immediately upon a separation, receive the privileges of incorporation. And it will be found that the allowance of 100 miles travel to each Senator and Representative is as much as the whole travel will average for a number of years to come, if the place for the seat of the new government should be, as it undoubtedly will be, fixed upon in the center of the inhabitants, and not of the territory.

The allowance of 5*s*. a day for the pay of the Representatives, is 1*s*. less than what has been usually allowed by the General Court of Massachusetts. But as the expenses of living in this District will be somewhat less than they are in Boston, this sum will be an adequate compensation.

The Secretary will be an important officer, and ought to be fully compensated. The sum I have allowed him, together with such perquisites of his office as will naturally accrue, will be sufficient.

The Treasurer is a more responsible officer than the Secretary, and the duties of his office more intricate and laborious; he will therefore be entitled to a larger salary. His office will admit of so few perquisites, and require such constant attention, that £120 will not be more than a compensation for his services.

The allowance of £30 for each of the Clerks, will be nearly if not quite equal to the pay of the members of the General Court. They cannot expect to be better provided for than their employers; but the tedious business of their office entitles them to be made nearly equal to them. These,

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The sum of £.200 which I have allowed for the salaries of the puisne Judges, will not be sufficient to support their families, and to pay their traveling expenses. They ought therefore to be higher, if the abilities of the people were equal to it, to enable them to devote that time to study, which must otherwise be employed in procuring a livelihood. They ought to be placed beyond the reach of temptation, by being honourably provided for by the government. They can pursue no other business to advantage while their duty obliges them to be often upon the circuit; and if any of the bar should be advanced to that honourable station, they could have no other means of support.— But it is a niggardly idea, that the publick officers should be

* The salaries of the Chief Justice of Massachusetts is £.370, that of the other Judges £.350 each.

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barely supported, when every other citizen is pursuing and adding to his worldly interest. Why should the man who gives himself up to the service of his country, be the only one who is precluded from a moderate increase of his estate? It ought to be considered, that such men have children, whose education and advancement in the world depend altogether upon their exertions; that if the proceeds of their offices are expended in the necessary support of their families, these children must be brought up in ignorance; and that annexing a low and pitiful salary to the most important offices in the community, will be the probable means of having them filled by ignorant or unprincipled men.

The office of Attorney General ought also to be filled by a man of integrity and abilities. It is an office, upon the faithful discharge of which, depends much of the prosperity of the government. The Attorney General ought to be equal, in point of learning and abilities, to any of the Judges of the Supreme Court; and if the responsibility, labour, and disagreeable business of the office were duly attended to, he would appear to be entitled to an equal salary.* It in a great measure throws him out of other business; and renders him in some degree an unpopular character.†

* The salary of the present Attorney General is £.300.

† I have omitted to insert in the estimate any sum for the annual contingent expenses of government. As these cannot be ascertained with any degree of certainty, to mention any particular sum might be the means of an erroneous computation. But it is almost certain they will fall short of our present proportion of that species of expense, which is now incurred in the Commonwealth. The enormous sums of money which are annually granted for the support of the *State's poor* and of *Castle William*, make a great proportion of this expense.

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It has probably been noticed, that the beforementioned estimate does not contain an allowance for the salary of a Lieutenant Governour, nor the pay of a Council. My reason for omitting them is, that they will both be unnecessary in such a form of government as might be safely adopted. The constitution of the Commonwealth does not give to the Lieutenant Governour a single particle of power, in any case whatever, excepting in the absence of the Chief Magistrate. Whenever therefore the Governour is able to attend to business, the Lieutenant Governour has nothing to do, excepting as a member of the Council, which he always is, by virtue of his office. And if it should appear, that a Council may be safely omitted in our new form of government, it will follow that a Lieutenant Governour will be a useless and superfluous officer; a mere cypher in the government, without any authority to make him or his office respectable. In short, he would be nothing more than a kind of death watch to the Governour, waiting, and perhaps *wishing* for his decease, or removal.—The President of the Senate may be appointed to succeed the Chief Magistrate, in case of his death, or removal from office; and the parade and expense of a Lieutenant Governour by this means saved to the people.*

of £6786 3 10, for the support of the State's poor and of Boston alms house; and in June 1788, another sum of £3500 for the support of *Castle William*—amounting in the whole to the enormous sum of £10,286 3 10. Although in justice we ought to take our proportion of the State's poor, should a separation take place, yet it may be observed that this will be only a temporary burthen. As Boston, from its extensive trade, is the principal resort of foreigners, the number of persons who are intitled to the charity of government will generally center in that capital. But we may add that our proportion of the public property, such as the *State House*, the publick *Arsenals*, &c. will balance the expense of that part of the public poor which will fall upon us for a maintenance.

* Should this plan of government be thought too simple, a Lieutenant

It has probably been noticed, that the beforementioned estimate does not contain an allowance for the salary of a Lieutenant Governour, nor the pay of Council. My reason for omitting them is, that they will both be unnecessary in such a form of government as might be safely adopted. The constitution of the Commonwealth does not give to the Lieutenant Governour a single particle of power, in any case whatever, excepting in the absence of the Chief Magistrate. Whenever therefore the Governour is able to attend business, the Lieutenant Governour has nothing to do, excepting as a member of the Council, which he always is, by virtue of his office. And if it should appear, that a Council may be safely omitted in our new form of government, it will follow that a Lieutenant Governour will be a useless and superfluous officer; a mere cypher in the government, without any authority to make him or his office respectable. In short, he would be nothing more than a kind of death watch to the Governour, waiting, and perhaps *wishing* for his decease, or removal.—The President of the Senate may be appointed to succeed the Chief Magistrate, in case of his death, or removal from office; and the parade and expense of a Lieutenant Governour by this means saved to the people.*

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A Council to advise the Governour, would in my opinion be equally unnecessary. —As an authority for this opinion, I need only cite the constitution of the United States. By that constitution there is no set of men appointed as a distinct branch of the government, merely to advise the President. But in the exercise of all the most important powers with which he is invested, he acts by and with the advice and consent of the Senate. If, therefore, in a government so complex, and which is designed to be exercised over such an extensive empire as that of the United States, a Council has not been found to be necessary, we may with safety be without one in the government of a territory so comparatively small.

The only objection to this plan is, that it in some degree blends the legislative and executive departments; but the principle of civil policy on which this is founded, may be too much refined upon. Our Governour will have little else to consult the Senate upon, than the appointment of civil officers. Perhaps it would be as well, if he was left to act independently of the advice of any branch of the government. His responsibility would in this case be greater, and the inducements to a faithful discharge of his trust, proportionably increased. Should he be disposed to make an improper appointment, the consequences would then rest upon his own head, without his having the advice and consent of a Council or Senate, behind which to screen himself.

Governour may be chosen, and made the President of the Senate, and vested with other powers similar to those of the Vice President of the United States. He might receive his pay as a member of the Senate, without any additional salary, in which case the increase of expense would be very trifling.

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But after all, our great safety is, that the powers of government are wholly in the hands of the people. If they make choice of good men for their rulers, such rulers will make a judicious use of their authority. If by any means bad men should be called to administer the government, they will be constantly under the eyes of the people, who can order them into private life, as stated and short periods.

Having made these observations upon the expenses of the new government, I will take my leave of this part of the subject, by observing, that it must plainly appear to every unprejudiced mind, that our expenses cannot be *enhanced* by the measure, whether the foregoing estimate, and the plan upon which it is projected, are accurate or not.— Our proportion of the expenses of the present government which is an eighth part of the whole, amounts now to £1875, only £564 less than the foot of my estimate, which I believe will be acknowledged, to be fully as high as will be consented to by the government—Admitting also, that our proportion of the whole will be as much as a sixth (after a valuation is taken) which will doubtless be the case, it will amount to £2500. We shall then make an annual saving of £70 by the separation. But if our proportion should be a fifth, after a new valuation is taken, which we know must be the case if comparative numbers were to determine it, we should save the sum of £561 per annum.

To these ideas let us add, the many advantages which will certainly accrue to us, and it appears to me impossible that any man can hesitate in what manner to decide upon the question.

III. WE have now arrived to the last thing to be considered, which is that we have now the best opportunity

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III. WE have now arrived to the last thing to be considered, which is that we have now the best opportunity

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to apply to the Legislatures of the Commonwealth and of the Union for their consent to our separation.

That no time ought to be lost in making this application will appear from divers considerations. The first I shall mention is, that the terms upon which we are to separate, will not probably be settled without taking up some time in coming to an agreement upon them.—If we were to adopt the opinion of those who would put off the separation until the year 1795, when the constitution of the Commonwealth may be revised, I think every prerequisite ought to be first settled. For if we postpone any steps relative to the subject till the moment a Convention of the Commonwealth is called to revise the constitution, and then, instead of joining in that Convention, begin the business of a new government, *shall we not have an interregnum* during the whole time we shall be employed in effecting the measure?* The consent, therefore, of the two Legislatures which the federal constitution requires, ought to be obtained in such season, that we may have time to agree upon and adopt a constitution for ourselves, and have every thing else ready for our admission into the Union, at the time the present constitution is proposed to be revised. Otherwise we might be reduced to the disagreeable alternative of refusing to join with the other part of the Commonwealth in this revision, and of course remaining some time without any government at all; or of joining with them in amending a constitution which we should have no intention of

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being governed by. In either of these cases, the consequences would be disagreeable and inconvenient. Altho' I see no necessity of waiting till the year 1795, yet we cannot be better employed, than in attending to the business of a separation, and putting it in such a train as will ensure its advancement to a final issue at that time. Indeed, I cannot but observe, that the state of the Commonwealth will then be such, that there will be a peculiar fitness and propriety in our bidding the western part of it a friendly farewell. The covenant which we have all entered into for the promotion of our social happiness, will then be in some measure dissolved by mutual consent. Having been happy in that connection for fifteen years, we can then say to them—"Brethren, we are of opinion that our mutual interest dictates a separation from each other. We are become a numerous people, inhabiting an extensive territory; and shall be able in future, with the blessing of Heaven, to maintain a government of our own. We think it best not to unite with you in a revision of the form government, having taken the constitutional steps to effect an amicable dissolution of our present connexion. —*There is land enough for us both; go ye to the right hand, and we will turn to the left.*"

It is natural to expect, that in a business of such importance, we shall meet with some delays. Whenever the question shall be seriously discussed in the General Court, such of the members as have not attended to the consequences of it, will desire to have every doubt removed, and every difficulty solved. If the application should be made to the first session of the next General Court, this session being a short one, the business will go through but a partial discussion, and be then referred to the winter session.—

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Thus almost a year will elapse before we can secure the attention of the Legislature to the subject, in such a manner as to expect a final decision. Many unforeseen delays may happen, which ought to induce us to embrace the earliest opportunity to further the undertaking.

We have not much reason to fear that the consent of the Legislature to our separation, will be withheld after they have been properly informed of the conditions upon which we expect it to be granted. We may safely rely upon their impartiality in the decision; but if this were not the case, we might rest assured that a majority of its members will find it for their interest to vote in our favour. One immediate effect of our dismemberment will be, the removal of the seat of government to the town of Worcester. This removal has been frequently talked of but never effected.—It is an event, however, which would be extremely gratifying to a large proportion of the members of the General Court. The interest of the members who represent what is called the Old Plymouth Colony, together with the seaport towns in the vicinity of Boston, would most probably dictate an opposition. To balance which, there would be the whole of the numerous representation from the counties of Worcester, Hampshire, and Berkshire, and the interior parts of the county of Middlesex. When a full representation from this District is added to that last mentioned, there can be no doubt of our obtaining a large majority of votes in favour of a separation, notwithstanding its operating to change the seat of government. In addition to this they will consider that the business of their General Court, Supreme Judicial Court, &c. will be lessened, the expenses of their government proportionably curtailed, and the bounds of the Commonwealth made natural and convenient.

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The consent of Congress to our admission into the Union, which is also necessary to be obtained, may be applied for at this time with greater probability of success, than at any other which may happen for a number of years.— They have lately been petitioned for, and have granted their consent to, the admission of a new State into the Union, by the name of Kentucky; a territory which has been hitherto under the jurisdiction of Virginia. The addition of two members in the federal Senate, from the southern States (which will be made by the State of Kentucky) will increase their power and influence in the national Legislature. This power ought, in justice to us, to be balanced by an equal number of Senators from this end of the continent. I cannot undertake to state any particular claim the State of Kentucky has to an admission into the Union, more than we shall have, because I have not heard of any. All that they have, is undoubtedly the same which we can make use of, with equal propriety and truth. Having established this precedent, Congress have in some degree laid themselves under an obligation, to grant a similar request upon a similar application. Surely they will not manifest a partiality in favour of the southern interest, at the expense of the rights of their fellow citizens here.

But, admitting that we had not this reasonable claim upon their impartiality, they have virtually given their consent to our separation, by erecting us into a District, separate from, and independent of the District of Massachusetts. They have done more; they have given the Judge of this District the powers of the Circuit Courts of the United States. What could induce them to do this, but a conviction that we ought now to be a State by ourselves? Their conduct in this instance must have originated from

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a persuasion, that we cannot with convenience hold any communion or intercourse with Massachusetts, in the concerns of government. The circumstance that our District Judge is invested with circuit powers, operates in our favour with double force; for it amounts to full proof that Congress were sensible, not only of the great impropriety of our being annexed to Massachusetts, but considered us so separated from them, that a Circuit Court could not travel into the District without manifest inconvenience.

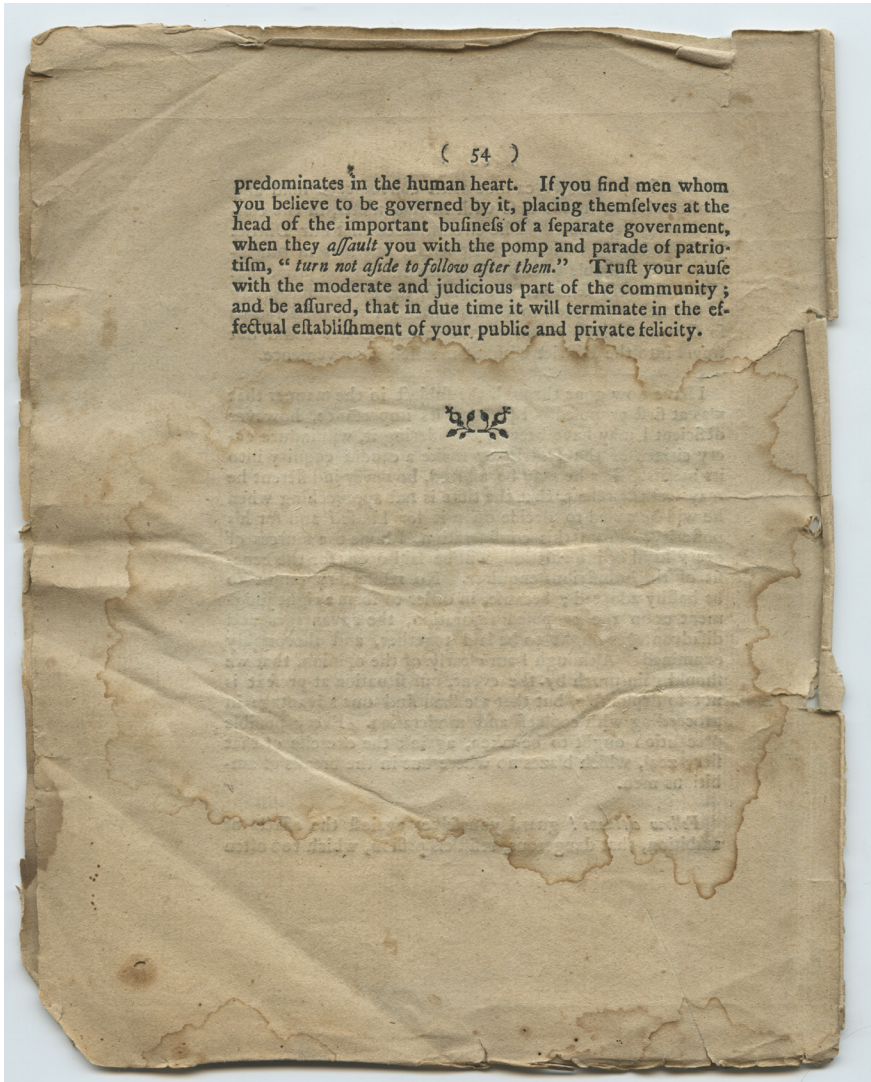
I have now gone through the subject, in the manner that was at first proposed. I presume its importance, however deficient I may have been in considering it, will induce every citizen of the District to make a candid enquiry into its merits. For he may be assured, however indifferent he may feel at present, that the time is fast approaching when he will be called to decide upon it for himself and for his posterity. From this consideration, I hope the sources of every kind of information, will be laid open, for the benefit of the industrious enquirer. No resolutions ought to be hastily adopted; because, in order to form a right judgment upon the proposed separation, the advantages and disadvantages ought to be laid together, and thoroughly examined. Although I am clearly of the opinion, that we should gain much by the event, our situation at present is not so deplorable, but that we shall find our advantage in proceeding with coolness and moderation. Every possible precaution ought to be taken, against the exercise of that fiery zeal, which blazes no where but in the breasts of ambitious men.

Fellow citizens! guard yourselves against the effects of ambition, that dangerous, restless passion, which too often

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predominates in the human heart. If you find men whom you believe to be governed by it, placing themselves at the head of the important business of a separate government, when they *assault* you with the pomp and parade of patriotism, "*turn not aside to follow after them.*" Trust your cause with the moderate and judicious part of the community; and be assured, that in due time it will terminate in the effectual establishment of your public and private felicity.