

**THE ENEMIES OF
THE CONSTITUTION
DISCOVERED**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649269631

The enemies of the Constitution discovered by William Thomas

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

WILLIAM THOMAS

**THE ENEMIES OF
THE CONSTITUTION
DISCOVERED**

Defensor
Coastal

THE
ENEMIES
OF THE
CONSTITUTION DISCOVERED,
OR,
AN INQUIRY
INTO
THE ORIGIN AND TENDENCY
OF
POPULAR VIOLENCE.
CONTAINING
A COMPLETE AND CIRCUMSTANTIAL ACCOUNT OF THE
UNLAWFUL PROCEEDINGS AT THE CITY OF
UTICA, OCTOBER 21ST, 1835;
THE DISPERSION
OF THE
STATE ANTI-SLAVERY CONVENTION

By the Agitators,
THE DESTRUCTION OF A DEMOCRATIC PRESS, AND OF
THE CAUSES WHICH LED THERETO.
TOGETHER WITH A CONCISE TREATISE ON THE PRACTICE OF
THE COURT OF
HIS HONOR JUDGE LENCH.

"It is against silent and slow attacks, that the nation ought to
be particularly on its guard." Vattel.

ACCOMPANIED WITH NUMEROUS HIGHLY INTERESTING
AND IMPORTANT DOCUMENTS.

BY DEFENSOR. *present of Wallis*

NEW-YORK: *Thomas*

LEAVITT, LORD, & CO. 180 BROADWAY.
G. TRACY, UTICA.

1835.

Checked
May 1913

I
-1835



[Entered, according to Act of Congress, in the year 1836,
by WILLIAM THOMAS, in the Clerk's Office of the Southern
District of New York.]

PRELIMINARY SUGGESTIONS.

IN the following treatise, plainness and simplicity have been my constant and undeviating aim. If I have been liberal and unsparing in censures, I can appeal to an approving conscience for the rectitude of my intentions—for the evidence that in every sentence which has been uttered I have been guided by a scrupulous adherence to truth and justice. If any whose conduct has been called in question should have occasion to complain of neglect, they may be well assured that the true cause is, the want of information—that the bounds within which I was obliged to be confined would not permit, or that the place they occupy in the ranks of the "Enemies of the Constitution" does not render them sufficiently formidable to require that they should receive more particular notice. It has been necessary frequently to bring into view the abolitionists and the agitators,⁶—the movements and measures of each. But I have carefully avoided touching upon the peculiar sentiments of the Anti-slavery Society. I am neither a member of that society, nor have any connexion with its movements. I am indeed opposed to slavery; but what particular mode of emancipation would be most expedient, is a question involving consequences too grave to approach in a treatise like the following, where it has no necessary connexion with the subject. To present a well-digested scheme would be inconsistent with the design and limits of this work, even if I were blessed with the wisdom and research necessary for the task. Upon a question so important, therefore, I have neither the inclination nor confidence to attempt to forestall the reader's opinion.

⁶ The agitators are those who are endeavouring, by deception and fraud, to subvert the constitution, and change the settled policy of this country. These fanatics, by means of their incendiary meetings and publications, have long been labouring to inflame the public mind against the abolitionists, by misrepresenting their sentiments and designs. They have industriously circulated throughout the southern states publications of the most inflammatory and incendiary character, calculated to produce an insurrection among the slave-holders, and a dissolution of the union. With such assiduous and untiring zeal have their disorganizing schemes been pursued, that they have agitated the country to its utmost bounds with excitement and alarm, which threaten to sunder the most endearing relations and most sacred ties.

An elaborate account is given of the violence committed by the agitators upon the Utica Convention, and of all the preparatory movements which led to that outrage. The reader will naturally inquire, Where is the evidence, and who are the witnesses of these transactions? The evidence is ample; and fortunately individuals who were eyewitness, and can bear testimony to the truth of the following, statements are to be found in almost every county in the state of New-York. "For these things were not done in a corner."

The testimony of one individual, in whose veracity we can confide, is sufficient to satisfy us of the truth of the facts he relates; but the reader shall not be limited to one or two individuals, but shall be furnished with the names of *five or six hundred* witnesses, by whose testimony every word can be established.* They are individuals of respectability and unquestionable veracity, selected from every part of the State of New-York, besides three from the State of Ohio, and one from the State of Virginia, in order that they may give their testimony *vis voce*, and be examined and cross-examined by all who are disposed, with just intentions, to question them on this subject. Most readers, therefore, who desire to know the truth of these matters, are furnished with an opportunity of satisfying themselves from the mouths of their own neighbours and friends.

The Appendix is by no means the least interesting portion of the following work. The arrangement of the whole will be seen more fully by reference to the table of contents. The documents, originating from the head of an executive department of our government, which have been productive of so much evil to our country, the official reports of the meetings of the agitators, held previous to and on the day of the Anti-slavery Convention, are inserted entire, accompanied with notes and remarks; also the official report of the proceedings of the conservative meeting of the citizens of Utica, convened on the evening previous to the Convention. The copious extracts from various official documents, showing the tone and temper of the south on the subject of slavery, and demanding the enactment of penal laws against all who shall discuss that subject; the extracts from the writings of Thomas Jefferson, showing his opinions and views on that subject, and the extracts from the Federal and State Conventions, showing our rights in the present alarming state of affairs, are all highly important to be read and understood by every true friend of liberty.

The speeches of Gerrit Smith and Alvan Stewart, Esquires, are specimens of eloquence of a high and exalted character, and cannot fail to be admired by every candid and liberal mind. At a time when our country is torn with faction, when a corrupt party spirit has become universally prevalent, and the press is subjected to its absolute control; when great principles are sacrificed at the

* See Appendix, No. X.

altar of personal ambition; when those who ought to be our protectors and our guides, are insidiously scattering the seeds of dissension, alarm, and distrust, and pursuing conduct which tends inevitably to produce in society dire feuds, civil strife, and the certain disruption of the social compact itself, it is the part of wisdom to seek direction in the tried counsels of the patriots and sages of other times. In the extracts from the sentiments of Washington and Jefferson, and other authorities admitted by all, which are given in the following work, ample direction will be found applicable to the trying circumstances with which we are surrounded.

There are many chicken-hearted individuals, who will pity me for having ventured, with so much boldness, to expose to public view, conduct in which so many honourable men were engaged. There is, say they, a diversity of sentiment on this subject; a large class, and possibly a majority of the community are inclined to favour those measures which he has unequivocally condemned; and although we know that he is right, yet it was rash for him to incur the wrath and indignation of so many honourable men, and to brave the more dreadful fary of a lawless rebuke, by whose patriotism they were so promptly sustained. To this I reply, there will be no need of writing upon this subject when the very object of writing is already accomplished—when every body condemns these doings. Besides, when the cause of justice becomes popular, it will call to its aid many pens slier than mine.

Let these well-meaning individuals reserve their pity for their children, for whose limbs the chains of tyranny are already beginning to be forged. Only do you, kind reader, consider whether I speak truth; and if to declare the truth shall call forth upon me the hottest indignation and bitterest calumnies of these men, and their confederates, and the more furious rage of the servile and vicious horde, who, long inured to slavish submission, have become the creatures of their will, and strangers to any other impulse or restraint; all this I can endure for my country's sake. I was not ignorant, in the beginning, that an attempt to expose their iniquity would subject me to the vilest slanders that the direst malignity of the enemies of the constitution could invent. What if the malice of these men should pour upon my reputation a continuous shower of its insidious missiles? It is not for reputation that I labour. I do not seek popular favour. It is the highest good of my fellow-citizens that I seek. And, although an attempt to destroy my reputation would be felt with the keenest sensibility, although the approbation and esteem of my fellow-citizens are as dear to me as my own life, yet I call heaven to witness that my country's welfare is dearer to me than both. In the humble part I have to act as an American citizen, the favour which I most fervently beg heaven to grant is, that neither my tongue nor my pen may ever become the slave of party, or subject to the impulse of passion, or the restraint of fear; that to discharge my duty to my country, and my whole country, shall be my constant aim, and an

undaunted freedom its concomitant. If you, generous reader, were to receive a personal injury from one professing to be your friend, surely you could not disregard it. But what is a personal indignity compared with an injury which is inflicted upon a whole nation? What is the welfare of one individual compared with that of millions? How much more then ought we to regard and correct those abuses which are gradually corrupting and transforming a government established "to promote our common welfare, and secure to ourselves and our posterity the blessings of liberty," into a powerful party engine, with which a few designing men achieve their conquest, and convert to their own aggrandizement the spoils of the vanquished; to condemn, in the most emphatic terms, and unfold to public view, the conduct of those men, who, under specious pretexts, employed to secure popular favour and support, are hewing away the last great pillar of our nation's safety. We are not to wait until our alarms are awakened by the sounding trumpet and glittering steel of a marshalled host of foreign invaders, or until we shall behold, seated upon a gorgeous throne, high and lifted up, the tyrant, clothed in all the habiliments of royalty, securely wielding the sceptre of oppression over us. But it is against silent and slow attacks, made by those who feign the highest regard for the interest of the people, that we ought to be constantly on our guard. Nor is it over the conduct of the ministers of the people alone that we are to watch with a jealous eye. It is the more fatal and ruinous tendency of lawless encroachments of popular violence that we have most to fear. But what language can express his guilt, who, "unmoved by passion or prejudice," but "peaceably," with a deliberate and fixed purpose, sets at naught the constitution and the law, and contemptuously tramples upon our dearest and most sacred rights?

There is one suggestion further, which I desire may be well considered. We all know, that those who seek to do mischief on an extensive scale, endeavour in the most artful manner to conciliate and bring to their aid popular favour. There is a certain class of individuals in almost every community, who are invariably found on the side of these men. Now, it was a wise saying of an ancient philosopher, which every-day's experience has proved to be true, that a man's character may be known by the company he keeps. It is a truth as well settled, there can be no agreement between things opposite in their natures. If, therefore, it be true, (which we most religiously believe) that our government be founded upon the pure principles of philanthropy, virtue, and morality, and is best adapted to the wants of society, and calculated to promote their highest good, is it not natural to conclude, that the intelligent, moral, virtuous, and philanthropic portion of the community, those who are most active in promoting the welfare and happiness of their fellow-beings, with the hope of no other reward but the satisfaction which arises from a consciousness of doing well, are the friends of this government! And is it not equally

natural to conclude, that those noted subjects of intemperance and vice, who live only to curse society with an immoral and pestiferous influence, and to add to human misery, are not the friends of this government ! When these characters combine, can it be for any good purpose ! When we see them prosecuting any purpose, whether political or otherwise, with a loud and clamorous zeal, may we not justly suspect that there is some evil lurking in their designs ! When we see an individual invoking the aid of this class of the community, and deriving his support from them, verily we have reason to distrust the purity of his intentions. If this reasoning fails, it must inevitably follow, that our government, instead of depending upon the virtue and intelligence of the people for its support, can only be safe under the universal reign of ignorance and vice. And then it must also follow, that it is a vicious government ; for there is no agreement between virtue and vice, nor can one be supported by the other. But it was barely a hint I intended. The point cannot be pursued further at present.

I cannot omit noticing in the beginning, the dangerous tendency of a most subtle artifice (I might say conspiracy), much employed of late by the enemies of the constitution. We are often told, that public opinion is the law of the land, and that to this we are bound to yield. By this cunning device, attempts are often made to destroy rights expressly guaranteed by the constitution, even by the expression of public opinion in a single town, county, or state, in the primary assemblies of the people. We will suppose that those who originated this conspiracy, only contend that the expression of the opinions of a majority of the *nation* is to have the force of authority, and that we must conform to it. This is placing their doctrines in a more favourable light than the facts will warrant, and if in this light they prove to be false and subversive of true liberty, it will be unnecessary to exhibit their more odious features.

The danger of committing the management of the affairs of state to the capricious impulse of primary assemblies, was not overlooked in the establishment of our government. Public opinion, it is true, *legitimately expressed by legislative enactments*, is binding. The constitution and law are the voice of the people, and are supremely obligatory upon all. We can recognise no other voice than this. But our enemies would deceive us by changing the names of things. What the constitution and laws forbid them to touch, they would take away by that which they call public opinion. What ! shall the people tear from us, with one hand, that which they have freely given us with the other ! What matters it whether we are bound with chains of iron or steel ! If we are to be slaves, what matters it by what means we are deprived of liberty ! Will the yoke of tyranny be more tolerable to bear when it is fastened to our necks by public opinion ! If our rights are to depend upon the fluctuating opinions of the inhabitants of the ville, county, or state where we reside, then in-