

Massachusetts's Ratification

Ratification of the Constitution by the State of Massachusetts, February 6, 1788. Massachusetts was the sixth state to do so. Massachusetts's ratification message was the first to include a list of desired changes to the Constitution, some of which were to protect states and some of which were to protect individuals. The following text is taken from the Library of Congress's copy of Elliot's Debates.

The Convention having impartially discussed, and fully considered, the Constitution for the United States of America, reported to Congress by the Convention of Delegates from the United States of America, and submitted to us by a resolution of the General Court of the said commonwealth, passed the 25th day of October last past, — and acknowledging, with grateful hearts, the goodness of the Supreme Ruler of the universe in affording the people of the United States, in the course of his providence, an opportunity, deliberately and peaceably, without fraud or surprise, of entering into an explicit and solemn compact with each other, by assenting to and ratifying a new Constitution, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to themselves and their posterity, — do, in the name and in behalf of the people of the commonwealth of Massachusetts, assent to and ratify the said Constitution for the United States of America.

And as it is the opinion of this Convention, that certain amendments and alterations in the said Constitution would remove the fears, and quiet the apprehensions, of many of the good people of this commonwealth, and more effectually guard against an undue administration of the federal government, — the Convention do therefore recommend that the following alterations and provisions be introduced into the said Constitution: —

I. That it be explicitly declared that all powers not expressly delegated by the aforesaid Constitution are reserved to the several states, to be by them exercised.

II. That there shall be one representative to every thirty thousand persons, according to the census mentioned in the Constitution, until the whole number of the representatives amounts to two hundred.

III. That Congress do not exercise the powers vested in them by the 4th section of the 1st article, but in cases where a state shall neglect or refuse to make the regulations therein mentioned, or shall make regulations subversive of the rights of the people to a free and equal representation in Congress, agreeably to the Constitution.

IV. That Congress do not lay direct taxes but when the moneys arising from the impost and excise are insufficient for the public exigencies, nor then until Congress shall have first made a requisition upon the states to assess, levy, and pay, their respective proportions of such

requisition, agreeably to the census fixed in the said Constitution, in such way and manner as the legislatures of the states shall think best; and in such case, if any state shall neglect or refuse to pay its proportion, pursuant to such requisition, then Congress may assess and levy such state's proportion, together with interest thereon at the rate of six per cent. per annum, from the time of payment prescribed in such requisition.

V. That Congress erect no company of merchants with exclusive advantages of commerce.

VI. That no person shall be tried for any crime by which he may incur an infamous punishment, or loss of life, until he be first indicted by a grand jury, except in such cases as may arise in the government and regulation of the land and naval forces.

VII. The Supreme Judicial Federal Court shall have no jurisdiction of causes between citizens of different states, unless the matter in dispute, whether it concerns the realty or personalty, be of the value of three thousand dollars at the least; nor shall the federal judicial powers extend to any actions between citizens of different states, where the matter in dispute, whether it concerns the realty or personalty, is not of the value of fifteen hundred dollars at least.

VIII. In civil actions between citizens of different states, every issue of fact, arising in actions at common law, shall be tried by a jury, if the parties, or either of them, request it.

IX. Congress shall at no time consent that any person, holding an office of trust or profit under the United States, shall accept of a title of nobility, or any other title or office, from any king, prince, or foreign state.

And the Convention do, in the name and in behalf of the people of this commonwealth, enjoin it upon their representatives in Congress, at all times, until the alterations and provisions aforesaid have been considered, agreeably to the 5th article of the said Constitution, to exert all their influence, and use all reasonable and legal methods, to obtain a ratification of the said alterations and provisions, in such manner as is provided in the said article.

And that the United States in Congress assembled may have due notice of the assent and ratification of the said Constitution by this Convention, it is Resolved, That the assent and ratification aforesaid be engrossed on parchment, together with the recommendation and injunction aforesaid, and with this resolution; and that his excellency, John Hancock, Esq., president, and the Hon. William Cushing, Esq., vice-president of this Convention, transmit the same, countersigned by the secretary of the Convention, under their hands and seals, to the United States in Congress assembled.

JOHN HANCOCK, President.

WILLIAM CUSHING, Vice-President.

George Richards Minot, Secretary.

Pursuant to the resolution aforesaid, we, the president and vice-president above named, do hereby transmit to the United States in Congress assembled the same resolution, with the above assent and ratification of the Constitution aforesaid, for the United States, and the recommendation and injunction above specified.

In witness whereof, we have hereunto set our hands and seals, at Boston, in the commonwealth aforesaid, this 7th day of February, Anno Domini 1788, and in the twelfth year of the independence of the United States of America.

JOHN HANCOCK, President.

WM. CUSHING, Vice-President.