

## Module 03: A Revolution for Whom?

### Evidence 4: Sutton Responds to Massachusetts's Draft Constitution

# A

#### Introduction

After the colonies declared their independence in 1776, most drafted new state constitutions. Massachusetts did so between 1777 and 1778 and then asked each town in the commonwealth to hold a public meeting to consider the proposed constitution. Residents of the town of Sutton, in south-central Massachusetts, objected to Article V of the constitution, which granted the right to vote to every adult male property owner, "excepting negroes, Indians and mulattoes."

#### Questions to Consider

- Why did the residents of Sutton object to Article V?
- How did they propose changing it? What was the rationale for the proposed changes?
- What consequences would the proposed changes have had for African Americans in Massachusetts?

#### Document

[Return of Sutton, Massachusetts, May 18, 1778:]

The four first Articles we don't object against.

But the V Article appears to us to wear a very gross complexion of slavery; and is diametrically repugnant to the grand and Fundamental maxim of Humane Rights; viz. *"That Law to boind all must be assented to by all."* which this Article by no means admits of, when it excludes free men, and men of property from a voice in the Elections of Representatives; Negroes etc. are excluded even tho they are free and men of property. This is manifestly ading to the already acumulated Load of guilt lying upon the Land in supporting the slave trade when the poor innocent Affricans who never hurt or offered any Injury or Insult to this country have been so unjustly assaulted inhumanely Murdered many of them; to make way for stealing others, and then cruelly brought from their native Land, and sold

here like Beasts and yet now by this constitution, if by any good Providence they or any of their Posterity, obtain their Freedom and a handsome estate yet they must be excluded the Privileges of Men! this must be the *bringing or incurring more Wrath upon us*. And it must be thought more insulting than not so cruel, to deprive the original Natives of the Land the Privileges of Men. We also cannot but observe that by this Article the Convention had in contemplation of having many more slaves beside the Poor Africans, when they say of others beside; being *Free* and 21 years old

We therefore think that we ought to have an Article expressive of what the State is to consist of. And to say in express Terms that every person within the State 21 years of Age shall have a sole absolute Property in himself and all his earnings having an exclusive Right to make all manner contracts, and shall so Remain until they are rendered *non compos Mentis* by lawful Authority, or have forfeited their Freedom by misdemeanour and so adjudged by Authority proper to try the same; or their service legally disposed of for the discharge of some Debt Damage or Trespass. And then that every Male Inhabitant free as aforesaid etc. Provided that Men who lie a Burden upon the publick or have little or no Property ought not to have a full or equal Vote with those that have an estate, in voting for a Representative, for then a Representative may be chosen without any property, and as the proposed Constitution stands there is all the chance that could be wished, for designing mischeivous Men to purchase themselves seats in the House; for poor, shiftless spendthrift men and inconsiderate youngsters that have no property are cheap bought (that is) their votes easily procured Choose a Representative to go to court, to vote away the Money of those that have Estates; and the Representative with all his constituents or Voters not pay so much Taxes as one poor *Negro, Indian or Molatto* that is not allowed to put in a single vote. Perhaps if all under what used to be voters for Representatives; were reconed each Vote equal to half one of the old voters it might be about a just and proper Medium. . . .

As a result of reactions such as this, the draft constitution was revised. The version that was finally approved, in 1780, declared that "Every male person, being twenty-one years of age, and resident in any particular town in this Commonwealth for the space of one year next preceding, having a freehold estate within the same town, of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to

vote in the choice of a Representative or Representatives for the said town."

Source:

Oscar and Mary Handlin, eds., *The Popular Sources of Political Authority: Documents on the Massachusetts Constitution of 1780* (Cambridge: Belknap Press of Harvard University Press, 1966), 231-32. Downloaded from *The Founders' Constitution*, vol. 1, ch. 15, doc. 22.

<http://press-pubs.uchicago.edu/founders/documents/v1ch15s22.html>.