

## AMERICAN NOTES

### A Time for Thanks

As Congress rolled toward this Tuesday's closing of an eventful first session, Representative Elias Boudinot of New Jersey introduced a resolution asking President Washington to proclaim a national day of public thanksgiving and prayer. This, he said, would encourage Americans to acknowledge, "with grateful hearts, the many signal favors of Almighty God, especially by affording them the opportunity peaceably to establish a constitution of government for their safety and happiness."

Boudinot's resolution would institutionalize an old American custom, first decreed by Captain John Woodleeffe in Virginia's Berkeley Settlement in 1619. The Pilgrims who founded Massachusetts' Plymouth Colony borrowed a similar custom from the Dutch and celebrated a holiday in the late autumn of 1621, sharing their gratitude for a rich harvest with the Wampanoag Indians who had helped them achieve it (included in the three-day feast: turkeys, wild geese, lobsters, eels, gooseberries, plums, hoe cakes, Indian pudding). Nor is a national observation unprecedented. In 1777, the Continental Congress proposed December 18 as a day of general thanks for the American victory over General Burgoyne at Saratoga. In 1781, the Congress ordained a similar celebration for December 13.

Like many resolutions nowadays, Boudinot's measure encountered some opposition. Protested Thomas Tucker of South Carolina: "Why should the President direct the people to do what perhaps they have no mind to do?" A majority of the House voted aye, however, and the Senate concurred. Their affir-

CAPTAIN WOODLEEFFE CELEBRATES FIRST THANKSGIVING IN VIRGINIA



mation is appropriate. The conclusion of the first year of the national government provides good reason for public thanksgiving.

### Who's Here

When someone proposed in the British House of Commons that a national census be taken, Yorkshireman William Thornton rose and denounced the idea as "totally subversive of the last remains of English liberty." Added he: "If any officer, by whatever authority, should demand of me an account of the number and circumstances of my family, I would refuse it; and if he persisted in the affront, I would order my servants to give him the discipline of the horse-pond."

Partly because of such strong objections, Britain still has no official census. But Article I of the United States Constitution states that Representatives in Congress "shall not exceed one in 30,000," and therefore a census is necessary. Although the census does not have to be officially compiled for three years, most estimates put the present population at about 3,700,000 (Virginia is the largest state, with about 725,000, then Massachusetts with 460,000). This means that the present total of 59 Representatives will be more than doubled.

Apart from the political need for a census, several scholars like Professor Edward Wigglesworth of Harvard have begun making statistical surveys on other aspects of the American population.

► Americans are 81 percent white and 19 percent black. Of the latter 96 percent are slaves.

► Divided by origin, 61 percent came from Britain, 10 percent from Ireland, and 8 percent from Scotland. The only other groups of any size are Germans (9 percent) and Dutch (3 percent).

## THE NATION

► The birth rate is running at 5.5 percent per year. This means that the average number of children born to fertile women is 8.3.

► The death rate is 2.7 percent, but it is much higher among children. In Massachusetts and New Hampshire, for example, some 47 percent of all deaths occur among children under 16. Chief causes: consumption, fits.

► Because of so many childhood deaths, life expectancy at birth is only 35, but by the age of 10 it rises to 53. Women live longer than men, though the exact difference is not known.

All these figures can be interpreted in various ways, but the most striking element in all of them is America's youth and growth. Fortunately, the lands to the west provide almost limitless space for expansion, for, as Benjamin Franklin observes, "so vast is the futurity of North America that it will require many ages to settle it fully."

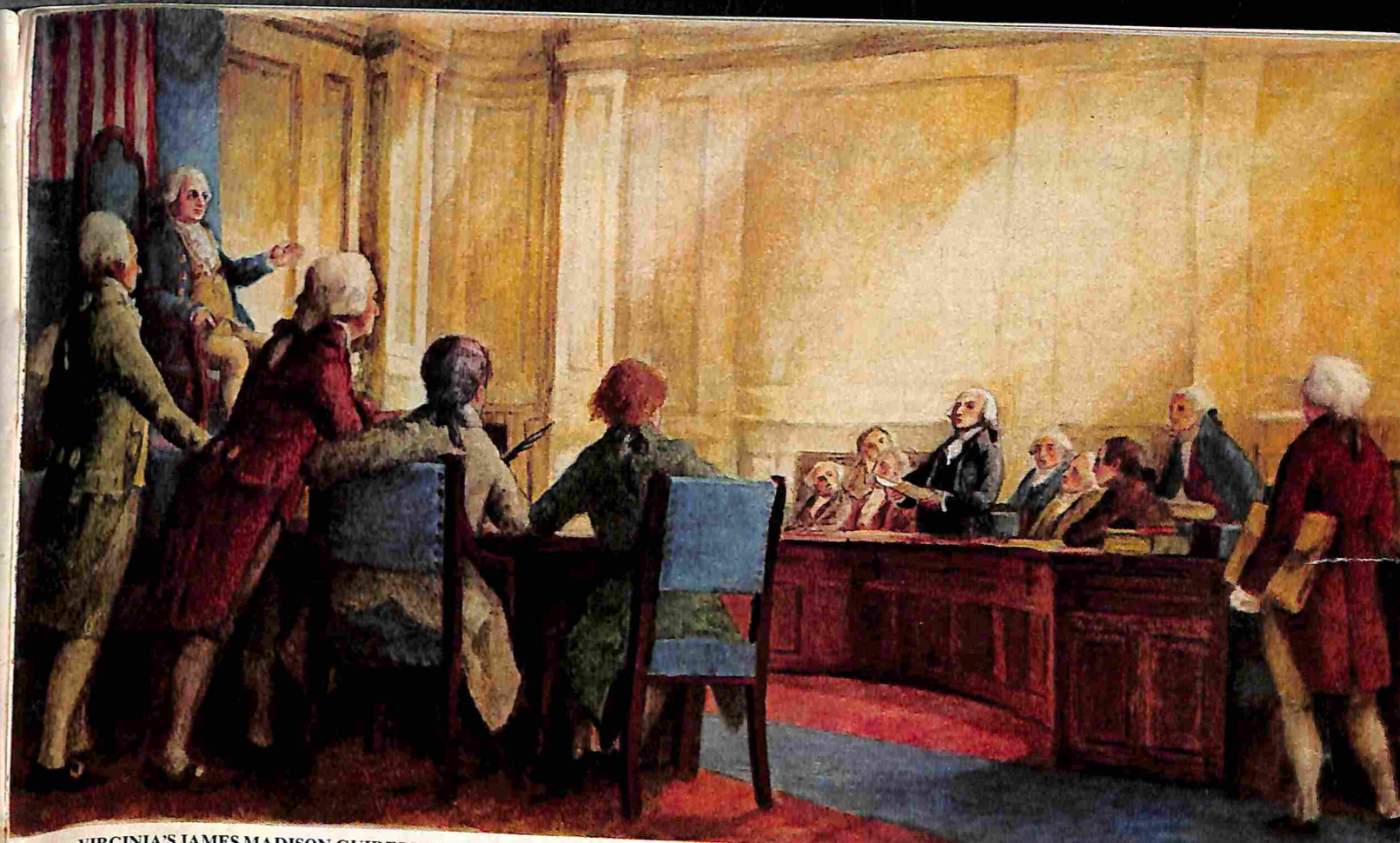
### Like Dead Persons

"A Tory is a thing whose head is in England and its body in America and its neck ought to be stretched." This wartime view of Americans who remained loyal to George III was so widely held that a few necks were indeed stretched, and about 100,000 people fled or were driven into exile, mostly in Canada and Nova Scotia. Does anyone owe them anything? The American states have consistently refused to pay any damages. But for six years now, a British commission with representatives in London, Halifax and New York has been sifting evidence given by 5,000 Loyalists who have actually submitted damage claims.

Their losses range from humble possessions ("a large brass kettle" and such things as feather beds, saddles and books) to a 150,000-acre New York estate valued at £103,162 sterling. In the heat of war, patriots tended to think that all Tories were rich. A Claims Commission report, now being completed in London by Director John Eardley Wilmot, offers a very different picture. Half the claimants are farmers. The others include tinworkers, coopers, carpenters, blacksmiths, tanners. Only a tenth turned out to be royal officeholders.

The British have promised to pay in full all proven claims up to £10,000 and to pay a portion of the few higher claims that have been filed. But nobody knows exactly when these payments will be completed. Since most of the states have rescinded the anti-Loyalist laws passed during the war, a few of the homesick refugees are returning to their old native land. They must live, says Teacher Robert Proud, a Loyalist who stayed secluded in Philadelphia during the war, "in a very private and retired way, even like a dead person."

SEPT. 26, 1789



VIRGINIA'S JAMES MADISON GUIDES HOUSE DEBATE THAT LED TO PASSING OF TWELVE NEW AMENDMENTS

THE CONSTITUTION/COVER STORIES

## A Victory for the People

It was an event of a certain moral splendor, but the witnesses to the scene could hear no golden trumpets sounding. The progress of the American Bill of Rights into the world had been so long and wearisome that its birth last week, when the bill finally passed both houses of Congress in New York, seemed almost routine, like approval of some measure to clean a public well.

As the House and Senate Committee of Conference went about its final drudgery of language on the amendments, most members attended to other business or else idly read newspapers in the marble anterooms of Federal Hall; the cries of seagulls from the nearby harbor off Wall Street were sometimes louder than the politicians' murmurous conversations. At last, after a compression here, a deletion there, the Clerk of the House made this clumsy but historic notation: "A message from the Senate informed the House, that the Senate agree to the amendments proposed by this House to their amendments in the several articles of amendment to the Constitution of the United States."

Thus the work was done. After four months' gestation in this Congress, after many months more of a controversy that sometimes threatened the survival

of the Constitution, the young Republic had its Bill of Rights. It remained for the states to ratify, but popular approval was hardly in question. Public outcry had been the compelling cause of the amendments. The new nation, so recently hooped into a federal unity by the Constitution, now had its much-sought assertion of civil rights, of protections rooted in the patrimony of both native tradition and English common law.

What does last week's document amount to? The twelve amendments—some may be dropped as the states consider them for ratification—have no official title, and they proceed rather plainly into American law, without preamble or embellishment. They are, for all that, a Bill of Rights—and are accepted as nothing less. Most of the amendments—trial by jury, protection against double jeopardy, due process of law, right to assembly, freedom from unreasonable search—have antecedents in English law. Others—like freedom of speech, of the press and of religion—have an American originality about them. In any case, the United States is the first nation ever to put such safeguards into its basic instrument of government.

Last month Representative Aedanus Burke of South Carolina denounced the amendments as "whip-syllabub, frothy and full of wind." In fact, the amendments represent a profound internal correction for the Republic's course. If the Constitution assured a vigorous central government, molding a republic out of separate and jealous states strung up and down the Atlantic coastline, then the Bill of Rights assures something just as necessary: those individual freedoms without which, as many Americans feared, their government might eventually abuse its individual citizens. There was a similar, larger fear that without a Bill of Rights a majority of the people might some day try to inflict its will unjustly on a minority. Said Virginia Congressman James Madison, the sponsor of the amendments (see following page): "The great danger lies rather in the abuse [by] the community than in the legislative body."

By last spring, when Congress first gathered at Federal Hall under the rule of the new Constitution, the great debate between Federalists and Antifederalists, between supporters and opponents of strong government, had more or less subsided. Both sides now ac-

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# THE NEW NATION

ONE DOLLAR

SEPT. 26, 1789