are accomplished. But the minor changes which are essential to an accommodation with the growth and development of a great nation are reached in the meantime easily and naturally in the course of legislation, to which the skeleton outline of the con­stitution lends itself kindly. The members of the convention of 1787 showed their wisdom most plainly in not trying to do too much ; if they had done more they would have done far less.

1. The convention adjourned 17th September 1787, having adopted the constitution. Its last step was a resolution that the constitution be sent to the Congress of the Confederation, with the recommendation that it be submitted to conventions elected by the people of each State for ratification or rejection; that, if nine States should ratify it, Congress should appoint days for the popular election of electors, for the choice of president and vice-president by the electors, and for the meeting of senators and representatives to be chosen under the new plan of government ; and that then the new Congress and president should “ without delay, proceed to execute this constitution.” Congress, having received the report of the convention, resolved that it be sent to the several legisla­tures, to be submitted to conventions ; and this was all the approval the constitution ever received from Congress. Both Congress and the convention were careful not to open the dangerous question, How was a government which was not to be changed but by the legislatures of all the States to be entirely supplanted by a different system through the approval of conventions in three-fourths of them ? They left such questions to be opened, if at all, in the less public forum of the legislatures.
2. Before the end of the year Delaware, Pennsyl­vania, and New Jersey had ratified ; and Georgia, Con­necticut, and Massachusetts followed during the first two months of 1788. Thus far the only strong opposition had been in Massachusetts, a “ large State.” In it the struggle began between Federalists and Antifederalists, between the friends and the opponents of the constitution, with its introduction of a strong Federal power ; and it raged in the conventions, legislatures, newspapers, and pamphlets. The best of the last was *The Federalist,* written mainly by Hamilton, with the assistance of Madi­son and Jay, explaining the new constitution and defend­ing it. As it was written before the constitution went into force, it speaks much for the ability of its writers that it has passed into a standard text-book of American constitutional law.
3. The seventh and eighth States—Maryland and South Carolina—ratified in April and May 1788; and, while the conventions of Virginia and New York were still wrangling over the great question, the ninth State, New Hampshire, ratified, and the constitution passed out of theory into fact. This left the other States in an unpleasant position. The Antifederalists of the Virginia and New York conventions offered conditional ratifications of all sorts ; but the Federalists stubbornly refused to con­sider them, and at last, by very slender majorities, these two States ratified. North Carolina refused to ratify the constitution, and Rhode Island refused even to consider it (§ 145). Congress named the first Wednesday of January 1789 as the day for the choice of electors, the first Wednesday in February for the choice of president and vice-president, and the first Wednesday in March for the inauguration of the new Government at New York city. The last date fell on the 4th of March, which has been the limit of each president’s term since that time.
4. When the votes of the electors were counted before Congress, it was found that Washington had been unan­imously elected president, and that John Adams, stand­ing next on the list, was vice-president. Long before the inauguration the Congress of the Confederation had expired of mere inanition ; its attendance simply ran down until (October 21, 1788) its record ceased, and the United States got on without any national Government for nearly six months. The struggle for nationality had been suc­cessful, and the old order faded out of existence.
5. The first census (1790) followed so closely upon the inauguration of the constitution that the country may fairly be said to have had a population of nearly four millions in 1789. Something over half a million of these were slaves, of African birth or blood. Slavery of this sort had taken root in all the colonies, its original estab­lishment being everywhere by custom, not by law. When the custom had been sufficiently established statutes came in to regulate a relation already existing. Indented servants came only for a term of years, and then were free. Slaves were not voluntary immigrants : they had come as chattels, not as persons, and had no standing in law, and the law fastened their condition on their children. But it is not true, as the Dred Scott decision held long afterwards (§ 249), that the belief that slaves were chattels simply, things not persons, held good at the time of the adoption of the constitution. Times had changed some­what. The peculiar language of the constitution itself, describing slaves as “persons held to service or labour, under the laws of any State,” puts the general feeling exactly : they were persons from whom the laws of some of the States withheld personal rights for the time. In accordance with this feeling most of the Northern States were on the high road towards abolition of slavery. Ver­mont had never allowed it. In Massachusetts it was swept out by a summary court decision that it was irre­concilable with the new State constitution. Other States soon began systems of gradual abolition, which finally extinguished slavery north of Virginia, but so gradually that there were still 18 apprentices for life in New Jersey in 1860, the last remnants of the former slave system. In the new States north of the Ohio slavery was prohib­ited by the Ordinance of 1787 (§ 96), and the prohibition was maintained in spite of many attempts to get rid of it and introduce slavery.
6. The sentiment of thinking men in the South was exactly the same, or in some cases more bitter from their personal entanglement with the system. Jefferson’s lan­guage as to slavery is irreconcilable with the chattel notion ; no abolitionist agitator ever used warmer language than he as to the evils of slavery; and the expression, “ our brethren,” used by him of the slaves, is conclusive. Washington, Mason, and other Southern men were as warm against slavery as Jefferson, and societies for the abolition of slavery were very common in the South. No thinking man could face with equanimity the future pro­blem of holding a separate race of millions in slavery. Like most slave laws, the laws of the Southern States were harsh : rights were almost absolutely withheld from the slave, and punishments of the severest kind were legal ; but the execution of the system was milder than its legal possibilities might lead one to imagine. The country was as yet so completely agricultural, and agriculture felt so few of the effects of large production and foreign com­merce, that Southern slavery kept all the patriarchal features possible to such a system.
7. Indeed, the whole country was almost exclusively agricultural, and, in spite of every effort to encourage manufactures by State bounties and colonial protection, they formed the meagrest element in the national produc­tion. Connecticut, which now teems with manufactures, was just beginning the production of tinware and clocks ; Rhode Island and Massachusetts were just beginning to work in cotton from models of jennies and Arkwright machinery surreptitiously obtained from England after several failures and in evasion of penal Acts of Parlia-