Collected Works of Roger Sherman
COLLECTED WORKS OF
Roger Sherman

Edited and with an Introduction by
Mark David Hall

Liberty Fund
INDIANAPOLIS
To Anna Joy Hall, of whom I am very proud.
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Introduction

Roger Sherman was the only founder to help draft and sign the Declaration and Resolves (1774), the Articles of Association (1774), the Declaration of Independence (1776), the Articles of Confederation (1777, 1778), and the Constitution (1787). He served longer in the Continental and Confederation Conferences than all but four men, and he was regularly appointed to key committees, including those charged with drafting the Declaration of Independence and the Articles of Confederation. At the Constitutional Convention, Sherman often outmaneuvered James Madison and, according to David Brian Robertson, the “political synergy between Madison and Sherman . . . may have been necessary for the Constitution’s adoption.”¹ He was also a representative and senator in the new republic, where, among other things, he played a significant role in drafting the Bill of Rights.

Even as he was helping create and run a nation, Sherman served in a variety of state and local offices. These included overlapping terms as a member of Connecticut’s General Assembly, judge of the Superior Court, member of the Council of Safety, and mayor of New Haven. Of particular significance, he and Richard Law revised the entire legal code of Connecticut in 1783. Although not as prolific a writer as some founders, Sherman penned essays defending hard currency, supporting the Articles of Confederation, and urging the ratification of the U.S. Constitution. His letters and a sermon contain some of the most sophisticated theological commentary by an American founder.

Sherman was held in high esteem by his contemporaries. In September 1776, his Connecticut colleague William Williams observed to a friend:

If our Assembly rechose their delegates, I hope they will be guided by wisdom and prudence. I must say that Mr. Sherman from his early acquaintance, his good

In 1780, Richard Henry Lee wrote of the “very high sense that I entertain of your [Sherman’s] sound and virtuous patriotism.”

John Adams agreed with Williams and Lee, as indicated by his 1777 description of Sherman as “an old Puritan, as honest as an angel and as firm in the cause of American Independence as Mount Atlas.” The following year Adams wrote to Sherman from Europe requesting his advice about a possible alliance with France, noting that “[f]rom the long series of arduous services, in which we have acted together, I have had experience enough of your accurate judgment, in cases of difficulty, to wish very often that I could have the benefit of it here.”

Forty-four years later, Adams wrote to John Sanderson that Sherman was “one of the most cordial friends which I ever had in my life. Destitute of all literary and scientific education, but such as he acquired by his own exertions, he was one of the most sensible men in the world. The clearest head and steadiest heart. It is praise enough to say that the late Chief Justice Ellsworth told me that he had made Mr. Sherman his model in his youth. . . . [He] was one of the soundest and strongest pillars of the revolution.”

Patrick Henry remarked that Sherman and George Mason were “the greatest statesmen he ever knew” and that George Washington, Lee, and Sherman were the “first men” in the Continental Congress.

Thomas Jefferson, who was often at odds with both Adams and Henry, shared their admiration for Sherman, explaining to a visitor to the nation’s temporary capital: “That is Mr. Sherman of Connecticut, a man who never


said a foolish thing in his life.” Serum, Nathanial Macon, a Democratic-Republican from North Carolina who served with Sherman in the House of Representatives, remarked to a friend that “Roger Sherman had more common sense than any man he ever knew.” Similarly, Nathanial Macon, a Democratic-Republican from North Carolina who served with Sherman in the House of Representatives, remarked to a friend that “Roger Sherman had more common sense than any man he ever knew.” 8

Fisher Ames, a Federalist from Massachusetts in the same Congress, said that “if he happened to be out of his seat when a subject was discussed, and came in when the question was about to be taken, he always felt safe in voting as Mr. Sherman did; for he always voted right.” 9 Timothy Pickering, another New England Federalist, referred to him as “a very sagacious man.”

Although Sherman had many strengths, oratory was not one of them. In 1774, John Adams observed that both Sherman and Eliphalet Dyer “speak often and long, but very heavily and clumsily.” Similarly, William Pierce of Georgia noted in his famous sketches of the delegates to the Constitutional Convention that Sherman

is awkward, un-meaning, and unaccountably strange in his manner. But in his train of thinking there is something regular, deep and comprehensive; yet the oddity of his address, the vulgarisms that accompany his public speaking, and that strange New England cant which runs through his public as well as private speaking make everything that is connected with him grotesque and laughable; and yet he deserves infinite praise—no man has a better heart or a clearer head. If he cannot embellish he can furnish thoughts that are wise and useful.

In an age that valued eloquence, Sherman stood out as a significant leader who was rhetorically handicapped. Yet his good heart, clear head, and common sense earned him the respect of friends and enemies alike.

Given this brief résumé and the high esteem in which he was held by his contemporaries, it is surprising that scholars have often neglected Sherman. He is mentioned only in passing in studies on the founding era, and American history and government texts often refer to him as an architect of the Con-
necticut Compromise. With the exception of Christopher Collier’s fine 1971 biography of Sherman and my 2013 book on his political theory, few academics have considered his thoughts and actions in much detail.¹⁴ It is true that since the mid-1990s, students of the Constitutional Convention have come to recognize that Sherman was among the most effective delegates.¹⁵ Even with this recent scholarship, law professor Scott Gerber’s assessment that Sherman “is arguably the most under appreciated, not to mention the most under-studied, political leader of the American Founding” remains correct. Indeed, a 2008 survey of more than one hundred historians, political scientists, and law professors ranked Sherman among the most important forgotten founders.¹⁶

Perhaps one reason Sherman is not better known is that his writings have never been published in a systematic manner. Of course, it is possible to track down speeches he gave in the Constitutional Convention and the first federal Congress, laws he drafted, essays he wrote, and so forth. But doing so requires consulting dozens of different and sometimes obscure volumes. As well, a critical edition of his handwritten letters has never been published. Some of these letters are reproduced in two “life and letters” biographies, but in both cases only highly selective and heavily edited excerpts are included.¹⁷

_Collected Works of Roger Sherman_ brings together for the first time Sherman’s major writings and accounts of his speeches. Sherman left far fewer papers than the most famous founders, but even so, this collection is not comprehen-

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¹⁵. Robertson, “Madison’s Opponents and Constitutional Design”; Robertson, _The Constitution and America’s Destiny_, Jack N. Rakove, _Original Meanings: Politics and Ideas in the Making of the Constitution_ (New York: Knopf, 1996). Keith L. Dougherty and Jac C. Heckelman agree with Robertson and Rakove that “Sherman was an effective delegate that historians have traditionally overlooked” but suggest that his “influence at the Convention was partly the result of the voting scheme and partly his position relative to others.” “A Pivotal Voter from a Pivotal State: Roger Sherman at the Constitutional Convention,” _American Political Science Review_ 100 (May 2006): 302.

¹⁶. Scott Gerber, “Roger Sherman and the Bill of Rights,” _Polity_ 28 (Summer 1996): 531. Sherman placed fifth in the survey, but there was negligible difference in the number of votes received by the third-, fourth-, and fifth-place finishers (Gouverneur Morris, John Jay, and Sherman). James Wilson and George Mason were ranked first and second among the forgotten founders. Gary L. Gregg and Mark David Hall, eds., _America’s Forgotten Founders_, 2nd ed. (Wilmington, Del.: ISI Books, 2012), xv.

sive. A complete edition of his writings would fill approximately three volumes the size of this one, but many of the letters omitted from this collection contain political news readily available in other sources or business and legal correspondence that would be of interest only to a few academics. This collection includes every essay published by Sherman, his major speeches, and substantive correspondence. It also contains texts of major public documents that he helped draft.

A Life in Brief

Sherman was born in Massachusetts in 1721 to Mehetabel and William Sherman. William was a farmer and cobbler, and like many citizens in the region, he was a Congregationalist. Shortly after his father died in 1741, Roger moved to New Milford, Connecticut, where he worked as a cobbler, surveyor, and store owner. Sherman never went to college, but he was a voracious reader. He taught himself advanced mathematics, and in 1750 he began publishing a popular almanac that was issued annually or biannually until 1761. During this time Sherman studied law, and he was admitted to the Litchfield bar in 1754. Under the guidance of Roger and his older brother, the two younger Sherman brothers, Nathaniel and Josiah, attended the College of New Jersey (Princeton), from which they graduated in 1753 and 1754, respectively. They both became Congregational ministers.

As Sherman prospered professionally, he was selected for a variety of local offices, and in 1755 he was elected to several six-month terms in the lower house of Connecticut’s General Assembly. In 1760, after the death of his first wife (with whom he had seven children), Sherman moved to New Haven. There he opened a store next to Yale College and sold general merchandise, provisions, and books. Sherman married Rebecca Prescott three years later, and the couple had eight children. Once again he was elected to local offices and to the lower house of the General Assembly. In 1766, Connecticut voters chose him as one of the twelve members of the upper house, or Council of Assistants. Traditionally, four assistants were selected by the General Assembly to serve with the deputy governor as judges on Connecticut’s Superior Court. Sherman was appointed to this court in 1766, and he held both offices until

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18. For instance, George Washington’s papers are projected to reach ninety volumes, the Adams family papers more than one hundred, and Madison’s and Franklin’s papers approximately fifty each, while Hamilton’s papers have been collected in thirty-two volumes.
1785, when he resigned as an assistant to retain his position as a judge in response to a 1784 law that prohibited individuals from holding both offices. He remained a Superior Court judge until he became a member of the U.S. House of Representatives in 1789.

Beginning in 1774, Sherman accepted multiple appointments to the Continental Congress. Altogether he served 1,543 days in that body, and he helped draft and signed virtually every significant document produced by it (the primary exception being the Northwest Ordinance).\(^{19}\) He served on numerous committees, including those charged with drafting the Declaration of Independence and the Articles of Confederation. In 1783, Sherman and the aptly named Richard Law accepted the task of revising all of Connecticut’s statutes.\(^{20}\) Four years later he was appointed to the Federal Constitutional Convention. Despite being the second oldest delegate at 66, Sherman was an active member, speaking more often than all but three delegates and serving as the driving force behind the Connecticut Compromise. He was also a leader in Connecticut’s ratification convention, and he wrote six letters for the *New Haven Gazette* responding to objections from anti-Federalists.

Under the new Constitution, Sherman was elected first to the House of Representatives (1789–91) and then appointed to the U.S. Senate to fill the unexpired term of William Samuel Johnson. In Congress, he played an important role in debates over the Bill of Rights, the assumption of state debts, and the creation of a national bank. Sherman served in the Senate until his death on July 23, 1793. His life is summed up well by Yale president Timothy Dwight:

> Mr. Sherman possessed a powerful mind; and habits of industry, which no difficulties could discourage, and no toil impair. In early life he began to apply himself, with inextinguishable zeal, to the acquisition of knowledge. In this pursuit, although he was always actively engaged in business, he spent more hours than most of those, who are professedly students. In his progress he became extensively acquainted with Mathematical science, with Natural philosophy, with Moral and Metaphysical philosophy, with History, Logic and Theology. As a lawyer, and a statesman, he was eminent. The late Judge Ingersoll, who has been already mentioned, once observed to me, that, in his opinion, the views which Mr. Sherman formed of political subjects, were more profound, just, and comprehensive, than

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\(^{20}\) Sherman and Law had to revise, update, or reject previous statutes—and in some cases they composed entirely new laws. Sherman took the statutes beginning with the letters A–L, and Law took the rest. They consulted with each other before submitting the final draft to the legislature, where the proposed laws were amended and passed or, occasionally, rejected.
those of almost any other man, with whom he had been acquainted on this continent. His mind was remarkably clear and penetrating; and, more than almost any other man, looked from the beginning of a subject to the end. Nothing satisfied him but proof; or where that was impossible, the predominant probability which equally controls the conduct of a wise man. He had no fashionable opinions, and could never be persuaded to swim with the tide. Independent of every thing but argument, he judged for himself; and rarely failed to convince others, that he judged right.21

Critical outside funding for writing this volume was provided by the Earhart Foundation. Over the years the Foundation has supported numerous academic projects that center on the American founding. It will be sorely missed. A small research grant from the American Political Science Association helped fund travel to key archives.

Hans Eicholz, senior fellow at Liberty Fund, was an important advocate of the project. I am grateful for his invitation to direct a Liberty Fund colloquium based on texts that later made their way into this collection. Working with Liberty Fund is always a joy.

Most of my academic projects involve collaborators, and this one is no exception. Vetta Berokoff of George Fox University, her assistants, and my teaching assistants—especially Sergio Cisneros, Austin Schaefer, and Chelsea McCombs—typed and checked numerous manuscripts. I am thankful for their hard and diligent work. As always, I am grateful for the support of George Fox University, the William Penn Honors Program, and the Institute for the Studies of Religion at Baylor University.
A Note on the Texts


Selecting texts from these and other fine collections was the easy part of this enterprise. Far more difficult was finding and transcribing letters and other documents that have never been published. Altogether I spent approximately two months in a wide variety of archives. The most important collections of Sherman’s papers are found at the Library of Congress, Yale University’s Manuscripts and Archives, and the Connecticut State Library. I am grateful to these institutions, as well as to the Connecticut Historical Society, Massachusetts Historical Society, New-York Historical Society, New York Public Library, and Historical Society of Pennsylvania, for granting me permission to publish manuscripts from their collections. Archivists in each institution made my job far easier than it might have otherwise been.

I reproduce texts taken from printed material exactly as they appear unless I note otherwise. Unless otherwise noted, brackets indicate material added by me.

As is the practice with Liberty Fund volumes, chapter introductions and headnotes are short and non-interpretive. I provide a very brief introduction to all but the most famous founders the first time they appear in the text. Portions of the introduction, chapter introductions, and headnotes are derived from material originally published in Mark David Hall, Roger Sherman and the Creation of the American Republic (New York: Oxford University Press, 2013).