

MONDAY, JULY 9, 1787.

JOURNAL

Monday July 9. 1787.

The honorable Daniel Carrol Esquire One of the Deputies from the State of Maryland attended and took his seat.

The honorable Mr G. Morris, from the Committee to whom was referred the first clause of the first proposition reported from the grand Committee, informed the House that the Committee were prepared to report—He then read the report in his place, and the same being delivered in at the Secretary's table was read once throughout, and then by paragraphs — and is as follows, namely.

The Committee to whom was referred the first clause of the first proposition reported from the grand Committee beg leave to report

That in the first meeting of the Legislature of the United States the first branch thereof consist of fifty six Members, of which number

New Hampshire shall have	Two.
Massachusetts	Seven
Rhode Island	One
Connecticut	Four
New-York	Five
New-Jersey	Three
Pennsylvania	Eight
Delaware	One
Maryland	Four
Virginia	Nine
North Carolina	Five
South Carolina	Five
Georgia	Two.

2 But as the present situation of the States may probably alter

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as well in point of wealth as in the number of their inhabitants that the Legislature be authorised from time to time to augment the number of representatives: and in case any of the States shall hereafter be divided, or any two or more States united, or any new State created within the limits of the United States the Legislature shall possess authority to regulate the number of representatives in any of the foregoing cases upon the principles of their wealth and number of inhabitants.

It was moved and seconded to postpone the consideration of the first paragraph of the report in order to take up the second.

which passed in the affirmative

On the question to agree to the second paragraph of the report it passed in the affirmative [Ayes — 9; noes — 2.]

It was moved and seconded to refer the first paragraph of the report to a Committee of One member from each State,

which passed in the affirmative [Ayes — 9; noes — 2.]

and a Committee was appointed by ballot of.

The honorable Mr King, Mr Sherman, Mr Yates, Mr Brearely, Mr G. Morris, Mr Read, Mr Carrol, Mr Madison, Mr Williamson, Mr Rutledge, and Mr Houston.

and then the House adjourned until to-morrow at 11 o'clock A. M.

DETAIL OF AYES AND NOES

	New Hampshire	Massachusetts	Rhode Island	Connecticut	New York	New Jersey	Pennsylvania	Delaware	Maryland	Virginia	North Carolina	South Carolina	Georgia	Questions	Ayes	Noes	Divided
[122]	aye	aye	aye	no	no	aye	aye	aye	aye	aye	aye	aye	aye	To agree to the second clause of the report of the Committee to whom was referred the first clause of ye 1st propo: reported from ye gr: Committee	9	2	
[123]	aye	aye	aye	no	aye	aye	aye	aye	aye	aye	aye	no	aye	To refer the first paragraph of the report to a Committee of One Member from each State.	9	2	

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Monday July 9th. in Convention

(Mr. Daniel Carroll from Maryland took his Seat.)¹

Mr. Govr. Morris (delivered a) report from the Come. of 5 members to whom was committed the clause in the Report of the Come. consisting of a member from each State, stating the proper ratio of Representatives in the 1st. branch, to be as 1 to every 40,000 inhabitants, as follows viz

“The Committee to whom was referred the 1st. clause of the 1st. proposition reported from the grand Committee, beg leave to report I. ¶ that in the 1st. meeting of the Legislature the 1st. branch thereof consist of 56. members of which Number N. Hamshire shall have 2. Massts. 7. R. Id. 1. Cont. 4. N. Y. 5. N. J. 3. Pa. 8. Del. 1. Md. 4. Va. 9. N. C. 5, S. C. 5. Geo. 2. II ¶ —. But as the present situation of the States may probably alter as well in point of wealth as in the number of their inhabitants, that the Legislature be authorized from time to time to augment ye. number of Representatives. And in case any of the States shall hereafter be divided, or any two or more States united, or any new States created within the limits of the United States, the Legislature shall possess authority to regulate the number of Representatives in any of the foregoing cases, upon the principles of their wealth and number of inhabitants.”

Mr. Sherman wished to know on what principles or calculations the Report was founded. It did not appear to correspond with any rule of numbers, or of any requisition hitherto adopted by Congs.

Mr. Gorham. Some provision of this sort was necessary in the outset. The number of blacks & whites with some regard to supposed wealth was the general guide. Fractions could not be observed. The Legislre. is to make alterations from time to time as justice & propriety may require, Two objections prevailed agst. the rate of 1 member for every

¹ Taken from *Journal*.

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40,000. inhts. The 1st. was that the Representation would soon be too numerous: the 2d. that the Westn. States who may have a different interest, might if admitted on that principal by degrees, out-vote the Atlantic. Both these objections are removed. The number will be small in the first instance and may be continued so, and the Atlantic States having ye. Govt. in their own hands, may take care of their own interest, by dealing out the right of Representation in safe proportions to the Western States. These were the views of the Committee.

Mr. L. Martin wished to know whether the Come. were guided in the ratio, by the wealth or number of inhabitants of the States, or by both; noting its variations from former apportionments by Congs.

Mr. Govr. Morris & Mr. Rutledge moved to postpone the 1st. paragraph relating to the number of members to be allowed each State in the first instance, and to take up the 2d. paragraph authorizing the Legislrre to alter the number from time to time according to wealth & inhabitants.² The motion was agreed to nem. con.

On Question on the 2d. parag. taken without any debate

Masts. ay. Cont. ay. N. Y. no. N. J. no. Pa. ay. Del. ay. Md. ay. Va. ay. N. C. ay. S. C. ay. Geo. ay. [Ayes — 9; noes — 2.]

Mr. Sherman moved to refer the 1st. part apportioning the Representatives to a Comme. of a member from each State.

Mr. Govr. Morris seconded the motion; observing that this was the only case in which such Committees were useful.

Mr. Williamson. thought it would be necessary to return to the rule of numbers. but that the Western States stood on different footing. If their property shall be rated as high as that of the Atlantic States, then their representation ought to hold a like proportion. Otherwise if their property was not to be equally rated.

Mr Govr. Morris. The Report is little more than a guess. Wealth was not altogether disregarded by the Come.² Where

² See Appendix A, CCCLXXIX.

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it was apparently in favor of one State whose nos. were superior to the numbers of another, by a fraction only, a member extraordinary was allowed to the former: and so vice versa. The Committee meant little more than to bring the matter to a point for the consideration of the House.

Mr. Reed asked why Georgia was allowed 2 members, when her number of inhabitants had stood below that of Delaware.

Mr. Govr. Morris. Such is the rapidity of the population of that State, that before the plan takes effect, it will probably be entitled to 2 Representatives

Mr. Randolph disliked the report of the Come. but had been unwilling to object to it. He was apprehensive that as the number was not to be changed till the Natl. Legislature should please, a pretext would never be wanting to postpone alterations, and keep the power in the hands of those possessed of it. He was in favor of the commitmt. to a member from each State

Mr. Patterson considered the proposed estimate for the future according to the Combined rule of numbers and wealth, as too vague. For this reason N. Jersey was agst. it. He could regard negroes slaves in no light but as property. They are no free agents, have no personal liberty, no faculty of acquiring property, but on the contrary are themselves property, & like other property entirely at the will of the Master. Has a man in Virga. a number of votes in proportion to the number of his slaves? and if Negroes are not represented in the States to which they belong, why should they be represented in the Genl. Govt. What is the true principle of Representation? It is an expedient by which an assembly of certain individs. chosen by the people is substituted in place of the inconvenient meeting of the people themselves. If such a meeting of the people was actually to take place, would the slaves vote? they would not. Why then shd. they be represented. He was also agst. such an indirect encouragemt. of the slave trade; observing that Congs. in their act relating to the change of the 8 art: of Confedn. had been ashamed to use the term "Slaves" & had substituted a description.³

³ For further discussion of question here raised, see debates July 11-13, and note 5, July 11.

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Mr. (Madison,) reminded Mr. Patterson that his doctrine of Representation which was in its principle the genuine one, must for ever silence the pretensions of the small States to an equality of votes with the large ones. They ought to vote in the same proportion in which their citizens would do, if the people of all the States were collectively met. He suggested as a proper ground of compromise, that in the first branch the States should be represented according to their number of free inhabitants; And in the 2d. which had for one of its primary objects the guardianship of property, according to the whole number, including slaves.

Mr. Butler urged warmly the justice & necessity of regarding wealth in the apportionment of Representation.

Mr. King had always expected that as the Southern States are the richest, they would not league themselves with the Northn. unless some respect were paid to their superior wealth. If the latter expect those preferential distinctions in Commerce & other advantages which they will derive from the connection they must not expect to receive them without allowing some advantages in return. Eleven out of 13 of the States had agreed to consider Slaves in the apportionment of taxation; and taxation and Representation ought to go together.

On the question for committing the first paragraph of the Report to a member from each State.

Masts. ay. Cont. ay. N. Y. no. N. J. ay. Pa. ay. Del. ay. Md ay. Va. ay. N. C. ay. S. C. no. Geo. ay. [Ayes — 9; noes — 2.]

The Come. appointed were. Mr King. Mr. Sherman, Mr. Yates, Mr. Brearly, Mr. Govr. Morris, Mr. Reed, Mr. Carrol, Mr. Madison, Mr. Williamson, Mr. Rutlidge, Mr. Houston.

Adjd.

PATERSON

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Gorham.

Report of Comee.

Necessary, that the Atlantic States should take Care of themselves; the Western States will soon be very numerous.