

TUESDAY, JULY 10, 1787.

JOURNAL

Tuesday July 10. 1787.

1 The honorable Mr King from the grand Committee to whom was referred the first paragraph of the report of a Committee consisting of Mr G. Morris, Mr Gorham, Mr Randolph, Mr Rutledge, and Mr King, 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 again read, and is as follows, namely.

That in the original formation of the Legislature of the United States, the first Branch thereof shall consist of sixty five members,

of which number

New Hampshire shall send	.....	Three.
Massachusetts	.....	Eight
Rhode Island	.....	One.
Connecticut	.....	Five
New York	.....	Six
New-Jersey	.....	Four.
Pennsylvania	.....	Eight
Delaware	.....	One
Maryland	.....	Six
Virginia	.....	Ten
North Carolina	.....	Five
South Carolina	.....	Five
Georgia	.....	Three.

It was moved and seconded to amend the report by striking out the word "Three" in the apportionment of representation to New Hampshire, and inserting the word "Two"

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

It was moved and seconded to amend the report by striking out the word "five" in the apportionment of representation to North Carolina, and inserting the word "six"

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which passed in the negative. [Ayes — 3; noes — 8.]  
It was moved and seconded to amend the report by striking out the word “five” in the apportionment of representation to South Carolina and inserting the word “six”

which passed in the negative. [Ayes — 4; noes — 7.]  
It was moved and seconded to amend the report by striking out the word “Three” in the apportionment of representation to Georgia and inserting the word “four”

which passed in the negative. [Ayes — 4; noes — 7.]  
It was moved and seconded to double the number of representatives, in the first branch of the Legislature of the United States, apportioned by the report of the grand Committee to each State.

which passed in the negative. [Ayes — 2; noes — 9.]  
On the question to agree to the report of the grand Committee.

it passed in the affirmative [Ayes — 9; noes — 2.]  
It was moved and seconded to add the following amendment after the second paragraph of the report from the Committee consisting of Mr Morris, Mr Gorham, Mr Randolph, Mr Rutledge and Mr King. —

“That in order to ascertain alterations in the population and wealth of the States the Legislature of the United States be required to cause a proper census and estimate to be taken once in every term of            years.”

It was moved and seconded to postpone the consideration of the last motion in order to take up the following, namely

“That the Committee of eleven, to whom was referred the report of the Committee of five on the subject of representation, be requested to furnish the Convention with the principles on which they grounded the report.”

which passed in the negative. [Ayes — 1; noes — 10.]

[To adjourn Ayes — 10; noes — 1.]<sup>1</sup>

And then the House adjourned till to-morrow at 11 o'clock A. M.

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<sup>1</sup> Vote 131, Detail of Ayes and Noes. This doubtless belongs here, partly because of its position between Votes 130 and 132, and because it is the last time New York's vote is recorded.

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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
[124]	no	no		no	no	no	no	no	no	no	no	aye	aye	To strike out the word "three" in the apportionment of representation to New Hampshire, and insert the word "Two."	2	9	
[125]	no	no		no	no	no	no	no	no	no	aye	aye	aye	To strike out the word "five" in the representation of North Carolina, and insert the word "six"	3	8	
[126]	no	no		no	no	no	no	aye	no	no	aye	aye	aye	To strike out the word "five" in the representation of South Carolina and insert "six"	4	7	
[127]	no	no		no	no	no	no	no	no	aye	aye	aye	aye	To strike out the word "three" in the representation of Georgia and insert the word "four"	4	7	
[128]	no	no		no	no	no	no	aye	no	aye	no	no	no	To double the representation reported from the Committee.	2	9	
[129]	aye	aye		aye	aye	aye	aye	aye	aye	aye	aye	no	no	To agree to the report of the grand Committee. Mr. King Chairman	9	2	
[130]	no	no		no	no	no	no	no	no	no	no	aye	no	To postpone the motion for ascertaining the future representation	1	10	
[131]	aye	aye		aye	aye	aye	aye	aye	aye	aye	no	aye	aye	To adjourn			

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Teusday. July 10. In Convention

Mr. King reported from the Come. yesterday appointed that the States at the 1st. meeting of the General Legislature, should be represented by 65 members in the following proportions, to wit. N. Hamshire by 3, Masts. 8. R. Isd. 1. Cont. 5. N. Y. 6. N. J. 4. Pa. 8. Del. 1. Md. 6. Va. 10. N: C. 5. S. C. 5, Georgia 3.<sup>2</sup>

Mr. Rutledge moved that N. Hampshire be reduced from 3 to 2. members. Her numbers did not entitle her to 3 and it was a poor State.

Genl. Pinkney seconds the motion.

Mr. King. N. Hamshire has probably more than 120,000 Inhabts. and has an extensive country of tolerable fertility. Its inhabts therefore may be expected to increase fast. He remarked that the four Eastern States having 800,000 souls, have  $\frac{1}{3}$  fewer representatives than the four Southern States, having not more than 700,000 souls rating the blacks, as 5 for 3. The Eastern people will advert to these circumstances, and be dissatisfied. He believed them to be very desirous of uniting with their Southern brethren but did not think it prudent to rely so far on that disposition as to subject them to any gross inequality. He was fully convinced that the question concerning a difference of interests did not lie where it had hitherto been discussed, between the great & small States; but between the Southern & Eastern. For this reason he had been ready to yield something in the proportion of representatives for the security of the Southern. No principle would justify the giving them a majority. They were brought as near an equality as was possible. He was not averse to giving them a still greater security, but did not see how it could be done.

Genl. Pinkney. The Report before it was committed was

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<sup>2</sup> For the basis of the determination of these numbers, see below, and Appendix A, CXV, CXXIII, CLVIII (38), CLXXVI-CLXXX, CCXXV.

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more favorable to the S. States than as it now stands. If they are to form so considerable a minority, and the regulation of trade is to be given to the Genl. Government, they will be nothing more than overseers for the Northern States. He did not expect the S. States to be raised to a majority of representatives, but wished them to have something like an equality. At present by the alterations of the Come. in favor of the N. States they are removed farther from it than they were before. One member had indeed been added to Virga. which he was glad of as he considered her as a Southern State. He was glad also that the members of Georgia were increased.

Mr. Williamson was not for reducing N. Hamshire from 3 to 2. but for reducing some others. The Southn. Interest must be extremely endangered by the present arrangement. The Northn. States are to have a majority in the first instance and the means of perpetuating it.

Mr. Dayton observed that the line between the Northn. & Southern interest had been improperly drawn: that Pa. was the dividing State, there being six on each side of her.

Genl. Pinkney urged the reduction, dwelt on the superior wealth of the Southern States, and insisted on its having its due weight in the Government.

Mr. Govr. Morris regretted the turn of the debate. The States he found had many Representatives on the floor. Few he fears were to be deemed the Representatives of America. He thought the Southern States have by the report more than their share of representation. Property ought to have its weight; but not all the weight. If (the Southn. States are to) supply money. The Northn. States are to spill their blood. Besides, the probable Revenue to be expected from the S. States has been greatly overated. He was agst. reducing N. Hamshire.

Mr. Randolph was opposed to a reduction of N. Hamshire, not because she had a full title to three members: but because it was in his contemplation 1. to make it the duty instead of leaving it in the discretion of the Legislature to regulate the representation by a periodical census. 2. to require more

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than a bare majority of votes in the Legislature in certain cases, & particularly in commercial cases.<sup>3</sup>

On the question for reducing N. Hampshire from 3 to 2 Represents. (it passed in the negative)

Masts. no. Cont. no. N. J. no. Pa. no. Del. no. Md. no. Va. no. N. C. ay.\* S. C. ay. Geo. no.\* [Ayes — 2; noes — 8.]<sup>4</sup>

Genl. Pinkney & Mr. Alexr. Martin moved that 6 Reps. instead of 5 be allowed to N. Carolina

On the question, (it passed in the negative)

Masts. no. Cont. no. N. J. no. Pa. no. Del. no. Md. no. Va. no. N. C. ay. S. C. ay Geo. ay. [Ayes — 3; noes — 7.]<sup>4</sup>

Genl. Pinkney & Mr. Butler made the same motion in favor of S. Carolina

On the Question (it passed in the negative)

Masts. no. Cont. no. (N. Y. no.)<sup>5</sup> N. J. no. Pa. no. Del. ay. Md. no. Va. no. N. C. ay. S. C. ay. Geo. ay [Ayes — 4; noes — 7.]

Genl. Pinkney & Mr. Houston moved that Georgia be allowed 4 instead of 3 Reps. urging the unexampled celerity of its population. On the Question, (it passed in the Negative)

Masts. no. Cont. no. (N. Y. no.)<sup>5</sup> N. J. no. Pa. no. Del. no. Md. no. Va. ay. N: C. ay. S. C. ay. Geo. ay. [Ayes — 4; noes — 7.]

Mr. M(adison) moved that the number allowed to each State be doubled.<sup>6</sup> A *majority* of a *Quorum* of 65 members, was too small a number to represent the whole inhabitants of the U. States; They would not possess enough of the confidence of the people, and wd. be too sparsely taken from the people, to bring with them all the local information which would be frequently wanted. Double the number will not be too great even with the future additions from New States.

\* (In the printed Journal, N. C. no. Geo. ay.)

<sup>3</sup> For "an accommodating proposition to small States" suggested by Randolph, see Appendix A, LVIII, and *Records* of July 16.

<sup>4</sup> New York is included in Detail of Ayes and Noes.

<sup>5</sup> New York's vote is taken from *Journal*.

<sup>6</sup> On this motion, see Appendix A, CLXXXI.

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The additional expence was too inconsiderable to be regarded in so important a case. And as far as the augmentation might be unpopular on that score, the objection was over-balanced by its effect on the hopes of a greater number of the popular Candidates.

Mr. Elseworth urged the objection of expence,<sup>7</sup> & that the greater the number, the more slowly would the business proceed; and the less probably be decided as it ought, at last — He thought the number of Representatives too great in most of the State Legislatures: and that a large number was less necessary in the Genl. Legislature than in those of the States, as its business would relate to a few great, national Objects only.

Mr. Sherman would have preferred 50 to 65. The great distance they will have to travel will render their attendance precarious and will make it difficult to prevail on a sufficient number of fit men to undertake the service. He observed that the expected increase from New States also deserved consideration.

Mr. Gerry was for increasing the number beyond 65. The larger the number the less the danger of their being corrupted. The people are accustomed to & fond of a numerous representation, and will consider their rights as better secured by it. The danger of excess in the number may be guarded agst. by fixing a point within which the number shall always be kept.

Col. Mason admitted that the objection drawn from the consideration of expence, had weight both in itself, and as the people might be affected by it. But he thought it outweighed by the objections agst. the smallness of the number. 38, will he supposes, as being a majority of 65, form a quorum. 20 will be a majority of 38. This was certainly too small a number to make laws for America. They would neither bring with them all the necessary information relative to various local interests nor possess the necessary confidence of the people. After doubling the number, the laws might still be made by so few as almost to be objectionable on that account.

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<sup>7</sup> See Appendix A, CCXVIII.

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Mr. Read was in favor of the motion. Two of the States (Del. & R. I.) would have but a single member if the aggregate number should remain at 65. and in case of accident to either of these one State wd. have no representative present to give explanations or informations of its interests or wishes. The people would not place their confidence in so small a number. He hoped the objects of the Genl. Govt. would be much more numerous than seemed to be expected by some gentlemen, and that they would become more & more so. As to New States the highest number of Reps. for the whole might be limited, and all danger of excess thereby prevented.

Mr. Rutledge opposed the motion. The Representatives were too numerous in all the States. The full number allotted to the States may be expected to attend (& the lowest possible quorum shd. not therefore be considered —). The interests of their Constituents will urge their attendance too strongly for it to be omitted: and he supposed the Genl. Legislature would not sit more than 6 or 8 weeks in the year.

On the question for doubling the number, (it passed in the negative.)

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

On the question for agreeing to the apportionment of Reps. as amended (by the last committee it passed in the affirmative),

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

Mr. Broom gave notice to the House that he had concurred with a reserve to himself of an intention to claim for his State an equal voice in the 2d. branch: which he thought could not be denied after this concession of the small States as to the first branch.

Mr. Randolph moved (as an amendment to the report of the Comme. of five) “that in order to ascertain the alterations in the population & wealth of the several States the Legislature should be required to cause a census, and esti-



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mate to be taken within one year after its first meeting; and every        years thereafter — and that the Legislre. arrange the Representation accordingly.”<sup>8</sup>

Mr Govr. Morris opposed it as fettering the Legislature too much. Advantage may be taken of it in time of war or the apprehension of it, by new States to extort particular favors. If the mode was to be fixed for taking a census, it might certainly be extremely inconvenient; if unfixt the Legislature may use such a mode as will defeat the object: and perpetuate the inequality. He was always agst. such Shackles on the Legislre. They had been found very pernicious in most of the State Constitutions. He dwelt much on the danger of throwing such a preponderancy into the Western Scale, suggesting that in time the Western people wd. outnumber the Atlantic States. He wished therefore to put it in the power of the latter to keep a majority of votes in their own hands. It was objected he said that if the Legislre. are left at liberty, they will never readjust the Representation. He admitted that this was possible, but he did not think it probable unless the reasons agst. a revision of it were very urgent & in this case, it ought not to be done.

It was moved to postpone the proposition of Mr. Randolph in order to take up the following, viz. “that the Committee of Eleven, to whom was referred the report of the Committee of five on the subject of Representation, be requested to furnish the Convention with the principles on which they grounded the Report,” which was disagreed to: (S. C. only voting in the affirmative.)<sup>9</sup>

Adjourned.<sup>10</sup>

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<sup>8</sup> See Appendix A, CLXXVI.

<sup>9</sup> Taken from *Journal*. It is probable but not certain that all of this last paragraph is a later insertion taken from *Journal*.

<sup>10</sup> See further Appendix A, LIX, LX.

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PATERSON

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PATERSON <sup>11</sup>

## Number of Inhabitants.

New Hampshire in 1774 .....	100,000.
Massachusetts in 1774 .....	400,000.
Rhode-Island by a Return to the Legislature in Feby. 1783.	
48,538 Whites. } .....	51,869.
3,331 Blacks. } .....	
Connecticut in 1774 .....	
Whites 192,000. } .....	198,000.
Blacks (nearly) 6,000. } .....	
in 1782 nearly .....	220,000.
New York in 1756. 96,775.	
in 1771. 168,000.	
in 1786. Whites 219,996. } .....	238,885.
Blacks 18,889 } .....	
New Jersey in 1783. 139,000.	
about 10,000 Blacks included —	
Pennsylvania —	
Delaware —	
Maryland in 1774 estimated at. 350,000.	
Blacks $\frac{2}{7}$ .....	150,000.
Virginia in 1774 .....	650,000.
Blacks as 10 to 11 .....	300,000.
In the lower States the accts. are not to be depended on —	

## The Proportion of Blacks.

In Connecticut as 1. to 33.  
 The same Ratio will answer for Massachusetts —  
 In Rhode-Island as 1 to 15½.  
 In New York as 1 to 12 nearly.  
 In New Jersey as 1 to 13 nearly.

Virginia _____	9.	10
Massts. _____	7.	8

<sup>11</sup> Reprinted from *American Historical Review*, IX, 328-330.

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Pennsylva. _____	8.	8
Maryland _____	4.	6.
Connecticut _____	4.	5.
New York _____	5.	6.
N. Carolina _____	5.	5.
S. Carolina _____	5.	5.
N. Jersey _____	3.	4.
New Hampshire	2.	3.
Rh. Island _____	1.	1
Del. _____	1.	1
Georgia _____	2.	3.
	56.	65
4 Eastn. States		17.
5 Middle States		25.
4 Southn. States		23.
		65

BREARLEY<sup>12</sup>

States	N. of Whites	N. of Blacks
New-Hampshire . . . . .	82,000 — 102,000	
Massachusetts Bay . . .	352,000	
Rhode Island . . . . .	58,000	
Connecticut . . . . .	202,000	
New-York . . . . .	238,000	
New-Jersey . . . . .	138,000 — 145,000	
Pennsylvania . . . . .	341,	
Delaware . . . . .	37,000	
Maryland . . . . .	174,000	80,000
Virginia suppd. . . . .	300,000	300,000
North Carolina . . . .	181,000	
South Carolina . . . . .	93,000	
Georgia . . . . .	27,000	

[Endorsed:] Return of the Numbers in the several States

<sup>12</sup> Among the papers of Brearley relating to the Federal Convention, and turned over by his executor, General Bloomfield, to John Quincy Adams, is this document — on both sides of a single sheet. A somewhat different estimate of the population of the several states will be found in Appendix A, CLXXI. A similar statement of "Quota of Tax" and "Delegates" is given under June 9.

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	Quota of Tax	Delegates
Virginia .....	512,974.....	16
Massachusetts .....	448,854.....	14
Pennsylvania .....	410,378.....	12 $\frac{3}{4}$
Maryland .....	283,034.....	8 $\frac{3}{4}$
Connecticut .....	264,182.....	8
New York .....	256,486.....	8
North Carolina .....	218,012.....	6 $\frac{3}{4}$
South Carol na .....	192,366.....	6
New-Jersey .....	166,716.....	5
New-Hampse .....	105,416.....	3 $\frac{1}{4}$
Rhode Island .....	64,636.....	2
Delaware .....	44,886.....	1 $\frac{1}{4}$ .
Georgia .....	32,060.....	1
	<u>3,000,000</u>	<u>90</u>

Sepr 27th 1785.

[Endorsed:] hon. D. Brearly Esq