Crafting the Northwest Ordinance of 1787: Tracking Delegates Blount, Few, Pierce and Butler

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ABSTRACT.
William Blount, William Few, William Pierce and Pierce Butler were the only delegates to the federal convention (1787) who also attended the Continental Congress during the convention, with the former three being present on July 13th and voting for the Northwest Ordinance. What role did the three play in crafting the Northwest Ordinance?

Keywords: Northwest Ordinance

A. INTRODUCTION. The Northwest Ordinance came to be famously known to the Nineteenth Century through the text of Article VI. This provided:

There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes whereof the party shall have been duly convicted: Provided, always, That any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service as aforesaid.

The Ordinance itself was adopted by the Continental Congress on July 13, 1787 and the names of those delegates approving (for their states) the ordinance recorded in the Journals of the Continental Congress [1]. Located in footnotes in the discussion that follows, the reader is reminded that the Continental Congress voted by states; hence the lack of a few delegates, in delegations otherwise supporting a measure, would not be able to satisfy both the quorum and action requirements.

B. THE SITUATION ON JULY 13TH. The journals show that as of July 13, 1787 a quorum was present through the delegations of eight states: Massachusetts, New York, New Jersey, Delaware, Virginia, North Carolina, South Carolina, and Georgia. Rhode Island was not present; that is not surprising. New Hampshire’s absence can be explained by the fact that the delegates were usually delayed in reimbursements. Pennsylvania? Maryland? Connecticut? But the reader will note that with the arrival of Blount, Few and Pierce, all of the four southern states were able to muster the required quorum under the interval quorum requirements. [2]

C. WILLIAM BLOUNT OF NORTH CAROLINA. Born March 26, 1749, William Blount was a veteran of the Continental Congress having also served as a delegate from North Carolina in 1782, 1783, and 1786. He later became governor of the territory that would become Tennessee in 1790, chaired the convention that framed the state’s constitution in 1796, and was elected as a senator of that state. He died on March 21, 1800.

D. WILLIAM FEW OF GEORGIA. William Few was born in Baltimore, Maryland on June 8, 1748. He moved to Augusta, Georgia in 1776 and was elected to the state’s house of representatives the next year. He served in the Continental Congress from 1780 to 1782 and 1786-1788. Afterwards he served as one of Georgia’s first senators before moving to New York City in 1799 where he was director of the Manhattan Bank from 1804-1814. One of the longest lived of the delegates to the Federal Convention, he died July 16, 1828.
E. **William Leigh Pierce of Georgia.** William Pierce’s date of birth is not certain with the most commonly estimated years being 1740 and 1753. OCL believes he was born in the latter year. He served in the Revolutionary War as an aide to General Nathanael Greene. A relatively new politician, 1787 was his first and only year serving in the Continental Congress. He died December 10, 1789.

F. **Pierce Butler of South Carolina.** One of the few foreign-born delegates to the Federal Convention, Pierce Butler was born in Ireland on July 11, 1744. He settled in South Carolina and became a planter after resigning his commission in the British Army. He only was a delegate to the Continental Congress for one year but became one of South Carolina’s first senators, serving from 1789 to 1796 and 1802 to 1804. He died on February 15, 1822 in Philadelphia.

G. **Chart Annexed to Article.** Chart 708 displays the attendance of these four men in both the Federal Convention at Philadelphia and the Continental Congress in New York. Blount, Few, and Pierce left in the middle of the convention to return to congress to give that body the seven fully-represented states it needed for a quorum (their presence gave both North Carolina and Georgia full representation). Their presence allowed congress to do business between July 4th and August 3rd. During this period, the Continental Congress adopted the Northwest Ordinance on July 13.

Each delegate is assigned his own color for easy viewing. The faded color lines of the chart represent dates when the delegate may have been at that location, but their presence is not completely certain. The table marks out each day (the lightest gray lines) and each week, starting with Mondays (gray lines); however, the lack of participation on Sundays is ignored in order to avoid gaps in the lines. Black vertical lines mark important dates with explanations in the affixed boxes above the chart.

H. **Note on Delegations and Surety of Attendance.** All three of the Georgia delegates to the federal convention were also Georgia’s three congressional delegates. Few and Pierce showed up in congress on its first day, January 17th, but Baldwin did not present his credentials until November 5th. This allows us to be sure of when these two delegates were and were not in attendance; since two delegates must be present for a state to be fully represented, any time Georgia was fully represented between January 17th and November 5th, both Few and Pierce were present; if only one delegate from a state was present, they were always mentioned by name.

North Carolina’s delegation was much larger with Blount arriving on the January 17th, Benjamin Hawkins on February 13th, John B. Ashe on March 26th, and Robert Burton on September 13th. Between February 13th and March 26th, a full representation by North Carolina would have to include Blount, but after March 26th, his presence cannot be certain unless a vote is taken or the journals mention him specifically.

I. **Reconstructed Travel Log of Each Delegate.** Few presented himself in congress on its first day, January 17th. His last day in congress before the convention was May 12th. Farrand notes in Appendix B of his Records that he may have arrived at the convention as early as the 19th. He was there on May 25th when the convention officially started but left, according to David Kimball, on either May 31st or June 1st to return to Congress. He did not bother attending congress until Pierce joined him on July 4th. He stayed in New York until August 3rd and returned to Philadelphia either the 6th or 7th of August. After the convention disbanded, he returned to New York and assumed his seat in congress on August 20th, the day the constitution was presented.

Pierce arrived in Congress with Few on January 17th and his last day in congress before the convention was May 24th. Kimball notes that Pierce was absent from the convention between June 13th and 20th and then left for congress on July 1st. He never returned to the convention; instead, he attended congress from July 4th to August 1st then returned to that body again on August 27th and was present when the constitution was presented.

William Blount presented his credentials on the first day of congress. After a third North Carolina delegate appeared on March 26th, Blount’s attendance becomes uncertain unless a vote is taken or he is mentioned in the journal. He appears to have left at some point and returned in the middle of the May 10th session to replace Hawkins (Hawkins voted in the first vote of the day and Blount in the later four). Only Hawkins represents North Carolina
two days later, but after that North Carolina is fully represented until June 18, after which none of North Carolina’s delegates are in attendance. Two days later, on June 20, Blount first appears at the Federal Convention. According to David Kimball, he left on July 3rd and Farrand notes he was in congress from July 4th to August 3rd. He returned to Philadelphia on August 7th and stayed until the last day of the convention. North Carolina was fully represented on August 20th, when the constitution was presented, but it is unknown whether Blount was among the delegation.

Pierce Butler attended every day of the convention according to Kimball, but he took advantage of the July 26th to August 6th recess. As the Journals of the Continental Congress record, he presented his credentials on August 2nd and voted on August 3rd. He was not present in congress the day the constitution was presented, though he may have been there the next day as his state was fully represented.

J. CHART ANNEXED. On SelectedWorks, the table appears as a separate file. See http://works.bepress.com/peter_aschenbrenner/

K. LINKS. There are no known on-line sources sorting comparable information.

L. STATUS. Complete.

M. PREFERRED CITATION FORMAT. Please cite as 2 Our Constitutional Logic 708 or 2 OCL 708.

N. SERVER LOCATION. This file is maintained on the I/D server.

O. LAST REVISED. This file was last revised on August 30, 2012; it is version 007.

P. FILE FORMAT. The format of this file is MS Word 2010; the format of the associated table is also MS Word 2010.

Q. REFERENCES.


[2] For exploration of quorum requirements, see An Introduction to Quorum Issues at the Federal Convention, 2 OCL 105.