'Fast and Fourteen': Delegates who Left the Federal Convention Early

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ABSTRACT.
Of the fifty-five delegates who attended the federal convention at Philadelphia in 1787, fourteen left before the constitution concluded its business on September 17, 1787. Their voting records disclose that, just like those early arrivers who supported the Constitution, early leavers who opposed the Constitution were overwhelmed by the number of supporters who departed.

KEY WORDS. federal convention; delegates to Philadelphia.

A. INTRODUCTION. The previous article [1] informs the reader that the delegates who counted in opposition to the Constitution were overwhelmed by the number of delegates supporting the Constitution, at arrival.

Take the earliest moment in time at which a head count could be taken, May 29, 1787; this was the moment in time when Governor Randolph finished delivering the resolutions which bear his name. That head count in favor of the Constitution (with foreknowledge considered below) would be 33-4.

This head count fudges the facts ever so slightly; it attributes information that we have about delegate preferences as/after the convention concluded back to an earlier point in time: in that case, at the conclusion of Gov. Randolph’s address.

Less, if any, fudging is required when the early leavers are analyzed.

The first table annexed hereto identifies the fourteen early leavers. Counting the first departure as June 3, the characteristics of these delegates are developed in the table and discussed as follows.

B. THE ‘UNKNOWN’ LEAVERS. Not surprisingly, some leavers have left us no reliable record by which to judge their preferences. Indeed, except for William Churchill Houston who retired three days after George Wythe on June 6 because of illness, as to three other early leavers, James McClurg, William Houston and Alexander Martin, we cannot even be sure why they left.

But four out of fifty-five ‘unknowns’ (as to their position on the Constitution) is not a particularly remarkable figure. We are somewhat mollified to learn that we don’t know the precise reason for their departure, except for the first Mr. Houston’s health.

It’s worth conjecturing that if any of the three were violently opposed to the Constitution history would have recorded their positions.

C. THE SUPPORTERS. Now we turn to the largest group, five out of thirteen, who were supporters. The departure dates for these delegates are distributed almost equally.

Except for the month of May, in every month one delegate left Philadelphia. In August, Strong and Ellsworth departed. Strong left because of an illness in the family; Ellsworth simply got tired of being absent from his family. His well known letter informs his wife of his departure and announces that she can expect ‘Ellsworth’.

It is fair to say that since Messrs. Davie, Strong, Ellsworth and Dickinson left after the Committee of Detail reported (August 6, 1787; 2 Farrand 176), each of them could be confident that his labor had already secured a strong federal government to the nation’s future. Indeed, no one has ever argued that their departure in any way jeopardized either the adoption by the convention of the Constitution or the ratification of their respective states. As to Davie, one must keep in mind that if North Carolina’s muffing its first chance at ratification (July to August 1788) can be attributed to Davie, some curmudgeon would have said so.
D. THOSE OPPOSED. Generating drama on your departure from an assembly is a good way to underline the level of emotion you attach to your position.

Two delegates timed their exit in such a way that we can say that they could be making a political statement. Note: this is two of fifty-five.

I reference the walk-out of July 11, 1787, the date on which New Yorkers John Lansing and Robert Yates left.

(The nearest thing to a repeat of this walk-off occurred when Maryland’s John Frances Mercer and Luther Martin walked out on August 18 and September 1, respectively. Martin and Mercer walking out did not affect the Maryland quorum requirements, but Lansing and Yates most definitely did, as is explained shortly.)

Doctor Franklin moved (on the last day of the convention) that the Constitution be signed in the following form: “Done in Convention, by the unanimous consent of the States present the 17th. Of Sepr. &c – In Witness whereof we have hereunto subscribed our names.” 2 Farrand 643. All states were fully represented on September 17th (that is, quorum compliant) with the exception of New York, thanks to the departure of John Lansing and Robert Yates; however, Alexander Hamilton did sign, making the document at least appear to have unanimous consent of the states. In Madison’s Notes: “This ambiguous form had been drawn up by Mr. G. M. [likely Gouverneur Morris, as the only other G. M., George Mason, was opposed to the Constitution] in order to gain the dissenting members, and put into the hands of Docr. Franklin that it might have the better chance of success.” 2 Farrand 643.

In his diary for September 17, 1787, George Washington writes, “Met in Convention when the Constitution received the Unanimous assent of 11 States and Col. Hamilton’s from New York (the only delegate from thence in Convention)…. This suggests that to George Washington, having Hamilton’s approval was enough to count New York as accepting the constitution. Therefore, as George Washington stated, the document was executed by “eleven states, and Colonel Hamilton.”

E. SOURCES. David Kimball supplied information about the departure of delegates and other relevant demographics. This information has been supplemented by reference to anb.org.

F. LINK TO TABLE. See Table Annexed hereto. This table displays the arrival dates of each delegate alongside the delegates’ positions on the Constitution seen here.

F. CITATION FORMAT. Please cite as 2 OCL 104.


H. STATUS. Complete.

I. SERIES. For other articles and tables, see http://works.bepress.com/peter_aschenbrenner/.

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

K. LAST REVISED. This file was last revised on April 8, 2012; it is version 014.

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