Who Were the SuperFounders? And Why Does it Matter?

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WHo WERE THE SUPERFOUNDERS?
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[2 OCL 117]
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ABSTRACT.
Thirty-two of the fifty-five delegates who attended the federal convention went on to attend a ratifying convention; twenty-five are Yes-Founders and one, Gov. Edmund Randolph, won his ‘SuperFounder’ status at the Virginia Ratifying Convention. Never before surveyed as a group, the table annexed names the SuperFounders and details their opposite numbers, the No-Founders.

KEY WORDS. federal convention, SuperFounders, Nearfounders, No-Founders

A. INTRODUCTION. The delegates who attended the federal convention at Philadelphia are gathered under the rubric ‘Founders;’ this sloppy usage dominates generalist and specialist literature. It is a useless term and long past its sell-by date; hence, the necessity of defining new terms.

B. PROPOSED TERMS. Delegates who attended both the federal convention and a ratifying convention and who voted for ratification are ‘SuperFounders.’

The delegates who attended only a state ratifying convention are ‘NearFounders.’ ‘NoFounders’ are those attendees at Philadelphia who argued against or refused to support the Constitution; every one of the NoFounders attended a state ratifying convention.

C. THE TABLES. Table 117A displays each of the twenty-six SuperFounders in alphabetical order, along with the state each represented.

Table 117B expands on this table by grouping the delegates by state and displaying the state’s date of ratification and the votes for and against ratification. Only the information for North Carolina’s second convention, the one which ratified the constitution, is displayed.

Table 117C names the NoFounders.

Table 117D expands Table 117C by organizing delegates by state and displaying ratification dates and votes for and against ratification by state.

E. DELEGATIONS WERE FULLY REPRESENTED. At least one delegate from the federal convention attended each state’s ratifying convention.

F. LOW ATTENDANCE EXPLAINED. Although the majority of delegates attended a ratification convention, twenty-three did not. A few of these absences can be explained by illness and many of them can be explained by location, that is, by the difficulty of travelling to the ratification convention after spending the summer in Philadelphia.

G. WHO WERE THE SUPERFOUNDERS? Key identifiers for the career of each SuperFounder is supplied below, with research material supplemented by reference to anb.org.

Blount, William – Blount served as the paymaster for North Carolina troops, on the state legislature, and in the Continental Congress. He left the convention for New York on July 3 to give North Carolina a quorum in congress, and Congress the presence of the nine states needed to pass the Northwest Ordinance.

Brearly, David – Brearley had served as a Lieutenant Colonel and Colonel in the New Jersey line until his election as the state’s Chief Justice in
1779. He was chosen by ten very able colleagues to chair the key Committee on Unfinished Parts.

Davie, William Richardson – Davie served in the North Carolina calvary then the state legislature. He served on the 11-member Connecticut Compromise Committee.

Ellsworth, Oliver – Ellsworth served in the Continental Congress; he was one of the five members of the Committee of Detail.

Few, William – Lawyer and farmer, Few served in the Georgia constitutional convention of 1776, served in both houses of the state legislature, and in Congress 1780-82 and 1785-88. He left the convention to attend Congress in New York, when the Northwest Ordinance (1787) was crafted.

Gorham, Nathaniel – Gorham served in the Continental Congress as its President. He also served as chair of the Committee of the Whole House; he was also a member of the Committee of Detail.

Hamilton, Alexander – Served an aide to Washington – leading the night attack on Redoubt No 10 (‘Rush on boys! The fort is ours!’) – and served as a delegate to the Continental Congress. He was consistently outvoted by Yates and Lansing who decamped on July 11 block New York’s approval of the Constitution. Hamilton signed it anyway.

Johnson, William Samuel – Johnson had held local office and served in the Stamp Act Congress. He was on the Committee of Style.

Langdon, John – John Langdon, who had held a number of offices, had been Continental Agent for New Hampshire during the Revolution, and as a merchant, ship-builder, and Robert Morris collaborator was well aware of the need to strengthen the Federal government, had recently received a plurality in the election for Governor, and was expecting to be elected by the legislature. The convention made use of Langdon’s extensive commercial experience by electing him, in the space of a week, to committees on the assumption of state debts, the key committee on Navigation Acts and the Slave Trade, and the committee on duties and imposts.

King, Rufus – King had served in the post-war Congress and the Massachusetts legislature. It was King who suggested that (Secretary of the federal convention) Wm. Jackson’s Journal/s be placed in the care of the President of the convention.

Madison, James – Madison acquired extensive experience in the Virginia House of Burgesses and the Continental Congress. He is well known for keeping an unofficial journal of the convention’s proceedings.

McHenry, James – McHenry, in his early 30s, had been a military surgeon and military secretary, a state senator, and in the Congress from 1783-85. McHenry was absent for two months but kept notes during his time at the convention.

Pinckney, Charles Cotesworth – Charles Cotesworth Pinckney served in the military and was a POW after Charleston fell. During the convention, he moved to create the Rules Committee and served on it.

Pinckney, Charles – Charles Pinckney was a general in the South Carolina line, served in the state legislature, and was a member of Congress. He served on the Committee on Assumption of State Debts and Militia Regulation and the Committee on Slave Trade and Navigation Acts.

Randolph, Edmund – Served in the Virginia House of Burgesses; an exceptionally capable lawyer and judge. Governor at the time of the convention, he declined to sign the Constitution at Philadelphia, and then changed his mind and announced to the Richmond convention that he would support ratification.

Read, George – Read served as Attorney General, the First and Second Continental Congresses, and thereafter as interim President (Governor) of Delaware, its Legislative Council (Senate), and a judge. He served on the July 9th Committee on Representation in the House and the Committee to Assure Equal Treatment of the State in Trade Regulations.

Rutledge, John – Rutledge was perhaps the most widely experience of any delegate other than Washington and Franklin – First and Second Continental Congress, South Carolina constitutional convention, colonial and state legislature, governor, judge. Rutledge chaired the Committee of Detail and the Committee on Full Faith and Credit, and was a member of the Committee on the Basis of Representation, the Committee to Fix Ratios of Representation, the Grand Committee on Representation in the House, and the Committee on the Slave Trade and Navigation Acts.

Sherman, Roger – Sherman had held every town office imaginable and had been a congressional workhorse and key ally of John Adams. One of the great committee politicians and
masters of compromise of his or any other generation, he helped broker the “Connecticut Compromise.”

Spaight, Richard D. – Spaight had served in the North Carolina House and the Continental Congress. He was likely present every day of the convention. He is the delegate featured in Chandler Christy’s Scene at the Signing of the Constitution penning his signature to the instrument.

Strong, Caleb – Strong had had experience in his state legislative and constitutional bodies. At the convention, he voted to agree to the report from the Grand Committee, and thus approve an equal vote for each state in the Senate; his vote divided the Massachusetts vote, allowing final approval of the compromise, 5 aye, 4 nay, one divided.

Williamson, Hugh – Hugh Williamson, a long-time friend of and occasionally associate in scientific experiments with Franklin, was the North Carolina’s delegation’s leader and spokesman, appearing in the Convention record almost daily. He served on five of the 11 member committees.

Wilson, James – Wilson had been in Congress when independence was declared and signed the Declaration of Independence. He led the fight for fewer restrictions on eligibility for office, and for election by the people at large, and served on the Committee of Detail.

Wythe, George – Wythe served in the Stamp Act Congress and the first and second Continental Congresses. He attended the Philadelphia convention for only a few days, departing on news of his wife’s sickness.

H. WHY IS THIS IMPORTANT? The twenty-six SuperFounders created a federal government which was populated by 107 officials, elected and appointed. These were: ninety-one Congressmen and Senators, a President and Vice President, six judges on the Supreme Court, four cabinet members and four diplomats.

If the SuperFounders believed that their views were entitled to dominate the public debates (attending creation of the federal government in the first federal congress), would they have created a government so large that they would never control the outcome of any debate?

Following up on this point will take the reader into another of these articles.

J. NOTES TO TABLE.

1. Edmund Randolph declined to sign the constitution but he did support it by the end of the Virginia ratifying convention and so is down as for the constitution. The later feelings of the others who did not sign for one reason or another are also used.

2. George Read was not a delegate to his state’s ratification convention but attended to answer questions.

3. Elbridge Gerry was not a delegate to his state’s ratification convention but attended to answer questions.

K. CITATION FORMAT. Cite as 2 Our Constitutional Logic 117 or 2 OCL 117.

L. STATUS. Complete.

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

N. LAST REVISED. This file was last revised on August 30, 2012; it is version 011.

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