Delegate Arrivals at Philadelphia Compared to Voting Records at the Ratification Conventions By State

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DELEGATE ARRIVALS IN PHILADELPHIA COMPARED TO VOTING RECORDS AT THE RATIFICATION CONVENTIONS BY STATE

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ABSTRACT.
Fifty-five delegates were appointed by twelve states to attend the federal convention in May, 1787. Eleven states ratified the Constitution between December 7, 1787 and July 26, 1788. When delegate arrival dates are compared with the order in which their respective state ratification conventions completed their business, a significant number of delegates supporting the constitution are missing in action.

KEYWORDS. federal convention, delegates at Philadelphia.

A. INTRODUCTION. Call them the ‘Philadelphia Seven.’ Seven of the eight Pennsylvanian delegates stayed home. They did not attend – or seek appointment to – the Pennsylvania ratifying convention. It was conveniently held in the same location as the federal convention; but, again, seven ‘no-shows.’

This article explores whether there is any significant pattern to delegate behavior, when measured against the eagerness of the states to hold ratification conventions.

B. HOW EAGER WERE THE SIGNERS OF THE CONSTITUTION TO TAKE THE FIGHT BACK TO THE STATES? What would we expect? That the early arrivers show up, talk constitutional shop with their fellow constitutional supporters, man-up the compromises necessary (in June and July), finish off the work of the convention in September, and then show up eagerly – all over again – at their state ratifying conventions?

Perhaps.

But that means that we would expect these delegates to go back into battle, and, this time, to deal with real honest to goodness opponents, who now had something to aim at – a draft constitution – and these opponents had no real idea of the effort that went into crafting the text (and structure thereby implicated). In short, the opponents were freed from the obligation of proposing an alternative to the crumbling ‘United States in Congress Assembled,’ the style of the then-current regime.

Tally the thirty-nine signers and add the four non-signing supporters; for this purpose, keep Randolph out. (He refused to sign but changed his mind in time for the Virginia Ratifying Convention.)

That’s forty-three delegates who could have – potentially – appeared both at the federal and ratifying conventions. But only twenty-two delegates did. For this the twenty-five (including Randolph) are elevated (in these studies) to SuperFounder status. But that leaves twenty-one delegates who were too tired or uninspired to go on to the ratifying conventions or who simply assumed that others could carry on the fight.

C. RATIFYING CONVENTION ELECTIONS. While George Clymer of Pennsylvania didn’t attend the ratifying convention of his state, he moved to call the convention (in the state assembly) and argued for ratification during the convention. In addition to this, anb.org has a fuzzy suggestion that Daniel Carroll of Maryland might have been elected to their convention but didn’t vote in it (“Using the pseudonym, ‘A Friend of the Constitution,’ Daniel Carroll spearheaded a successful campaign of letter writing in the Maryland Journal of 1787. Carroll was absent, however, when the majority of delegates to Maryland’s ratification convention approved the proposed Constitution on 26 April 1788, making Maryland the seventh state to ratify.”). The possibility he was a delegate needs to be further researched.

There were a handful of people who probably can be excused for illness – especially Franklin and William Churchill Houston.
D. A NOTE ON METHODOLOGY. As the reader of these articles may conclude, the use of (what may be called) disposable dimensions is a vibrant feature of these studies. Delegate behavior is best seen by tracking features from a number of different perspectives or angles.

At some point, density matters. To chart the gender of the delegates is a waste of time. But almost anything and everything else is up for grabs, because and, this is the point, so little has been done.

There are no charts matching delegate voting records and distance from home to Philadelphia; no tables matching date of arrival with age or remaining life span. No table now published informs the reader of the states’ readiness to ratify the Articles or the proposed and unsuccessful ‘impost’ amendment to the Articles against the states’ eagerness to ratify the federal constitution.

What matters is the willingness of the researcher to dare the data to show itself. The researcher is obliged to put himself in the shoes of the reader. What about this angle? What would happen if this measurement were deployed? Or this dimension against that one? Competing, contrasting, supplementing, and complementing measurements; look at the data and draw conclusions.

It doesn’t really make any difference that the author was surprised by results discussed below. The point is that the methodology has never been employed before. It’s doubtful that the methodology would be exhausted until all dimensions have been deployed.

F. NOTES TO TABLE. The reader is informed that:

1. George Read was not elected to the ratification convention in Delaware but had a strong influence in the decision of the state to ratify.
2. William Pierce left the convention early to attend to business in New York, but he voiced publically his support of the constitution.
3. Oliver Ellsworth left the convention early but supported the constitution at Connecticut’s ratification convention.
4. Elbridge Gerry was not elected to the ratification convention in Massachusetts but was invited to attend to answer questions about the federal convention.
5. Caleb Strong left the convention early due to an illness in his family but supported the constitution in Massachusetts’s ratification convention.
6. George Wythe left the convention early due to his wife’s illness. He supported the constitution in the Virginia ratification convention.
7. Edmund Randolph refused to sign the constitution at Philadelphia but supported ratification at the Virginia ratifying convention.
8. William Richardson Davie left the convention early but supported the Constitution at both of North Carolina’s ratification conventions.

G. DISCUSSION OF TABLE. The reader will note that the table groups the delegates by state and includes the state ratification vote; the table also presents each delegate’s four-digit number, the last two digits of which are the ordinals of the states in the order in which they ratified (from 01 to 12) and the first two digits reflect the delegate’s order of arrival (from 01 to 55).

So, for example, our very first delegate, 09-01 George Read, is marked down as having signed the constitution and is noted as being the first arriver among the Delaware delegates at Philadelphia. He is overall the ninth delegate to arrive.

In the Pennsylvania delegation George Clymer is marked down as the first arrival of the second state to ratify, so his ordinal assigned is 01-02.

William Churchill Houston signed the call for the New Jersey state legislature to act on the proposed constitution; he can be counted a supporter, but not a signer.

It may interest the reader to reflect upon the fact that the Maryland delegation sent John Francis Mercer, who was the last delegate to arrive and who is known to have opposed the constitution, and, in fact, was an early leaver.

There are eight footnotes indicated by the brackets which are discussed at ¶F. The reader will also note the double reconciliation to fifty-five.

Those who signed, were known to oppose, or whose positions are not sufficiently ascertainable sum to 55; on the other hand, the delegates who attended ratification conventions or who did not attend also sum to 55.
H. **Discussion of Chart.** As shown in the Chart annexed to this article 72% of the Delegates who attended both conventions are bounded by an oval; this oval also excludes the 73% of the delegates who did not attend a ratifying convention.

What the Chart suggests is that states who occupied the middle rank in order of ratification also produced the greatest number of delegates who attended both conventions. Since the ordering of the state conventions was set by the state legislatures, the choice of delegate attendance could not also be a random event. And it wasn’t. Even if the Philadelphia delegates had little choice in the matter, as to whether they were elected. Of interest: there is no known instance of a Philadelphia delegate seeking to serve at a ratifying convention and being defeated.

Thus a strange symmetry: states with ratification rankings in the middle of the pack produced most of the delegates who attended both conventions.

For Delaware, New Jersey and Pennsylvania the convention delegates were probably so convinced that the constitution would be approved that attendance was dispensable.

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J. **Last Revised.** This file was last revised on December 14, 2012; it is version 020.

K. **File Format.** The format of this file is MS Word 2010; the format of the associated table is also MS Word 2010.

L. **Citation Format.** Please cite as 2 Our Constitutional Logic 102 or 2 OCL 102.

M. **Resources.** For on-line access to Peter Aschenbrenner’s articles, tables and charts see purdue.academia.edu/PeterAschenbrenner or works.bepress.com/peter_aschenbrenner/

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