Table Annexed to Article: What Happened On July 6, 1787 And Why It Matters

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TABLE ANNEXED TO ARTICLE:  
WHAT HAPPENED ON JULY 6, 1787  
AND WHY IT MATTERS  

TABLE 116A  
FROM MAX FARRAND’S RECORDS OF THE FEDERAL CONVENTION (1937)  

Volume 1  

May 28, Journal, p. 8:  

Rules to be observed as the standing Orders of the Convention.  

A House, to do business, shall consist of the Deputies of not less than seven States; and  
all questions shall be decided by the greater number of these which shall be fully  
represented; but a less number than seven may adjourn from day to day.  

May 28, Madison, pp. 10-11:  

The proposed rule was rejected nem. contradicente.  

(The standing rules agreed to were as follow:  

viz, A House to do business shall consist of the Deputies of not less than seven States; and  
all questions shall be decided by the greater number of these which shall be fully  
represented; but a less number than seven may adjourn from day to day.  

June 28, Yates, p. 457:  

Mr. Sherman. In society, the poor are equal to the rich in voting, although one pays more  
than the other. This arises from an equal distribution of liberty amongst all ranks; and it  
is, on the same grounds, secured to the states in the confederation — for this would not  
even trust the important powers to a majority of the states. Congress has too many  
checks, and their powers are too limited. A gentleman from New-York thinks a limited  
monarchy the best government, and no state distinctions. The plan now before us gives  
the power to four states to govern nine states. As they will have the purse, they may raise  
troops, and can also make a king when they please.  

June 30, Madison, pp. 482-483:  

Mr. Wilson . . . If issue must be joined, it was on this point he would chuse to join it, The  
gentleman from Connecticut in supposing that the prepondenancy secured to the majority  
in the 1st. branch had removed the objections to an equality of votes in the 2d. branch for  
the security of the minority narrowed the case extremely. Such an equality will enable  
the minority to controul in all cases whatsoever, the sentiments and interests of the majority.  
Seven States will controul six: seven States according to the estimates that had been  
used, composed . of the whole people. It would be in the power then of less than ½ to  
overrule ¾ whenever a question should happen to divide the States in that manner. Can  
we forget for whom we are forming a Government? Is it for men, or for the imaginary  

beings called States? Will our honest Constituents be satisfied with metaphysical
distinctions? Will they, ought they to be satisfied with being told that the one third,
compose the greater number of States. The rule of suffrage ought on every principle to be
the same in the 2d. as in the 1st. branch. If the Government be not laid on this foundation,
it can be neither solid nor lasting, any other principle will be local, confined & temporary.

June 30, Yates, p. 494:

Mr. Wilson. . . . If the motion is adopted, seven states will controul the whole, and the
lesser seven compose 24 out of 90. One third must controul two thirds — 24 overrule 66.
For whom do we form a constitution, for men, or for imaginary beings called states, a
mere metaphysical distinction? Will a regard to state rights justify the sacrifice of the
rights of men? If we proceed on any other foundation than the last, our building will
neither be solid nor lasting.

June 30, King, p. 503:

Wilson — The vote for the representation in the first Br. according to Numbers was
opposed by abt. 22 out of 90 taking that number to represent the whole people of the US.
The motion for an equality of Votes among the States will authorise a minority to
control the majority — Seven of the States united make but th of the whole — this
minority will govern or controll ths — this wd. prove a fundamental Defect in the
constitution

The Gentm. from Cont. (Elswth) says if the Senate is founded on the principles of a
Representation of Numbers, we shall introduce a Monarchy or an Aristocracy — the
three or four larger states will combine for Monarchy — if not this, yet for an aristocracy
— 4 States will Gouv. 9 States — But the Danger of a combination is not greater nor so
great in the large States as in the small — The 7. States are only , if they govern as is
proposed An aristocracy govern because 24. govern or control 66 —

July 5, Madison, p. 527:

Mr. (Madison.) could not regard the exclusive privilege of originating money bills as
any concession on the side of the small States. Experience proved that it had no effect. If
seven States in the upper branch wished a bill to be originated, they might surely find
some member from some of the same States in the lower branch who would originate it.
The restriction as to amendments was of as little consequence. Amendments could be
handed privately by the Senate to members in the other house.

July 5, Yates, p. 535:

Mr. Madison. I restrain myself from animadverting on the report, from the respect I bear
to the members of the committee. But I must confess I see nothing of concession in it.

The originating money bills is no concession on the part of the smaller states, for if seven
states in the second branch should want such a bill, their interest in the first branch will
prevail to bring it forward — it is nothing more than a nominal privilege.
August 7, McHenry, p. 211:

We accorded also that the deputation should in no event consent to the 6 sect. of VII article. He saw plainly that as a quorum consisted of a majority of the members of each house — that the dearest interest of trade were under the controul of four States or of 17 membres in one branch and 8 in the other branch.

August 30, Madison, pp. 468, 469:

Art: XXI. taken up. viz: “The ratifications of the Conventions ofNA States shall be sufficient for organizing this Constitution.”

Mr. Wilson proposed to fill the blank with “seven” that being a majority of the whole number & sufficient for the commencement of the plan.

Mr. Madison. remarked that if the blank should be filled with “seven” eight, or “nine” — the Constitution as it stands might be put in force over the whole body of the people. tho’ less than a majority of them should ratify it.

August 31, Journal, pp. 471-472:

It was moved and seconded to fill up the blank in the 21st article as follows.

“any seven or more States entitled to 33 Members at least in the House of representatives according to the allotment made in the 3rd sect. 4th article.

It was moved and seconded to fill up the blank in the 21st article with the word “nine” which passed in the affirmative [Ayes — 8; noes — 3.]

On the question to agree to the 21st article as amended.

it passed in the affirmative [Ayes — 10; noes — 1.]

August 31, Madison, p. 475:

Mr. Madison proposed to fill the blank in the article with “Any seven or more States entitled to thirty three members at least in the House of Representatives according to the allotment made in the 3 Sect: of art: 4.” This he said would require the concurrence of a majority of both the States and people.

September 5, Madison, p. 514:
Mr Madison & Mr. Williamson moved to strike out the word “majority” and insert “one third” so that the eventual power might not be exercised if less than a majority, but not less than \( \frac{1}{3} \) of the Electors should vote for the same person—

Mr. Gerry objected that this would put it in the power of three or four States to put in whom they pleased.

Mr. Williamson. There are seven States which do not contain one third of the people — If the Senate are to appoint, less than one sixth of the people will have the power —

On the question

Friday  
July 6

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**Details of Ayes and Noes**

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| [119] | aye  | aye  | n       | aye      | aye    | n       | aye    | aye   | n       | aye   | aye   | Ay   | e     | Whether the last vote was determined in the affirmative |
|       |      |      |         |          |        |         |        |       |         |       |       |      |     |                                                                 |
|       | 9    | 2    |         |          |        |         |        |       |         |       |       |      |     |                                                                 |

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1 Vote 118, Detail of Ayes and Noes. The printed Journal (p. 161) inserted after this a question and vote from Detail of Ayes and Noes (Vote 119), “whether the vote so standing was determined in the affirmative” – Ayes, 9; noes, 2. There is nothing in the Detail of Ayes and Noes to indicate that this vote belongs here rather than on July 7. Madison originally recorded it on the latter date and he was probably right. See below note 5, and July 7, note 4.