Extract from David Brian Robertson's The Constitution and America's Destiny citing Tillman's A Textualist Defense

Seth Barrett Tillman, None

Available at: https://works.bepress.com/seth_barrett_tillman/56/
shared veto, the convention dispatched it by a vote of three states to eight.
Gouverneur Morris, aiming to strengthen the president's hand, immedi-
ately responded by pushing to raise the barrier to veto overrides. Hugh
Williamson moved to increase the veto override requirement to three-
quarters of each house as an alternative "to admitting the Judges into
the business of legislation." Although Sherman cautioned that "We have
gone far enough in forming the negative as it now stands," Williamson's
motion passed, six states to three. After the presidential compromise
of early September increased presidential power, however, the delegates
retreated toward Sherman's position. Williamson himself moved to lower
the barrier to veto overrides back down to a two-thirds majority. The
three southernmost states joined Connecticut, New Jersey, and Maryland
to vote for the two-thirds requirement. Note that the convention placed
no limitations on the circumstances, place, or number of times the presi-
dent could exercise this veto power.

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presidential veto, Bedford arguing that "the Representatives of the People were the best
judges of what was for their interest, and ought to be under no external control what-
ever." In a session already described as "tedious," Madison included this report: Madison,
"observing that if the negative of the President was confined to bills; it would be ended
by acts under the form and name of Resolutions, votes etc. - proposed that 'or resolve'
should be added after 'bill' in the beginning of sect 13 with an exception as to votes of
adjournment etc. - after a short and rather confused conversation on the subject, the
question was put & rejected."

46 As received from the Committee of Detail, the veto language provided that "Every bill,
which shall have passed the House of Representatives and the Senate, shall, before it
became a law, be presented to the President of the United States for his revision" (2: 181).
The confusing discussion of this "presentment" clause on August 15 and 16 has
created considerable difficulties of interpretation. See Seth Barrett Tillman, "A Textualist
Defense of Article I, Section 7, Clause 3: Why Hollingsworth v. Virginia Was Rightly
Decided, and Why INS v. Chadha Was Wrongly Reasoned," Texas Law Review 83
(Spring 2005). Madison certainly was trying to ensure that the president would influence
legislation. The Committee of Style dropped all references to "for his revision" (2: 568,
593–4). The change was not discussed subsequently.
The Constitution and America's Destiny

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