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Records of the
Constitutional Convention
of 1787



NATIONAL ARCHIVES AND RECORDS SERVICE
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RECORDS OF THE
CONSTITUTIONAL CONVENTION OF 1787

Scope of the Records

On the single roll of this microfilm publication are reproduced the official records of the Constitutional Convention, May 14-September 17, 1787; the papers of David Brearley, September 27, 1785-September 12, 1787; the credentials of delegates, 1786-87, from "Ratifications of the Constitution," also known as "Bankson's Journal"; and a single motion in the hand of Elbridge Gerry [July 24, 1787]. The official records consist of four volumes of journals; drafts of the Virginia Plan, of the Constitution, and of a letter from the Convention to Congress; and four letters and one enclosed resolution received. They are organized in the order indicated, with the incoming correspondence in chronological order. The credentials of delegates are arranged in geographic order from New Hampshire to Georgia.

Movement to Strengthen the National Government

One of the most serious problems facing the Government under the Articles of Confederation was due to its lack of authority to regulate interstate commerce. After Virginia and Maryland had successfully settled a dispute over navigation and commerce on Chesapeake Bay and the Potomac River, the Virginia Legislature in 1786 proposed a convention among all the States to consider broader implications of commercial regulations. The response was favorable, and a meeting of State commissioners was held at Annapolis in September 1786. At the Annapolis Convention, attended by delegates from only five of the nine States that named commissioners, the commissioners unanimously recommended to their respective States that they call for the appointment of State delegates to attend a further meeting at Philadelphia the following May "to take into consideration the situation of the United States, to devise such further provisions as shall appear to them necessary to render the constitution of the Federal Government adequate to the exigencies of the Union."

Congress took no action on the recommendation of the commissioners. Virginia, however, acted favorably on the proposal; it selected delegates and asked the concurrence of other States. By February 1787 several States had concurred with Virginia, and congressional sentiment began to change. On February 21, 1787, the Confederation Congress passed a resolution that, while making no mention of the Annapolis Convention, sanctioned its recommendation by calling for a convention of delegates of the States in Philadelphia in May "for the sole and express purpose of revising the Articles of Confederation and reporting to Congress and the several legislatures such alterations and provisions therein as

shall when agreed to in Congress and confirmed by the States render the federal constitution adequate to the exigencies of Government & the preservation of the Union."

The Federal or Constitutional Convention

The Convention called to amend the Articles of Confederation was often referred to in contemporary newspapers as the "Foederal Convention." When it convened in the State House (Independence Hall) in Philadelphia on May 14, 1787, only the delegations from Virginia and Pennsylvania were present. The members adjourned from day to day until on the 25th a quorum of seven States was obtained. The delegates then unanimously elected George Washington as President of the Convention and elected Maj. William Jackson of Philadelphia as Secretary. Jackson (1759-1828) had served in the Revolutionary War as Assistant Secretary at War and in a mission to France, and was active in the Society of the Cincinnati. Jackson, without any assistance, recorded the proceedings and votes of the Convention in a series of journals that are lacking in organization and essential detail, and that presented a variety of problems to researchers in their use. By the end of July, 12 States were represented in the Convention; Rhode Island did not participate.

The Great Compromise

By May 29 the Convention had adopted rules of order and procedure and had agreed to keep its proceedings secret. Edmund Randolph of Virginia then submitted for the consideration of the Convention the Virginia Plan. This proposal, consisting of 15 suggestions for the amendment of the Articles of Confederation, had been prepared by the Virginia delegation under the leadership of James Madison.

For the next 2 weeks the Convention, meeting as a Committee of the Whole House, presided over by Nathaniel Gorham, discussed and amended this plan. When on June 13 the Committee reported to the Convention the amended plan in the form of 19 resolutions, it was obvious that, rather than amend the Articles, the Convention would draft an entirely new frame of government. Although it underwent a number of modifications, the Virginia Plan formed the basis of the finished Constitution.

Delegates from small States opposed features of the revised Virginia Plan, and, their numbers augmented by late arrivals, they proposed their own plan on June 15 that more nearly approached the revision of the Articles of Confederation the delegates had been instructed to undertake. Although the New Jersey or Paterson Plan as a whole was defeated on June 19, in the clause-by-clause consideration of the Virginia Plan the small States on July 2 deadlocked the Convention on the proposal to base representation in both Houses of Congress on population.

For 2 weeks in July the delegates struggled to find a way out of the impasse. Finally, on July 16, a group of resolutions dealing with representation was adopted, and the deadlock was broken. According to the terms of the Great Compromise, there would be an upper House in which the States were equally represented, a lower House with representation based upon population as enumerated in a decennial census, and all money bills would originate in the lower House.

After agreeing on 23 general resolutions based primarily on the Virginia Plan, the Constitutional Convention decided that the details of these resolutions, the framework of the Constitution, should be worked out by a group smaller than the entire body of delegates. A Committee of Detail was appointed, and the Convention recessed. It reconvened on August 6 and took up the report of the Committee of Detail. From then until September 10, this report was the sole subject of deliberation. This first printed draft of the Constitution was discussed, altered, and decided clause by clause.

On September 8 the Convention appointed a Committee on Revision of Style and Arrangement to write the Constitution in its final form; on the 15th it was adopted and ordered to be engrossed; and on September 17, "by the unanimous consent of the States present," the 4500-word Constitution was ready to be signed and submitted to the Congress of the Confederation for subsequent transmittal to the States for ratification.

Custody of the Records

On this last day of the Convention, Rufus King suggested that the journals should be destroyed or turned over to the President of the Convention for safekeeping. The delegates voted that, as President of the Convention, Washington was to "retain the Journal and other papers, subject to the order of Congress, if ever formed under the Constitution." William Jackson, however, by his own admission "burning all the loose scraps of paper which belong to the Convention," then turned over to Washington "the Journals and other papers" as directed by the Convention.

On March 19, 1796, President Washington deposited the official records of the Constitutional Convention with Secretary of State Timothy Pickering. The records remained in the custody of the State Department until they were transferred in 1922 to the Library of Congress. In June 1952 these records, with the records of the Continental and Confederation Congresses, were transferred to the National Archives. Later that year the National Archives also accessioned from the Library of Congress the Articles of Confederation, the Declaration of Independence, and the Constitution of the United States.

Related Records

The records of the Constitutional Convention of 1787 are part of the Records of the Continental and Confederation Congresses and the Constitutional Convention, Record Group 360, in the National Archives. There are closely related records among the Papers of the Continental Congress, 1774-89 (M247), and the Miscellaneous Papers of the Continental Congress, 1774-89 (M332), the latter including one of the original copies of the official report of the Annapolis Convention, September 14, 1786, and the full text of "Bankson's Journal."

The engrossed copies of the Constitution of the United States and the Bill of Rights; their instruments of ratification and documents relating to the additional ratified and unratified amendments; and the resolution of the Convention accompanying the Constitution, directing that it be laid before Congress and thereafter be submitted to ratifying conventions of the States, are part of the General Records of the United States Government, Record Group 11. The Certificates of Ratification of the Constitution and Bill of Rights, 1787-92, are available as M338. Among the records of the Bureau of Rolls and Library in General Records of the Department of State, Record Group 59, are a pamphlet entitled "Some Observations on the Constitution, &c," written by James Monroe as a representative to the Virginia Convention for the ratification of the Constitution, with annotations in Monroe's hand, 1788; and the following documents that were accessioned in 1952 from the Library of Congress with the journals and loose manuscripts of the Convention: a letter dated December 30, 1818, from Charles Pinckney to John Quincy Adams and a copy of the alleged Pinckney Plan for the Constitution which it enclosed; and the manuscript fair copy prepared for the publication of John Quincy Adams' edition of the Journal, Acts and Proceedings, of the Convention (Boston: Thomas B. Wait, 1819), 1818-19, with related documentation.

The records reproduced in this microfilm publication were prepared for filming by Kenneth E. Harris, who wrote these introductory remarks and provided the other editorial material.

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OFFICIAL RECORDS OF THE CONSTITUTIONAL CONVENTION

The following records are designated as "official" because, by vote of the Convention, they were delivered by Secretary William Jackson to George Washington on the evening of Sept. 17, 1787, the last day of the Convention, and were subsequently deposited by Washington with Secretary of State Timothy Pickering on Mar. 19, 1796:

Journal of the Constitutional Convention, May 14-Sept. 17, 1787.
4 vols. 198 pages.

The Journal of the Constitutional Convention, May 14-Sept. 17, 1787, entirely in the handwriting of Secretary Jackson (except for some annotations in Washington's hand), is in four parts:

(1) Formal journal of the proceedings of the Convention proper, (2) journal of the proceedings of the Committee of the Whole House, (3) ayes and noes in a record book, and (4) ayes and noes on loose sheets, now separately bound; all four parts are kept in a single leather-bound case. No record of the proceedings of the last day of the Convention was entered in the formal Journal by Jackson, although the details of aye and no votes were recorded for that day.

- (1) Formal Journal of the Proceedings of the Convention, May 14-Sept. 15, 1787. 1 vol. 153 pages, plus endorsement.

This contains a relatively full account of formal actions but is not as detailed as Madison's Debates. All actions are included except those taken by the Convention sitting as a Committee of the Whole House.

- (2) Journal of the Proceedings of the Committee of the Whole House, May 30-June 19, 1787. 1 vol. 28 pages, plus endorsement.

The Convention resolved itself into a Committee of the Whole House for most of the time between May 30 and June 19, 1787, during which period the Virginia Plan was discussed, to secure greater informality of discussion. While in Committee of the Whole, George Washington yielded the chair to Nathaniel Gorham of Massachusetts.

- (3) Voting Record of the Convention: Ayes, Noes, and Divided Votes. 1 vol. 8 pages, plus endorsement.

One of the devices adopted by Secretary William Jackson was the recording of votes in tabular form in a separate volume of the Journal. No dates, however, are indicated for the questions or votes, which creates the problem of fitting the votes into the proceedings recorded in the Journal proper. A column was left for Rhode Island, but no delegates from that State attended the Convention.

- (4) Voting Record of the Convention: Loose Sheets of Ayes, Noes, and Divided Votes. [1 vol.] 9 pages, plus

annotation on verso of the first page.

Though no dates are specified for individual questions, the two portions of the voting record of the Convention, taken together, appear to cover the proceedings of May 29-Sept. 17, 1787. As with the previous voting record volume, instead of entering each vote in its proper place in the other Journal volumes, Secretary Jackson ruled pages on which the results could be tabulated without having continually to rewrite the names of the States. Not enough space was allowed for the proper statement of the question voted upon, however, with the result that it is difficult to assign these votes to their proper places.

Virginia (Randolph) Plan as Amended: Two Endorsed Copies, as reported June 13, 1787. 8 total pages (each copy 4 pages, including endorsement).

As presented to the Federal Convention May 29, 1787, the Virginia Plan consisted of 15 resolutions; as reported out of the Committee of the Whole House, June 13, 1787, it constituted 19 numbered resolutions. One of the two copies of the Randolph or Large State Plan for amending the Articles of Confederation, as herein described, is formally entitled "State of the resolutions submitted to the consideration of the House by the honorable Mr Randolph, as agreed to in a Committee of the Whole House" and consists of a series of 18 unnumbered resolutions in the hand of William Jackson on four pages of text (two pages, front and back). The title of the second copy is "State of the resolutions submitted to the consideration of the House by the honorable Mr. Randolph, as altered, amended, and agreed to in a Committee of the Whole House." Its 19 numbered resolutions are also in the hand of William Jackson on four textual pages (two pages, front and back).

First Printed Draft of the Constitution, Reported to the Convention by the Committee of Detail, Aug. 6, 1787. 7 pages, annotated by Washington, preceded by endorsement page.

This printed draft includes marginal notes and emendations by Washington and others and was endorsed by Pickering. It was used by Washington as President of the Convention following Aug. 6, when the Committee of Detail delivered its report to the Convention.

Draft of the Letter From the Convention to Congress, to Accompany the Constitution [Reported, read, and agreed Sept. 12, 1787]. 4 pages, including endorsement.

Another copy of the letter is in Bankson's Journal, pages 71-73.

Signed Duplicate Letter From a Committee of Citizens of Rhode Island Concerning Representation at the Philadelphia Convention,

May 11, 1787. 3 pages, plus endorsement.

The endorsement on this duplicate letter states in part:
"Original noted to have been / read in Convention May 28, 1787."

Letter From James McHenry to George Washington, May [June] 1, 1787.
1 page, plus endorsement.

This letter from James McHenry, a delegate to the Convention from Maryland, was actually written on June 1. See notes of James McHenry for June 1, dealing with the same subject, in Max Farrand (ed.), The Records of the Federal Convention, 4 vols. (New Haven: Yale University Press, 1966), vol. 1, p. 75.

Letter to the President of the Convention From William Rawle, July 6, 1787. 1 page, plus endorsement.

Resolve by the Directors of the Library Company of Philadelphia, July 5, 1787. 1 page.

The Rawle letter is a letter of transmittal for the enclosed resolve, which is also signed by Rawle as Secretary of the Library Company.

Letter From Jonas Phillips to the President and Members of the Convention, Sept. 7, 1787. 2 pages, plus endorsement.

PAPERS OF DAVID BREARLEY

David Brearley was Chief Justice of New Jersey and a delegate representing that State at the Federal Convention. His name in some sources is also given as "Brearily." The next seven documents, from the population estimates, Sept. 27, 1785 (and two undated pages), to the annotated copy of the Sept. 12 Report of the Committee on Revision of Style and Arrangement, were transmitted May 22, 1818, to the Department of State by Gen. Joseph Bloomfield, the executor of Brearley's estate. These papers are thus a gift to the Government and do not constitute a portion of the official records of Constitutional Convention.

Population Estimates (Two Documents), a one-page document dated Sept. 27, 1785; a one-page undated document, plus endorsement.

These are probably estimates used for the purpose of apportioning the number of members to be admitted from each of the States to the House of Representatives. (Farrand assigns these estimates to July 10, 1787, when the question of representation was still being discussed in the Convention.)

Virginia (Randolph) Plan as Submitted May 29, 1787. 4 pages, annotated, including endorsement.

This copy, consisting of 15 resolutions, is of the plan as originally submitted by Randolph on May 29.

New Jersey (Paterson) Plan as Amended, submitted June 15, 1787. 7 pages, plus endorsement.

The Paterson or New Jersey Plan, originally submitted as a set of nine resolutions, is here expanded to 11 resolutions. A copy of the Paterson Plan does not exist among the official records of the Constitutional Convention.

Hamilton's Plan of Government [June 18], 1787. 3 pages plus endorsement.

During the June 15-19 debate over the Virginia and New Jersey Plans, Alexander Hamilton of New York was allowed several hours on the 18th to expound his political views in a speech explaining the 11 enumerated points of his plan of union. Hamilton incorporated the "Plan of Government" at three points in his lengthy speech. He and delegates Read, Madison, Paterson, Yates, Lansing, and Brearley made notes on or copies of the sketch of his plan, as represented here in Brearley's copy. The more comprehensive form of his plan (his "Draft of a Constitution"), which Hamilton presented to James Madison at the close of the Convention, was not submitted to the Convention; it is in the custody of the New York Public Library.

Report of the Grand (Compromise) Committee, July 5, 1787. 1 page, plus endorsement.

On July 5 Elbridge Gerry delivered the compromise proposal represented by this document. The support that the small States of New Jersey, Delaware, and Connecticut subsequently lent the compromise effort allowed the final group of resolutions dealing with representation, known as the Great Compromise, to be adopted July 16, 1787.

First Printed Draft of the Constitution, Reported to the Convention by the Committee of Detail, Aug. 6, 1787. 7 pages, annotated, plus endorsement.

Between early August and early November 1787, the Constitution of the United States was printed in many forms and in widely separated places. The earliest printings were working copies of drafts of the Constitution, made for members of the Constitutional Convention. The printing history of the Constitution actually begins with the Report of the Committee of Detail, the committee established to draft a Constitution from various resolutions made by the Constitutional Convention.* The report is believed to have been set in type on or about Aug. 1, 1787, when the Philadelphia firm of Dunlap and Claypoole submitted a printer's proof to the Committee. The report was printed on one side of seven numbered leaves. The text was printed off center, with a wide left margin for annotations. All extant copies of this printing contain such annotations.

*For additional information regarding the printing history of the Constitution, see Leonard Rapoport, "Printing the Constitution: The Convention and Newspaper Imprints," Prologue: The Journal of the National Archives, Fall 1970, pp. 69-89.

Printed Draft of the Constitution Brought in to the Convention by the Committee on Revision of Style and Arrangement, Sept. 13, 1787 (unprinted draft first reported Sept. 12). 4 pages, annotated, plus endorsement.

This four-page report, comprising seven articles with 21 sections, was debated and agreed upon, as amended, on Sept. 15. The Constitution was then ordered engrossed, and the Convention adjourned until Sept. 17, when all but three delegates present signed the engrossed Constitution.

CREDENTIALS OF DELEGATES

Credentials of Delegates to the Constitutional Convention, 1786-87. 42 pages.

Each of the delegates who attended the Convention, or at least each delegation, was provided with some form of credential from the State authority to whom the appointment was due. Secretary Jackson did not enter the credentials in the Journal, and the originals have disappeared. The only existing record of the credentials is that transcribed in traditional geographic order (from New Hampshire to Georgia) on pages 2-43 of "Bankson's Journal," kept by a clerk of the Confederation Congress as a housekeeping record and continued by the new Government under the Constitution, and that was intended to reflect each step in the creation of the new Government and the current status of the Constitution.

This record book, labeled Ratifications of the Constitution [of the United States of America, 1786-1791], and prepared for Secretary Charles Thomson by Benjamin Bankson, a clerk of Congress, is among the unnumbered Miscellaneous Papers of the Continental Congress, 1774-89, and contains, besides the credentials, copies of other documents that are not among the official records of the Constitutional Convention but that relate to its activities or to the subsequent ratification of the Constitution and the Bill of Rights. The originals of most of these documents are found in this record group or in General Records of the United States Government, Record Group 11.

GERRY MOTION

Original Motion in the Hand of Elbridge Gerry [July 24, 1787]. 2 pages.

Gerry's motion, concerning the mode of electing the "supreme Executive," was accessioned with the records of the Federal Convention from the Library of Congress in 1952 as a separate item. The recommended proportions of the total vote for the Executive that were to be allowed the legislature of each State are indicated on the reverse of the motion.