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**Abstract:** The chapter discusses the 1787 Constitutional Convention of the U.S. Leaders of the state governments wondered about the 55 delegates called to Philadelphia, Pennsylvania for the Constitutional Convention in the summer of 1787. They started by reviewing the " Virginia Plan," a draft of the Constitution written mostly by James Madison. It meant that a small state, such as Rhode Island, had just as much power in Congress as a large state like Virginia. Throughout the summer, there were a thousand details to be worked out, prompting a thousand debates. For example, the delegates decided that a president could be removed from office, that the president had to have been born in America, and that the president would have veto power but that Congress could override the veto. Following adoption of the U.S. Constitution, Madison served in Congress, where he helped establish the departments of State, War and Treasury.

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### **Chapter 2: A More Perfect Union**

Across America, leaders of the state governments wondered about the 55 delegates called to Philadelphia for the Constitutional Convention in the summer of 1787. People were very loyal to their home states in the years after the War for Independence. Their ancestors had followed religious leaders to America and helped establish the colonies in the New World that eventually became the 13 original states. Patrick Henry, a statesman from Virginia whose speeches helped convince his countrymen to fight for independence from England, was suspicious of the convention. Rhode Island refused to send delegates to the convention and, later, became the last of the 13 states to ratify the Constitution. Even George Washington had his doubts. "I almost despair of seeing a favorable issue to the proceedings of the convention, and do therefore repent having any agency in the business," he said.

Nevertheless, Washington agreed to preside over the convention as it opened in the Pennsylvania Assembly's State House on the morning of May 14, 1787. "Let us raise a standard to which the wise and honest can repair," Washington told the delegates. "The event is in the hands of God."

The delegates got down to business on May 29 and started by reviewing the "Virginia Plan," a draft of the Constitution written mostly by James Madison. According to Madison's

draft, Congress would be divided into two chambers--a House of Representatives and a Senate. Congress would be charged with writing the nation's laws while a separate executive branch of government was given authority to carry out the laws. Finally, a third branch of government, the judiciary, was given the power to interpret the nation's laws, ensuring that they would be applied equally to all citizens.

After some debate, the delegates agreed to adopt the Virginia Plan's model for the three branches of government. However, the delegates continued to fight over the details. For example, since the end of the Revolution the larger states had complained about the "one state-one vote" makeup of the Congress. It meant that a small state, such as Rhode Island, had just as much power in Congress as a large state like Virginia. Delegates from the large states argued against one state-one vote at the Constitutional Convention while delegates representing the small states vigorously called for the current system to remain intact.

Finally, delegate Roger Sherman of Connecticut offered a compromise that broke the impasse. He suggested membership in the House of Representatives be based on the population of the states, with the larger states sending more representatives than the smaller states. Membership in the Senate would be equal, he said, with each state guaranteed two members. While the Connecticut Compromise seemed to satisfy no one, few of the delegates found a reason to vote it down, and it was accepted.

Next, the delegates defined the role of Congress, giving the House and Senate power to "lay and collect taxes, duties, imposts and excises" and to write laws it deemed "necessary and proper." That was far more power than the Articles of Confederation had granted.

The judiciary was placed in the hands of the "Supreme Court," composed of nine judges who would have the power to decide all "cases arising under the laws passed by the general legislature." After some debate, it was decided the Supreme Court would hear cases without a jury.

And the delegates gave the Congress and Supreme Court vast powers so that the authority over the states would never be questioned. The Constitution would be the "supreme Law of the Land."

There was much debate over the president's powers, as well as how the president would be chosen.

The Virginia Plan suggested the president be selected by Congress. Pennsylvania delegates James Wilson and Gouverneur Morris proposed the president be elected directly by the people. Finally, a compromise was reached: Each state would name members to an "Electoral College." The electors would be selected in a manner to be decided by each state legislature. The Electoral College would then meet to select the president.

Following the Constitutional Convention, each state legislature decided to choose its electors through a popular election, giving the people a direct voice in the selection of the president. Today, when a presidential candidate wins the popular vote in a state, he receives all of that state's votes in the Electoral College.

Next, the delegates had to decide how long the president would serve. There were proposals to name the president for life. After debate, however, the delegates agreed to limit presidential terms to four years.

Throughout the summer, there were a thousand details to be worked out, prompting a thousand debates. For example, the delegates decided that a president could be removed from office, that the president had to have been born in America, and that the president would have veto power but that Congress could override the veto.

As the summer wore on, the temperatures eased and so did the tempers. Benjamin Franklin helped unite the delegates when he announced his support for the Constitution. He said, "I consent, Sir, to this Constitution because I expect no better, and because I am not sure that it is not the best."

By early September, the delegates appointed a five-man "Committee of Style and Arrangement" to draft the Constitution--to place in writing the agreements that had been reached during the debates in the State House. Madison was named to the committee. Others selected for the panel were Gouverneur Morris and Alexander Hamilton as well as delegates William Samuel Johnson of Connecticut and Rufus King of Massachusetts.

There was no question that it was Madison's document--the Constitution adopted many of the principles of the Virginia Plan. But Morris wrote the preamble--the introduction to the Constitution. Morris's preamble set the tone for the document to follow, serving notice to the citizens of the United States that they would live under a nation of laws written, enforced, and interpreted by representatives of the people.

But before the final document was ready, some of the delegates would ask for a change. They wanted the document to clearly state all the rights that would be given to all American under the new constitution.

James Madison was 36 years old when the Constitutional Convention convened in Philadelphia. He wrote most of the draft that would eventually be adopted as the blueprint for the nation's laws, earning him the status as the "Father of the Constitution."

Madison served first in the Virginia Assembly, where he wrote the constitution for his state. His main achievement as author of the Virginia Constitution was the inclusion of a guarantee of religious freedom.

Following adoption of the U.S. Constitution, Madison served in Congress, where he helped establish the departments of State, War and Treasury. In 1801, President Thomas Jefferson named him secretary of state. Madison's negotiations with France led to the Louisiana Purchase. Thirteen future states would be formed out of the western territory America obtained from France for about \$15 million.

Madison was elected president in 1808 and led his country through the War of 1812. During his presidency, the White House became the center of Washington style and society, thanks to the influence of his wife, Dolley Madison.

The Madisons retired from public life in 1817 and lived quietly at Montpelier, their estate in Virginia. James Madison died in 1836.

James Madison's notes and papers from the Constitutional Convention were considered the only accurate record of the meeting's proceedings. In 1837, Congress appropriated \$30,000 to buy the papers from Madison's estate.

He was a lawyer and expert in finance, but Gouverneur Morris's greatest skill was in the use of language. His talent for crafting words was so well known to the other delegates at

the Constitutional Convention that they asked him to help put the Constitution in its final form. It was Morris who wrote the preamble to the Constitution.

He was born and educated in New York, where he established a law practice and helped write his state's constitution. He joined the Continental Congress in 1778, but was defeated for reelection a year later. Soon, he was back in Congress, where he helped plan the nation's system of using dollars for currency. After the Constitutional Convention, he served as a diplomat in France.

After his service in France, Morris returned to New York, where he won election to the United States Senate. He died in 1816.

PHOTO (COLOR): George Washington is often referred to as the "Father of our Country." He led the Continental Army during the American Revolution. Washington returned home for a few years after the war ended in 1783, but he was asked to serve as president of the Constitutional Convention, which was held in Philadelphia in 1787.

PHOTO (COLOR): Roger Sherman, a delegate from Connecticut, had served on the Continental Congress from 1774 to 1784, and helped draft both the Declaration of Independence and the Articles of Confederation. In 1787, he helped to craft the Constitution by suggesting a compromise on the way states would be represented in the federal government.

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By Hal Marcovitz

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