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Instructions to the Convention Delegates

Confederation Congress Calls the Constitutional Convention, 21 February 1787

Congress assembled as before.

The report of a grand committee¹ consisting of Mr. [Nathan] Dane, Mr. [James M.] Varnum, Mr. S[tephen] M[ix] Mitchell, Mr. [Melancton] Smith, Mr. [Lambert] Cadwallader, Mr. [William] Irwine, Mr. N[athaniel] Mitchell, Mr. [Uriah] Forrest, Mr. [William] Grayson, Mr. [William] Blount, Mr. [John] Bull, and Mr. [William] Few to whom was referred a letter of 14 September 1786 from J[ohn] Dickinson written at the request of commissioners from the states of Virginia, Delaware, Pennsylvania, New Jersey, and New York assembled at the city of Annapolis together with a copy of the report of the said commissioners to the legislatures of the states by whom they were appointed, being an order of the day was called up and which is contained in the following resolution, viz:

“Congress having had under consideration the letter of John Dickinson, Esquire, chairman of the commissioners who assembled at Annapolis during the last year, also the proceedings of the said commissioners and entirely coinciding with them as to the inefficiency of the federal government and the necessity of devising such farther provisions as shall render the same adequate to the exigencies of the Union do strongly recommend to the different legislatures to send forward delegates to meet the proposed convention on the second Monday in May next at the city of Philadelphia.”

The delegates for the state of New York thereupon laid before Congress instructions² which they had received from their constituents and in pursuance of the said instructions moved to postpone the farther consideration of the report in order to take up the following proposition, to wit:

“That it be recommended to the states composing the Union that a convention of representatives from the said states respectively be held at _____ on _____ for the purpose of revising the Articles of Confederation and perpetual Union between the United States of America and reporting to the United States in Congress assembled and to the states respectively such alterations and amendments of the said Articles of Confederation as the representatives met in such convention shall judge proper and necessary to render them adequate to the preservation and support of the Union.”³

On the question to postpone for the purpose above mentioned the yeas and nays being required by the delegates for New York.

Massachusetts				Delaware			
King	ay	}	ay	N. Mitchell	no	}	5
Dane	ay			Maryland			
Connecticut				Forrest	no	}	
Johnson	ay	}	d ⁴	Virginia			
S. M. Mitchell	no			Grayson	ay	}	ay
New York				Madison	ay		
Smith	ay	}	ay	North Carolina			
Benson	ay			Blount	no	}	no
New Jersey				Hawkins	no		
Cadwallader	ay	}	no	South Carolina			
Clarke	no			Bull	no	}	no
Schurman	no			Kean	no		
Pennsylvania		Huger	no				
Irwine	no	Parker	no				
Meredith	ay	}	no	Georgia			
Bingham	no			Few	ay	}	d
				Pierce	no		

So the question was lost.

A motion was then made by the delegates for Massachusetts to postpone the farther consideration of the report in order to take into consideration a motion which they read in their place. This being agreed to, the motion of the delegates for Massachusetts was taken up and, being amended, was agreed to as follows:

“Whereas there is provision in the Articles of Confederation and perpetual Union for making alterations therein by the assent of a Congress of the United States and of the legislatures of the several states; and whereas experience hath evinced that there are defects in the present Confederation, as a mean to remedy which several of the states and particularly the state of New York by express instructions to their delegates in Congress have suggested a convention for the purposes expressed in the following resolution and such convention appearing to be the most probable mean of establishing in these states a firm national government.⁶

“Resolved that in the opinion of Congress it is expedient that on the second Monday in May next a convention of delegates who shall have been appointed by the several states be held at Philadelphia 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 and the preservation of the Union.”⁷

1. The grand committee was renewed on 12 February 1787 and two new members, representing Rhode Island and Maryland, were added the next day. Because of changes in membership, some of the original ten members were also replaced.
2. The New York Assembly adopted the instructions on 17 February, and the Senate concurred three days later.
3. The wording of the original motion, in the handwriting of Egbert Benson, is identical with that printed in the Journals.

4. When the votes of delegates from a state were equally divided, the vote of the state was not counted and was marked “d” in the Journals.

5. Under the Articles of Confederation, two delegates had to be in attendance for a state to be represented. A single delegate might vote but the vote was not counted.

6. The only significant difference between Nathan Dane’s manuscript and the version in the Journals is in the first sentence of the preamble. Dane’s manuscript motion reads: “Whereas by the federal Constitution of the United States provision is made for making alterations in it by the consent of a Congress of the United States and the legislatures of all the States. . . .”

7. The resolution was sent to the states by Charles Thomson the day it was adopted.

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