

The Reply of the Six Assemblymen, *Pennsylvania Packet*, 8 October 1787

Mr. [William] Findley, Mr. [Robert] Whitehill, and others, members of the late General Assembly, making a disorderly secession from the House, with intention to put an end to its deliberations upon the subject of calling a state convention, for the purpose of considering the system offered for the general government of the United States, they have, in a public address, rested their justification on these two points:

1st. The irregularity of taking up the Constitution framed by the Convention, without the special permission of Congress—the Assembly having in the appointment of deputies to the Convention proceeded but upon the recommendation of Congress.

2d. The unfitness of the deputies appointed. The addressers lamenting at the time when the choice was made, that they were all citizens of Philadelphia, and none of them *calculated* to represent the landed interest of the state.

Having been also members of the House, and competent to judge with respect to these points of justification, we beg leave to state all the necessary facts concerning them for the information of the public.

As to the first—on a communication of the proposition of Virginia, for holding a general convention, a bill for the appointment of the deputies was reported by a committee, of which Mr. Findley and Mr. Whitehill were members, and passed into a law on the 30th of December last. The law, as set forth in the preamble, stood upon “*Representations of Congress heretofore made,*” and on the proposition of Virginia; but the special recommendation of Congress, to send the deputies to the proposed convention, made no part of the preamble. This recommendation not having passed Congress until the 21st day of February following, when that body, for the first time, recognized the convention. In the next session, on the 28th of March, a supplementary law passed the House; but its only object was to add another deputy to the number already chosen, and its only reference was to the original act.

As the representations of Congress spoken of in the preamble to the law, of the first session, were only such as had been frequently made of the weakness of the general government, and of the necessity that arose of endowing it with greater powers, but gave no special license to the states to send deputies to the convention proposed by the State of Virginia, it follows that in the appointment of the deputies the Assembly acted independently of Congress, or of its recommendation. It is in vain, for the reasons before mentioned, that the addressers attempt, by a general reference to the transactions of both sessions, to cover their assertion upon this head. It is an artifice more unworthy than the most naked falsehood!

As little can be said in support of the second, their disapprobation of the deputies, which a state of nominations and votes will evince. The original intention of the House was to send seven deputies, though afterwards that number was, by the supplementary law, increased to

eight. To supply the seven places, twelve persons stood in nomination. They, with the votes for each, were as follow:

*Jared Ingersoll	61
Charles Pettit	25
*Robert Morris	63
*George Clymer	63
*Thomas Mifflin	63
Thomas M’Kean	26
John Bayard	25
*Thomas Fitzsimons	37
*James Wilson	35
*Gouverneur Morris	33
Benjamin Franklin	10
William Findley	2

Of whom those marked with an * were elected.

As to four of these persons, there appears from the votes to have been a general agreement, 63 being the number composing the House; so that no real controversy took place but as to the remaining three. Between these opposite three then must have lain the question with the House, with respect to the fitness to represent the landed interest; and for this they might all

have been fit, except in the circumstance of city residence, the candidates generally holding considerable landed property within the state, the whole body of candidates, Mr. Finley excepted, being inhabitants of Philadelphia; and as to that gentleman, the solitary nominee from the country. He seems then, from the state of the votes, to have been out of the question, which is the more extraordinary, if, as the addressers must be understood, a country residence was indispensable to represent the landed interest of the state.

But the truth is, that at the time of election no such lamentation was made by the sixteen or any others that the candidates were citizens of Philadelphia, or otherwise unqualified to represent the landed interest; for it is well known, that both Mr. Findley and Mr. Whitehill were of opinion that the choice should be confined to the city of Philadelphia and its neighborhood, as it would not be convenient for persons living at a distance to attend a convention; the former declaring a seat there would not suit him, which, perhaps, may account for the fewness of his votes.

This being the state of facts relating to these points, can we suppose a depravation of mind equal to such impositions and deceptions, or ought we not rather to suppose, in these instances, that the addressers were not at the pains to read what was prepared to their hands?

It is urged, in argument against the House, that the deputies having exceeded the terms of their powers that the system they agreed to ought not to be taken up. It is not easy to determine to what the powers of the deputation from Pennsylvania, and from the other states (for they are in the same predicament), did really extend; but any argument brought from an excess in the exercise of the powers against the object of them cannot be that of good sense or integrity. A man of understanding, or a good patriot, will examine only whether or not the system actually offered is calculated to better the condition of our country. Indeed one would think the system being no more than a proposition, which none are bound to yield to, tho all ought to consider, that the Convention have not really transgressed their powers, they certainly might make whatever propositions they pleased.

The addressers resent the harsh treatment of the House to the two of their body who were forced back to their seats, by some of the citizens from without. They suffered no such treatment. On the contrary, the House showed a wonderful good temper on so provoking an occasion when a misdemeanor had been committed of a kind, which, tho it has hitherto escaped even the slightest punishment, is deserving of the highest; when the addressers had by their conduct violated the first condition of all political society, which obliges the few to give way to the many; when they had offended in the double capacity of citizens of the United States and of Pennsylvania, in setting a dangerous example of riot and turbulence to the continent; and, as much as lay in their feeble means, attempting to dissolve the government under which they live.

William Will Jacob Hiltzheimer
Thomas Fitzsimons Daniel Clymer

George Clymer William Robinson, Jr.

Dr. Franklin's not having been chosen at the first election, was owing to a misunderstanding among the members, with respect to his willingness to serve, but on better information, in the next session, it was the unanimous desire of the House that he should be added, which gave occasion to the supplementary law.

Cite as: The Documentary History of the Ratification of the Constitution Digital Edition, ed. John P. Kaminski, Gaspare J. Saladino, Richard Leffler, Charles H. Schoenleber and Margaret A. Hogan. Charlottesville: University of Virginia Press, 2009.

Canonic URL: <http://rotunda.upress.virginia.edu/founders/RNCN-02-02-02-0001-0003-0002>
[accessed 19 Nov 2012]

Original source: Ratification by the States, Volume II: Pennsylvania