

Article 4th, section 4th. After the word “executive,” insert “when the legislature cannot be convened.”

Article 5th. It was moved to amend the article so as to require a convention on application of two thirds of the states; which passed in the affirmative.

It was moved and seconded to amend article 5th, so as to require a convention on the application of two thirds of the states. Passed in the affirmative.

*Yeas:* Connecticut, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, 8. *Nays:* New Hampshire, Massachusetts, New Jersey, 3.

It was moved and seconded to insert in article 4th, section 3d, after the words “or parts of states,” the words “or a state and part of a state.” Passed in the negative.

*Yea:* South Carolina, 1. *Nays:* New Hampshire, Massachusetts Connecticut, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, Georgia, 10.

It was moved and seconded to strike out, after “legislatures,” the words “of three fourths,” and so after the word “conventions,” article 5th — [leaving future conventions to proceed like the present.] Passed in the negative.

*Yeas:* Massachusetts, Connecticut, New Jersey, 3. *Nays:* Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, 7. *Divided:* New Hampshire, 1.

It was moved and seconded to strike out the words “of by conventions in three fourths thereof.” Passed in the negative.

*Yeas:* Connecticut, 1. *Nays:* New Hampshire, Massachusetts, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, 10.

It was moved and seconded to annex to the end of article 5th a proviso, —

“that no state shall, without its consent, be affected in its internal police, or deprived of its equal suffrage in the Senate.”

Passed in the negative.

*Yeas:* Connecticut, New Jersey, Delaware, 3. *Nays:* New Hampshire, Massachusetts, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina, Georgia, 8.

It was moved and seconded to strike out article 5th. Passed in the negative.

*Yeas:* Connecticut, New Jersey, 2. *Nays:* New Hampshire, Massachusetts, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina, Georgia, 8. *Divided:* Delaware, 1.

It was moved to strike out of article 5th, after the word “legislatures,” the words “of three fourths,” and also, after the word “conventions,” so as to leave future conventions to act like the present Convention, according to circumstances; which passed in the negative.

It was moved to strike out the words “or by conventions in three fourths thereof;” which passed in the negative.

It was moved to annex to the article a further proviso, —

“that no state shall, without its consent, be affected in its internal police, or deprived of its equal suffrage in the Senate.”

Passed in the negative.

It was moved to strike out the 5th article altogether; which passed in the negative.

It was moved to add a proviso,—

“that no state, without its consent, shall be deprived of its equal suffrage in the Senate;”

which passed in the affirmative.

It was moved, as a further proviso, —

“that no law, in nature of a navigation act, be passed, prior to the year 1808, without the consent of two thirds of each branch of the legislature;”

which passed in the negative.

*Yeas:* Maryland, Virginia, Georgia, 3. *Nays:* New Hampshire Massachusetts, Connecticut, New Jersey, Pennsylvania, Delaware, South Carolina, 7.

It was moved, —

“that amendments to the plan might be offered by the conventions, which should be submitted to, and finally decided on, by another General Convention;”

which passed in the negative — all the states concurring.

It was moved and seconded, —

“that amendments to the plan might be offered by the state conventions, which should be submitted to, and finally decided on, by another General Convention.”

Passed unanimously in the negative.

The blanks in the 5th article of the revised draft were filled up; and it was otherwise amended to read as follows: —

“The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: Provided, that no amendment which may be made prior to the year 1808 shall in any manner affect the 1st and 4th clauses in the 9th section of the 1st article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.”

On the question to agree to the Constitution as amended, it passed in the affirmative — ALL THE STATES CONCURRING.

*Ordered*, That the Constitution be engrossed. The house adjourned.

### ***Close Of The General Convention.***

Monday, *September* 17, 1787

The engrossed Constitution being read, it was moved that the Constitution be signed by the members in the following, as a convenient form: —

“Done in Convention, by the unanimous consent of the states present the 17th September, &c. In witness whereof, we have hereunto subscribed our names.”

It was moved to reconsider the clause declaring that “the number of representatives shall not exceed one for every forty thousand,” in order to strike out “forty thousand,” and insert “thirty thousand;” which passed in the affirmative.

On the question to agree to the Constitution, enrolled in order to be signed, — all the states answered, “Ay.”

On the question to agree to the above form of signing, it passed in the affirmative.

*Yeas*: New Hampshire, Massachusetts, Connecticut, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, Georgia, 10. *Divided*: South Carolina, 1.

It was moved that the Journal, and other papers of the Convention, be deposited with the president; which passed in the affirmative.

*Yeas*: New Hampshire, Massachusetts, Connecticut, New Jersey, Pennsylvania, Delaware, Virginia, North Carolina, South Carolina, Georgia, 10. *Nay*: Maryland, 1.