**Teacher’s Guide**

**Major Clash? Compromise!**

**Time Needed:** 1-2 class periods depending on the activity options you choose

**Materials:**
- Student Handouts
- Calculators *(optional but recommended)*

**Handouts:**
- Reading *(5 pages; class set)*
- Activities *(6 pages; class set)*
- Apportionment Chart *(1 page; class set)*
- Primary Source Activity *(4 pages; class set)*

**Objectives:** Students will be able to...
- Identify compromises and major issues of debate during the Constitutional Convention
- Recognize how the compromises embedded in the Constitution have shaped the country’s development
- Evaluate the strengths and weaknesses of compromises made
- Explain the role of slavery in America’s founding

**Fillable PDF handouts are available as an alternative to paper. Find them on the web page for this lesson.**

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**Step by Step**

- **ANTICIPATE** by helping students to think about the art of compromise and persuasion. Ask: What makes someone good at persuading others when they want something different?

- **TELL** students that they will learn about compromises delegates to the Constitutional Convention made that eventually led to the ratification of the U.S. Constitution.

- **READ** the reading pages with the class, pausing to discuss as appropriate. When students are finished, encourage them to consider how difficult it might have been to reach each compromise and why. (As an extension, ask students to consider what diplomatic strategies delegates might have used.)

- **DISTRIBUTE** the activity pages and Apportionment Charts. Use activities A and B as review, then have students complete the chart. (Students may need to use a calculator.) Students will need the Apportionment Chart to complete activities C, D, and E. As students work through each activity, draw connections that help them understand the role slavery played in the development of the U.S. Constitution and country. Students should note how the Constitution both protected and continued the practice of slavery.

- **DISTRIBUTE** the Primary Source activity *(Notes from the Convention)*. This activity uses excerpts from James Madison’s notes from the debates at the Constitutional Convention on the prohibition of the slave trade. Tell students that they will read delegates’ arguments for and against the inclusion of a clause to the U.S. Constitution to prohibit the international capture and sale of enslaved Africans.

- **ALLOW** time for students to complete the reading and activity. You may wish to read and discuss the text-dependent questions together.

- **REFLECT** with students. Share that the eventual compromise made it possible for Congress to ban the international slave trade in 1808. Then ask students to think about the impact and consequences this compromise had for the country.
Major Clash? Compromise!

What happens when you make a compromise? Do you get everything that you want? Doubtful. Compromises don't work like that. You have to be patient, negotiate, and, most of all, be willing to give up a little of what you want to get to a mutually beneficial goal in the end. Now, imagine what our country would be like if no one was willing to compromise.

When delegates met at the Constitutional Convention in 1787, each one had his own state’s interests in mind. (That’s right, all of the delegates were men.) The Articles of Confederation had established a weak and ineffective government among a confederation of thirteen independent states. The delegates needed a document that could replace it with a better functioning government. That wasn’t an easy task. To get it, compromise would be key.

The Problem with Representation

You know how we have a Senate and a House of Representatives? Our two-chamber legislature that studies the problems our country faces, proposes solutions, and writes our laws? It hasn’t always been that way. Under the Articles of Confederation, Congress was unicameral. No house, no Senate just—one chamber—Congress. Each state had one vote. And in order to get anything done, like pass a bill into law, nine of the thirteen of them had to agree. If just four states disagreed, bills didn’t move forward. The system was difficult, and it also wasn’t that, well, fair because with equal representation (which was what one vote meant) it was nearly impossible to represent perspectives from different parts of a state.

Who’s Reppin’ Whom?

Edmund Randolph, a delegate from Virginia, tried to solve this problem when he introduced a new plan for the national government at the Constitutional Convention. He suggested a bicameral, or two-chamber, legislature with proportional representation. The number of representatives from each state would be determined based on that state’s population. The more people in a state, the more representatives they could have in both houses of Congress. This suggestion would give each state more than one representative, allowing people with minority viewpoints to at least have a chance to have their ideas heard on a national level. But which states benefited most from the plan?

Edmund’s proposal was known as the Virginia Plan, and was popular with states that had large populations. But smaller states, like New Jersey, were skeptical. For one, they thought they were only at the Convention to change the Articles, not throw them out. They were also afraid. A switch to proportional representation meant that larger states would dominate the national government because they would have more votes.

The Virginia Plan also proposed a national government that could collect taxes and enforce laws.
The small states preferred to keep a balance of power. William Paterson, a delegate from New Jersey, introduced the **New Jersey Plan**. It kept a unicameral legislature without proportional representation—every state would be equally represented with one vote in the national legislature just as they had under the Articles of Confederation.

### Meeting in the Middle

Put yourself in the Founders’ shoes. Your school is going to make a student congress based on all third period classes. You have Band with about 50 other kids, and your best friend has Advanced Physics with just ten kids in the class. Should each class get one representative to the student congress because it’s “equal,” or should your band class get five times as many because that would be “proportional” (one representative for every ten kids). Are you starting to see the dilemma?

After much discussion and debate, the New Jersey Plan was rejected. But a compromise was beginning to build. The delegates settled on a proposal originally suggested by Connecticut’s delegates. The plan is sometimes called the **Connecticut Compromise**, but it is most often referred to as the **Great Compromise**. In this proposal, large and small states each got a little of what they wanted. Congress would be bicameral. The House of Representatives would be elected by the people and follow the system of proportional representation, and the Senate would have equal representation of the states.

### Now that that’s Agreed...

In order to determine proportional representation, Congress had to determine the population of the individual states. So while the delegates were still debating how representation would work, they were also trying to decide who would be counted. This was more difficult than it would seem due to a disagreement over whether or not slaves should be counted as part of a state’s population. The southern states said “Yes!” while representatives from the northern states asked “Why?” If enslaved people were considered “property” (hard to imagine, but back then they were) and not citizens, why wasn’t the property of those living in non-slave states counted toward population? Northern states reasoned that if slaves were counted for representation, they should also be counted toward taxation.

Abolitionists believed that allowing slaves to count towards a state’s population would only encourage slavery and the slave trade since more slaves would equal a greater representation in the House of Representatives. But southern states, especially Georgia and South Carolina, refused to view an enslaved person as anything but property. And there was always the threat that they could leave the Convention or form their own slave-holding nation if they didn’t get their way. So would the delegates agree that slaves should be counted?

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**Notes from the Convention Debates**

**July 11, 1787**

Mr. WILSON [delegate of Pennsylvania] did not well see, on what principle the admission of blacks in the proportion of three-fifths, could be explained. Are they admitted as citizens — then why are they not admitted on an equality with white citizens? Are they admitted as property — then why is not other property admitted into the computation? These were difficulties, however, which he thought must be overruled by the necessity of compromise.
Major Clash? Compromise!

“...all other Persons.”

Reaching an agreement was difficult and satisfied the interests of the slave owners in the South and those against slavery in the North. The compromise, which was called the Three-Fifths Compromise, reflected the belief at the time that slaves had a “mixed” nature. The law treated them as property—since they could be sold and were required to do work for their masters—and persons—since “theoretically” their lives were protected from harm and they could be punished for wrongdoing. The delegates at the Convention agreed to count slaves on a three-fifths ratio to their total number for both representation and taxation. The fraction gave the South more representation in Congress than they would have had by counting just free persons. Smaller southern states would no longer have to worry about being wildly outnumbered in the national legislature. And if they overcounted their slaves to further increase their numbers, they would be taxed more as a result. Though every three out of five slaves counted towards a state’s total number of representatives, slaves did not have a say in who was elected to Congress. Enslaved persons could not vote. Ultimately, the extra congressional votes slave-holding states secured as a result of their population were used in the years leading up to the Civil War to continue slavery and even try to expand it.

**Counted or Not?** How do you think the count and voting affected these groups?

Native Americans weren’t considered citizens and weren’t counted since they were already members of their own sovereign nations.

Women couldn’t vote, but were counted, so were kids under the age of 21 (which was the voting age back then).

Slaves were counted on a 3/5 basis and couldn’t vote.

Free blacks were counted and allowed to vote, but voting qualifications varied by state.

His Exalted Highness? His Elected Highness? ...Maybe just Mr. President!

The Articles hadn’t established an executive, but the delegates agreed that one was needed. The debate over what to call our president would come after the Constitution was ratified, but there was plenty of debate over the office and its powers during the Convention. First, how would the president be elected? Five options were debated:

1. President chosen by state legislatures
2. President chosen by state governors (NOPE!)
3. President chosen by one or both houses of Congress
4. President chosen by electors selected by the people
5. President chosen directly by the people (Maybe? Nah...)

Each option was considered, rejected, and considered again over the course of several weeks.

There was also a debate over the length of the president’s term and whether or not he should be able to be re-elected. The delegates considered everything from one year, to seven years, to president for life. For obvious reasons, how the president would be elected had to go along with how long he would be allowed to serve. If Congress chose the president, he should have a long term without re-election because then he would be an independent check on the legislature. If the people chose the president, it would be best to have a shorter term with the option for re-election because then he would be responsive to the people’s desires.
How to Pick the Prez?

A compromise didn’t come until the final days of the Convention. And it’s one of the more complicated parts of the Constitution. The president (and vice-president) are elected indirectly by the people through the Electoral College. Citizens vote for the president in a general election, but those votes actually select their state’s representatives to the Electoral College. The final vote takes place about a month after the general election when the members of the Electoral College meet in their state capital and cast their votes for president and vice president. Each state has the same number of Electoral College members as their combined number of senators and representatives in Congress. States get to decide how they will select their Electoral College members and how the electoral votes will be distributed.

Commerce, and Tariffs, and Slavery

Did you grow the food you ate for breakfast this morning? Make your own clothes? Build your cell phone from scratch? No? We have most of the things we buy today due to commerce, which is just a fancy word for trade or the exchange of goods for something valuable, like money. One of the problems with the Articles of Confederation was that the national government couldn’t regulate commerce among the states or with foreign countries. States were using tariffs (taxes on imported goods) to protect the businesses in their own states. The tax made out-of-state or foreign products more expensive and encouraged state residents to purchase only in-state goods.

How to manage commerce and tariffs was another point of debate. Northern states wanted nationwide tariffs on the import of manufactured goods. They were starting to focus on making their own products and wanted to protect their new industries from increased competition. They also wanted export tariffs on raw materials to generate income for the national government.

Southern states were nervous about giving the national government the power to regulate trade. Slavery was considered a form of commerce in the South, and they wanted to be able to continue importing African slaves. They also relied on imports like textiles, tools, and other manufactured goods from England and Europe. They worried that tariffs would make the items too expensive to receive. Finally, since the South was mostly agricultural, export tariffs on their raw materials like cotton and tobacco would hurt their economic livelihoods.

This final compromise was twofold: the North would not interfere with the importation of slaves until at least 1808, the South would agree to let the national government regulate interstate and foreign trade, and there would be no export tariffs.
Have you ever been in a meeting, or even having a discussion in class, and it sounds like it’s almost over when someone asks a complicated question? You can hear everyone groan! On September 12, after almost five months of meeting, George Mason and Elbridge Gerry suggested that a bill of rights be added to the Constitution. The delegates voted against the idea. The dissenters, Mason, Gerry, and Edmund Randolph who had first introduced the Virginia Plan, refused to sign the final document. The Constitution went to the states for ratification. There was no compromise—yet.

The Defenders
The idea of a bill of rights came and went very quickly, but it resurfaced as a major issue surrounding the ratification debate. The Federalists (those who supported ratification of the new Constitution) argued that state constitutions already contained bills of rights to protect individuals. In addition, the powers of the national government were strictly listed and very specific, so the national government didn’t have the power to, say, take away the right to trial by jury or suspend freedom of speech. Finally, the Federalists were worried that if they missed a right on the list that right would no longer be protected.

The Opposers
The Anti-Federalists (those who opposed the new Constitution) argued that the state constitutions didn’t protect the people’s rights from the national government because the national government was “supreme”. Its laws trumped states’ laws. Also, they argued that the powers granted to Congress were very vague and broad, especially the Necessary and Proper Clause. The clause said that Congress had the power to make all laws necessary for carrying out its powers and the power of the Constitution. But what qualified as “necessary” and “proper”? Finally, the Anti-Federalists said that a bill of rights reminded people that government was instituted to protect the principles of people’s freedom.

The Result
The Constitution only needed to be ratified by nine of the thirteen states, but would it truly last as the law of the land without unanimous support? The compromise was an oath of honor. The Federalists promised that in the first Congress under the new Constitution, one of their first actions would be to present a bill of rights and begin the process to amend the Constitution. This promise took away the Anti-Federalists’ strongest argument against the Constitution, and the Federalists were able to secure ratification in the important, populous, and wealthy states of Virginia and New York.
A. Compromising Quotes. Carefully read each quote. Identify the compromise it relates to and determine if the quote is for or against the compromise. Finally, rewrite the big idea in modern language to explain what the Founding Father actually wanted.

1. June 29, 1787. Oliver Ellsworth. “We were partly national, partly federal. The proportional representation in the first branch was conformable to the national principle, and would secure the large States against the small. An equality of voices was conformable to the federal principle, and was necessary to secure the small States against the large.”

   Big Idea:

   Ellsworth is _________________ the:
   
   (for/against)

   - Great Compromise
   - 3/5 Compromise
   - Presidential Election Compromise
   - Commerce/Slave Trade Compromise

2. May 30, 1787. James Madison. “Whatever reason might have existed for the equality of suffrage when the Union was a federal one among sovereign States, it must cease when a national Governmt. should be put into the place.”

   Big Idea:

   Madison is _________________ the:
   
   (for/against)

   - Great Compromise
   - 3/5 Compromise
   - Presidential Election Compromise
   - Commerce/Slave Trade Compromise

3. July 11, 1787. Gouverneur Morris. “For [I] could never agree to give such encouragement to the slave trade as would be given by allowing them a representation for their negroes, and [I] did not believe those States would ever confederate on terms that would deprive them of that trade.”

   Big Idea:

   Morris is _________________ the:
   
   (for/against)

   - Great Compromise
   - 3/5 Compromise
   - Presidential Election Compromise
   - Commerce/Slave Trade Compromise
4. August 21, 1787 Oliver Ellsworth. “[I am] for leaving the clause as it stands. Let every State import what it pleases. The morality or wisdom of slavery are considerations belonging to the States themselves. What enriches a part enriches the whole, and the States are the best judges of their particular interest.”

Big Idea:

Ellsworth is _________________ the:

- Great Compromise
- 3/5 Compromise
- Presidential Election Compromise
- Commerce/Slave Trade Compromise

5. August 22, 1787 John Rutledge. “If the Convention thinks that N. C. S. C. & Georgia will ever agree to the plan, unless their right to import slaves be untouched, the expectation is vain. The people of those States will never be such fools as to give up so important an interest.”

Big Idea:

Rutledge is _________________ the:

- Great Compromise
- 3/5 Compromise
- Presidential Election Compromise
- Commerce/Slave Trade Compromise

6. September 4, 1787 Gouverneur Morris. “The 1st. was the danger of intrigue & faction if the appointmt. should be made by the Legislature. [...] 4. No body had appeared to be satisfied with an appointment by the Legislature. 5. Many were anxious even for an immediate choice by the people. 6. The indispensible necessity of making the Executive independent of the Legislature.”

Big Idea:

Morris is _________________ the:

- Great Compromise
- 3/5 Compromise
- Presidential Election Compromise
- Commerce/Slave Trade Compromise
Major Clash? Compromise!

B. Virginia Plan = Constitution? Maybe. Most of what you see in our government today was actually a part of the Virginia Plan. Read the components of the Virginia Plan. Then follow the directions on the right to uncover its influence.

Components of the Virginia Plan

1. Place a check mark next to points we fully adopted in our government. (Fully means ALL. If we only adopted some of that point, leave it blank.)

2. Now, circle any points where you notice the delegates agreed to compromises. (These are the somewhat adopted points.)

3. How would the national government look today if compromises had not been made and the Virginia Plan had been adopted as is?

4. Choose two provisions from the plan that would have made the most significant difference for how our government turned out and explain what the outcomes would be.

Provision 1 (letter): _____
Outcome: _____________________________
______________________________________
______________________________________

Provision 2 (letter): _____
Outcome: _____________________________
______________________________________
______________________________________

1. Enlarge and correct the Articles of Confederation to accomplish the goals of common defense and general welfare, and secure liberties
2. Number of representatives in the national legislature should be determined by state contributions to national revenue or the number of free inhabitants
3. Create two branch national legislature
4. First branch of national legislature has proportional representation
5. Second branch of national legislature elected by members of the first branch
6. Each branch can begin the legislative process; make laws that affect the entire nation; veto state laws; call out the militia to enforce laws against the states
7. Create a national executive, chosen by the national legislature; job is to execute the national laws and enjoy executive rights as vested by Congress
8. National executive and judiciary forms a Council of Revision to examine legislative acts and have a final veto, unless the legislature overrides the veto
9. Create a national judiciary with a supreme court and lower courts created by the national legislature; hold offices during good behavior (life); hear cases regarding piracy, enemy captures, cases involving foreigners and citizens of multiple states, or cases regarding collection of national revenue, impeachment, or national peace and harmony
10. Procedures to admit new states
11. The guarantee of a republican government in each state or territory
12. How to continue Congress until the new document is ratified
13. Provision for amending the new document
14. The government branches in the states should take an oath to support the new document
15. The amendments that are made by the convention/this new document should be voted on by an assembly chosen by the people specifically for that purpose
Major Clash? Compromise! Name:

C. The 3/5 Compromise. Use the information from your completed Apportionment Chart to answer the questions.

1. Which state had the most representatives based on the population for representation?

________________________________________________________________________________

2a. How would that state’s representation have changed if the enslaved population had not been counted? (Each state was given one representative per 33,000 people.)

________________________________________________________________________________

________________________________________________________________________________

2b. What if they had been fully counted?

________________________________________________________________________________

________________________________________________________________________________

3. Which state would have had the most representatives if only the free population had counted?

________________________________________________________________________________

4a. How many representatives did the northern states (signified with *) have in total? __________

4b. How many did the southern states have? __________

5. Who was counted in constituents per representative but unable to vote for any representative?

________________________________________________________________________________

6. Without counting slaves, the southern states would have had only 33 representatives in Congress. Because of the 3/5 Compromise, they had ________ (answer from question 4b). How do you think this increase benefited southern interests?

________________________________________________________________________________

________________________________________________________________________________

________________________________________________________________________________
D. Map Activity. The map below shows the thirteen states at the time of the Constitutional Convention. Use the clues below and the Apportionment Chart to create your map key and annotate the map.

- States with a population less than 300,000 were considered small.
- States with a population of 300,000 or more were considered large.
- States like Connecticut, Massachusetts, New Hampshire, Pennsylvania, and Rhode Island abolished or gradually worked to abolish slavery prior to 1787. These states were considered to be free states.
- The Mason-Dixon line was considered the dividing line between the free states and the slave states. It made up the border between Maryland and Pennsylvania.
E. State Interest. Using your map and Apportionment Chart, determine which states and their delegates would have supported which compromises and why.

<table>
<thead>
<tr>
<th>State and Compromise</th>
<th>Yes or No?</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Rhode Island would have supported the Three-Fifths Compromise.</td>
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<tr>
<td>2. Georgia would have supported the New Jersey Plan.</td>
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<tr>
<td>3. Pennsylvania would have supported the Virginia Plan.</td>
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<tr>
<td>4. Massachusetts would have supported the New Jersey Plan.</td>
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<td></td>
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<tr>
<td>5. North Carolina would have supported the Three-Fifths Compromise.</td>
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<tr>
<td>6. Connecticut would have supported the Great Compromise.</td>
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<td></td>
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<tr>
<td>7. New Hampshire would have supported the Slave Trade Compromise.</td>
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<td></td>
</tr>
<tr>
<td>8. South Carolina would have supported the Virginia Plan.</td>
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</tbody>
</table>
Apportionment Chart. Apportionment is how the country determines how many representatives each state gets in the U.S. House of Representatives. Use the information from the chart and the directions below to learn how the 3/5 Compromise impacted this process. (Math alert: You might need a calculator to help.)

Complete the chart. For each state:

1. Multiply the slave population by 0.6 to get the three-fifths 3/5 count. (Round up if necessary.)
2. Add the free population to the 3/5 count to get the population for representation.
3. Divide the population by representation by the number of representatives to get the constituents per rep number. (Round up if necessary.)

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<thead>
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<td>12,430</td>
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</tr>
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</table>

* Northern State
† White males of 16 years and upwards, white males under 16, white females, all other free persons

Now, use the completed chart to complete the remaining activities...
Notes from the Convention. Read the notes from the Constitutional Convention on the debate of the prohibition of the international slave trade. Many states heavily relied on the importation, sale, and labor of enslaved Africans. How slavery should be treated in the Constitution became a large topic of debate.

Part I: Read the notes from August 21, 1787. Then answer the questions that follow. Some words have been defined in parenthesis.

August 21, 1787:

Mr. L. Martin [Maryland], proposed to vary the sect: 4. art VII so as to allow a prohibition or tax on the importation of slaves. 1. As five slaves are to be counted as 3 free men in the apportionment of Representatives; such a clause wd. (would) leave an encouragement to this trafic. 2 slaves weakened one part of the Union which the other parts were bound to protect: the privilege of importing them was therefore unreasonable--3. it was inconsistent with the principles of the revolution and dishonorable to the American character to have such a feature in the Constitution.

Mr. Rutlidge [South Carolina] did not see how the importation of slaves could be encouraged by this section. He was not apprehensive (fearful) of insurrections (rebellions) and would readily exempt the other States from the obligation to protect the Southern against them. [...] The true question at present is whether the Southn. States shall or shall not be parties to the Union. If the Northern States consult their interest, they will not oppose the increase of Slaves which will increase the commodities (products) of which they will become the carriers.

Mr. Elseworth [Connecticut] was for leaving the clause as it stands. let every State import what it pleases. The morality or wisdom of slavery are considerations belonging to the States themselves-- [...] the States are the best judges of their particular interest. The old confederation had not meddled with this point, and he did not see any greater necessity for bringing it within the policy of the new one:

Mr. Pinkney [South Carolina]. South Carolina can never receive the plan if it prohibits the slave trade. In every proposed extension of the powers of Congress, that State has expressly & watchfully excepted that of meddling with the importation of negroes. If the States be all left at liberty on this subject, S. Carolina may perhaps by degrees do of herself what is wished, as Virginia & Maryland have already done.

1. What does the delegate from Maryland propose? How does he feel about slavery?

___________________________________________________________________________________
___________________________________________________________________________________

2. What does Mr. Martin mean by “slaves weakened one part of the Union, which the other parts were bound to protect”?

___________________________________________________________________________________
___________________________________________________________________________________
Major Clash? Compromise!  

Part I Questions Continued...

3. With what “principles of the Revolution” was the slave trade inconsistent?

___________________________________________________________________________________
___________________________________________________________________________________

4. How does Mr. Rutledge ease Mr. Martin’s fear of being bound to protect the southern states?

___________________________________________________________________________________
___________________________________________________________________________________

5. What did Mr. Rutledge mean by it “will increase the commodities of which they will become carriers”?

___________________________________________________________________________________
___________________________________________________________________________________

6. Why is Mr. Ellsworth for leaving the clause as it stands?

___________________________________________________________________________________
___________________________________________________________________________________

7. What would make South Carolina agree to the Maryland’s proposal?

___________________________________________________________________________________
___________________________________________________________________________________

8. What proposals are on the table at this point for how the Constitution should treat the slave trade?

___________________________________________________________________________________
___________________________________________________________________________________
Part II: Now read the notes from the very next day, August 22, 1787. Then answer the questions that follow. Some words have been defined for you in parenthesis.


**Mr. Sherman [Connecticut]** was for leaving the clause as it stands. He disapproved of the slave trade: yet as the States were now possessed of the right to import slaves, as the public good did not require it to be taken from them, & as it was expedient *(convenient)*to have as few objections as possible to the proposed scheme of Government, he thought it best to leave the matter as we find it. He observed that the abolition of slavery seemed to be going on in the U. S. & that the good sense of the several States would probably by degrees compleat *(complete)*it.

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[...]  

**General Pinkney [South Carolina]** [...] S. Carolina & Georgia cannot do without slaves. As to Virginia she will gain by stopping the importations. Her slaves will rise in value, & she has more than she wants. It would be unequal to require S. C. & Georgia to confederate *(unite)* on such unequal terms. [...] He contended that the importation of slaves would be for the interest of the whole Union. The more slaves, the more produce to employ the carrying trade; The more consumption also, and the more of this, the more of revenue for the common treasury. He admitted it to be reasonable that slaves should be dutied *(taxed)* like other imports, but should consider a rejection of the clause as an exclusion of S. Carola *(Carolina)* from the Union. [...]  

**Mr. Sherman [Connecticut]** said it was better to let the S. States import slaves than to part with them, if they made that a sine qua non *(necessary condition)*. He was opposed to a tax on slaves imported as making the matter worse, because it implied they were property. He acknowledged that if the power of prohibiting the importation should be given to the Genl. Government that it would be exercised. He thought it would be its duty to exercise the power.

**Mr. Randolph [Virginia]** was for committing in order that some middle ground might, if possible, be found. He could never agree to the clause as it stands. He wd. *(would)* sooner risk the constitution. – He dwelt on the dilemma to which the Convention was exposed. By agreeing to the clause, it would revolt the Quakers, the Methodists, and many others in the States having no slaves. On the other hand, two States might be lost to the Union. Let us then, he said, try the chance of a commitment.


[The whole subject was thus recommitted for the purpose of coming to some compromise.]
Major Clash? Compromise! Name:

Part II: Use the excerpt from Part II to answer the questions.

1. What argument does Mr. Sherman give for leaving the clause as it stands?

___________________________________________________________________________________
___________________________________________________________________________________

2. Why does Mr. Ellsworth believe that slaves will eventually be rendered useless?

___________________________________________________________________________________
___________________________________________________________________________________

3. According to General Pinkney, how will Virginia gain from the prohibition on the import of slaves?

___________________________________________________________________________________
___________________________________________________________________________________

4. How does General Pinkney reason that more slaves will help the United States?

___________________________________________________________________________________
___________________________________________________________________________________

5. By the end of August 22, is the Convention nearer to an agreement than they were on August 21? How do you know?

___________________________________________________________________________________
___________________________________________________________________________________

6. At the time of the vote, who is for adding a prohibition on the international slave trade? Who is against it?

___________________________________________________________________________________


Apportionment Chart. Apportionment is how the country determines how many representatives each state gets in the U.S. House of Representatives. Use the information from the chart and the directions below to learn how the 3/5 Compromise impacted this process. (Math alert: You might need a calculator to help.)

Complete the chart. For each state:

1. Multiply the slave population by 0.6 to get the three-fifths 3/5 count. (Round up if necessary.)
2. Add the free population to the 3/5 count to get the population for representation.
3. Divide the population by representation by the number of representatives to get the constituents per rep number. (Round up if necessary.)

<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>NH*</td>
<td>141,727</td>
<td>158</td>
<td>95</td>
<td>141,822</td>
<td>4</td>
<td>35,456</td>
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<tr>
<td>MA*</td>
<td>475,327</td>
<td>0</td>
<td>0</td>
<td>475,327</td>
<td>14</td>
<td>33,952</td>
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<tr>
<td>RI*</td>
<td>67,877</td>
<td>948</td>
<td>569</td>
<td>68,446</td>
<td>2</td>
<td>34,223</td>
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<tr>
<td>CT*</td>
<td>235,182</td>
<td>2,764</td>
<td>1,658</td>
<td>236,840</td>
<td>7</td>
<td>33,834</td>
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<tr>
<td>NY*</td>
<td>318,796</td>
<td>21,324</td>
<td>12,794</td>
<td>331,590</td>
<td>10</td>
<td>33,159</td>
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<tr>
<td>NJ*</td>
<td>172,716</td>
<td>11,423</td>
<td>6,854</td>
<td>179,570</td>
<td>5</td>
<td>35,914</td>
</tr>
<tr>
<td>PA*</td>
<td>430,636</td>
<td>3,737</td>
<td>2,242</td>
<td>432,878</td>
<td>13</td>
<td>33,298</td>
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<tr>
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<td>8,887</td>
<td>5,332</td>
<td>55,541</td>
<td>1</td>
<td>55,541</td>
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<tr>
<td>MD</td>
<td>216,692</td>
<td>103,036</td>
<td>61,821</td>
<td>278,514</td>
<td>8</td>
<td>34,814</td>
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<tr>
<td>VA</td>
<td>454,983</td>
<td>292,627</td>
<td>175,576</td>
<td>630,559</td>
<td>19</td>
<td>33,187</td>
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<tr>
<td>NC</td>
<td>293,179</td>
<td>100,572</td>
<td>60,343</td>
<td>353,552</td>
<td>10</td>
<td>35,352</td>
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<tr>
<td>SC</td>
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<td>107,094</td>
<td>64,256</td>
<td>206,235</td>
<td>6</td>
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<tr>
<td>GA</td>
<td>53,284</td>
<td>29,264</td>
<td>17,558</td>
<td>70,842</td>
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<td>35,421</td>
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<tr>
<td>VT*</td>
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<td>16</td>
<td>10</td>
<td>85,533</td>
<td>2</td>
<td>42,767</td>
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<tr>
<td>KY</td>
<td>61,247</td>
<td>12,430</td>
<td>7,458</td>
<td>68,705</td>
<td>2</td>
<td>34,353</td>
</tr>
</tbody>
</table>

* Northern State
† White males of 16 years and upwards, white males under 16, white females, all other free persons

Now, use the completed chart to complete the remaining activities...
A. Compromising Quotes. Carefully read each quote. Identify the compromise it relates to and determine if the quote is for or against the compromise. Finally, rewrite the big idea in modern language to explain what the Founding Father actually wanted.

1. June 29, 1787. Oliver Ellsworth. “We were partly national, partly federal. The proportional representation in the first branch was conformable to the national principle, and would secure the large States against the small. An equality of voices was conformable to the federal principle, and was necessary to secure the small States against the large.”

   Big Idea:
   **We should have proportional representation in the first house of the legislature and equal representation in the second.**

   Eilsworth is __________ for __________ the:
   `(for/against)`
   - Great Compromise
   - 3/5 Compromise
   - Presidential Election Compromise
   - Commerce/Slave Trade Compromise

2. May 30, 1787. James Madison. “Whatever reason might have existed for the equality of suffrage when the Union was a federal one among sovereign States, it must cease when a national Governmt. should be put into the place.”

   Big Idea:
   **It made sense that every state should get an equal vote when we were a confederation of states, but with a national government things have to be different.**

   Madison is __________ against __________ the:
   `(for/against)`
   - Great Compromise
   - 3/5 Compromise
   - Presidential Election Compromise
   - Commerce/Slave Trade Compromise

3. July 11, 1787. Gouverneur Morris. “For [I] could never agree to give such encouragement to the slave trade as would be given by allowing them a representation for their negroes, and [I] did not believe those States would ever confederate on terms that would deprive them of that trade.”

   Big Idea:
   **If we allow enslaved Africans to count towards representation, it will only encourage the slave trade. I cannot agree to it.**

   Morris is __________ against __________ the:
   `(for/against)`
   - Great Compromise
   - 3/5 Compromise
   - Presidential Election Compromise
   - Commerce/Slave Trade Compromise
### Compromising Quotes Continued...

<table>
<thead>
<tr>
<th>Date</th>
<th>Person</th>
<th>Quote</th>
<th>Big Idea</th>
<th>Morris is _________ for _________ the:</th>
</tr>
</thead>
</table>
| August 21, 1787 | Oliver Ellsworth | “[I am] for leaving the clause as it stands. Let every State import what it pleases. The morality or wisdom of slavery are considerations belonging to the States themselves. What enriches a part enriches the whole, and the States are the best judges of their particular interest.” | States should decide their imports, not the federal government. That includes the import of enslaved people. It’s up to the states to decide what’s best. | Great Compromise  
3/5 Compromise  
President Election Compromise  
Commerce/Slave Trade Compromise |
| August 22, 1787 | John Rutledge   | “If the Convention thinks that N. C. S. C. & Georgia will ever agree to the plan, unless their right to import slaves be untouched, the expectation is vain. The people of those States will never be such fools as to give up so important an interest.” | North Carolina, South Carolina, and Georgia won’t agree to the Constitution unless their right to import slaves is protected. | Great Compromise  
3/5 Compromise  
President Election Compromise  
Commerce/Slave Trade Compromise |
| September 4, 1787 | Gouverneur Morris | “The 1st. was the danger of intrigue & faction if the appointmt. should be made by the Legislature. [...] 4. No body had appeared to be satisfied with an appointment by the Legislature. 5. Many were anxious even for an immediate choice by the people. 6. The indispensible necessity of making the Executive independent of the Legislature.” | Allowing the Congress to appoint a president isn’t such a good idea. How would the branches be independent of each other? | Great Compromise  
3/5 Compromise  
President Election Compromise  
Commerce/Slave Trade Compromise |
B. Virginia Plan = Constitution? Maybe. Most of what you see in our government today was actually a part of the Virginia Plan. Read the components of the Virginia Plan. Then follow the directions on the right to uncover its influence.

1. Place a check mark next to points we fully adopted in our government. (Fully means ALL. If we only adopted some of that point, leave it blank.

2. Now, circle any points where you notice the delegates agreed to compromises. (These are the somewhat adopted points.)

3. How would the national government look today if compromises had not been made and the Virginia Plan had been adopted as is?

   Answers will vary. Look for students to reflect ideas from the points that they circled in Step 2 and from the provisions that were left blank.

4. Choose two provisions from the plan that would have made the most significant difference for how our government turned out and explain what the outcomes would be.

   Provision 1 (letter): ______
   Outcome: Answers will vary. Accept all reasonable responses.

   Provision 2 (letter): ______
   Outcome: Answers will vary. Accept all reasonable responses.
C. The 3/5 Compromise. Use the information from your completed Apportionment Chart to answer the questions.

1. Which state had the most representatives based on the population for representation?
   
   **Virginia - 19 representatives**

2a. How would that state’s representation have changed if the enslaved population had not been counted? (Each state was given one representative per 33,000 people.)

   **They would have only had 14 representatives had the enslaved population not been counted.**

   \( \frac{454,983}{33,000} = 13.8 \text{ round up} \)

2b. What if they had been fully counted?

   **Virginia possibly could have had 22 or 23 representatives had the enslaved population been fully counted.**

3. Which state would have had the most representatives if only the free population had counted?

   **Massachusetts. It had the largest free population.**

4a. How many representatives did the northern states (signified with *) have in total? **58**

4b. How many did the southern states have? **47**

5. Who was counted in constituents per representative but unable to vote for any representative?

   **White females, white men under the age of 16, anyone who is enslaved.**

6. Without counting slaves, the southern states would have had only 33 representatives in Congress. Because of the 3/5 Compromise, they had **47** (answer from question 4b). How do you think this increase benefited southern interests?

   **The additional seats increased the South’s power and influence in the national legislature. (ex: Missouri Compromise, Fugitive Slave Act of 1850, Kansas-Nebraska Act, and additional electoral college seats)**
D. Map Activity. The map below shows the thirteen states at the time of the Constitutional Convention. Use the clues below and the Apportionment Chart to create your map key and annotate the map.

- States with a population less than 300,000 were considered small.
- States with a population of 300,000 or more were considered large.
- States like Connecticut, Massachusetts, New Hampshire, Pennsylvania, and Rhode Island abolished or gradually worked to abolish slavery prior to 1787. These states were considered to be free states.
- The Mason-Dixon line was considered the dividing line between the free states and the slave states. It made up the border between Maryland and Pennsylvania.
### E. State Interest

Using your map and Apportionment Chart, determine which states and their delegates would have supported which compromises and why.

<table>
<thead>
<tr>
<th>State and Compromise</th>
<th>Yes or No?</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Rhode Island would have supported the Three-Fifths Compromise.</td>
<td>N</td>
<td>No, because Rhode Island was a free state.</td>
</tr>
<tr>
<td>2. Georgia would have supported the New Jersey Plan.</td>
<td>Y</td>
<td>Yes, because Georgia was considered a small state.</td>
</tr>
<tr>
<td>3. Pennsylvania would have supported the Virginia Plan.</td>
<td>Y</td>
<td>Yes, because Pennsylvania was considered a large state.</td>
</tr>
<tr>
<td>4. Massachusetts would have supported the New Jersey Plan.</td>
<td>N</td>
<td>No, because Massachusetts was considered a large state.</td>
</tr>
<tr>
<td>5. North Carolina would have supported the Three-Fifths Compromise.</td>
<td>Y</td>
<td>Yes, because North Carolina was a slave state.</td>
</tr>
<tr>
<td>6. Connecticut would have supported the Great Compromise.</td>
<td>Y</td>
<td>Yes, because Connecticut delegates suggested it, and because it reflected the interests of small and large states.</td>
</tr>
<tr>
<td>7. New Hampshire would have supported the Slave Trade Compromise.</td>
<td>N</td>
<td>No, because New Hampshire was a free state.</td>
</tr>
<tr>
<td>8. South Carolina would have supported the Virginia Plan.</td>
<td>N</td>
<td>No, because South Carolina was considered a small state.</td>
</tr>
</tbody>
</table>
Notes from the Convention. Read the notes from the Constitutional Convention on the debate of the prohibition of the international slave trade. Many states heavily relied on the importation, sale, and labor of enslaved Africans. How slavery should be treated in the Constitution became a large topic of debate.

Part I: Read the notes from August 21, 1787. Then answer the questions that follow. Some words have been defined in parenthesis.

August 21, 1787:

**Mr. L. Martin [Maryland]**, proposed to vary the sect: 4. art VII so as to allow a prohibition or tax on the importation of slaves. 1. As five slaves are to be counted as 3 free men in the apportionment of Representatives; such a clause wd. (would) leave an encouragement to this trafic. 2 slaves weakened one part of the Union which the other parts were bound to protect: the privilege of importing them was therefore unreasonable--3. it was inconsistent with the principles of the revolution and dishonorable to the American character to have such a feature in the Constitution.

**Mr. Rutlidge [South Carolina]** did not see how the importation of slaves could be encouraged by this section. He was not apprehensive (fearful) of insurrections (rebellions) and would readily exempt the other States from the obligation to protect the Southern against them. [...] The true question at present is whether the Southern States shall or shall not be parties to the Union. If the Northern States consult their interest, they will not oppose the increase of Slaves which will increase the commodities (products) of which they will become the carriers.

**Mr. Elseworth [Connecticut]** was for leaving the clause as it stands. let every State import what it pleases. The morality or wisdom of slavery are considerations belonging to the States themselves-- [...] the States are the best judges of their particular interest. The old confederation had not meddled with this point, and he did not see any greater necessity for bringing it within the policy of the new one:

**Mr. Pinkney [South Carolina]**. South Carolina can never receive the plan if it prohibits the slave trade. In every proposed extension of the powers of Congress, that State has expressly & watchfully excepted that of meddling with the importation of negroes. If the States be all left at liberty on this subject, S. Carolina may perhaps by degrees do of herself what is wished, as Virginia & Maryland have already done.

1. What does the delegate from Maryland propose? How does he feel about slavery?

**Mr. Martin proposes either a prohibition or tax on the importation of slaves. He wishes to discourage slavery.**

2. What does Mr. Martin mean by “slaves weakened one part of the Union, which the other parts were bound to protect”?

**He means that the risk of slave rebellion or revolt weakens the Southern states. If there was a rebellion, the Northern states would have to help.**
3. With what “principles of the Revolution” was the slave trade inconsistent?

Mr. Martin refers to principles like life, liberty, and the pursuit of happiness.

4. How does Mr. Rutledge ease Mr. Martin’s fear of being bound to protect the southern states?

Mr. Rutledge says that he doesn’t fear insurrection and would release the other states from having to help in the event that it did take place.

5. What did Mr. Rutledge mean by it “will increase the commodities of which they will become carriers”?

Mr. Rutledge means that more slaves can produce more products. Therefore, more products means more money for merchants in the Northern states.

6. Why is Mr. Ellsworth for leaving the clause as it stands?

Mr. Ellsworth feels that question of slavery is something that each state should decide for itself. He argues that the Constitution shouldn’t deal with slavery at all.

7. What would make South Carolina agree to the Maryland’s proposal?

South Carolina would agree if the slave trade is protected and states get to decide the question of slavery for themselves.

8. What proposals are on the table at this point for how the Constitution should treat the slave trade?

Maryland proposes to tax or prohibit the importation of slaves, Connecticut and South Carolina propose to let each states decide what they wish to do.
Part II: Now read the notes from the very next day, August 22, 1787. Then answer the questions that follow. Some words have been defined for you in parenthesis.


Mr. Sherman [Connecticut] was for leaving the clause as it stands. He disapproved of the slave trade: yet as the States were now possessed of the right to import slaves, as the public good did not require it to be taken from them, & as it was expedient (convenient) to have as few objections as possible to the proposed scheme of Government, he thought it best to leave the matter as we find it. He observed that the abolition of slavery seemed to be going on in the U. S. & that the good sense of the several States would probably by degrees compleat (complete) it.

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[...]

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Mr. Randolph [Virginia] was for committing in order that some middle ground might, if possible, be found. He could never agree to the clause as it stands. He wd. (would) sooner risk the constitution--He dwelt on the dilemma to which the Convention was exposed. By agreeing to the clause, it would revolt the Quakers, the Methodists, and many others in the States having no slaves. On the other hand, two States might be lost to the Union. Let us then, he said, try the chance of a commitment.


[The whole subject was thus recommitted for the purpose of coming to some compromise.]
** TEACHER GUIDE **

Part II: Use the excerpt from Part II to answer the questions.

1. What argument does Mr. Sherman give for leaving the clause as it stands?

   *Mr. Sherman believes that it will be more convenient to leave the clause as is to lessen the number of objections. Furthermore, he believes that slavery will soon be abolished state by state.*

2. Why does Mr. Ellsworth believe that slaves will eventually be rendered useless?

   *Population growth will increase the number of free white workers and they will fill the jobs and do the work currently completed by those who were enslaved.*

3. According to General Pinkney, how will Virginia gain from the prohibition on the import of slaves?

   *The prohibition doesn’t apply to domestic trade. General Pinkney believes that Virginia’s slaves will increase in value because other states will turn to purchase them as a result of the prohibition.*

4. How does General Pinkney reason that more slaves will help the United States?

   *He states that if there are more slaves, there will be a greater production of goods. More production means more business and a greater demand for goods, which can generate revenue for the country.*

5. By the end of August 22, is the Convention nearer to an agreement than they were on August 21? How do you know?

   *No, the whole subject must be recommitted in the hopes that the states can reach a compromise.*

6. At the time of the vote, who is for adding a prohibition on the international slave trade? Who is against it?

   *New Hampshire, Pennsylvania, and Delaware are for the prohibition. Massachusetts abstained the vote. Connecticut, New Jersey, Maryland, Virginia, North Carolina, South Carolina, and Georgia are against.*