

WE THE PEOPLE

Written by

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TITLE CARD: THIS IS A TRUE STORY

FADE OUT/IN:

EXT. MARY HOUSE'S BOARDINGHOUSE - NOON

SUPERIMPOSE: Philadelphia, 1787

Clear blue skies compliment the warm spring day outside the upscale BOARDINGHOUSE on the corner of Fifth and Market Street. A CARRIAGE halts in front of the main entryway.

DRIVER

Last call on the Philadelphia
Flyer!

Stepping out of the taxi is JAMES MADISON, THIRTY-SIX YEARS OLD and standing just over five feet tall, a small and serious man. He carries his modest belongings up the boardinghouse steps.

INT. MARY HOUSE'S BOARDINGHOUSE - CONTINUOUS

Madison approaches the ATTENDANT, whose nose is in his books, until he notices the new arrival.

ATTENDANT

Good afternoon sir, and welcome to
Mary's House on this fine day.

JAMES MADISON

A fine day indeed.

ATTENDANT

How may I be of service?

JAMES MADISON

I believe my accommodations are in
order. If I've arrived early I can
make due in the interim.

ATTENDANT

The name, please?

JAMES MADISON

Madison. James Madison.

The attendant runs his finger through the registry.

ATTENDANT

Of course. Welcome, Mr. Madison. We'll have you a room within the hour. Perhaps a meal or a cup of tea while you wait?

JAMES MADISON

Tea would be fine. Say, am I the first of the Virginians to arrive?

ATTENDANT

I'm not entirely certain where each of our guests hail but I can check for you.

JAMES MADISON

Perhaps a Mr. Randolph or Mr. McClurg?

ATTENDANT

I don't believe so.

JAMES MADISON

General Washington is expected...

The attendant's eyes sparkle at the name.

ATTENDANT

Ah yes, General Washington. If he were here I would know it, but I don't so he most certainly isn't.

JAMES MADISON

I see. And the others? Have any southerners come up the Potomac?

ATTENDANT

You are the first, sir. I assure you.

Madison nods at the information, knowing it was not ideal.

JAMES MADISON

The first...

CUT TO:

INT. MADISON'S QUARTERS/ M.H. BOARDINGHOUSE - AFTERNOON

Madison sits at the small desk of his modest room, simultaneously reading and taking notes. Appearing anxious, he stands to take a look out the window. It is a quiet day as few people are out on the street.

SUPERIMPOSE: May, 3

DISSOLVE:

SUPERIMPOSE TRANSITIONS TO: May, 13

The bed and desk are now littered with books and notes. Madison is gone. We hear the distant sound of church bells.

CUT TO:

INT. TEAROOM/ MARY HOUSE'S BOARDINGHOUSE - CONTINUOUS

Madison is having tea alone in the corner as he reads. The ringing church bells prompt him to pull his nose out of his book. Out the window, he sees DOZENS OF CITIZENS take to the streets. The attendant runs past Madison through the tearoom.

ATTENDANT

Haven't you heard? City Troupe's received him off Gray's ferry up the river! He's coming here!

Madison marks his page and follows the excited attendant.

CUT TO:

EXT. MARY HOUSE'S BOARDINGHOUSE - AFTERNOON

A STAGECOACH surrounded by SIX OFFICERS on horseback and a TROOP OF MEN head for the boardinghouse and an adoring crowd.

INT. STAGECOACH - CONTINUOUS

At well over SIX FEET TALL, the FIFTY-FIVE YEAR-OLD GENERAL GEORGE WASHINGTON sits in the cramped stagecoach. Across from him is his valet and closest slave, WILLIAM "BILLY" LEE, who peers outside at the crowd.

BILLY LEE

Extraordinary... Everywhere you go, they gather to see you.

GEORGE WASHINGTON

And when they realize I'm just an old man with a bad knee and a cane to help him walk?

BILLY LEE

(chuckles)

Your hat is crooked, old man.

The stagecoach halts and the crowd quiets as they wait. Washington takes a moment.

EXT. MARY HOUSE'S BOARDINGHOUSE - CONTINUOUS

He carefully exits the stagecoach. A handful of members in the crowd have tears in their eyes as he steps down. George looks out into the admiring mob. His commanding presence demands their silence.

GEORGE WASHINGTON

I am deeply humbled by the warm embrace of the people of Philadelphia. My visits have been infrequent and tend to be for reasons other than leisure, but your hospitality and the memory of such important work that has been done here for these United States, your city will always hold a special place in my heart.

Billy has exited the coach and is holding one of Washington's bags. ROBERT MORRIS, likely the wealthiest man living in Philadelphia, AGE FIFTY-THREE and a large imposing figure himself, emerges from the crowd.

ROBERT MORRIS

And where will you stay in this most welcome visit to our city?

Washington smiles at the sight of an old acquaintance.

GEORGE WASHINGTON

Mr. Morris, what a surprise. It's no accident I've stopped before Philadelphia's most charming boardinghouse.

ROBERT MORRIS

Charming as it is, my wife simply wouldn't have it if I never offered to make our home yours for as long as you need.

GEORGE WASHINGTON

Yes I received your offer weeks ago and was humbled but accommodations have already been made.

ROBERT MORRIS

We assumed our offer was rejected through fear of imposition.

GEORGE WASHINGTON

Perhaps.

Madison tries to squeeze through the crowd without much luck.

ROBERT MORRIS

There would be no greater honor for my family than to have you as our guest. My wife often reminds me of those many evenings she and Martha spent together. I know Martha won't be joining you, but all those wonderful memories our families shared haven't been forgotten.

GEORGE WASHINGTON

(2 beats)

I suppose it would please them...

Morris politely takes some of Washington's luggage from Billy's hands.

ROBERT MORRIS

Now I won't have it any other way, George. Even if I must walk your belongings all the way to my home and force you to retrieve them.

He prompts a smile from Washington and a laugh from the mob.

EXT. GARDEN/ BENJAMIN FRANKLIN'S RESIDENCE - AFTERNOON

A SERVANT walks through an open-air corridor and enters the garden to find his employer. BENJAMIN FRANKLIN, EIGHTY-ONE YEARS OLD and not in particularly good health, sits with a book in hand as he tosses food to a squirrel nearby.

SERVANT

There's a man here to see you.

BENJAMIN FRANKLIN

Well who the hell is he?

SERVANT

He made me promise not to say. Just that he would only dare call upon the President of Pennsylvania if he had time for an ordinary citizen.

BENJAMIN FRANKLIN

(chuckles)

Anyone who calls me that deserves an audience, wouldn't you say?

SERVANT

Yes he does.

Franklin grabs his cane and rises to his feet.

INT. ENTRYWAY/ BENJAMIN FRANKLIN'S RESIDENCE - AFTERNOON

Franklin rounds the corner to the entryway. Through the GLASS PANE at the top of his front door, he sees the outline of a three-cornered hat being worn by a very tall man. Almost immediately realizing who it is, he can't help but smirk and decides to have a little fun before opening the door.

BENJAMIN FRANKLIN

Might I ask who's calling?

GEORGE WASHINGTON (O.S.)

Just an ordinary American citizen wishing to visit with the good Doctor Franklin, if he'll have me.

BENJAMIN FRANKLIN

"Doctor"? Don't you mean "President Franklin", good sir?

GEORGE WASHINGTON (O.S.)

Yes Mr. President. My deepest apologies.

BENJAMIN FRANKLIN

And what title shall I give you, my good man? Prankster?

GEORGE WASHINGTON (O.S.)

Any title I'm given by the man I consider the greatest living American will be gracefully accepted and held with pride.

A swell of emotional pride overtakes Franklin for a moment.

BENJAMIN FRANKLIN

No, I think only General will do.

Franklin opens the door and with a hearty laugh embraces Washington, who is equally pleased to see him.

BENJAMIN FRANKLIN (CONT'D)

My dear General Washington.

GEORGE WASHINGTON

Please, call me George.

CUT TO:

EXT. GARDEN/ BENJAMIN FRANKLIN'S RESIDENCE - AFTERNOON

Washington and Franklin are having tea in the garden.

BENJAMIN FRANKLIN

Word is it took some convincing to bring you here.

GEORGE WASHINGTON

Retirement has so often eluded me, I wonder if it will ever be permanent.

BENJAMIN FRANKLIN

We're all pleased that you've come.

GEORGE WASHINGTON

Barring that you happen to live in Philadelphia, I'm equally pleased you'll be attending tomorrow.

BENJAMIN FRANKLIN

(chuckles)

I am guilty of that luxury, yes. The very first order of business ought to be naming our president, and there will be no voice sooner heard than mine to have the privilege of naming you.

GEORGE WASHINGTON

You flatter me. Any man attending would be worthy of the honor.

BENJAMIN FRANKLIN

I lack the humility to agree with you.

They laugh and ponder for a moment.

BENJAMIN FRANKLIN (CONT'D)

I do hope you'll find your stay in Philadelphia comfortable. And should you not, consider my home yours.

GEORGE WASHINGTON

You weren't the first Philadelphian to be so gracious.

BENJAMIN FRANKLIN

No? Should hardly come as a surprise I suppose.

GEORGE WASHINGTON

Mr. Morris was in town to greet me before I could claim room and board.

BENJAMIN FRANKLIN

Robert? Our old treasurer. He's done well for himself. Certainly better off than your sickly host.

GEORGE WASHINGTON

We've both seen better days Doctor.

BENJAMIN FRANKLIN

Nonetheless, I'm comforted to know you'll be in good hands this summer. The finest home in Philadelphia for its finest guest.

GEORGE WASHINGTON

I've yet to see my lodgings. before my luggage hit the floor, I told my valet I must make a visit to an old friend before any other business is done.

Franklin smiles at the kind gesture and raises his cup.

BENJAMIN FRANKLIN

To tomorrow, George.

GEORGE WASHINGTON

To tomorrow, Benjamin.

EXT. PENNSYLVANIA STATEHOUSE - MORNING

Outside the PENNSYLVANIA STATEHOUSE on a rather gloomy day, GEORGE WYTHE, AGE SIXTY-ONE, a tall and slender Virginian who carries himself with dignity, climbs the steps. His white rim of hair on his bald head curls at the ends, and his sideburns compliment a long pointy nose.

He is accompanied by the current Governor of Virginia, the THIRTY-FOUR YEAR OLD EDMUND RANDOLPH, handsome, intelligent, and a very skilled orator. They make their way through the building.

INT. ASSEMBLY ROOM/ PENNSYLVANIA STATEHOUSE - MORNING

Randolph opens one of the assembly room doors to a very disappointing sight. Already present are Washington and Madison, both standing at opposite ends of the room. Madison paces while Washington leans against a chair. JOHN BLAIR and JAMES MCCLURG, aged FIFTY-FIVE and FORTY-ONE respectively, both Virginians sit by each other's side and chat quietly.

Benjamin Franklin sits at the Pennsylvanian table alongside Robert Morris and JAMES WILSON. Wilson, age FORTY-FIVE, a humble yet brilliant thinker, wears spectacles and being of Scottish descent holds the most unique accent amongst the group. Standing near Robert Morris is his protégé, GOUVERNEUR MORRIS. Although unrelated, the two successful businessmen have eerie similarities in their imposing stature and intellect. Their beliefs would lead some to describe them as elitist. Gouverneur has a WOODEN PEG in place of his right leg below the knee. Washington greets the new arrivals.

GEORGE WASHINGTON

Welcome, Governor. Mr. Wythe it's good to see you again.

They shake hands.

GEORGE WYTHE

And you, sir.

EDMUND RANDOLPH

General it's been too long.

GEORGE WASHINGTON

It has.

EDMUND RANDOLPH

I'd look to take my seat but I don't know what good it would do.

GEORGE WASHINGTON

Tardiness is an unfortunate foe we must contend, I'm afraid.

Madison approaches Randolph with a tepid smile.

JAMES MADISON

Governor Randolph, I'm glad you've arrived.

EDMUND RANDOLPH

But it's not enough to hide your disappointment, Mr. Madison.

JAMES MADISON

Barely a quorum of two States when we need seven to begin isn't ideal.

Robert Morris and James Wilson get to their feet as Franklin struggles to join them.

BENJAMIN FRANKLIN

It's an honor to welcome the Governor of Virginia into our statehouse.

Randolph walks over to Franklin and shakes his hand before he fully rises.

EDMUND RANDOLPH

Please don't trouble yourself, Doctor Franklin. The honor is mine as I've longed to meet you for some time.

BENJAMIN FRANKLIN

Too kind. Have you met my Pennsylvanian counterparts?

EDMUND RANDOLPH

It's been a few years since my days in the congress but I'd never forget Mr. Morris or Mr. Wilson.

He shakes Robert Morris' and Wilson's hands.

ROBERT MORRIS

Good to see you again, Mr. Randolph. Have you met Gouverneur Morris? No relation, I assure you.

EDMUND RANDOLPH

Not in the flesh but I know of his work. Pleasure, sir.

GOUVERNEUR MORRIS

And you, Governor.

Randolph walks to the Virginian table to greet his colleagues.

EDMUND RANDOLPH

John, Mr. McClurg, I'm proud so many Virginians arrived on time.

JOHN BLAIR

As am I. Although as you said it won't do much good.

JAMES MCCLURG

Southerners have always had their own notions of dependability.

GEORGE WASHINGTON

Let's be fair, Mr. McClurg. Even neighboring Pennsylvania are we not missing one or two representatives ourselves? I myself arrived later than expected. And a trek through the Carolinas would only prove more difficult.

JAMES WILSON

So what's next, gentlemen? Shall we try again this time tomorrow?

GOUVERNEUR MORRIS

I highly doubt the delegates of another five States will find themselves in Philadelphia before the day's over.

JOHN BLAIR

As do I.

BENJAMIN FRANKLIN

No, I think not, gentlemen. But I do know what's next.

JAMES WILSON

Enlighten us, Doctor.

BENJAMIN FRANKLIN

Dinner. With so many esteemed guests in town, I can't pass on the opportunity to host you all at my home tonight. And although lunch hasn't passed, my staff will begin work on supper immediately. So come with empty bellies because it will be a meal you don't want to miss.

ROBERT MORRIS

Very good, Ben. We'll be there. Your dinners never disappoint.

The two Morris' take their leave, as do John Blair, James McClurg, and George Washington. Madison follows.

INT. HALLWAY/ PENNSYLVANIA STATEHOUSE - CONTINUOUS

Madison traverses the hall. James Wilson catches up to him.

JAMES WILSON

Mr. Madison, a moment please.

JAMES MADISON

Yes Mr. Wilson?

JAMES WILSON

Can I buy you a pint?

JAMES MADISON

I won't partake but I did skip breakfast.

JAMES WILSON

Follow me, then.

INT. TAVERN - MORNING

The INNKEEPER serves Madison a modest plate of bread and cheese while Wilson drinks his pint.

JAMES WILSON

You see Mr. Madison, you Virginians were most insistent on this gathering after Annapolis. Of course we've yet to see the roster, but convincing General Washington to come out of retirement may have been enough to inspire the others.

JAMES MADISON

I don't look to take credit for his arrival. I believe what brought him here was his sharing in our belief this Union is failing.

JAMES WILSON

And that's no exclusive sentiment. I'd imagine Massachusetts is enthusiastically sending their representatives after Daniel Shays marched four-thousand rebels across the State.

JAMES MADISON

Of course, Mr. Wilson.

JAMES WILSON

My point is, when they arrive, they'll be looking for answers. For leadership. And who do you think they'll turn to for that?

JAMES MADISON

General Washington.

JAMES WILSON

No. Well yes and no. He'll be instrumental, but the States look to Virginia for leadership. That begs the question of preparation.

JAMES MADISON

I've buried myself in study these past months.

JAMES WILSON

Yes, and you were the first out-of-state representative to arrive in Philadelphia. You wanted this more than any man I know. But what is Virginia prepared to propose?

JAMES MADISON

These are proud men coming to attend the convention, Mr. Wilson. Patriots. Several of them signed the Declaration of Independence. If I'm so bullish as to impose my State's position as superior...

JAMES WILSON

(interrupts)

Our States', Mr. Madison. It's not only due to your populous, it's what you bring to the convention. I've read your work. Believe me when I say you won't be alone. And with representatives from the two largest States meeting for dinner tonight, we may just see how bold this band of ours really is.

Wilson downs the rest of his pint.

INT. DINING HALL/ BENJAMIN FRANKLIN'S RESIDENCE - NIGHT

A lavish and diverse spread of dishes have been laid out in Franklin's grand dining hall.

In attendance are the exact same men who found themselves in the barren assembly room of the statehouse that morning. Sitting at opposite ends at the heads of the table are Franklin and Washington. To Washington's right, from nearest to farthest, sits Madison, McClurg, Randolph, Blair, and Wythe. To Franklin's right sits Wilson, Gouverneur Morris, and Robert Morris, conveniently separating the Virginians and Pennsylvanians. The men are well into their meal as Franklin has a glass raised.

BENJAMIN FRANKLIN

As the French would say, *Une assemblée des notables*.

EDMUND RANDOLPH

You are too kind, Doctor. And this is perhaps as exquisite a meal as I've ever had.

BENJAMIN FRANKLIN

I was hoping you'd leave the politician at the door, Governor.

The Virginians chuckle.

JAMES WILSON

As one of the less notable members of this esteemed party, I'm honored to be here with all of you.

BENJAMIN FRANKLIN

Very good, James. We'll need some humility in the days ahead.

Randolph raises his glass.

EDMUND RANDOLPH

To Virginia, and to Pennsylvania.

GEORGE WASHINGTON

To the Union, gentlemen.

Several men stamp their hands on the table.

JAMES MADISON

I share in the sentiment of Mr. Wilson. It's an honor.

JAMES WILSON

We're well into this lovely meal and my old friend Mr. Madison has barely said a word.

McClurg, sitting next to Madison, pats him on the back.

JAMES MCCLURG

He's always been this way.

JAMES MADISON

We can't all be as entertaining as the good Doctor.

BENJAMIN FRANKLIN

Hear, hear Mr. Madison.

The men laugh.

JAMES WILSON

Find him in a more private setting and you'd think you were talking to a different person.

GOUVERNEUR MORRIS

Is there a point to this James?

JAMES WILSON

I hope he doesn't mind my saying but I recall Mr. Madison stating if he had his way, he'd do away with the Articles of Confederation entirely, isn't that right?

The table is largely stunned to hear this.

GOUVERNEUR MORRIS

Bold move.

ROBERT MORRIS

Indeed.

GOUVERNEUR MORRIS

You'd strip away what little power the Congress still has and do what? Leave everything to the States?

JAMES MADISON

The problem is it wouldn't make much difference. The States already have more power than the Congress if they can ignore any mandate they characterize as inconvenient.

GOUVERNEUR MORRIS

So it's the State powers you hope to strip away?

JAMES MADISON

I'm a republican, Mr. Morris. I believe the people of this Nation should run their Country, not the State governments.

BENJAMIN FRANKLIN

And if someone argues the people do in fact run the government through the States?

JAMES MADISON

States act in their own selfish interest. They don't serve the Union. Whether they are levying tariffs on one another, or perhaps more alarmingly some have begun printing their own paper money and allowing investors to be drowned out by angry constituents voted into local bureaucracies.

BENJAMIN FRANKLIN

Yet those people elected their representatives through a popular vote. That is in fact the principle of a republic, Mr. Madison, is it not?

JAMES MADISON

A small republic, yes, which is what a State represents and why I believe we find ourselves in this predicament. Even the two States we hail from, we're the largest of all thirteen and yet too small to form just governments. It's always one or two factions that holds power over the rest. In a vast republic, consolidation of power becomes all but impossible. Or so I believe, because it doesn't yet exist.

BENJAMIN FRANKLIN

Most enthralling. Please go on.

JAMES MADISON

Our government's only power lies in Congress, supposedly represented by the people, but in truth it's only represented by the States. We all know the Articles of Confederation don't grant Congress enough power, but therein lies another problem;

(MORE)

JAMES MADISON (CONT'D)

what *degree* of authority will the federal government have over them? In more ancient governments, even without a strong central authority, there was always some controlling power. But look what brought down the Achaeans and Amphyctions; too much local authority.

GOUVERNEUR MORRIS

Even if we were to give Congress the power they needed to govern, let's not pretend they're the ultimate authority on pragmatism and liberty.

Madison uses his hands to illustrate separations.

JAMES MADISON

They'll face their own barriers. First, within themselves, by being divided in two Houses. Now to check Congress, two entirely separate branches of the government must be formed. An elected chief executive and a national judiciary. The chief executive would enforce the laws Congress passes, while the judiciary would ensure they are lawful.

BENJAMIN FRANKLIN

This chief executive, to what extent would he possess power?

JAMES MADISON

As to the extent I'm not certain, but what power he is given will be kept in check by Congress, as well as the judiciary.

JAMES WILSON

Very good, James.

BENJAMIN FRANKLIN

I couldn't help but notice the Virginians were awfully quiet.

GEORGE WYTHE

Afraid we've been scheming, Doctor?

BENJAMIN FRANKLIN

If you have, by all means include me in it.

The Virginians chuckle.

GEORGE WASHINGTON

Sharing in correspondence with Mr. Madison these last months, you would have been aware of his ideas.

EDMUND RANDOLPH

Vices he calls them, of our current political system. In great detail he enumerates the folly of the individual States who have no true authority to adhere to.

BENJAMIN FRANKLIN

These vices of our political system as you call them, you have them in writing?

JAMES MADISON

I do.

BENJAMIN FRANKLIN

And these solutions of yours, are they in writing as well?

Madison thinks for a moment, having not realized this.

BENJAMIN FRANKLIN (CONT'D)

Then it seems our Virginian friends have their work cut out for them before the convention finds its quorum.

A servant carries out a cask of porter, livening Franklin.

BENJAMIN FRANKLIN (CONT'D)

Excellent. This was a gift from an old friend in London and saved for a special occasion.

(to his servant)

A glass for each of our guests.

The servant begins pouring the glasses.

GOUVERNEUR MORRIS

Mr. Madison, I'm sure you've anticipated the small states will fight like terriers to hold onto their equally represented votes.

JAMES MADISON

No doubt they will.

JAMES WILSON

To hell with them. The very thought Rhode Island has as equal a say as Pennsylvania or Virginia is enough to lose sleep over.

ROBERT MORRIS

Please don't mention Rhode Island during such a pleasant evening.

Several men chuckle.

JAMES WILSON

I say we make it clear from the start the large states will refuse to allow this madness to carry on.

JAMES MADISON

Please, we must broach this issue tactfully, lest we'd risk dooming the convention just as it begins. It'll be our job to convince them it's in their best interest to give up State equality for the sake of an effective government. We may be predisposed to accept this but Georgia and the Carolinas have more rapidly growing populations. That's how we bring them into the fold. The small states should follow.

The servant finishes serving the glasses of porter as Franklin sips, then delightfully raises his.

BENJAMIN FRANKLIN

Gentlemen, I think we'll find ourselves in agreement this is the finest porter you've ever tasted.

The men raise their glasses and drink.

EDMUND RANDOLPH

The finest, and then some Doctor.

BENJAMIN FRANKLIN

All those in agreement?

A clear and cordial "aye" makes its way around the table.

BENJAMIN FRANKLIN (CONT'D)

It's unanimous then.

INT. ASSEMBLY ROOM/ PENNSYLVANIA STATEHOUSE - NOON

Washington sits alone in thought at a separate table from the other Virginians as they huddle around theirs. Gouverneur Morris and James Wilson are the only Pennsylvanians present. The assembly room is still largely empty. Through the front doors walks ALEXANDER HAMILTON, the THIRTY YEAR OLD handsome and ambitious New Yorker, who makes his modest appearance.

ALEXANDER HAMILTON

And here I thought I was late...

Washington is the first to take notice of his old friend and rises to greet him with a smile.

GEORGE WASHINGTON

Mr. Hamilton.

ALEXANDER HAMILTON

It's been a long time, George.

As they embrace, Washington proudly introduces him.

GEORGE WASHINGTON

Mr. Alexander Hamilton of New York.

Hamilton nods and acknowledges the other men in the room.

ALEXANDER HAMILTON

Gentlemen.

GEORGE WASHINGTON

You're the first of the New York delegation to arrive.

ALEXANDER HAMILTON

With any luck I'll be the last.

GEORGE WASHINGTON

So little faith in your colleagues, Alexander?

ALEXANDER HAMILTON

You'll understand soon enough.

GEORGE WASHINGTON

Will you walk with me?

ALEXANDER HAMILTON

Of course.

Hamilton happily obliges as Washington leads him outside.

EXT. PENNSYLVANIA STATEHOUSE/ WALNUT STREET - NOON

The men take a leisurely stroll down Walnut Street. Washington, knowing he always on display in public, holds his usual decorum while Hamilton cares far less for such things.

GEORGE WASHINGTON

We've had men from the Carolinas and Delaware find their way, but I'll tell you in confidence I fear some States may not have adequate representation.

ALEXANDER HAMILTON

You were never one to idle your time.

GEORGE WASHINGTON

Business must begin soon as we are able. In the meantime, we're doing what we can.

ALEXANDER HAMILTON

Your Virginian friends appeared busy enough.

GEORGE WASHINGTON

I believe you will find yourself in alignment with much of what they've conceived thus far.

ALEXANDER HAMILTON

Well don't be shy George...

GEORGE WASHINGTON

I'm all but sworn to secrecy til we open our business. In fact I fear I've said too much already.

ALEXANDER HAMILTON

It's not me you ought to worry about.

Passersby stop and gawk at the sight of Washington, who politely smiles in return.

GEORGE WASHINGTON

I'm certain I wouldn't have said as much in front of your colleagues.

ALEXANDER HAMILTON

You'll find Yates and Lansing to be no more than the shortsighted goons of Governor Clinton.

GEORGE WASHINGTON

I see.

ALEXANDER HAMILTON

And as the States have become more democratic, it's not long before the Congress loses what little power it has.

GEORGE WASHINGTON

Some of the greatest minds of the Country will gather to find a remedy, Alexander.

ALEXANDER HAMILTON

But how many of them truly understand, George? All those years our men spent in the mire, and we plead and fought, wanting in adequate supplies and support.

GEORGE WASHINGTON

I'm told nearly one-third of the men attending served in the army. That must instill some optimism.

ALEXANDER HAMILTON

Daniel Shays served. That didn't stop him from marching on his own capitol. Disillusionment has been brewing in the States. And four million in debt from the war with no means nor intention of paying it back... We'll be the laughing stock of Europe.

Two women approaching Washington stop and curtsy.

WOMAN

General Washington, we're so pleased to have you here in Philadelphia.

GEORGE WASHINGTON

The honor is mine, madam.

Washington bows. The other woman and Hamilton share a moment of attraction, and Washington notices once he realizes she isn't all that impressed by his presence.

WOMAN

Well I won't trouble you any further.

GEORGE WASHINGTON

No trouble at all. Enjoy the rest
of your evening.

They smile and carry on.

ALEXANDER HAMILTON

Still famous as ever with the
ladies, I see.

GEORGE WASHINGTON

I hope you're keeping yourself out
of trouble these days.

Hamilton laughs as they continue their stroll.

ALEXANDER HAMILTON

I noticed you weren't sitting with
the others.

GEORGE WASHINGTON

(3 beats - honestly)
I don't find myself in my element
at times. But you will.

ALEXANDER HAMILTON

Well I'm despised in most political
circles. I can speak their language
but what I have to say is rarely
welcomed.

GEORGE WASHINGTON

That won't stop you, will it?

ALEXANDER HAMILTON

You really have to ask?

INT. ASSEMBLY ROOM/ PENNSYLVANIA STATEHOUSE - NOON**SUPERIMPOSE: May, 25**

The statehouse is now bustling on this rainy day with TWENTY-NINE MEMBERS from nine States present. There is no order set as an undesirable number of separate conversations are being had. Notably absent is Benjamin Franklin. Robert Morris rises from his seat at the Pennsylvanian table with a smile.

ROBERT MORRIS

Gentlemen, gentlemen please! Our
business must be brought to order!

The group shows respect and listens.

ROBERT MORRIS (CONT'D)

Our delegation proudly welcomes you all to Philadelphia. And by instruction, and on behalf of the deputation of Pennsylvania, it is my honor to nominate General George Washington Esquire, former Commander in Chief of the Continental army, to the chair of President of this convention.

JOHN RUTLEDGE of South Carolina, AGE FORTY-EIGHT, known to be the most powerful man in his State, speaks.

JOHN RUTLEDGE

Second! Dare I say I'm confident his nomination will be unanimous.

With cheers of "Hear, hear!" throughout the room as well as the stamping of hands at each table, Morris cheekily asks...

ROBERT MORRIS

All in favor?

Each member shouts "Aye!"

ROBERT MORRIS (CONT'D)

All opposed?

As expected, complete silence. Morris turns to Washington.

ROBERT MORRIS (CONT'D)

Mr. President, it will be my honor to escort you to your chair.

Washington rises, hiding the excess pride he currently feels. They take the short walk to the head of the room, where an ELEGANT MAHOGANY CHAIR AND TABLE sits. Centered atop the backrest of the chair is a SMALL ENGRAVED SUNBURST. Before Washington takes a seat, he addresses the room.

GEORGE WASHINGTON

You have my thanks for the great honor of presiding over such esteemed gentlemen as the members in this body. And do forgive any involuntary errors as you may find my experience lacking from time to time. I hereby call to order the first assembly of the Philadelphia convention.

The men stamp and clap their hands as Washington sits.

GEORGE WASHINGTON (CONT'D)

Now to the business of other appointments.

Hamilton stands.

ALEXANDER HAMILTON

Mr. President?

GEORGE WASHINGTON

I recognize the gentleman from New York, Mr. Alexander Hamilton.

ALEXANDER HAMILTON

I would nominate Major William Jackson of South Carolina to the position of secretary. His exemplary conduct during the war makes him an exceptional choice.

GEORGE WASHINGTON

Very well. Without being entirely objective I would add my endorsement. He served with distinction as Secretary of War.

WILLIAM JACKSON, TWENTY-EIGHT, tall, slender, proudly stands.

WILLIAM JACKSON

Thank you, sir.

GEORGE WASHINGTON

All those in favor of appointing Major Jackson as secretary, do so by saying "aye".

Less enthusiastically than Washington's nomination, the delegates approve.

GEORGE WASHINGTON (CONT'D)

All those opposed, make it clear by saying "no".

None oppose the appointment, as it is unimportant to most.

GEORGE WASHINGTON (CONT'D)

Major Jackson you may take your seat and prepare your effects for the work ahead.

Jackson takes a seat at a small table to Washington's right, set below the President's platform.

GEORGE WASHINGTON (CONT'D)

For the remaining business of the day, each delegation will make their introductions. A committee on rules will be appointed, and we shall adjourn through the week's end as members continue to make their way to Philadelphia.

INT. BEDROOM/ BENJAMIN FRANKLIN'S RESIDENCE - NIGHT

Franklin lays in bed, wincing through occasional fits of pain due to kidney stones. Wilson and Madison have come to visit.

JAMES MADISON

We'll reconvene on Monday. How are you feeling, Doctor?

BENJAMIN FRANKLIN

I'll be well soon enough. So you have a quorum of seven States with members from nine, eh?

JAMES MADISON

Several delegations enjoyed their chance to boast, but they are aware of a crisis. Many of them, myself included, won't be reimbursed for our troubles of attending. So I'm confident this is a serious caucus.

BENJAMIN FRANKLIN

I was sent a copy of your Virginian preamble. With talk of "the Nation's blood spilled in its short history, and whether this crisis will furnish our enemies with cause to triumph"... The histrionics must have instilled some reaction, no?

JAMES MADISON

Now they know where Virginia stands. With Pennsylvania's backing, and perhaps Massachusetts equally eager, we'll see if we can bring the others into the fray.

BENJAMIN FRANKLIN

Yes, but don't rush this, Mr. Madison. The States will fear change. Few things will be more difficult than to convince this body to absolve power.

JAMES WILSON

Just take a look at what Delaware had to say. Mr. Read claimed he saw need for a stronger national government, but was also adamant of the fact he was given specific instruction not to allow any measures that would jeopardize the influence of his State. Either he can't see how he contradicts himself, or just doesn't care.

BENJAMIN FRANKLIN

George Read is a tough ol' bastard. Been in politics much longer than either of you. When he signed the Declaration of Independence, he wasn't its most ardent supporter, in fact he was initially against it, but given time he came 'round. Now when you two take the reins, don't whip some of these old horses too hard. They may just turn around and kick you in the gut.

INT. ASSEMBLY ROOM/ PENNSYLVANIA STATEHOUSE - MORNING

SUPERIMPOSE: May, 28

Order has yet to be called as members socialize at or near their State's designated table. A few more members have arrived. James Madison is chatting with Washington at the President's chair.

GEORGE WASHINGTON

Without objection, Mr. Madison would sit with our secretary and compile his own notes on the proceedings.

The delegates don't appear to care. Madison collects his materials from the Virginian table and takes his new seat.

GEORGE WASHINGTON (CONT'D)

I will on occasion require the gentlemen to identify themselves. Give me a day or two to acquaint.

Outside the assembly room beyond the shut doors, a rather loud troop nears. Each delegate awaits whatever may be arriving. The DOORKEEPERS outside opens the doors, revealing Benjamin Franklin being carried by FOUR PRISONERS on an elegant FRENCH SEDAN CHAIR.

The non-violent criminals are escorted by their WARDEN from a nearby prison. Some delegates stand out of respect as Franklin is set down.

BENJAMIN FRANKLIN

I couldn't allow this mischief to continue on without me.

Edmund Randolph is nearby and goes to help him to his seat. The delegates recognize they're in the presence of greatness.

EDMUND RANDOLPH

We're all happy to welcome you, Doctor Franklin.

BENJAMIN FRANKLIN

(to warden and prisoners)
An impressive lot, you have my thanks lads.

The warden smiles and exits with the prisoners. There is an armchair for Franklin in the back near the center aisle.

BENJAMIN FRANKLIN (CONT'D)

I extend my greetings to each delegation, knowing many of you have had a slightly more arduous journey than the two-block excursion from my home.

The delegates laugh and welcome him as Washington sits.

GEORGE WASHINGTON

Mr. Wythe, has your committee compiled a report on rules?

Members begin to quiet as Wythe stands, parchment in hand.

GEORGE WYTHE

Mr. President, the Committee on Rules apportions each State, in accordance with any stipulations provided, receives a single vote. The Committee entrusts all abiding members to the usual decorum while any may be called to order by another, or the presiding Chair. We propose all individual votes be recorded throughout the session. At any time, a member may call for a vote, if seconded, to have it entered on the minutes.

RUFUS KING of Massachusetts, AGE THIRTY-TWO, a very eloquent and talented politician, rises to interject. (In most instances when a member speaks, he will stand.)

RUFUS KING

Mr. President?

GEORGE WASHINGTON

The chair recognizes the gentleman from Massachusetts...

RUFUS KING

Mr. King, sir. I would object to the recording of votes while not in general assembly. As I expect the changes of opinion will be frequent, the recorded votes will leave nothing but contradictions in the course of our business.

COLONEL GEORGE MASON of Virginia, AGE SIXTY-TWO, a distinguished and highly respected political thinker, rises.

GEORGE MASON

Second. The range of opinions and interjections are likely to be as equally diverse as the members of this convention. And no member ought to be bound to his prior vote. In my experience, it allows for a much freer exchange of ideas.

GEORGE WASHINGTON

Any objection to Mr. King's motion?
(silence)
Very well.

RICHARD DOBBS SPAIGHT of North Carolina, AGE TWENTY-NINE, a modest man of means, speaks.

RICHARD DOBBS SPAIGHT

Mr. President?

GEORGE WASHINGTON

Would the gentleman from North Carolina introduce himself?

RICHARD DOBBS SPAIGHT

Mr. Spaight, sir. I would add, gentlemen, should we desire the utmost candor in debate, such being the case in a private committee, then we ought to resolve ourselves into one.

(MORE)

RICHARD DOBBS SPAIGHT (CONT'D)

But not a selective committee, a committee of the whole House, if you will.

RUFUS KING

Second. Votes would be informal, allowing us to measure the strength of each proposal by knowing where they stand among the States.

GEORGE WASHINGTON

Objections to the forming of this committee whereby we will all be members?

(silence)

Very well.

Spaight nods and sits. PIERCE BUTLER of South Carolina, AGE FORTY-TWO, an Irishman, speaks.

PIERCE BUTLER

Mr. President?

GEORGE WASHINGTON

The gentleman from South Carolina.

PIERCE BUTLER

Mr. Butler. I would ask Mr. Wythe what edict will be set in regards to secrecy?

GEORGE WYTHE

No such rule currently exists.

PIERCE BUTLER

Forming a committee will free us in debate, but knowing our proceedings may end up in the hands of some licentious publications, would that not also deter us from open debate?

EDMUND RANDOLPH

I find myself in agreement with Mr. Butler.

PIERCE BUTLER

Thank you Governor. I propose a rule of secrecy be imposed on this convention, whereas nothing spoken inhouse may be printed or otherwise communicated without leave.

EDMUND RANDOLPH

Second.

GEORGE WASHINGTON

On this question of secrecy, will the agreeing members signify by saying "aye"?

With a clear consensus, all members say "aye".

GEORGE WASHINGTON (CONT'D)

I ask the members of the house to heed this ruling with prudence. Please continue, Mr. Wythe.

EXT. PENNSYLVANIA STATEHOUSE - MORNING

SUPERIMPOSE: May, 29

It is a beautiful morning outside the statehouse.

INT. ASSEMBLY ROOM/ PENNSYLVANIA STATEHOUSE - MORNING

In the mostly empty room, the doorkeepers, under Washington's supervision, are shutting all the windows and blinds. They light more candles to compensate the loss of natural light.

DISSOLVE:

The now fully populated room has settle in. Edmund Randolph, sitting in the back of the room with his Virginian colleagues, collects himself in thought. Those around him, including the Pennsylvanians, are aware as to why.

GEORGE WASHINGTON

As we convene this morning, and with less need for pretenses, I believe it's time we opened the main business.

(Randolph stands)

The gentleman from Virginia, Governor Randolph wishes to speak.

Randolph waits a few moments, allowing the members to understand what he has to say is substantial.

EDMUND RANDOLPH

As I look about this assembly, I see more wisdom, political experience, and absolute patriotism confined in so small a space than I believe I shall ever again.

(MORE)

EDMUND RANDOLPH (CONT'D)

Therefore I regret it should fall to me rather than those who are of more experience both in life and government, to open the great subject of our mission. Though, as it was my Virginian colleagues and I who initially called on you, we ought to have more than just our grievances to share. And no State represented here today is without their grievances, whether at his neighbor or the Confederation as it currently stands. Look no further than Virginia, where courthouses have been burned to the ground. Or Massachusetts, where the resurgence of rebellion is prospect. Look to Rhode Island, whom may choose not to lend their voice or support in the objective betterment of this Union we share. These quandaries not only diminish us, but more-so they empower our enemies who prophesy America's downfall. Now, in looking at what revisions are to be made in the federal system, we ought to inquire into the properties which this government must possess. As non-partisans, we opine the defects and dangers of this confederation. And then we find the remedy.

Randolph catches his breath as he steps away from his table.

DISSOLVE:

Well into his speech, Randolph has begun to visibly perspire.

EDMUND RANDOLPH (CONT'D)

This improved government must secure us against foreign invasion, as we currently have no standing army to do so. It would protect against dissension between members of the Union, while in itself as well defend against encroachment from the States, and be paramount to the State Constitutions. Why I mention this is the Articles of Confederation simply provide us with no viable solutions.

(MORE)

EDMUND RANDOLPH (CONT'D)

Now I have nothing but admiration and respect for the principal authors of the Articles, as they likely did all they could in the then-infancy of our Nation, and before so many States took it upon themselves to draft their own constitutions in this experiment of a Union.

Randolph picks up a parchment from the Virginian table. The New Jersey and Delaware delegations are particularly aghast.

EDMUND RANDOLPH (CONT'D)

Therefore we find it imperative the Articles of Confederation be corrected and enlarged as to accomplish the objects proposed by their institution, namely our common defense, the security of our liberty, and the general welfare of the people of this Nation. The second resolution we propose is that the right of suffrage in the national legislature ought to be proportioned to the number of free inhabitants throughout the United States. An alarming notion to some, but the legislature must represent the people at large, not just the States by which they come. It ought to be transformed into a bicameral body, with an upper House designed to temper the passions of the lower. The people of the United States will now elect the members of the lower house...

DISSOLVE:

Randolph is rather sweaty as he finishes reading. It is well into the afternoon by now.

EDMUND RANDOLPH (CONT'D)

The amendments which shall be offered to the confederation by this convention ought at a proper time be submitted to an assembly, or assemblies of representatives recommended by the legislatures to be expressly chosen by the people, to consider and decide thereon.

Edmund Randolph again catches his breath as there are several onlookers either furious or mortified by what they've heard.

EDMUND RANDOLPH (CONT'D)

History is filled with stories of revolution, but for every dictator overthrown or noble victory achieved, most either succumb to new tyrants or descend into chaos. After seven years of war, is this our destiny? We stand at the precipice of tyranny and anarchy. But if we should find a balance, we can achieve something so much greater... Liberty.

He retakes his seat and after a moment of quiet, the Virginians and Pennsylvanians begin to stamp their hands on the table in support, though not aggressively.

GEORGE WASHINGTON

The members may make copies of Mr. Randolph's Resolutions. We've been given much to deliberate. Tomorrow the House shall resolve itself into committee as we consider the state of our Union.

Washington is about to adjourn as CHARLES PINCKNEY of South Carolina, AGE TWENTY-NINE, small and ambitious, rises.

CHARLES PINCKNEY

Mr. President?

GEORGE WASHINGTON

The chair recognizes the young gentleman of South Carolina.

CHARLES PINCKNEY

Charles Pinckney, sir. Not to be confused with my cousin Charles Cotesworth Pinckney who sits beside me. I request, before we reconvene in committee tomorrow, an alternate plan be heard. With the indulgence of the members, I assure you my address will be rather brief.

Madison is largely stunned to hear this, and hides his anger.

GEORGE WASHINGTON

Without objections, we shall hear from Mr. Pinckney.

No objections, and Pinckney proudly reads from his plan.

INT. TEAROOM/ MARY HOUSE'S BOARDINGHOUSE - NIGHT

Charles Pinckney is having tea while reading his notes as James Madison enters the room.

JAMES MADISON

Mr. Pinckney, do you have a moment?

CHARLES PINCKNEY

Ah James, please join me. Will you take tea?

Madison takes a seat in the charming and compact tearoom.

JAMES MADISON

No thank you. Your speech was... spirited, if I may say.

CHARLES PINCKNEY

You are too kind. And your Governor is a very gifted orator.

JAMES MADISON

Mr. Pinckney...

CHARLES PINCKNEY

(interrupts)
Call me Charles.

JAMES MADISON

Though our encounters here have been brief, it's a surprise you prepared such a document with no prior mention of it to me.

CHARLES PINCKNEY

You Virginians kept your plan rather secret, did you not?

JAMES MADISON

But you had known we were in preparation through our earlier discussions.

CHARLES PINCKNEY

And what a remarkable job you've done.

JAMES MADISON

I must say there were a few similarities in our works.

CHARLES PINCKNEY

You know I'd noticed the very same.
I think it's fortunate to have the
Carolinas so in tune with Virginia.
I foresee a great alliance moving
forward.

Madison hesitates, then smiles emptily.

INT. ASSEMBLY ROOM/ PENNSYLVANIA STATEHOUSE - MORNING

The delegates once again settle in to a new day.

GEORGE WASHINGTON

I call this body to order, and
without further delay I relinquish
my seat to Mr. Nathaniel Gorham,
the former President of Congress
whom you have so wisely chosen to
chair the Committee of the Whole.

NATHANIEL GORHAM of Massachusetts, AGE FORTY-NINE, a wise and
evenhanded mediator sporting an elegant English accent, is
honored by Washington's words as he accepts his seat. They
shake hands and Washington takes a seat with the Virginians.

NATHANIEL GORHAM

The committee is hereby in session,
and we shall begin discussion of
Governor Randolph's Resolutions.

Each delegation now has a copy of the Virginia Plan Randolph
proposed. Gouverneur Morris stands to speak.

GOUVERNEUR MORRIS

Mr. Chairman?

NATHANIEL GORHAM

The chair recognizes Mr. Gouverneur
Morris of Pennsylvania.

GOUVERNEUR MORRIS

Written plainly in the Articles of
Confederation is its objective that
each State enters into a firm
league of friendship with one
another, for their common defense,
the security of their liberty,
their mutual and general welfare
and so on...

(MORE)

GOUVERNEUR MORRIS (CONT'D)

For that reason, Governor Randolph's introductory proposal states the Articles ought to be "corrected and enlarged". The only problem is the following articles do far more than "correct and enlarge" if you will. In my opinion if we are laying the groundwork for a new system of government, we must not be afraid to say so.

There are murmurs among fearful delegates.

EDMUND RANDOLPH

If the gentleman from Pennsylvania believes the wording of my proposal is lacking in clarity or vigor, I'm certainly open to amendment.

GOUVERNEUR MORRIS

If we are to endorse any of these proposals, there is something we must first accept above all else. The initial proposal should state unequivocally "that a national government ought to be established consisting of a supreme legislature, a chief executive and judiciary".

Concerned murmurs arise. Madison holds his breath in order to not miss a single reaction he may hear from these bold words.

CHARLES PINCKNEY

Then I must ask if your intent is the abolition of State governments?

GOUVERNEUR MORRIS

(forcefully)

I've called for no such thing. I simply wish to make clear the distinction between the federal system we currently have and the national government we require. This federal system is merely a compact resting on the good faith of the States to comply with federal law. And this experiment has run its course. A society of any form must have one supreme power, and one only.

CHARLES PINCKNEY

Gentlemen, I will speak plainly. If we accepted the proposal of Mr. Morris, the first and only mention of the Articles of Confederation in the entire document would be removed. And were it the intention of any delegation to dissolve the government of South Carolina, then our business is at an end.

Delegates from North and South Carolina, Delaware, and New Jersey stamp their hands on the table in solidarity. GENERAL CHARLES COTESWORTH PINCKNEY of South Carolina, AGE FORTY-ONE, sharing the same name as his younger cousin Charles Pinckney, soft spoken but blunt, interjects.

GENERAL C.C. PINCKNEY

Mr. Chairman?

NATHANIEL GORHAM

Chair recognizes the gentleman from South Carolina, General Pinckney.

GENERAL C.C. PINCKNEY

I must express my doubts the Congress would authorize discussion of a system founded on principles not predicated in the Articles.

ELBRIDGE GERRY of Massachusetts, AGE FORTY-THREE, a businessman and politician, and less-skilled orator, stands.

ELBRIDGE GERRY

Along with General Pinckney, I'm concerned we've already exceeded the purview of our instructions.

ROGER SHERMAN of Connecticut, AGE SIXTY-SIX, plainly spoken and dressed, hard-nosed and from a modest upbringing, speaks.

ROGER SHERMAN

Mr. Chairman.

NATHANIEL GORHAM

Chair recognizes the gentleman from Connecticut, Mr. Roger Sherman.

ROGER SHERMAN

Look, let's make one thing clear. The reason we are here is we're all in agreement the Articles don't give adequate powers to the Congress.

(MORE)

ROGER SHERMAN (CONT'D)

I know because not only did I help write them, I've seen the trouble it's wrought. But I'm seeing a clear divide already. Whoever of you wishes to establish this all-powerful government, ask yourselves if it's worth losing an opportunity to amend the Articles for good.

GEORGE READ of Delaware, AGE FIFTY-THREE, tall and slender with a narrow jawline, is scribbling in his notes as he raises a finger with his free hand.

GEORGE READ

Mr. Chairman.

NATHANIEL GORHAM

The Chair recognizes the delegate from Delaware, Mr. George Read.

GEORGE READ

Perhaps what gives my colleagues pause in regards to the proposition from Mr. Morris is the language itself. As the gentleman from South Carolina stated, it removes any mention of the Articles. I'd like to introduce a revision. It reads;

(reads from notes)

In order to accomplish the objects proposed by the Articles of Confederation, a more effective government consisting of a Legislative, Executive and Judiciary ought to be established.

(finished reading)

I call for a vote on the revision.

GENERAL C.C. PINCKNEY

Second.

Madison shakes his head in disapproval to the Virginians.

NATHANIEL GORHAM

Very well. A vote has been called on the revised proposition, with substitutions for the original terminology "national and supreme". Massachusetts, are you prepared to cast your vote?

There is hesitancy in the first substantive vote.

RUFUS KING

Massachusetts votes yes.

NATHANIEL GORHAM

Connecticut?

ROGER SHERMAN

Aye.

NATHANIEL GORHAM

New York?

ALEXANDER HAMILTON

New York votes no. Though for differing reasons.

NATHANIEL GORHAM

Noted. Pennsylvania?

BENJAMIN FRANKLIN

No.

NATHANIEL GORHAM

Delaware?

GEORGE READ

Aye.

NATHANIEL GORHAM

Virginia?

EDMUND RANDOLPH

Virginia votes no.

NATHANIEL GORHAM

North Carolina?

HUGH WILLIAMSON of North Carolina, AGE FIFTY-TWO, a versatile doctor and politician, answers.

HUGH WILLIAMSON

North Carolina votes no.

The South Carolinians, except Butler, are surprised by this.

NATHANIEL GORHAM

South Carolina?

CHARLES PINCKNEY

South Carolina votes yes.

NATHANIEL GORHAM

With five States either absent or short of a quorum, the vote stands at four yeas, four opposed. In a tie the motion fails.

PIERCE BUTLER

I move we vote on the original text of the proposition by Mr. Morris.

Charles Pinckney is initially taken aback by his colleague.

JAMES WILSON

Second.

NATHANIEL GORHAM

Is there any opposition to a vote?
(silence)

Mr. Morris, won't you refresh the members as to your proposal?

GOUVERNEUR MORRIS

The original Proposition reads
"that a national government ought to be established consisting of a supreme legislature, a chief executive, and judiciary".

NATHANIEL GORHAM

Now for the roll-call. What say Massachusetts?

RUFUS KING

Aye, Mr. Chairman.

NATHANIEL GORHAM

Connecticut?

ROGER SHERMAN

Connecticut votes no.

NATHANIEL GORHAM

New York?

ROBERT YATES of New York, AGE FORTY-NINE, an obstructionist, argues with Hamilton.

ALEXANDER HAMILTON

New York is divided. Aye for me, and no for Mr. Yates.

NATHANIEL GORHAM

Noted, once again Mr. Hamilton. Pennsylvania?

BENJAMIN FRANKLIN

Aye.

NATHANIEL GORHAM

Delaware?

GEORGE READ

Aye.

NATHANIEL GORHAM

Virginia?

EDMUND RANDOLPH

Aye.

NATHANIEL GORHAM

North Carolina?

HUGH WILLIAMSON

Aye.

NATHANIEL GORHAM

South Carolina?

There is bickering among them. Charles Pinckney stands.

CHARLES PINCKNEY

South Carolina votes yes.

Pleasantly surprised, Madison breathes a sigh of relief.

NATHANIEL GORHAM

As it stands, with six States in favor, one opposed, and New York divided, the motion passes in committee.

Many of the delegates celebrate modestly.

GEORGE READ

Mr. Chairman?

NATHANIEL GORHAM

Chair recognizes Mr. Read.

GEORGE READ

I see in the very next item reason enough to shudder at the thought of its passing.

(reads from his copy)

That the rights of suffrage in the national legislature ought to be proportioned to the number of free inhabitants.

(MORE)

GEORGE READ (CONT'D)

(finished reading)

As Mr. Sherman exclaimed, our being here is proof of the inadequacies of this Confederation. But at what cost would the supporters of such a proposal press their luck?

JAMES WILSON

Mr. Read, we support apportioned representation because power would finally reside in the hands of the people. Not this sham where State legislatures and governors send their agents to the Confederation Congress with no other motive than to further the interests of their State.

Many delegates stamp their hands in approval.

GEORGE READ

I don't doubt the Pennsylvanian nor the Virginian delegation favor the proposal. But I would remind this committee, the Delaware commission restrained us from assenting to any changes to the rule of suffrage, and should it be insisted on, it may be our duty to retire from the convention.

Gouverneur Morris jumps to his feet, rather unrestrained.

GOUVERNEUR MORRIS

That is twice now in one day a member has threatened to resign. Will this be the standard we hold ourselves to? Should we not have our way we threaten to sabotage the efforts and sacrifices so many have made to be here? I'm truly disheartened by your words, but this item of representation is far too fundamental a pillar in the national government. It can not be dispensed with.

The delegates are silent.

GEORGE READ

Mr. Chairman I move to postpone voting on the second resolution, allotting time for further examination.

DISSOLVE:

In a now less convivial atmosphere on a new day, Roger Sherman speaks.

ROGER SHERMAN

We unanimously agree on the forming of a two-house legislature, but the fourth Resolution of the Virginia Plan stipulates the members of the lower House ought to be elected by the people of the States. I would rather leave it to the State legislatures. The people should have very little to do with the selection of their leaders. We've seen the danger of leaving too much power in the hands of common-folk.

ELBRIDGE GERRY

I share your misgivings, Mr. Sherman. I believe many of the evils we face flow from an excess of democracy. It's not that I believe the people lack virtue. It's because of how easily I see demagogues influence their worst desires with no recourse. We fought to defeat an oppressive aristocracy but what I now know is as equally dangerous as a few privileged men is an unchecked mob.

GEORGE MASON

Mr. Chairman.

NATHANIEL GORHAM

Chair recognizes the gentleman from Virginia, Colonel Mason.

GEORGE MASON

The lower House is to be our House of Commons, so to speak. A grand depository carrying the democratic principles of our government. Thus, it ought to know and sympathize with every part of the community.

(MORE)

GEORGE MASON (CONT'D)

How else could we attend to the rights of every class of people? Perhaps in some instances we have become too democratic, but I would caution there is always recourse when the people feel their voices aren't heard.

JAMES WILSON

The larger House must draw directly from the people. A republic can not thrive without their confidence. Give the power to the people.

JAMES MADISON

Mr. Chairman, I call for a vote.

JAMES WILSON

Second.

NATHANIEL GORHAM

If the members are ready... And we welcome the arriving delegates from Georgia and New Jersey, whom now have a proper quorum. On the question of election in the lower House of the national legislature by the people; Massachusetts?

RUFUS KING

Aye.

NATHANIEL GORHAM

Connecticut?

ROGER SHERMAN

Looks like we're divided.

NATHANIEL GORHAM

Understood. New York?

ALEXANDER HAMILTON

Aye.

NATHANIEL GORHAM

New Jersey?

WILLIAM PATERSON of New Jersey, AGE FORTY-ONE, rigid in his religious beliefs, with a round head and white hair, speaks.

WILLIAM PATERSON

No.

NATHANIEL GORHAM
Pennsylvania?

BENJAMIN FRANKLIN
Aye.

NATHANIEL GORHAM
Delaware?

GEORGE READ
Delaware is divided.

NATHANIEL GORHAM
Virginia?

EDMUND RANDOLPH
Virginia votes aye.

NATHANIEL GORHAM
North Carolina?

HUGH WILLIAMSON
Aye.

NATHANIEL GORHAM
South Carolina?

GENERAL C.C. PINCKNEY
No.

NATHANIEL GORHAM
And Georgia?

ABRAHAM BALDWIN, AGE THIRTY-THREE, a tall, quiet and serious man, answers for his State.

ABRAHAM BALDWIN
Georgia votes aye.

NATHANIEL GORHAM
Then as it stands, with six yeas, two nos, with Delaware and Connecticut divided, the motion passes in committee. Onto the next item regarding the methods by which persons of the upper house ought to be nominated...

DISSOLVE:

On a new day, the delegates continue to debate the plan. Gorham reads the next resolution to be discussed.

NATHANIEL GORHAM (CONT'D)

Resolution seven; That a national executive be instituted, to be chosen by the national Legislature for a term of years yet undecided, and to be ineligible thereafter, to possess the executive powers of the Congress.

CHARLES PINCKNEY

Mr. Chairman.

NATHANIEL GORHAM

Chair recognizes Mr. Pinckney.

CHARLES PINCKNEY

In referencing the proposals I've shared, a president must be given clear authority in order to serve effectively. He would preside over foreign affairs and times of war and peace.

JAMES WILSON

I'm in agreement with Mr. Pinckney. There must be no question as to the extent of his power. I would also prefer it be categorically defined the executive consists of a single person.

CHARLES PINCKNEY

Second. The language should read as such. And I would support a term of seven years.

GUNNING BEDFORD of Delaware, AGE FORTY, a charming and corpulent politician, chimes in.

GUNNING BEDFORD

I strongly oppose a seven-year term. If he is ineffectual, we would be forced to wait seven years to remove him. Three years is adequate, but no man should hold the position longer than nine years, equating to three terms.

JAMES WILSON

I would support a three-year term.

There is silence in the room. The men find themselves unsure of their own opinion on the topic. Gorham reads the room.

NATHANIEL GORHAM

Are the gentlemen prepared to put it to a vote?

BENJAMIN FRANKLIN

Mr. Chairman?

NATHANIEL GORHAM

Yes, Doctor Franklin?

BENJAMIN FRANKLIN

The appointment of this executive, or president, is a matter of so much importance, and not one to be pressed so quickly. I hope the members would further express their sentiments before a vote is taken.

JOHN RUTLEDGE

Thank you, Doctor. I'm compelled to speak on the relative shyness of the members. The purpose of this committee is lost if we don't speak our minds. I believe the powers of the executive ought to be vested in one man, though ultimate authority in times of war and peace is much too great.

ROGER SHERMAN

Well said, Mr. Rutledge. We mustn't be afraid to speak up, and should the time come where I must admit I was wrong or of a changed mind, you will know it. The executive should do nothing more than carry out the will of the Congress. Three years is adequate to evaluate his work, but I'm against the principle of limiting the number of terms he may serve. If he is performing well, why forcibly remove him?

George Mason stands and humbly responds.

GEORGE MASON

I will tell you why, Mr. Sherman. Those who elect him, whether it be the legislature or the people, will be the ones who control him. There is a danger of complaisance in the same body continually electing the man who most indulges their worst appetites.

(MORE)

GEORGE MASON (CONT'D)

If a president's main worry is to retain his position, that will impede him in doing what's best for the Nation. I would support a seven-year term, with the stipulation he never again serves.

EDMUND RANDOLPH

There's far too much danger in electing a unitary executive. We would lay the foundation of our return to monarchy.

Madison finds himself exhausted noting all their opinions.

JAMES WILSON

A strong unitary executive is our best safeguard against tyranny as opposed to birthing a monarchy. We should vote on our preference.

RUFUS KING

I would encourage the delegations to coalesce their opinions before the matter is brought to a vote.

GEORGE READ

Agreed. It's too soon for a vote.

NATHANIEL GORHAM

Then we shall move on to the next clause of Resolution Seven, relating to the mode of appointing the executive under consideration.

JAMES WILSON

Mr. Chairman.

NATHANIEL GORHAM

Go ahead, Mr. Wilson.

JAMES WILSON

Knowing how unfavorable my idea will be, I find myself almost unwilling to confess it. But I would ask the members to, at the very least, humor the idea of an election by the people. If a man is to lead his country, he must be known to the people he serves.

ROGER SHERMAN

I've made my thoughts clear on allowing the masses a vote.

(MORE)

ROGER SHERMAN (CONT'D)

The Congress ought to elect the man most fit to carry out their laws.

GEORGE MASON

Mr. Wilson, while I don't disagree with you on the matter, perhaps there is a more practical way of relaying the will of the people.

JAMES WILSON

In the short time I've had... If we divided the States into districts, and each district appointed an elector to speak for them, these electors would meet and vote to choose the president. But these electors must be independent of any legislature.

HUGH WILLIAMSON

I'm not sure I see any advantage in this. The people of any State will hold biases, whether or not they are elected to either legislature.

JAMES WILSON

But the electors would be speaking for their constituents, not the States. I move we vote on this method of election. If for no other reason than to know I may as well be speaking to myself.

BENJAMIN FRANKLIN

(chuckles)

Second.

NATHANIEL GORHAM

Then on this mode of election, by electors chosen within the States, how does Massachusetts vote?

RUFUS KING

Massachusetts votes no.

NATHANIEL GORHAM

Connecticut?

ROGER SHERMAN

No.

NATHANIEL GORHAM

New York?

ROBERT YATES

No.

(New Jersey is lacking a quorum today.)

NATHANIEL GORHAM

Pennsylvania?

BENJAMIN FRANKLIN

Aye.

NATHANIEL GORHAM

Delaware?

GEORGE READ

No.

NATHANIEL GORHAM

Maryland?

DANIEL JENIFER of Maryland, AGE SIXTY-FOUR, a quiet nationalist, less savvy in politics than business, answers.

DANIEL JENIFER

Maryland votes yes.

Franklin gives a dejected Wilson an encouraging nudge as he hopes Virginia will have his back.

NATHANIEL GORHAM

Virginia?

EDMUND RANDOLPH

Virginia votes no.

NATHANIEL GORHAM

North Carolina?

HUGH WILLIAMSON

No.

NATHANIEL GORHAM

South Carolina?

CHARLES PINCKNEY

No.

NATHANIEL GORHAM

Georgia?

ABRAHAM BALDWIN

No.

NATHANIEL GORHAM

The motion fails in committee.

CHARLES PINCKNEY

I move we vote on the original proposal; the president's election by the Congress, and specify a term of seven years.

RUFUS KING

Second.

NATHANIEL GORHAM

On the question of electing the executive by the national Legislature for the term of seven years... Massachusetts?

RUFUS KING

Aye.

NATHANIEL GORHAM

Connecticut?

ROGER SHERMAN

Aye.

NATHANIEL GORHAM

New York?

ROBERT YATES

Aye.

NATHANIEL GORHAM

Pennsylvania?

BENJAMIN FRANKLIN

No.

NATHANIEL GORHAM

Delaware?

GEORGE READ

Aye.

NATHANIEL GORHAM

Maryland?

DANIEL JENIFER

Maryland votes no.

NATHANIEL GORHAM

Virginia?

EDMUND RANDOLPH

Aye.

NATHANIEL GORHAM

North Carolina?

HUGH WILLIAMSON

Aye.

NATHANIEL GORHAM

South Carolina?

CHARLES PINCKNEY

Aye.

NATHANIEL GORHAM

And Georgia?

ABRAHAM BALDWIN

Aye.

NATHANIEL GORHAM

With eight yeas and two nos the motion passes.

GOUVERNEUR MORRIS

Looks like we may have some friends in Maryland.

JAMES WILSON

I won't press my luck.

Franklin pats Wilson on the shoulder as he stands.

BENJAMIN FRANKLIN

Mr. Chairman.

NATHANIEL GORHAM

Chair recognizes Doctor Franklin.

BENJAMIN FRANKLIN

So long as we Pennsylvanians are sharing ideas the rest of you find bizarre; there is something I've wanted to speak on regarding the salaries of some of our elected representatives. I am sensible to the effect age has had on my memory, and was wise enough to reduce my observations to writing. With the permission of the committee, I will read them.

NATHANIEL GORHAM

Of course, Doctor.

Franklin picks up a letter from his desk.

BENJAMIN FRANKLIN

I see massive inconveniences in the appointment of salaries; yet I see none in refusing them, but on the contrary, great advantages. There are two passions which have a powerful influence on the affairs of men. These are ambition and avarice; the love of power, and the love of money. Besides these evils, though we may set out in the beginning with moderate salaries, we shall find that such will not be of long continuance. Reasons will never be wanting for proposed increases. And there will always be a party for giving more to the rulers, that the rulers may be able in return to give more to them.

Have we not seen the great and most important of our offices, that of General of our armies, he who served for eight years without the smallest salary, by a patriot whom I will not now offend by any other praise [**SHOW WASHINGTON**]; And shall we doubt finding three or four men in all the United States, with public spirit enough to bear sitting in peaceful council for perhaps an equal term, merely to preside over our civil concerns, and see that our laws are duly executed? I have a better opinion of our Country. Therefore it is, that I move an amendment seeking the refusal of their salaries. If it is not seconded or accepted, I must be contented with the satisfaction of having delivered my opinion frankly and done my duty.

The delegates are unsure how to respond. They find the idea of no compensation outlandish, but do not wish to disrespect Dr. Franklin. A silence ensues. Hamilton rises to save face.

ALEXANDER HAMILTON

I second Dr. Franklin's motion, and thank him for bringing such a respectable proposition to us.

RUFUS KING

Perhaps we could postpone the vote til the members have had more time to consider the proposal.

GEORGE READ

Second.

NATHANIEL GORHAM

All those in favor of postponement, signify by saying 'aye'.

There is general consensus as the quiet 'ayes' pour in.

NATHANIEL GORHAM (CONT'D)

Those opposed?

(silence)

The motion is postponed for further consideration by the members.

Franklin smiles, but knows his idea wasn't taken seriously.

TIME CUT:

SUPERIMPOSE: June, 9

Charles Pinckney is on his feet, notes in hand.

CHARLES PINCKNEY

Mr. Chairman I rise today so that we may revisit the mode of election in the lower House, and move we consider my proposed revision of the fourth Article to now read; "That the first branch of the national Legislature be elected by the State Legislatures, and not by the people". It's not my intention to patronize our citizens, but I do contend their judgement to be less fit in such cases.

ROGER SHERMAN

Second.

ELBRIDGE GERRY

Mr. Chairman.

NATHANIEL GORHAM

Mr. Gerry of Massachusetts.

ELBRIDGE GERRY

So much depends on the decision we make regarding how representatives are elected. In Massachusetts, some of our worst men find their way to power in the legislature. We've even had a few convicted of bribery and theft if you could believe it. I'm as disposed in fighting these extremes as I am against planting the seeds of an aristocracy. So I say let the people elect one House of the Congress to instill their confidence, and the upper House ought to be selected by the State legislatures.

GOUVERNEUR MORRIS

(under his breath)

Glad I don't live in Massachusetts.

James Wilson concurs.

ROGER SHERMAN

I understand your reasoning, but if we agree we must carefully choose members of the Senate, then I urge we do the same in the lower House.

JAMES MADISON

Mr. Chairman.

NATHANIEL GORHAM

Chair recognizes Mr. Madison.

JAMES MADISON

There is no principle more clear in a free government than an election of its representatives by the people. But that is not the only element to consider. When we look to a State so small as Rhode Island, would any of us conclude their government is a bearer of justice?... Certainly not. They always fall victim to factions that enforce their beliefs on those without enough power to stand for themselves. How can we then suppose republican liberty would long exist under these abuses?

(MORE)

JAMES MADISON (CONT'D)

Now look to the larger States. Those same factions still remain, but they have less power due to their State's greater populations. That is why I'm led to believe the only safeguard to these injustices is to enlarge the sphere of representation as far as this new government will permit.

All civilized societies are divided by warring factions. The rich and the poor, debtors and creditors, those who own land and those who do not, followers of one religion or another. In every instance where the majority are united by a common interest, the rights of the minority are in danger. The biggest danger to our rights is not from a government acting against the will of the majority, but from a government which has become a mere instrument of the majority. Is the tyranny of a king more dangerous than the tyranny of the majority? These divides in power are the ultimate source of oppression in a republic. Rome held such power, while Athens and Carthage were relegated to her authority as mere subjects. A curious correlation of our former bond with Great Britain, where our people and our interests were not represented.

Gentlemen, the people of this Nation must be represented fairly. If we enlarge the sphere of representation, we would divide the Union into so great a number of interests and parties, there ought never to be a majority in power with enough common interest to harm the Nation. If our representatives can not unite for that reason, what purpose would they serve other than to further the interests of the Country as a whole?

The delegates take a moment to consume his dense speech. JOHN DICKINSON of Delaware, AGE FIFTY-FIVE, an average orator but highly intellectual and experienced, rises.

JOHN DICKINSON

The gentleman from Virginia quite affectingly explained his position. I find myself in agreement.

CHARLES PINCKNEY

I would remind the members of the motion to elect the lower House by the State legislatures and call for a vote.

ROGER SHERMAN

Second.

Madison and Charles Pinckney have a brief moment.

NATHANIEL GORHAM

We'll vote then. On the motion to elect the lower House by the State legislatures, and not the people; Massachusetts?

ELBRIDGE GERRY

No.

NATHANIEL GORHAM

Connecticut?

ROGER SHERMAN

Aye.

NATHANIEL GORHAM

New York?

ALEXANDER HAMILTON

No.

NATHANIEL GORHAM

New Jersey?

WILLIAM PATERSON

Aye.

NATHANIEL GORHAM

Pennsylvania?

JAMES WILSON

No.

NATHANIEL GORHAM

Delaware?

JOHN DICKINSON

No.

NATHANIEL GORHAM
Maryland?

DANIEL JENIFER
No.

NATHANIEL GORHAM
Virginia?

GEORGE WASHINGTON
No.

NATHANIEL GORHAM
North Carolina?

HUGH WILLIAMSON
No.

NATHANIEL GORHAM
South Carolina?

CHARLES PINCKNEY
Aye.

NATHANIEL GORHAM
And Georgia?

ABRAHAM BALDWIN
No.

NATHANIEL GORHAM
The motion fails in committee.

Madison hides a grin as he continues to take notes. William Paterson, appearing serious and confrontational, stands.

WILLIAM PATERSON
Mr. Chairman?

NATHANIEL GORHAM
The Chair recognizes William Paterson of New Jersey.

WILLIAM PATERSON
Before we adjourn for the week, I move the committee resumes our discussion of the clause relating to the rule of suffrage in the national legislature.

Gouverneur Morris whispers to James Wilson.

GOUVERNEUR MORRIS

This Paterson fellow used to prosecute folks for fornication during the war.

JAMES WILSON

Let me guess, you're glad you don't live in New Jersey?

Gouverneur Morris nods. DAVID BREARLY of New Jersey, AGE FORTY-TWO, a colleague of Paterson's, supports him.

DAVID BREARLY

Second. When the Confederation first formed, this subject was debated, and settled I might add, to allow each sovereign State an equal vote in Congress. Virginia would carry at least sixteen votes, while Georgia would hold one or two. The three larger States would carry the same weight as the remaining ten. I would tell the Virginians, you may perceive your new system fair and just, but we do not.

WILLIAM PATERSON

New Jersey will never confederate on the plan before this committee. She would be devoured and her voice rendered mute. We would rather submit to a monarch or despot than to such a fate.

GOUVERNEUR MORRIS

Some would consider that a blasphemous statement, Mr. Paterson.

There are murmurs throughout the room. Paterson glances at Morris, who returns a cheeky smile.

JAMES WILSON

Perhaps a vote is the only way to settle the matter.

His nationalist supporters stamp and cheer.

WILLIAM PATERSON

We have already exceeded our purview, Mr. Wilson.

(MORE)

WILLIAM PATERSON (CONT'D)

Shall I ask any State to reexamine their preamble? Or should I read aloud New Jersey's?

JAMES WILSON

I beg you not to.

WILLIAM PATERSON

I will do everything in my power to oppose this plan not only here in convention, but back home as well.

JAMES WILSON

Are the citizens of Pennsylvania not equal to those of New Jersey? Does it require a hundred and fifty Pennsylvanians to balance fifty New Jerseyans? I say we vote, Mr. Chairman.

GOUVERNEUR MORRIS

And I would remind the gentlemen from New Jersey any ensuing threat to leave the convention would bring into question his character and democratic sentiments.

The members are getting rowdy.

NATHANIEL GORHAM

Out of order, Mr. Morris.
Gentlemen, please.

WILLIAM PATERSON

I do wish this convention success. And I'll make no such threats, despite my desire to be away from this city.

The delegates begin to feel the increasing summer heat.

ROGER SHERMAN

On the question of representation, I'd offer a compromise. If members of the lower House are to be apportioned by their State's population, then in the Senate, each State ought to receive one vote. The small States will not agree to anything less. Keep that in mind as I now call for a vote.

Small-State sympathizers stamp and cheer. OLIVER ELLSWORTH of Connecticut, AGE FORTY-TWO, a loyal colleague to Sherman, voices his support.

OLIVER ELLSWORTH

Second.

ROGER SHERMAN

It's a reasonable compromise, gentlemen.

His supports stamp and cheer.

NATHANIEL GORHAM

Then we shall vote on Mr. Sherman's proposal. And we will keep our heads, gentlemen. On the question of allotting each State one vote in the Senate... Massachusetts?

RUFUS KING

No.

NATHANIEL GORHAM

Connecticut?

ROGER SHERMAN

Aye.

NATHANIEL GORHAM

New York?

ROBERT YATES

Aye.

ALEXANDER HAMILTON

With my dissention, Mr. Chairman.

NATHANIEL GORHAM

Noted. New Jersey?

WILLIAM PATERSON

Aye.

NATHANIEL GORHAM

Pennsylvania?

BENJAMIN FRANKLIN

No.

NATHANIEL GORHAM

Delaware?

JOHN DICKINSON

Aye.

NATHANIEL GORHAM

Maryland?

LUTHER MARTIN of Maryland, AGE THIRTY-NINE, often known for being cantankerous and drunk, answers.

LUTHER MARTIN

Aye.

NATHANIEL GORHAM

Virginia?

EDMUND RANDOLPH

No.

NATHANIEL GORHAM

North Carolina?

HUGH WILLIAMSON

No.

NATHANIEL GORHAM

South Carolina?

CHARLES PINCKNEY

No.

NATHANIEL GORHAM

Georgia?

ABRAHAM BALDWIN

No.

NATHANIEL GORHAM

With five States in favor and six opposed, Mr. Sherman's motion fails in committee.

Sherman slams his hand on the table in disappointment. Hamilton excitedly gets to his feet.

ALEXANDER HAMILTON

Mr. Chairman?

NATHANIEL GORHAM

Mr. Hamilton.

ALEXANDER HAMILTON

I move the Senate be apportioned according to the same rule as the lower House, that would be by the State's population.

JAMES WILSON

Second. And shall I presume that was a call for a vote Mr. Hamilton?

ALEXANDER HAMILTON

It certainly was, Mr. Wilson. But if you were to call for one, I'd second yours as quickly as you did mine.

They grin at each other as arguments arise.

NATHANIEL GORHAM

On the motion the Senate be apportioned according to the State's number of inhabitants, as it is in the lower House; Massachusetts?

RUFUS KING

Aye.

NATHANIEL GORHAM

Connecticut?

ROGER SHERMAN

No.

NATHANIEL GORHAM

New York?

ROBERT YATES

No.

Hamilton stands but before he can speak...

NATHANIEL GORHAM

You wish to dissent, Mr. Hamilton?

ALEXANDER HAMILTON

(smiles)
Very much so.

NATHANIEL GORHAM

I might have known. New Jersey?

WILLIAM PATERSON

Never!

NATHANIEL GORHAM

"No" will suffice, Mr. Paterson.
Pennsylvania?

BENJAMIN FRANKLIN

Aye.

NATHANIEL GORHAM

Maryland?

LUTHER MARTIN

No.

NATHANIEL GORHAM

Virginia?

EDMUND RANDOLPH

Aye.

NATHANIEL GORHAM

North Carolina?

HUGH WILLIAMSON

Aye.

NATHANIEL GORHAM

South Carolina?

CHARLES PINCKNEY

Aye.

NATHANIEL GORHAM

Georgia?

ABRAHAM BALDWIN

Aye.

NATHANIEL GORHAM

With six yeas and five nos, Mr.
Hamilton's motion passes in
committee.

Madison is ecstatic as many cheer their victory while others fret. There is an exchange of glances between Paterson, Sherman, Dickinson, Ellsworth, and other small-State advocates who find themselves beaten.

DISSOLVE:

Convention secretary William Jackson is reading aloud the final Resolution. There is a clear divide of affections towards the finished product as seen on the many faces of the delegates. Once Jackson finishes reading, Gorham speaks.

NATHANIEL GORHAM (CONT'D)

There is the revised report of the Virginia Plan, thus ending debate in Committee of The Whole. Tomorrow we reconvene in general assembly where we shall take a binding vote.

GEORGE WASHINGTON

Mr. Gorham, a moment before we adjourn.

NATHANIEL GORHAM

Mr. President?

Washington sternly walks to the front of the assembly room as he pulls a document out of his coat.

GEORGE WASHINGTON

Some member here has misplaced their copy of the report. It was found on the floor of this hall just yesterday before it was brought to me this morning. The only solace I take is knowing it never made it into the hands of someone outside this body, otherwise it may never have been found. I must entreat the gentlemen be more careful, lest our transactions get into the newspapers and cause premature speculations. I do not know whose paper it is, but there it lays.

He throws it on the table in front of Gorham.

GEORGE WASHINGTON (CONT'D)

Let he who owns it take it.

Washington picks up his hat and leaves. WILLIAM PIERCE of Georgia, AGE FORTY-SEVEN, an active Congressman, fearfully pats his coat pockets, feeling as though something is missing. Those around him notice and pity him.

NATHANIEL GORHAM

We're now adjourned. Good day, gentlemen.

Gorham stays seated as the document's keeper, waiting for some brave soul to collect it. The members file out of the room until Gorham is the last to remain with the document.

DISSOLVE:

Nationalists such as Madison, Hamilton, Wilson, Morris, Randolph and others excitedly and proudly enter the assembly room the next morning. Hamilton shakes Madison's hand.

ALEXANDER HAMILTON

Congratulations, Mr. Madison.

JAMES MADISON

Thank you, sir.

Madison chooses to sit at the Virginian table near the back of the room. Washington makes his way to the President's chair and allows the chatty members to settle in. The New Jersey, Delaware, and Connecticut delegations file in last, appearing much less thrilled than the others.

GEORGE WASHINGTON

I call to order the House in general assembly. There has been lively debate these last weeks, and the time has come to...

William Paterson stands and interrupts Washington.

WILLIAM PATERSON

Mr. President, I apologize...

GEORGE WASHINGTON

Mr. Paterson?

WILLIAM PATERSON

We, that is myself and the members of several delegations, request to postpone the day's proceedings. It will give us time to prepare our plan, one that is purely federal, which we hope to present to this convention tomorrow.

The nationalists are dumbstruck and furious.

JAMES WILSON

What sort of joke is this?

WILLIAM PATERSON

I assure you it is not.

GOUVERNEUR MORRIS

You were outvoted and now you're looking to filibuster.

Members on both sides begin to squabble.

GEORGE WASHINGTON

Order...

Madison stands while Edmund Randolph tries to stop him.

EDMUND RANDOLPH

There's no stopping this, James.

Madison is defiant and speaks, mainly to Paterson.

JAMES MADISON

What more is there to debate when a majority of States have already agreed to a plan?

WILLIAM PATERSON

Your plan, Mr. Madison. We have our own to consider. And as we debated yours, ours deserves equal examination, does it not?

A dejected Madison returns to his seat.

GEORGE WASHINGTON

And you have the necessary support for this postponement?

The Connecticut, Delaware, and New Jersey members stand.

WILLIAM PATERSON

I do, Mr. President.

GEORGE WASHINGTON

You have your wish, Mr. Paterson.

Washington slams his gavel and the bickering continues.

DISSOLVE:

Madison is back in his seat next to Secretary Jackson, who reads aloud the first resolution of each plan. Gorham once again chairs the Committee of The Whole. John Dickinson is having a quiet word with Madison.

JOHN DICKINSON

I warned you this would happen. You had your apportionment in the lower House. We were prepared to give you that, but the small States will always demand equality in the Senate.

JAMES MADISON

In your system, one small State, or one member from it, can do so much harm for so selfish a reason...

JOHN DICKINSON

Look to the States and the national government as we do the solar system. The sun represents this new government which we wish to see illuminated. The States are the planets, and they must be left to move freely in their proper orbits. If the sun becomes too large, it would swallow the planets and render them barren.

(no response)

I hope you come to see it as many of us do, Mr. Madison.

Dickinson returns to his seat.

NATHANIEL GORHAM

I take it you've all had ample time to examine the plan of Mr. Paterson since yesterday.

JOHN LANSING of New York, AGE THIRTY-TWO, much like his colleague Robert Yates a strict obstructionist, speaks.

JOHN LANSING

Mr. Chairman?

NATHANIEL GORHAM

Chair recognizes the delegate from New York, Mr. Lansing.

JOHN LANSING

In the short time we've had, I would say yes, I've seen enough of the plan originating from New Jersey to know it is superior to that of Virginia's.

A blasphemous statement to some, the squabbling begins. Hamilton rolls his eyes as his frustration grows.

NATHANIEL GORHAM

Order... Mr. Lansing has the floor.

JOHN LANSING

I don't believe we've considered the practicality of passing a plan such as Mr. Randolph's.

(MORE)

JOHN LANSING (CONT'D)

In short, his plan gives the Congress a negative on all laws which the States may pass. Who would believe the States could accept that plan?

ALEXANDER HAMILTON

I believe it, Mr. Lansing.

NATHANIEL GORHAM

Mr. Hamilton, please.

JOHN LANSING

It's quite alright, Mr. Chairman. I respect your opinions Alexander, but if we agreed upon the plan of Mr. Randolph's, it would be a hopeless task to achieve consensus from the States. Mr. Paterson's plan preserves their sovereignty.

WILLIAM PATERSON

It's worth noting, according to the Articles, a revision to the government such as what we have discussed would require unanimity among all thirteen States.

Advocates of the New Jersey Plan stamp their hands.

JAMES WILSON

You would have the future of our Nation rest on the vote of Rhode Island? Then we are doomed.

ALEXANDER HAMILTON

We ought to be feared as a Nation. Instead we're ridiculed by our enemies. England should have returned our lands in the west long ago. Spain blocks our ships from the Mississippi. How do we defend our rights as a Country without troops or a national treasury? We have a shadow of a government where thirteen petty republics must agree on every point of every measure the Union wants to execute. The results... Nothing happens.

Hamilton is particularly frustrated as Randolph speaks.

EDMUND RANDOLPH

According to Mr. Paterson, we must reach unanimous consensus. There is rarely consensus among the thirteen States. In fact, there is rarely ever a quorum of thirteen States. Even now we only have eleven represented. I can not in good judgement cripple this government with the same difficulties I have come here to mend.

INT. DINING HALL/ ROBERT MORRIS' RESIDENCE - NIGHT

Washington, Gouverneur and Robert Morris, and Hamilton are finishing their meal. Also at the table is Robert Morris' wife MARY, attractive and significantly younger in her LATE-THIRTIES, as well as their newborn baby asleep in a BASSINET.

Another woman, a friend of the Morris family, ELIZABETH POWEL, FORTY-FOUR years old, witty and outspoken, dines with them. Hamilton hasn't eaten much and is lost in thought.

GEORGE WASHINGTON

I haven't fished since arriving in Philadelphia.

ROBERT MORRIS

You'll love it up there. It's my only respite from the city.

GOUVERNEUR MORRIS

We've caught our share of tasty cod over the years.

ELIZABETH POWEL

My home's closer to the river. Why don't you bring your catch over in the afternoon. My husband will be home by then and we'll have tea ready for you. Our servants can fix up the meal. Save you the trouble.

ROBERT MORRIS

It's a lovely idea.

Washington smiles, then notices Hamilton's mind is elsewhere.

GEORGE WASHINGTON

Will you be joining us, Mr. Hamilton?

ALEXANDER HAMILTON

I'm sorry?

GOUVERNEUR MORRIS

Our Sunday excursion. Looks like it'd do you good.

ALEXANDER HAMILTON

I'll have to think on it. I might be engaged tomorrow.

MARY WHITE

Was the meal not to your liking? I'll have the kitchen bring something else.

ALEXANDER HAMILTON

No please, it was terrific. Just didn't have my usual appetite.

The convention has clearly been troubling him. Washington wipes his mouth with his handkerchief and walks to the baby.

GEORGE WASHINGTON

I envy her. At my age you can only dream of sleeping so soundly.

ROBERT MORRIS

Well you'll need your rest tonight. We have an early start tomorrow.

Washington nods, walks to and opens the kitchen door, peering in. Billy Lee is eating with the other servants.

GEORGE WASHINGTON

Billy, I'll need a shave when you've finished your meal.

BILLY LEE

(mouthful of food)
Yes sir.

Washington returns to the others.

GOUVERNEUR MORRIS

How about a brandy?

INT. PARLOR/ ROBERT MORRIS' RESIDENCE

The Morris', Elizabeth and Hamilton sit with brandy glasses.

GOUVERNEUR MORRIS

Robert, you've hardly been in attendance the last three weeks.

ROBERT MORRIS

Is there a vote I missed which would have made a difference?

GOUVERNEUR MORRIS

That's not the point.

ROBERT MORRIS

What is the point, then?

GOUVERNEUR MORRIS

It's not fair I suffer nearly every day and you don't.

ROBERT MORRIS

When those fools tire of hearing themselves talk and there's a finished document sitting on the president's desk, I'll be there to sign it.

ALEXANDER HAMILTON

I'm not sure you'll want to sign, the way things are headed.

The Morris' look at Elizabeth.

GOUVERNEUR MORRIS

I believe we're still sworn to secrecy, Mr. Hamilton.

ALEXANDER HAMILTON

Pardon my error, Mrs. Powel.

ELIZABETH POWEL

I won't pretend I'm upset you let a little slip. We're starved for news of the convention.

GOUVERNEUR MORRIS

Good thing Doctor Franklin isn't here. That man can't keep a secret if his life depended on it.

ELIZABETH POWEL

So it's him I should invite over.

ROBERT MORRIS

Elizabeth, you're getting us into trouble here, really.

ELIZABETH POWEL

A few days ago, the General was ready to plan his return home. Now he's expecting to stay for the foreseeable future. It doesn't take a sleuth to realize things took a turn for the worse.

GOUVERNEUR MORRIS

No idea what you're talking about. It's going swimmingly.
(to Hamilton)
Isn't that right?

ALEXANDER HAMILTON

(uncaring)
Of course it is.

Hamilton rises and heads for the porch. His demeanor brings the Morris' down for a moment as they watch him leave.

EXT. PORCH/ ROBERT MORRIS' RESIDENCE - NIGHT

Washington sits in a large chair with shaving cream applied to his face as Billy shaves him. Hamilton steps out.

ALEXANDER HAMILTON

George never had you shave him when we were back at camp. Used to do it himself.

BILLY LEE

He wouldn't make it out of bed these days without my help.

Hamilton sips his Brandy and extends his free hand to Billy.

ALEXANDER HAMILTON

If you need a rest Billy, I'll finish what you started.

GEORGE WASHINGTON

Mr. Hamilton will in fact not be handling a blade near me tonight.

Hamilton and Billy laugh.

ALEXANDER HAMILTON

I haven't had that much to drink.

GEORGE WASHINGTON

Even so, you're more distracted than usual.

BILLY LEE

Is he in one of his moods?

GEORGE WASHINGTON

I'm afraid so, Billy.

BILLY LEE

The Officers used to avoid him when he was.

ALEXANDER HAMILTON

What are you talking about?

GEORGE WASHINGTON

I always reciprocate your frankness so if you must know, you have quite a temper.

ALEXANDER HAMILTON

It's no worse than yours, George.

BILLY LEE

Mr. Washington hides it better.

Robert peeks out onto the porch.

ROBERT MORRIS

Mary wants to play you something.

GEORGE WASHINGTON

I'll be in as soon as I'm finished.

Roberts steps back in but is replaced by Gouverneur.

GOUVERNEUR MORRIS

I had to get away from Mrs. Powel. She's begging us to spill some gossip on the convention.

GEORGE WASHINGTON

Not a word of it gets out.

GOUVERNEUR MORRIS

My lips are sealed.

Billy finishes shaving Washington, who rises and rinses his face from a bowl of water nearby.

INT. PARLOR/ ROBERT MORRIS' RESIDENCE - NIGHT

Mary is playing the HARP beautifully. It soothes Washington and the others, except Hamilton who still exudes distracted intensity. Mary finishes the song.

GEORGE WASHINGTON

Wonderfully done, Mary.

MARY WHITE

Thank you. I'm going to check on the baby.

Mary leaves the parlor. Those remaining enjoy a quiet moment. Washington engages in friendly banter with Elizabeth.

GEORGE WASHINGTON

Mrs. Powel, it's come to my attention you're attempting to extract private information regarding our proceedings.

ELIZABETH POWEL

There are things I know, yes.

GOUVERNEUR MORRIS

I didn't say a word.

GEORGE WASHINGTON

You know it's not allowed.

ELIZABETH POWEL

Your dreary rules don't prevent me from speaking my mind, do they?

GEORGE WASHINGTON

That's hardly the point.

ALEXANDER HAMILTON

Mrs. Powel can take my place if she wishes.

GOUVERNEUR MORRIS

I'm telling you, Mr. Hamilton you need to come with us tomorrow. Get your mind off things. Are you really engaged or was that just an excuse?

ALEXANDER HAMILTON

I have business in New York that requires my attention.

All, especially Washington, are taken aback by this.

GOUVERNEUR MORRIS

You're leaving?

ALEXANDER HAMILTON

Afraid so.

GOUVERNEUR MORRIS

Then New York loses its sole voice
of reason.

ROBERT MORRIS

I think you need another drink.

Robert stands and takes his and Alexander's glass to the bar.

GOUVERNEUR MORRIS

The Federalists will see your
departure as a victory.

ALEXANDER HAMILTON

Let them think what they want. They
all have their minds made up.

GOUVERNEUR MORRIS

Paterson doesn't even have the
votes. His lousy document...

GEORGE WASHINGTON

(warning)
Mr. Morris...

GOUVERNEUR MORRIS

Forgive me, Mrs. Powel.

ELIZABETH POWEL

Don't be silly.

Hamilton uses his hands to show a divide, then merging.

ALEXANDER HAMILTON

When you have the Federalists and
Nationalists, and the only way
forward is somewhere in-between...
Then they've already won. It's a
compromise we can't afford to make.
What they don't seem to understand
is the revolution isn't over. If
the convention doesn't succeed,
we'll be worse off than we were as
a vassal to England.

Robert returns Hamilton his now refreshed glass.

GOUVERNEUR MORRIS

Well if this is it Mr. Hamilton,
here's to you. You'll be missed.

They raise their glasses and drink. A moment of silence
ensues. Elizabeth mimes Hamilton's previous hand gestures.

ELIZABETH POWEL

If only you had a third hand.

Gouverneur and Hamilton chuckle. Then suddenly, the expression on Hamilton's face becomes serious.

ELIZABETH POWEL (CONT'D)

Really if this is your idea of capitulation, it doesn't quite match what I've read about you...

ALEXANDER HAMILTON

(interrupts)

I need to go.

GOUVERNEUR MORRIS

You're leaving now?

ALEXANDER HAMILTON

Thanks for dinner, Mr. Morris. I'll see you on Monday.

Robert smiles as Hamilton exits, leaving them all befuddled.

ELIZABETH POWEL

Was it something I said?

INT. ASSEMBLY ROOM/ PENNSYLVANIA STATEHOUSE - MORNING

Hamilton readies his notes as Gorham begins the proceedings.

NATHANIEL GORHAM

I hope you all had ample rest over the weekend.

ALEXANDER HAMILTON

Mr. Chairman.

NATHANIEL GORHAM

Mr. Hamilton.

Hamilton walks to the center of the room as everyone quiets.

ALEXANDER HAMILTON

I know that if I gave you all a formal letter documenting my views on the dire circumstances of our Country, as well as the remedies it requires, you will tell me you're afraid the people aren't ready for these changes, no matter how necessary they may be.

(MORE)

ALEXANDER HAMILTON (CONT'D)

But necessity is what must force us to do what's right. Therefore, I must declare myself against both plans. Though certainly more-so to New Jersey's. If their work is an indication of where the winds are taking us, we must right this ship or be taken by the sea.

Ask yourselves this above all else; What changes must be made to better this Nation? *The Nation*, gentlemen. The States and their Federalist allies are not inclined to support it. Their internal interests, their debts, their trade wars; should any of these oppose the demands of Congress, they always prevail. But is it to the Nation's benefit? Of course not. So what drives their motives if they are willing to overlook the harm this does to their fellow countrymen?... Power. Men love power. Our Nation suffers, the States suffer, even the people suffer, they empower our enemies, but so long as these men indulge their thirst for power, they will never change. The powers of this government must consume the State powers, otherwise it will be consumed by them, as it is now. Two sovereignties can not coexist within the same limits of a Nation. The States can not be at liberty to grant powers to Congress, the Congress must simply have them. Therefore the plan presented from New Jersey simply will not do.

DISSOLVE:

Hamilton's speech is more fiery as he paces around the room.

ALEXANDER HAMILTON (CONT'D)

Who will be attracted to these positions of power? If the lower House provides a lavish salary, it will attract and elevate some of our worst citizens. Any more than an annual salary of three dollars ought to be the limit.

(MORE)

ALEXANDER HAMILTON (CONT'D)

Mark my words, we'll never have a shortage of petty demagogues who placate to the masses if only to retain wealth and status. This is by far one of the weakest aspects of a republic. Men of such little character can acquire the honor of serving a Nation they don't care for. This almost brings me to despair and leaves me no choice but to reveal my true preference. The British government is the best the world has seen. And I doubt anything short of it would do in America.

(murmurs begin)

Just look how far our opinions have come in only a handful of years, when it was believed the Articles of Confederation would suffice. If the plan of New Jersey or Virginia should be accepted, will we find ourselves reunited here in another few short years?

Hamilton takes a moment to wipe the sweat from his brow. Gouverneur is trying to get a read on him.

ALEXANDER HAMILTON (CONT'D)

In England, the House of Lords is a permanent body. The gentlemen seem to view seven years an adequate term in the Senate, much longer than the two or three years likely to be given in the lower House, but we are not fully considering the incredible instability and violence that arises from the democratic spirit. If an objective is driven by popular passions, they spread like wildfire. Permanence in the Senate would form a barrier against the dangerous causes of these demagogues whom I guarantee will populate the lower House. We choose the wisest amongst us who would remain faithful to the Nation, and not look to stoke the dangerous flames of democracy.

DISSOLVE:

Hamilton continues to rant.

ALEXANDER HAMILTON (CONT'D)

As to the executive, can we agree our republican principles won't produce an adequate leader? Again, I look to the British model. A king is his Nation. His wealth and interests are so interwoven within it, it places him above the danger of being corrupted from abroad. He is also sufficiently independent, while still having to answer to the people. We fear the wrong man being chosen, and we are wise to worry. But I ask, if the task was given to this body, would we not trust ourselves to make a wise decision? Is there not a man in this very room we would likely choose?

DISSOLVE:

Hamilton is now reading the specific points of his plan. The delegates are flustered by his long speech.

ALEXANDER HAMILTON (CONT'D)

Article ten; All laws of the particular States contrary to the Constitution or laws of the United States to be utterly void; and the better to prevent such laws being passed, the Governor or President of each State shall be appointed by the general government and shall have a negative upon the laws about to be passed in the State of which he is Governor or President.

(finished reading)

All while we sit here and talk, the Union is dissolving. Although I prefer my work to either plan under consideration, I must clarify I don't intend to offer this paper for the committee's consideration. If every delegation were to do so, we'd never leave this place. It's more likely I'd propose them as amendments to the plan of Mr. Randolph, which I may not find wholly satisfactory, but perhaps it will be enough.

Hamilton stands for a quiet moment, then heads to his seat.

JAMES MADISON

Mr. Hamilton, may I take note?

Hamilton walks his paper over to Madison so he can take notes on it. He quietly speaks to him.

ALEXANDER HAMILTON

Which way does the wind blow now,
Mr. Madison?

He drops the document on Madison's table and returns to his seat. There is deafening silence and not a single member wishes to either speak against or support Hamilton's remarks.

NATHANIEL GORHAM

If no one else wishes to speak, we
shall adjourn for the day.

He waits, then slams his gavel.

TIME CUT:

A reserved and tired Madison ends his speech. Many of the delegations are engaged in polite discourse around the room.

JAMES MADISON

It's a reflection of human nature,
that these laws be put in place to
counteract our own inadequacies and
control the abuses of government.
Government itself is the greatest
reflection of human nature. If men
were angels, government wouldn't be
necessary. But if you first enable
the government to control the
governed, then we oblige it to
control itself from within. That is
why the people must be the primary
controllers of their government.

James Madison returns to his seat.

RUFUS KING

Mr. Chairman?

NATHANIEL GORHAM

Mr. King.

RUFUS KING

Mr. Madison has spoken well into
the afternoon, illustrating a
meticulous comparison of the plans.

(MORE)

RUFUS KING (CONT'D)

As it was mentioned yesterday, we must take care not to introduce an abundance of resolutions or plans. I move we vote as to whether the plan of Mr. Randolph ought to be reported once again, as it last was, without alteration.

JAMES MADISON

Second.

Pierce Butler quietly jokes with the South Carolinians.

PIERCE BUTLER

Fancy way of asking which one we prefer.

NATHANIEL GORHAM

On the question as to whether Mr. Randolph's Resolutions should be reintroduced as they were last amended... Massachusetts?

RUFUS KING

Aye.

NATHANIEL GORHAM

Connecticut?

Connecticut's delegates are debating amongst themselves.

ROGER SHERMAN

(3 beats)

Aye, Mr. Chairman.

William Paterson is genuinely perplexed and looks to Sherman.

WILLIAM PATERSON

What are you trying at Mr. Sherman?

ROGER SHERMAN

It wasn't enough.

NATHANIEL GORHAM

New York?

ROBERT YATES

No.

Gorham hesitates for a moment, expecting Hamilton to dissent. Hamilton doesn't bother and wallows in despair.

NATHANIEL GORHAM

New Jersey?

WILLIAM PATERSON

No.

NATHANIEL GORHAM

Pennsylvania.

BENJAMIN FRANKLIN

Aye.

NATHANIEL GORHAM

Delaware?

JOHN DICKINSON

No.

NATHANIEL GORHAM

Maryland?

LUTHER MARTIN

It appears we are divided.

NATHANIEL GORHAM

Virginia?

EDMUND RANDOLPH

Aye.

NATHANIEL GORHAM

North Carolina?

HUGH WILLIAMSON

Aye.

NATHANIEL GORHAM

South Carolina?

CHARLES PINCKNEY

Aye.

NATHANIEL GORHAM

Georgia?

WILLIAM PIERCE

Aye.

NATHANIEL GORHAM

With seven yeas, three nos and Maryland divided, the motion passes. Secretary Jackson will once again refer the report of Mr. Randolph's to this committee.

James Wilson smiles and nods to Roger Sherman, who doesn't return in kind. Jackson finds the report and stands to read.

WILLIAM PATERSON

(under his breath)
Back to where we started.

TIME CUT:**SUPERIMPOSE: June, 28**

George Washington now resides in the President's chair, and Nathaniel Gorham has rejoined his Massachusetts colleagues at their table. Luther Martin, a man who may be described as bombastic, or one who enjoys the sound of his own voice, drones on. Judging by their faces, nearly all members present hope for his speech to end sooner rather than later.

LUTHER MARTIN

Which is why a national government is meant only to preserve the State governments. We can't allow it to govern individuals as the States do. Its powers can be greater should the need arise perhaps, but if we give her too much, she'll never relinquish it. You may know now of my fondness for the works of John Locke. I would read you another passage. Just a moment...

Martin looks through his papers. Some members swat flies off their tables. Gouverneur Morris whispers to James Wilson.

GOUVERNEUR MORRIS

I wasn't sure of it til now. The bastard's drunk.

JAMES WILSON

Oh he's bashed.

At the Georgian table...

WILLIAM PIERCE

He's been at it a day and a half. Don't know if I can take much more of this.

Martin finds the literature and reads aloud.

LUTHER MARTIN

To understand political power, we must consider what state all men are naturally in, and that is a state of perfect freedom to order their actions within the bounds of the law of nature but without depending upon the will of any other man. The only way whereby anyone divests himself of his natural liberty and puts on the bonds of civil society, is by agreeing with other men to join and unite into a common community, for their comfortable, safe and peaceable living one amongst another, in a secure enjoyment of their properties...

(stops reading)

I may have selected the wrong essay.

Pierce Butler begins to snore, alarming Martin.

LUTHER MARTIN (CONT'D)

My point is the States rights are comparable to the rights of man, and we can not take them away. Ever. The small States must not be at the mercy of the larger. And if the three large States confederate, the ten smaller may do the same.

While looking on the miserable and horrified faces around the room, Martin clears his throat and takes his seat.

OLIVER ELLSWORTH

Mr. President?

GEORGE WASHINGTON

I recognize Mr. Ellsworth.

OLIVER ELLSWORTH

As I have never asked nor wished the larger States to relinquish their rights, I would defend the smaller from losing theirs. Connecticut I do believe can be impartial in this matter, being neither large nor small. We have so little faith in our existing structure. It is as if we would tear down our entire home when all it may need is a new roof.

JAMES MADISON

Mr. President.

GEORGE WASHINGTON

Mr. Madison.

JAMES MADISON

With respect to the gentleman who alluded there ought to be some faith in our existing Confederacy, of all the States, I find it unusual Connecticut would be the one to speak up. A State should be guiltless of the worst violations before taking this stance. Not long ago, the Connecticut legislature passed a law denying the State's obligations to Congress. A copy of that transcription was then sent to the Congress, informing them they did not intend to comply with their demands. We must ask ourselves if we even resemble a true government.

Ellsworth, normally even-handed, is angered.

OLIVER ELLSWORTH

Our State has always been federal in nature. I would appeal to you, Mr. President. You know the truth of it as it was during the war. The muster-rolls will show we had more troops in the field than even Virginia. And we never spared the money nor effort it took to raise them. Because of this, we were impoverished and took on a debt which we feel to this day. Our delinquency is due to our inability to pay these debts.

Roger Sherman pats Ellsworth on the shoulder and tries to smooth things over, though sternly.

ROGER SHERMAN

I do acknowledge there have been delinquencies. Many States have failed in that regard. But we are here to amend these defects, not lay blame which will do us no good.

Franklin attempts to change the tone of the room.

BENJAMIN FRANKLIN

Mr. President?

GEORGE WASHINGTON

Yes, Doctor Franklin.

BENJAMIN FRANKLIN

We've made so little progress of late. The arguments seem now to move in circles and the dream of consensus almost feels hopeless as we grope in the dark to find answers. And through all this, I come to ask one thing; how have we not once thought of humbly applying to the Father of Lights to illuminate our understandings? At the start of the war, in this very room, we held daily prayers asking for divine protection. Those prayers were heard and graciously answered. It is to that providence that we owe this wondrous opportunity of consulting one another in a time of peace. I have lived a long time. The longer I live, the more I am convinced that God governs in the affairs of men. And if a sparrow can not fall to the ground without his notice, is it probable that an empire can rise without his aid? I move a prayer be held in this assembly each morning before we begin our business. And we should find a suitable minister to officiate the service.

ROGER SHERMAN

I strongly second Doctor Franklin's motion.

ALEXANDER HAMILTON

It's a tremendous idea but I worry how it may appear to those keeping a close eye on us. After a month in convention, we suddenly decided a clergyman was needed to attend?

ROGER SHERMAN

Simply because we hadn't decided upon it sooner is no excuse not to invoke the word of God now.

WILLIAM PATERSON

It is likely to do more good than any potential harm, Mr. Hamilton.

HUGH WILLIAMSON

This convention has no funds to pay the man for his services. No doubt there would be volunteers, but it isn't fair to incline anyone, and the rest of us would be indebted.

As the talks continue, Franklin is even more disappointed they couldn't agree on this issue. He looks ahead to the sunburst atop the President's chair, entranced by it.

EDMUND RANDOLPH

Each morning, we ought to set aside adequate time for prayer.

TIME CUT:

WILLIAM SAMUEL JOHNSON of Connecticut, AGE FIFTY-NINE, a centrist and a lawyer, appeals to the hall.

WILLIAM SAMUEL JOHNSON

I feel we could go on endlessly. The fact is, the States do exist as they are. And this government is to be formed for them in their current political capacity, as well as for the individuals who inhabit them. It's fascinating to me, this idea. By some it's seen as contradictory, but I'm not sure it is. Instead of being the cause of our opposition, these two ideas must be embraced. One branch of the legislature will represent the people, and the other will represent the States.

As he sits, Oliver Ellsworth, seated next to him and looking to smooth over prior differences, stands.

OLIVER ELLSWORTH

I echo the sentiments of my good friend and colleague. I have yet to despair, and still trust a good plan will be devised and adopted by the many talented men in this room. We've agreed to keep the rule of suffrage in the lower House as the large States prefer. And now it's time to compromise, gentlemen.

(MORE)

OLIVER ELLSWORTH (CONT'D)

I move that in the Senate, each State should receive just one vote, putting them on equal footing.

WILLIAM SAMUEL JOHNSON

Second. Let's vote before our recess.

Gouverneur Morris whispers to James Wilson...

GOUVERNEUR MORRIS

Mr. Jenifer isn't here. We're in trouble with Maryland.

GEORGE WASHINGTON

Are the members prepared to vote?

JAMES MADISON

Mr. President?

GEORGE WASHINGTON

Yes, Mr. Madison.

JAMES MADISON

It appears some members are indisposed. Being in general assembly, perhaps we ought to postpone such an important vote.

JOHN DICKINSON

It hasn't stopped us in the past.

GEORGE WASHINGTON

This body will always suffer the loss of members on a day by day basis. We haven't the time to postpone votes based on their absence. We'll vote on the matter of equal representation in the Senate. Massachusetts, are you prepared to cast your vote?

RUFUS KING

Massachusetts votes no.

GEORGE WASHINGTON

Connecticut?

ROGER SHERMAN

Aye. Connecticut is for equality in the upper House.

GEORGE WASHINGTON

New York?

JOHN LANSING

Even as a larger State we are for the compromise. Aye.

Hamilton again sits quietly.

GEORGE WASHINGTON

New Jersey?

WILLIAM PATERSON

Aye.

GEORGE WASHINGTON

Pennsylvania?

GOUVERNEUR MORRIS

No.

GEORGE WASHINGTON

Delaware?

JOHN DICKINSON

Aye, Mr. President.

GEORGE WASHINGTON

Maryland?

LUTHER MARTIN

Aye.

JAMES WILSON

Mr. President, a point of order...

GEORGE WASHINGTON

We are in the middle of a vote, Mr. Wilson.

JAMES WILSON

The rules clearly state a second member of the delegation must be present in order for their vote to be cast. Maryland is currently only represented by Mr. Martin.

LUTHER MARTIN

The rules require a second member be present in Philadelphia, which Mr. Jenifer is, I can assure you. Shall I ask the secretary to read the rules aloud?

Washington is moving things along briskly.

GEORGE WASHINGTON

That won't be necessary. The vote stands. Virginia?

EDMUND RANDOLPH

Virginia votes no.

GEORGE WASHINGTON

North Carolina?

HUGH WILLIAMSON

No.

GEORGE WASHINGTON

South Carolina?

CHARLES PINCKNEY

No.

GEORGE WASHINGTON

And Georgia?

The two present members of the Georgia delegation, WILLIAM HOUSTON, AGE THIRTY-TWO, and Abraham Baldwin are squabbling.

ABRAHAM BALDWIN

Georgia is divided, sir.

He draws a few gasps from the many surprised members.

GEORGE WASHINGTON

I see. With Georgia divided, it stands five States to five. The motion fails in a tie vote.

The small-State advocates breathe a sigh of relief. The others clearly aren't happy.

CHARLES PINCKNEY

Mr. President?

GEORGE WASHINGTON

The gentleman from South Carolina.

CHARLES PINCKNEY

As much as I'd like see this debate settled, I can't bring myself to support equal representation in the Senate. Some of the greatest decisions this Nation makes would be at the mercy of just a few gentlemen from the small States.

GENERAL C.C. PINCKNEY

Before we adjourn for the Fourth, I suggest we try a committee.

LUTHER MARTIN

I will say to the committee, each State must have an equal vote, or this convention has met in vain.

ROGER SHERMAN

It seems we've reached a point where we can't move one way or another. What harm could a committee do at this point?

JAMES MADISON

These committees rarely accomplish anything other than delay. Any new ideas can just as well be shared here.

ELBRIDGE GERRY

Mr. Madison, gentlemen, we ought to try something. The Nation is watching. For just a moment please consider the consequences of our failure. America will unravel. No State ever succeeded in forming their Constitutions without compromise. Now it's our turn.

The delegates are humbled by his speech.

GEORGE WASHINGTON

Form your committee, Mr. Gerry.

CUT TO:

EXT. WALNUT STREET - EVENING

We follow a MARCHING BAND as they perform down Walnut Street, which eventually leads to the Statehouse yard. They are led by Washington, General Pinckney, Hamilton, George Mason, and a handful of former high-ranking military men on horseback. The streets are filled with joyous onlookers waving and shouting praise, largely directed at Washington who holds his elegant composure and waves. With over a hundred soldiers in tow, it is quite the spectacle. Church bells ring, and gunshots are heard in the distance as an excited city prepares for a night of celebration.

SUPERIMPOSE: July, 4

INT. MADISON'S QUARTERS/ M.H. BOARDINGHOUSE - EVENING

James Madison peers out his window to the excitement below. He returns to his desk. There is a knock at the door.

JAMES MADISON

It's open.

MARY HOUSE, the MIDDLE-AGED, kind and excitable owner of the establishment, enters with a plate of tea and cheese.

MARY HOUSE

I knew I'd find you buried in your work again.

JAMES MADISON

Thank you so much, Ms. House.

He helps make room on his cluttered desk.

MARY HOUSE

It's the glorious Fourth, Mr. Madison. Downstairs there's food and music and good company.

JAMES MADISON

I'm sure you're hosting a fine party. I hardly have time to finish my notes so this is a blessing.

MARY HOUSE

Some of your workmates inquired about you downstairs. They'd love for you to join them.

JAMES MADISON

Perhaps.

They exchange smiles and she leaves him to his work.

EXT. REFORMED CALVINIST CHURCH - NIGHT

Washington and the others have dismounted and join hundreds standing outside the church due to its large attendance. REVEREND WILLIAM ROGERS leads the congregation in prayer. He is an inspiring preacher.

REVEREND ROGERS

O' God are the inhabitants of these States, on this day, under the strongest obligations to bless thy name, for that liberty which they so fully enjoy!

(MORE)

REVEREND ROGERS (CONT'D)

A day long to be remembered by us and future generations! A day, whereon this Country was, by the representatives of an oppressed people, DECLARED FREE AND INDEPENDENT! And now our ears are no more pierced with the confused noise of war. We request thy notice that body assembled in this city, who compose our Federal convention; be thou their wisdom and their strength! Incline the hearts of all the people to receive with pleasure, whatever these thy servants may wisely recommend; That the United States of America may furnish the world with one example of a free and permanent government! We pray to you, our Father, who art in Heaven; hallowed be thy name. Thy kingdom come. Thy will be done in earth, as it is in heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive them who trespass against us. And lead us not into temptation but deliver us from evil. For thine is the kingdom, and the power and the glory, forever and ever. AMEN.

The soldiers finished the prayer aloud with the reverend and immediately begin to shout and cheer. Gunshots erupt from the rear of the congregation as the marching band begins to play. Washington, General Pinckney, Hamilton and George Mason embrace in remembrance. Mason holds back tears.

GEORGE MASON

To the Fourth, my friends.

GENERAL C.C. PINCKNEY

I'm starved. They've prepared a feast for us at the Indian Queen.

GEORGE WASHINGTON

Splendid.

ALEXANDER HAMILTON

I've prior engagements, don't wait on me. Perhaps I'll join you later.

GEORGE MASON

Is this lot too old and dull for you now, Mr. Hamilton?

ALEXANDER HAMILTON

Don't you know it, my good man. I'd say have a pint of ale for me but I'll likely be having my share.

GEORGE WASHINGTON

So long, Alexander.

ALEXANDER HAMILTON

George?

GEORGE WASHINGTON

Yes?

Hamilton wants to tell him something but decides against it.

ALEXANDER HAMILTON

Enjoy your night.

Hamilton heads for his horse.

INT. PARLOR/ MARY HOUSE'S BOARDINGHOUSE - NIGHT

Madison brings his empty tray down to the housekeepers in the cheerful, yet restrained parlor where many guests congregate. The scene is likely more dignified than the average tavern tonight. Madison stands at the bar as he is served ale.

HOUSEKEEPER

Happy Fourth, Mr. Madison.

JAMES MADISON

To you as well.

RUFUS KING

Won't you join us, Mr. Madison?

Madison peers around the parlor to see King, Roger Sherman, John Dickinson, and William Pierce at a table. He walks over to them with a smile.

JAMES MADISON

How could I refuse.

They make space for him at the table as they playfully joke.

JOHN DICKINSON

Yes, join our estranged gathering for a drink James.

RUFUS KING

If tonight can't bring us together, nothing will.

WILLIAM PIERCE

Hear hear.

ROGER SHERMAN

I've had to keep these two civil,
just as I do in session. Being the
voice of reason isn't always easy.

RUFUS KING

Mr. Sherman, I apologize if our
squabbling has disheartened you.

King downs his mug.

ROGER SHERMAN

As you can see Mr. Madison, they
are well ahead of you in their
consumption.

WILLIAM PIERCE

Catch up if you can.

Pierce raises his mug and does the same.

EXT. WALNUT STREET - NIGHT

The bustling streets convey the pride and excitement of the American people on the day independence was declared. Children chase each other through alleyways as people shout "Long live the Republic!" Laughter and cheer are accompanied by sizable portions of food and drink. Tents and picnics are pitched about. Young men climb flagpoles and rooftops.

INT. CITY TAVERN - NIGHT

If the open streets were considered busy, the sight inside a cramped tavern was more jarring. Gouverneur Morris and James Wilson, one hand over the other's shoulder and holding a mug with the other, sing "Yankee Doodle" with the musicians and patrons. Hamilton arrives midway. They laugh and cheer when the song is over.

BARTENDER

A toast to the Union, my friends!

JAMES WILSON

And may Rhode Island be excluded
til they elect honest men to rule
them!

They cheer and drink. Morris notices Hamilton and comes over.

GOUVERNEUR MORRIS

A toast to a true hero of the war,
Colonel Alexander Hamilton!

ALEXANDER HAMILTON

If I'm to receive a toast, then one
is deserved for our financier, Mr.
Morris.

GOUVERNEUR MORRIS

Oh nonsense, I'm not worthy in your
presence.

ALEXANDER HAMILTON

I'm regretting coming here already.

GOUVERNEUR MORRIS

That's the idea.

Wilson joins them.

JAMES WILSON

You made it, Mr. Hamilton.

GOUVERNEUR MORRIS

I told you he'd come. He knows
where the fun is.

JAMES WILSON

And it is our solemn duty as
Pennsylvanians to show you a good
time.

GOUVERNEUR MORRIS

Now which bordello shall we visit
first?

ALEXANDER HAMILTON

I'm not so sure about that...

JAMES WILSON

Quite right.

GOUVERNEUR MORRIS

Why not? Too many witnesses?

JAMES WILSON

We'd be on the lookout for Mr.
Paterson all night.

GOUVERNEUR MORRIS

Well I'm out of ideas.

INT. PARLOR/ MARY HOUSE'S BOARDINGHOUSE - NIGHT

Madison, Sherman, King, and Pierce have added several empty mugs to their collection.

JOHN DICKINSON

In his apparent boredom, Mr. Pierce took it upon himself to sketch each of our personalities as he sees them in convention. He'd read them aloud as we guess who it was meant for.

WILLIAM PIERCE

But you have to promise this stays at the table.

JAMES MADISON

I will.

Pierce opens his small notebook and looks through it.

WILLIAM PIERCE

We haven't done this one...

(reads)

This man is marked for his integrity and perseverance. He's a hesitating and laborious speaker, and possesses a great degree of confidence and knowledge, though without elegance or flower of diction. He is often clear in his arguments, and cherishes as his first virtue a love for his country. He is very much a gentleman in principle and manners.

JOHN DICKINSON

If it wasn't for the mention of his speech ailments, I'd guess you were speaking of Mr. King.

RUFUS KING

You are too kind, sir.

JAMES MADISON

The mention of his integrity rules out Mr. Pinckney.

RUFUS KING

We rarely see this side of you, James.

JOHN DICKINSON

Actually I was thinking it could be General Pinckney.

WILLIAM PIERCE

(shakes head)
Think New Englander...

RUFUS KING

Ah, my compatriot. Mr. Elbridge Gerry.

WILLIAM PIERCE

Correct. Well done.

RUFUS KING

Another. But not a Massachusetts man this time.

WILLIAM PIERCE

Let's see...
(finds, then reads)
This man is a gentleman of remarkable strong powers, and possesses a clear and copious understanding. He is able and convincing in debate, steady and firm in his principles, and undoubtedly one of the best politicians in America. He is an elderly statesman with a fine, strong constitution.

They take time to think.

RUFUS KING

It's too vague.

WILLIAM PIERCE

Not if he's elderly...

JAMES MADISON

Is he sitting at this table?

JOHN DICKINSON

What's that supposed to mean?

WILLIAM PIERCE

He's not at the table.

RUFUS KING

So he's older, but you just ruled out Mr. Sherman and Mr. Dickinson.

JOHN DICKINSON

I'm right here...

JAMES MADISON

Colonel Mason.

RUFUS KING

Was just about to say that...

WILLIAM PIERCE

Very good, James.

JAMES MADISON

I did think it was Mr. Sherman at first.

WILLIAM PIERCE

You want to hear what I have on Mr. Sherman?

RUFUS KING

Please.

Pierce looks through his notes and reads.

WILLIAM PIERCE

Mr. Sherman... is the oddest shaped fellow I ever remember to have met with.

(they laugh)

He is awkward, unmeaning, and unaccountably strange in his manner. The oddity of his address, the vulgarisms that accompany his public speaking, and that strange New England cant of his, may be construed as grotesque and laughable.

Pierce chuckles through his reading as the others laugh. Sherman has produced a smile and takes this well. Pierce continues reading when the laughter stops.

WILLIAM PIERCE (CONT'D)

And yet... And yet he deserves infinite praise. No man has a better heart or a clearer head. As an able politician, he can furnish thoughts that are wise and useful. As a member of Congress, he discharged the duties of his office with honor. It is oft remarked that he seldom fails in his endeavors.

JOHN DICKINSON

(3 beats)

Well said.

ROGER SHERMAN

Is the game over with now?

RUFUS KING

One more.

WILLIAM PIERCE

One more... I'll see if I can get you with this one.

(reads)

This man has long been in public life. Perhaps most remarkable is every person seems to acknowledge his greatness. He blends together the profound politician with the scholar. And though he is no great orator, he is a most agreeable, eloquent, and convincing speaker. He always comes forward the best informed man of any point in debate. The affairs of the United States, he perhaps, has the most correct knowledge of, of any man in the Union. A gentleman of great modesty, he is easy and unreserved among his acquaintance, and has a most agreeable style of conversation.

RUFUS KING

Easy. Doctor Franklin.

WILLIAM PIERCE

No, sir.

RUFUS KING

Who else would you praise to that degree?

WILLIAM PIERCE

If you don't guess it, I won't tell. You have two more tries.

JAMES MADISON

I'd say Mr. Dickinson but you wouldn't pick someone at the table.

WILLIAM PIERCE

Not necessarily...

RUFUS KING

Then Mr. Dickinson.

WILLIAM PIERCE

No, sir.

RUFUS KING

Damn.

WILLIAM PIERCE

One more try.

They carefully think.

EXT. CITY TAVERN - NIGHT

Hamilton and Wilson are attempting to break up a shoving match as Gouverneur Morris is being pushed out by patrons. Another man gets thrown through the window.

GOUVERNEUR MORRIS

I told you, I ain't afraid of any man!

PATRON

I'll take that peg and shove it up your ass, Morris!

Morris has clearly had too much to drink and his friends find his behavior amusing. He stumbles on his wooden leg. Hamilton puts Morris' arm around him to help him walk.

ALEXANDER HAMILTON

Easy boys. We'll see him out.

GOUVERNEUR MORRIS

If it wasn't for this damned leg, I'd have you all grovelling at my boots!

ALEXANDER HAMILTON

It's a miracle you can walk on that thing in your state.

JAMES WILSON

This happens every year. We were kicked out of three different establishments last time if you'd believe it.

ALEXANDER HAMILTON

So this is why you asked me here.

JAMES WILSON

Appreciate the help.

Wilson takes Morris' other arm to help him walk.

GOUVERNEUR MORRIS

If I was whole, those bastards
wouldn't dare speak to me like
that!

ALEXANDER HAMILTON

I think we'll take you home now.

GOUVERNEUR MORRIS

Nonsense. The night's just begun.

ALEXANDER HAMILTON

I know what's coming. You won't be
satisfied til you've had a proper
fight. I'm trying to spare you from
it.

GOUVERNEUR MORRIS

I ain't afraid of any man.

ALEXANDER HAMILTON

You've mentioned that.

JAMES WILSON

Seven times.

ALEXANDER HAMILTON

You never told me how you lost the
leg.

GOUVERNEUR MORRIS

Damned carriage ran it over.

JAMES WILSON

(laughs suggestively)
That's the official story...

GOUVERNEUR MORRIS

What are you trying to say?

JAMES WILSON

Oh never mind, I'm sure it's just
gossip.

GOUVERNEUR MORRIS

What are people saying about me?

ALEXANDER HAMILTON

I'd like to know too.

JAMES WILSON

Well... I doubt you've heard of
Gouverneur's indiscretions.

GOUVERNEUR MORRIS

(rolls eyes)
Here we go...

JAMES WILSON

We are carrying a notorious
philanderer.

ALEXANDER HAMILTON

Are we?

JAMES WILSON

Married, unmarried, our boy here
doesn't discriminate.

GOUVERNEUR MORRIS

I didn't know they were married.

JAMES WILSON

Sure you didn't... It was so bad,
after the accident I've heard
someone say they'd wished
Gouverneur had lost something else.

ALEXANDER HAMILTON

Whoa... What does this have to do
with the accident?

JAMES WILSON

The story goes; Gouverneur was in
the middle of one of his escapades,
and the lady's husband happened to
return home early. The only way out
was through the upstairs balcony,
so he grabbed his effects and tried
to leap across to the next room.
Let's just say, he didn't make it.

ALEXANDER HAMILTON

It's a much better story than the
carriage.

GOUVERNEUR MORRIS

I deny every word of it.

JAMES WILSON

Instead of going down the wife, he
went down her balcony.

Hamilton and Wilson laugh.

GOUVERNEUR MORRIS

You know why it isn't true? I wouldn't run from anyone.

JAMES WILSON

Because you're not afraid any man?

GOUVERNEUR MORRIS

Damn right.

ALEXANDER HAMILTON

I know someone.

GOUVERNEUR MORRIS

What do you mean?

ALEXANDER HAMILTON

I know a man you wouldn't dare take a liberty with. No one would.

GOUVERNEUR MORRIS

Who?

ALEXANDER HAMILTON

General Washington.

GOUVERNEUR MORRIS

Pfft, ole George? We're dear friends, he and I.

ALEXANDER HAMILTON

Is that so?

GOUVERNEUR MORRIS

Friendly as they come.

ALEXANDER HAMILTON

And you're willing to take a liberty with this "friendship"?

GOUVERNEUR MORRIS

Why not?

ALEXANDER HAMILTON

I'd wager dinner for you and a dozen friends you wouldn't. No matter how much courage you've already drunk.

GOUVERNEUR MORRIS

Have your purse ready, because the next time I see him I'll prove it.

ALEXANDER HAMILTON

I just so happen to know where he's dining tonight.

JAMES WILSON

This won't end well.

ALEXANDER HAMILTON

That's the idea.

INT. PARLOR/ MARY HOUSE'S BOARDINGHOUSE - NIGHT

It is later in the night and Pierce is snoring. King is having trouble staying awake and shakes Pierce's shoulder.

RUFUS KING

Time for bed. I will see you all tomorrow.

ROGER SHERMAN

Good night then.

He helps Pierce up and they leave. Madison, Sherman, and Dickinson still have their wits about them.

JOHN DICKINSON

I think I'll turn in as well.

JAMES MADISON

See you tomorrow.

Dickinson leaves the parlor. It is clear Madison and Sherman have never been alone together. Sherman is more comfortable in the silence than Madison.

ROGER SHERMAN

My father was a cobbler.

JAMES MADISON

Beg your pardon?

ROGER SHERMAN

He was a shoemaker, my father.

JAMES MADISON

Was he?

ROGER SHERMAN

My prospects were grim as a young man.

JAMES MADISON

And now look at you.

ROGER SHERMAN

Anything really is possible.

Sherman raises his mug and drinks. Another silence ensues.

JAMES MADISON

I was always sickly. There was a time I didn't think I'd live long past the age of twenty-one. I've often wondered why the Lord made me this way.

ROGER SHERMAN

Take it from the son of a shoemaker who somehow found himself among the greatest minds of our age. I was here to sign the Declaration ten years ago. I've served this Country most of my life. Heaven's sake, the good Doctor is the only man among us superior to me in age. This is as important a time as I've ever lived through. And whatever came before, there's a reason you're here, Mr. Madison.

They drink and enjoy another moment of quiet. Madison is surprised to see this side of Sherman.

JAMES MADISON

Pardon my saying this but I do find it unusual a man from such humble beginnings has so little faith in the people he came up with.

ROGER SHERMAN

No more unusual than a privileged who puts so much faith in them.

JAMES MADISON

I suppose but I've never seen the wealthy defend their own with the same vitriolic passion you espouse on the lower classes.

ROGER SHERMAN

There are people who live in squalor and do nothing to pull themselves out of it. I don't want them deciding who runs the Country.

JAMES MADISON

Doctor Franklin and Colonel Mason, they're simply wrong on the matter?

ROGER SHERMAN

They haven't seen what I have. I don't envy their optimism.

INT. INDIAN QUEEN TAVERN - NIGHT

A small symphony plays a wonderfully harmonious tune in the corner. At a large dinner table seating sixteen members, most in military dress, at the head sits Washington, his back to the main door. To his left sits a lively Ben Franklin as well as General Pinckney. To his right, George Mason, Edmund Randolph, and Robert Morris. The rest are former ranking officers. Franklin is telling a story.

BENJAMIN FRANKLIN

I'll never forget the Duchess of Bourbon, an old acquaintance I made while I was in France. She was an avid chess player like myself, and in her court they made a point to play our wits with an audience. So there we played and chatted. She was a formidable opponent, I must say. During one of our games, I remember when I had the chance, I took her king. Then to her shock and the court's, she said, "*Ah, Doctor Franklin, we do not take kings so*". To which I replied, "*We do in America*".

He garners a good laugh from the table.

EDMUND RANDOLPH

So shall we always.

Hamilton, Wilson, and Gouverneur Morris enter the Indian Queen. The officers mainly recognize Hamilton and raise their mugs to him. Washington turns and smiles.

GEORGE WASHINGTON

Colonel Hamilton.

Hamilton smiles. He, Wilson, and Morris go to the bar.

ALEXANDER HAMILTON

It's not too late to turn back. If you lose the bet, you owe nothing but your concession.

GOUVERNEUR MORRIS

I just have to wait til the time is right.

JAMES WILSON

Any idea when that might be?

Morris looks to the bartender.

GOUVERNEUR MORRIS

Ale, please.

JAMES WILSON

He's not gonna do it.

GOUVERNEUR MORRIS

I'm gonna do it.

The bartender hands Morris a mug. Morris looks to Washington, whose back is to them, as he drinks. He puffs out his chest and slowly walks towards Washington.

ALEXANDER HAMILTON

He's not gonna do it.

JAMES WILSON

Not a chance.

Morris nears Washington, even though it feels like an eternity. Wilson's and Hamilton's expressions change.

ALEXANDER HAMILTON

He might do it.

JAMES WILSON

(3 beats)

He's gonna do it.

Morris stands over Washington's shoulder and raises his mug.

GOUVERNEUR MORRIS

A toast to my good friend, the honorable General Washington. And to the Fourth, how grand it's been. Ain't it so old boy!

Gouverneur gives Washington a big ol' slap on the back! Washington's face turns to stone. Instead of acknowledging his toast, the entire table looks on in horror. The music stops. Washington puts his wine glass down and sits still. Gouverneur carefully removes his hand from his back. Every member at the table is wide-eyed. Gouverneur is white as a sheet as he excuses himself.

GOUVERNEUR MORRIS (CONT'D)

Gentlemen.

He turns and heads back for the bar without making eye contact with anyone. Hamilton pats him on the back.

ALEXANDER HAMILTON

You've won. How does it feel?

Morris doesn't utter a word and looks straight ahead.

TIME CUT:

Now later in the night, the symphony is playing a softer tune. The city bells begin to ring. A NINE YEAR OLD CHILD peeks his head in the door.

CHILD

They're calling for the General!
It's about to start!

Franklin smiles and speaks to Washington.

BENJAMIN FRANKLIN

There's a tradition here in Philadelphia and we wouldn't have you miss it. Follow me please.

Washington helps Franklin up and the tavern follows them out.

EXT. MARKET STREET - CONTINUOUS

Where the public market normally assembles, hundreds of Philadelphians have gathered. Washington and the others join them in anticipation.

BENJAMIN FRANKLIN

It's always a treat for the eyes,
no matter how old they've grown.
(5 beats)
Any moment now.

The bells cease to ring. Then, gorgeous red, white, and blue fireworks begin to ascend and pop from the distant Front Street. The Philadelphians are delighted by the spectacle. Washington shares in the pride of the young Nation, as do those around him. The fireworks continue and their intensity escalates. Many of the delegates are among the folks in awe. Red, white, and blue light flashes against their faces.

INT. INDIAN QUEEN TAVERN - MIDNIGHT

Hamilton and Washington are having tea by the fireplace. They are quiet and tired from the long night. The tavern is mostly empty. Franklin joins them and pours himself a cup.

BENJAMIN FRANKLIN

We're all that's left.

ALEXANDER HAMILTON

(5 beats)

I leave for New York in the morning.

Washington is surprised to hear this.

GEORGE WASHINGTON

You mean it this time?

ALEXANDER HAMILTON

I'm no use here.

BENJAMIN FRANKLIN

That's a long way from the truth.

ALEXANDER HAMILTON

I wish it were.

Franklin sees there's no changing his mind while Washington doesn't want to see him go.

BENJAMIN FRANKLIN

Safe travels, Mr. Hamilton.

CUT TO:

INT. ASSEMBLY ROOM/ PENNSYLVANIA STATEHOUSE - MORNING

The delegates are extremely hung over. Wilson massages his temple. Franklin's head is slumped over as he sleeps in his chair. Gouverneur fights the urge to make awkward eye contact with Washington. The room is silent as Washington looks to Hamilton's empty seat, as do Yates and Lansing.

EXT. PIER/ POTOMAC RIVER - NOON

Washington, Robert and Gouverneur Morris, and Wilson are very relaxed as they fish and read at the pier on a cloudy day. Gouverneur is helping Wilson tie his hook.

GOUVERNEUR MORRIS

If you tie the hook like that, they'll run off with it.

Gouverneur re-ties the hook and hands the rod to Wilson, who casts his line.

JAMES WILSON

The bloody fish will go to anyone else's line except mine, you watch.

ROBERT MORRIS

Hush, you'll make them nervous.

The men enjoy the serenity of nature. Washington sees something bite at his line as he stands to reel in his catch.

JAMES WILSON

The General's caught something...

ROBERT MORRIS

That's it, bring him in.

The others cheer Washington on as he pulls a TROUT from the river. He clearly enjoys fishing as he holds his catch.

GOUVERNEUR MORRIS

That fellow looks delicious.

Washington places the fish in a nearby BUCKET.

GEORGE WASHINGTON

Mr. Wilson, I'm counting on you to catch the next one.

JAMES WILSON

It might be a while.

Robert looks to the trail where he sees two riders approach.

ROBERT MORRIS

Who are they?

The others look in an attempt to identify the riders.

GOUVERNEUR MORRIS

Can't say for sure... Ah, it's Yates and Lansing.

JAMES WILSON

What the hell do they want?

Yates and Lansing, the two remaining New York delegates, dismount near the other horses and approach Washington.

ROBERT YATES

Afternoon to you all.

GEORGE WASHINGTON

Good afternoon, Mr. Yates... Mr. Lansing.

He nods. Though cordial, Yates and Lansing appear serious.

JOHN LANSING

There's no simpler way to put this.
Mr. Yates and I have decided to
retire from the convention.

ROBERT YATES

We wanted to extend the courtesy in
person instead of leaving a note.

Washington doesn't immediately respond.

GEORGE WASHINGTON

It was a sense of duty that brought
us here. It's that same resolve
that inclines us to see it through.

JOHN LANSING

And we tried, sir. We've spent many
weeks obliging the members but we
can't ignore the fact that we've
gone far beyond the instructions of
our governor.

Wilson can't quite hear them, being furthest away.

JAMES WILSON

(to Gouverneur)
What are they on about?

GOUVERNEUR MORRIS

Those bastards are leaving.

JAMES WILSON

How do you mean?

GOUVERNEUR MORRIS

New York is walking away.

Gouverneur sets his pole down and heads over.

GOUVERNEUR MORRIS (CONT'D)

(to Yates and Lansing)
I suppose you know what's best...

Something bites on Wilson's line.

JAMES WILSON

Son of a bitch! I got one! Just my
luck, eh?!

All hear him and look over. Wilson looks to Yates and Lansing
as he angrily throws his pole down and walks towards them.

GOUVERNEUR MORRIS

You just had to spoil a nice afternoon before you left.

JAMES WILSON

Can't say I'm all that surprised. If I had to wager on it, I'd have bet it would've been New York.

ROBERT YATES

We didn't come to offend you, Mr. Wilson.

JAMES WILSON

Bit late for that.

GOUVERNEUR MORRIS

If Mr. Hamilton couldn't lay some sense in you, no one will.

JOHN LANSING

It is our duty to oppose the adoption of any plan that may harm the sovereignty of New York.

JAMES WILSON

And keep up that little trade war with New Jersey while you're at it, eh?

ROBERT YATES

I don't know how much influence you think we have up north but this is what our constituents want.

JAMES WILSON

Then show some bloody courage for a change.

GEORGE WASHINGTON

Their minds are made up Mr. Wilson.

JOHN LANSING

Good day. I wish we could have met under different circumstances.

They nod and head back to their horses. Wilson isn't finished and walks up to them, making their conversation private.

JAMES WILSON

Do you see General Washington?

ROBERT YATES

Mr. Wilson, that's enough.

JAMES WILSON

Just look at him for a moment.

Yates and Lansing look over at Washington, who is no longer fishing as he looks out onto the river.

JAMES WILSON (CONT'D)

He could've been a king.

JOHN LANSING

Yes, we know that.

JAMES WILSON

He doesn't possess the same desire as you to hold onto power nor this constant fear of losing it. Does a greater symbol of courage exist in this world? And despite having the world at his fingertips, and aside from what little faith he has in these politicians, he wanted us to do better. You're not preserving liberty, you're only clutching to this petty illusion of power. And that's a shame. Ride well.

Wilson turns and walks away. Yates and Lansing reflect for a moment, then mount their horses and ride off.

INT. ASSEMBLY ROOM/ PENNSYLVANIA STATEHOUSE - MORNING

The convention is in session. Washington, in the President's chair, looks to the New York table which is now empty. The delegates know it is a bad sign when an entire delegation retires. It is quiet for a while.

LUTHER MARTIN

Mr. President.

GEORGE WASHINGTON

Mr. Martin.

LUTHER MARTIN

We've had two weeks to debate the committee's report. I call for a vote in its entirety, including the stipulation each State receives an equal vote in the Senate.

GEORGE READ

Second.

The members feel the weight of this moment and vote.

GEORGE WASHINGTON

Let us vote, then. On the question of the committee's report in full; Massachusetts?

The members immediately begin talking to their delegations. Massachusetts takes a while to answer.

ELBRIDGE GERRY

Massachusetts is divided. Myself and Mr. Strong are in favor of the report, Mr. Gorham and Mr. King oppose it.

Madison feels a kick in the gut. Others begin to murmur.

GEORGE WASHINGTON

Understood. Connecticut?

ROGER SHERMAN

Connecticut votes yes. We are in favor of the compromise.

GEORGE WASHINGTON

New York?... Apologies, New Jersey?

WILLIAM PATERSON

Aye.

GEORGE WASHINGTON

Pennsylvania?

BENJAMIN FRANKLIN

Just as Jonas was swallowed by the whale, so too shall we be by the smaller States. That is why, and despite my being a member of the committee, Pennsylvania votes no.

GEORGE WASHINGTON

Very well, Doctor. Delaware?

JOHN DICKINSON

Delaware votes yes.

GEORGE WASHINGTON

Maryland?

LUTHER MARTIN

Aye.

GEORGE WASHINGTON

Virginia?

EDMUND RANDOLPH

Virginia votes no.

GEORGE WASHINGTON

North Carolina?

The North Carolinians are arguing. Then Williamson stands.

HUGH WILLIAMSON

North Carolina votes yes.

All eyes dart to the North Carolinian delegation in shock.

RICHARD DOBBS SPAIGHT

With my exception.

GEORGE WASHINGTON

(taken aback)

Noted, Mr. Spaight. South Carolina?

JOHN RUTLEDGE

No.

GEORGE WASHINGTON

Georgia?

WILLIAM PIERCE

No.

Washington double-checks the vote. Madison drops his quill.

GEORGE WASHINGTON

With Massachusetts divided, and New York, New Hampshire, and Rhode Island absent, with five States in favor and four opposed the motion passes.

Supporters cheer the compromise and congratulate one another. Edmund Randolph is fuming. We've never seen him this angry.

EDMUND RANDOLPH

Mr. President?

The celebrations haven't ended.

GEORGE WASHINGTON

Order, gentlemen. Mr. Randolph.

EDMUND RANDOLPH

The entire plan I presented was founded on the supposition there would be proportional representation in both Houses of Congress. My hope was we could find a solution which a large majority of the States could agree on. It is unacceptable for a bare majority to have the last word. I believe it's time this convention adjourned; So the large States may convene on alternative measures, and give the small States time to deliberate on the meaning of conciliation.

Multiple gasps are audible. Paterson doesn't buy the threat.

WILLIAM PATERSON

I couldn't agree more. It's high time this convention adjourned. We ought to let the people know what's been said here. I'll have you know, whatever you may be planning, the small States will never back down from this issue. And if the good Governor from Virginia would make a formal motion for an indefinite adjournment, I will second him with all my heart.

The entire room is holding their breath, wondering if this could be the moment it all fell apart. Randolph and Paterson are locked on each other. General Pinckney broaches the hotheaded men tactfully.

GENERAL C.C. PINCKNEY

I do wish to know if the Governor was suggesting a final adjournment, or if he meant only for the day. I'll be frank, I can't fathom returning to and from South Carolina and doing this all over again. I believe this is our best opportunity to mend the Country. And the longer we wait, the more our chances slip away.

All eyes are on Randolph as worried onlookers, including Madison, fear his next move. Randolph takes a moment and swallows his pride.

EDMUND RANDOLPH

I never meant to suggest an adjournment beyond the day, and I apologize if what I said was misinterpreted as such.

WILLIAM PATERSON

I second the Governor. I'm happy to grant you and your cohorts whatever time you need.

GEORGE WASHINGTON

We'll adjourn then. And I hope to see you all here tomorrow morning.

Washington slams the gavel. Randolph is the first to storm out of the hall. Madison goes after him.

EXT. PENNSYLVANIA STATEHOUSE - CONTINUOUS

Randolph trots down the steps and onto the street, heading to the boardinghouse. Madison catches up to him.

JAMES MADISON

Edmund!

Randolph is still furious but stops for Madison.

EDMUND RANDOLPH

I should have called for a final adjournment.

JAMES MADISON

We may have lost this one, but think of how much we've won.

EDMUND RANDOLPH

It's not good enough.

JAMES MADISON

How many letters did we write Washington, begging him to attend? He didn't come all this way only to see us fail. Some of the men in there have been forced to borrow money just so they can afford to remain in Philadelphia. I'm one of them. Don't throw it all away.

EDMUND RANDOLPH

It's the same damn thing as before, giving them all that power.

Madison sees curious onlookers and members of the press watching them.

JAMES MADISON

I think we've given them enough to write about. Let's get out of here.

Randolph concurs as they smile and wave, then leave. The other delegates have been filing out behind them. Washington is last to step out. He waits atop the statehouse steps, reflecting on the proceedings dispiritedly. The officers behind him shut the assembly room doors, but instead of leaving, wait and watch Washington's silhouette against the bright outdoors. He finally steps down.

INT. ASSEMBLY ROOM/ PENNSYLVANIA STATEHOUSE - MORNING

A tense air envelops the statehouse. Gouverneur is standing.

GOUVERNEUR MORRIS

I've never been one to capitulate. The vote yesterday was a close affair, and there's no question I'm not the only member dismayed by the result. It is within the rules to call for another vote or revisit any resolution or clause and continue its discussion. If another member would second me, I will make a formal motion to do so. And if not, then so be it.

He sits. Everyone quietly waits to see if he is seconded. Washington reads the room after a few quiet moments where no one answers the call. Nationalists, including Randolph, are forced to sit quietly. They are tired of debating the issue.

GEORGE WASHINGTON

There's much yet to do, gentlemen. We shall return to the sixth Resolution, specifically the third clause granting Congress the power 'to veto any law passed by the States'.

GUNNING BEDFORD

Mr. President?

GEORGE WASHINGTON

I recognize Mr. Bedford.

GUNNING BEDFORD

We've already given the Congress enormous power to legislate, but an overriding veto over all State laws is a bridge too far.

GOUVERNEUR MORRIS

I agree with Mr. Bedford. I find myself more and more against the idea. Not only would it infuriate the States, we ought to let the judiciary make that determination.

GUNNING BEDFORD

Thank you, Mr. Morris.

They nod, signaling more convivial behavior.

LUTHER MARTIN

Agreed. Shall every law passed in the States be sent up to the Congress before they are permitted to administer them?

CHARLES PINCKNEY

If Congress isn't given ultimate authority, there will be countless laws in conflict with the national government. I move we vote on the original wording.

JAMES MADISON

Second.

Washington waits a moment for any other discussion.

GEORGE WASHINGTON

We'll vote on the third clause as it currently reads, allowing Congress a veto on all State laws passed. Massachusetts, where does your delegation stand?

RUFUS KING

Massachusetts votes yes.

GEORGE WASHINGTON

Connecticut?

ROGER SHERMAN

No.

GEORGE WASHINGTON

New Jersey?

WILLIAM PATERSON
No.

GEORGE WASHINGTON
Pennsylvania?

BENJAMIN FRANKLIN
No.

GEORGE WASHINGTON
Delaware?

GUNNING BEDFORD
No.

GEORGE WASHINGTON
Maryland?

LUTHER MARTIN
No.

GEORGE WASHINGTON
Virginia?

EDMUND RANDOLPH
Aye.

GEORGE WASHINGTON
North Carolina?

HUGH WILLIAMSON
Aye.

GEORGE WASHINGTON
South Carolina?

JOHN RUTLEDGE
South Carolina votes no, with Mr.
Pinckney's dissent.

GEORGE WASHINGTON
Georgia?

ABRAHAM BALDWIN
No.

GEORGE WASHINGTON
The motion fails.

LUTHER MARTIN
I move we strike out the clause to
consider the following;
(MORE)

LUTHER MARTIN (CONT'D)

'that the legislative acts of the United States and made by virtue and in pursuance of the Articles of the Union, and all treaties made and ratified under the authority of the United States shall be the supreme law of the respective States...'

DISSOLVE:

It is now later in the afternoon.

GEORGE WASHINGTON

On the ninth Resolution, it was unanimously agreed 'the national executive consist of a single person'. The subsequent clause, stating the method of his choosing by the Congress, was in question.

GOUVERNEUR MORRIS

Mr. President?

GEORGE WASHINGTON

Mr. Morris.

GOUVERNEUR MORRIS

We've already had this debate and couldn't seem to find a more agreeable solution than simply handing this responsibility over to the Congress, but I am decisively against it. It should be the citizens of the United States who choose the president.

JAMES WILSON

I wholeheartedly agree.

ROGER SHERMAN

The Congress will always be better prepared to express the will of their constituents. Its members will be well informed of the candidates.

CHARLES PINCKNEY

I agree. The Congress has the closest interest in the laws they pass, making them fit to elect the strongest candidate to enact them.

GEORGE MASON

Mr. President?

GEORGE WASHINGTON

Colonel Mason.

GEORGE MASON

I am open to alternatives, but I do feel there is some inconsistency in the views we've heard. One moment we're told the legislature deserves our utmost confidence and will be the makers of our laws, but we are also told they will be governed by intrigue and corruption and can't be entrusted with the great responsibility of choosing the president.

JAMES WILSON

Congress deserves our confidence in certain respects, and our distrust in others. I see no inconsistency in that manner of thinking, sir.

HUGH WILLIAMSON

If the executive is ineligible for a second term, then his dependence on Congress is overstated.

GEORGE WASHINGTON

We'll vote on the proposal of Mr. Morris; to have 'the legislature' stricken out and replaced with 'the citizens of the United States'. As always we begin with Massachusetts.

RUFUS KING

Massachusetts votes no, Mr. President.

GEORGE WASHINGTON

Connecticut?

ROGER SHERMAN

No.

GEORGE WASHINGTON

New Jersey?

WILLIAM PATERSON

No.

GEORGE WASHINGTON
Pennsylvania?

BENJAMIN FRANKLIN
Aye.

GEORGE WASHINGTON
Delaware?

JOHN DICKINSON
No.

GEORGE WASHINGTON
Maryland?

LUTHER MARTIN
No.

GEORGE WASHINGTON
Virginia?

EDMUND RANDOLPH
No.

GEORGE WASHINGTON
North Carolina?

HUGH WILLIAMSON
No.

GEORGE WASHINGTON
South Carolina?

CHARLES PINCKNEY
No.

GEORGE WASHINGTON
Georgia?

ABRAHAM BALDWIN
No.

GEORGE WASHINGTON
The motion fails.

Gouverneur and Wilson are dejected. Madison ponders, then stands, facing the entire room.

JAMES MADISON
Mr. President?

GEORGE WASHINGTON
Mr. Madison.

JAMES MADISON

Being of the Virginian delegation and having my hand in the plan, we hadn't given enough thought to the president's election. At the heart of this free government, the powers of the executive, the legislature, and judiciary must be exercised separately, but this is meaningless if the branches aren't truly independent of one another.

ELBRIDGE GERRY

I understand your position, Mr. Madison, but I am wholly against a popular election. We know the type of men to stir a mob can be the most dangerous of all.

BENJAMIN FRANKLIN

Mr. President.

GEORGE WASHINGTON

Go ahead, Doctor.

BENJAMIN FRANKLIN

I find it distasteful to debase the spirit of the common people. Did they not show their character during the war? In a free government, the rulers are the servants, and the people are their masters. I've also heard some of my, shall we say highbrow colleagues, speak of only allowing our wealthier citizens to serve, and for them to be chosen by their peers. Wealth is not the companion of virtue. There are qualities to a citizen worthy of our vote besides his social stature.

As Franklin sits, the delegates quietly ponder their beliefs.

JAMES WILSON

Perhaps another committee is in order.

INT. LIBRARY ROOM/ PENNSYLVANIA STATEHOUSE - AFTERNOON

In the upstairs library room, several delegates, all from different States, are gathered at a lengthy table.

They stand about the room and include Madison, David Brearly, Roger Sherman, Gouverneur Morris, Rufus King, and Hugh Williamson. A tired and disheveled John Dickinson joins them.

RUFUS KING

Another migraine?

JOHN DICKINSON

It's abated. For now, anyway. Sorry I'm late.

DAVID BREARLY

You haven't missed much. We've ran around ourselves once more and are about to vote to give Congress the presidency... Again.

JOHN DICKINSON

I see... Mr. Madison?

JAMES MADISON

Mr. Dickinson?

JOHN DICKINSON

You've convinced me.

JAMES MADISON

How so?

JOHN DICKINSON

When I fought for equal representation in the Senate, I was also calculating what the people in each State would consider agreeable when we send this document to them. The people will have a chance to name their objections, and if just one major resolution is rejected, everything could be lost. When I think of the powers we are granting the president, the people couldn't agree to any of it unless they were directly involved in his election.

He sucked the air out of the room as they have grown tired of aimless suggestions. Morris takes initiative to move forward.

GOUVERNEUR MORRIS

Let's start over then.

After Morris, one by one they return to the table.

INT. ASSEMBLY ROOM/ PENNSYLVANIA STATEHOUSE - DAY

The convention is in session when the guards outside the door allow TWO MEN in. NICHOLAS GILMAN, AGE THIRTY-TWO, modest and sensible. The second, JOHN LANGDON, AGE FORTY-SIX, with long white hair, seen as liberally minded, astute, and humorous. The convention stops its business for them.

JOHN LANGDON

John Langdon of New Hampshire, at your service.

NICHOLAS GILMAN

Nicholas Gilman, also from New Hampshire.

GEORGE WASHINGTON

Good of you to join us, Mr. Langdon and Mr. Gilman.

JOHN LANGDON

Forgive us. We are well aware of our delegation's late arrival.

BENJAMIN FRANKLIN

It's not so bad. At least you arrived before Rhode Island.

He garners a good laugh from the room.

JOHN LANGDON

Easy on the ribbing gentlemen, we did the best we could.

JAMES WILSON

I'm afraid I don't have any jokes prepared. By the time I come up with one, I'll be two months late.

The delegates laugh again as the New Hampshire delegation takes their teasing well.

JOHN LANGDON

I see there's no quarter given. In our defense, we aren't the original delegation. The others declined so we made it here at our own expense.

GOUVERNEUR MORRIS

What you're really telling us is you weren't their first choice.

Another laugh as Langdon pleads to Washington with a smile.

JOHN LANGDON

I'm afraid not. May we take our seat now?

GEORGE WASHINGTON

You may.

Washington extends his hand to an open table near the front.

BACK TO:

INT. LIBRARY/ PENNSYLVANIA STATEHOUSE - NIGHT

Madison draws a quill and parchment.

JAMES MADISON

It'll be four years. Not three, not seven, not twelve, and not for life as some have suggested.

GOUVERNEUR MORRIS

Why four?

Madison writes between sentences.

JAMES MADISON

Because I like that number.
 (Morris backs off)
 Same goes for the vice president.
 We leave the rest to the States.
 Each legislature will direct their electors to meet within their State and vote...

HUGH WILLIAMSON

(interrupts)
 How many electors does each State have?

JOHN DICKINSON

Make it equal to the number of representatives they have in the House and Senate.

DAVID BREARLY

So the people vote for each elector as they do each member of Congress?

JAMES MADISON

The States can decide that.

DAVID BREARLY

If they did, the people don't vote for the Senate. Who would choose their electors?

JAMES MADISON

We're giving it to the States to decide. So long as one candidate receives a majority of the electors' votes, he's president.

BACK TO:

INT. ASSEMBLY ROOM/ PENNSYLVANIA STATEHOUSE - DAY

Washington speaks from the president's chair.

GEORGE WASHINGTON

We'll consider the next Resolution; *'referring the new constitution to assemblies to be chosen by the people for the express purpose of ratifying it'*.

OLIVER ELLSWORTH

Mr. President, I suggest the document be sent to the State legislatures, not the proposed assemblies, for ratification.

GEORGE MASON

The State legislatures are beholden to the State constitutions. Their interests are too conflicting.

JAMES MADISON

The legislature could be put in a position forcing them to vote on a document that overrules their own state constitution.

JAMES WILSON

Well said. We haven't decided on the number of States which would be required to ratify this new constitution. Let's not overreach on this one. In my opinion, seven States is adequate.

ROGER SHERMAN

Seven is not nearly enough if you ask me. Ten States would make a strong majority.

JAMES WILSON

If I could just pull that number down to eight, I'd feel much more confident we would pass this thing.

EDMUND RANDOLPH

Nine States make for a respectable majority.

PIERCE BUTLER

Nine is fair. I'd be revolted if just one or two States were given the power to restrain us. You know which States I'm talking about.

He shifts a glance to New Hampshire. Langdon is offended.

GEORGE WASHINGTON

I'd prefer we didn't vote on each number. We'll start with nine. New Hampshire are you prepared to cast your vote?

JOHN LANGDON

Yes, Mr. President. It's a yes for us.

GEORGE WASHINGTON

Massachusetts?

RUFUS KING

Aye.

GEORGE WASHINGTON

Connecticut?

ROGER SHERMAN

Aye.

GEORGE WASHINGTON

New Jersey?

WILLIAM PATERSON

Aye.

GEORGE WASHINGTON

Pennsylvania?

BENJAMIN FRANKLIN

Aye.

GEORGE WASHINGTON

Delaware?

GEORGE READ

Aye.

GEORGE WASHINGTON

Maryland?

DANIEL JENIFER

Aye.

GEORGE WASHINGTON

Virginia?

EDMUND RANDOLPH

My own delegation appears to disagree with me. With my exception, Virginia votes no.

GEORGE WASHINGTON

Understood. North Carolina?

HUGH WILLIAMSON

No.

GEORGE WASHINGTON

South Carolina?

CHARLES PINCKNEY

No.

GEORGE WASHINGTON

Georgia?

WILLIAM PIERCE

Aye.

GEORGE WASHINGTON

Nine it is, then.

Nicholas Gilman leans in and quietly speaks to Langdon.

NICHOLAS GILMAN

This is going really well.

JOHN LANGDON

Yeah, I thought it would be much more difficult than this.

The delegation behind them is stupefied by their comments.

BACK TO:

INT. LIBRARY/ PENNSYLVANIA STATEHOUSE - NIGHT

They continue to discuss the presidency in the library.

ROGER SHERMAN

He should be born here.

JAMES MADISON

No one had mentioned it before.

ROGER SHERMAN

I don't want some foreign bastard
finding his way to the presidency.

The men are quiet for a moment.

GOUVERNEUR MORRIS

You understand you'd disqualify one
or two of our friends downstairs?

RUFUS KING

What if they were a citizen by the
time the constitution was ratified?

Sherman takes a moment.

ROGER SHERMAN

I could live with that.

JOHN DICKINSON

So be it.

Brearily nods.

JAMES MADISON

Natural born.

BACK TO:

INT. ASSEMBLY ROOM/ PENNSYLVANIA STATEHOUSE - DAY

There are noticeably fewer delegates present as Mason speaks.

GEORGE MASON

I'm appalled at the notion the
president could declare war on his
own. And if it were so I'd sooner
lose my hand than put it to sign
this document.

(MORE)

GEORGE MASON (CONT'D)

A declaration of war is not something one body should be entitled to, and we ought to make it as difficult as possible to achieve. Let us make peace more attainable.

CHARLES PINCKNEY

It shouldn't be given to the Congress because they act too slowly. If each representative was given equal time to deliberate his feelings of the war, the security of the Nation would be at risk.

ROGER SHERMAN

The president ought to be able to defend us without being hamstrung by the Congress. But he mustn't be allowed to declare war on his own.

ELBRIDGE GERRY

And we must limit his power to intervene in State affairs. The language doesn't specify a foreign army.

GOUVERNEUR MORRIS

We can't form the office of a man elected to protect us and then concurrently tie his hands behind his back.

Some men stamp their hands. John Rutledge appears aggravated.

JOHN RUTLEDGE

Mr. President?

GEORGE WASHINGTON

Mr. Rutledge.

JOHN RUTLEDGE

With all due respect how many times must we hear the same arguments made over and over. Unless it's our intention to remain here til winter, I say we increase our hours inhouse, and only the President's call to adjourn be heard.

He earns a few cheers.

GENERAL C.C. PINCKNEY

Second.

GEORGE WASHINGTON

All those in favor, say 'aye'.
 (general consensus)
 Opposed?
 (quiet)
 Back to business then.

TIME CUT:**SUPERIMPOSE: AUGUST, 21**

Luther Martin stands as he looks down at his notes. He has something very serious on his mind.

LUTHER MARTIN

Article Four of Section Seven doesn't allow the prohibition or even a tax on the importation of slaves. This only encourages the dishonorable trade. It is wholly inconsistent with the principles of our revolution and our character as Americans, allowing this to go on.

JOHN RUTLEDGE

I don't believe it would encourage the trade one way or another. When morality or religion is mentioned, from the perspective of the United States they have nothing to do with the matter. Interest alone is the governing principle of a Nation. The true question is whether or not the southern States shall be a party to the Union.

GEORGE MASON

Mr. Rutledge, it *is* in our interest to address the future of slavery. God does not punish nations in the next world. And if a nation can not be punished in the afterlife, it must be in this one. Slavery will bring the judgement of heaven down on this Country.

CHARLES PINCKNEY

South Carolina could never accept this constitution if it prohibits the slave trade. If we are left at liberty to decide for ourselves, South Carolina may, over time, end her importations.

ROGER SHERMAN

I advise we leave the clause as it stands. The trade is iniquitous, but I do understand its dominion on the southern States. There have been whispers of abolition and in time the States will take action.

GEORGE MASON

We musn't forget this infernal traffic was begotten by British merchants. King George would put a stop to any attempt in Virginia to end the importation of slaves. We have an opportunity here to set ourselves apart and be a true beacon of liberty throughout the world. Someday there will be an insurrection lest we do our part now to stop it. I fear providence will bring an inevitable chain of calamities on this Nation to punish our sins, as every master of slaves is born a petty tyrant.

CHARLES PINCKNEY

Colonel Mason... This talk of sins and tyrants... Dare I ask how many slaves you employ at Gunston Hall? Well over two hundred, yes?

Mason's allies take it as a cheap shot and shun Pinckney.

GEORGE WASHINGTON

Order, gentlemen. Do you wish to respond, Mr. Mason?

George Mason nods and waits for the room to quiet.

GEORGE MASON

I am aware of the difficulties that lie ahead. Were slavery abolished tomorrow, is it likely my family would face ruin? Perhaps. The Carolinas and Georgia have my sympathies to the trials before them. But we must also consider the effects low-cost labor has on our poorer citizens. If the national government is given the power to regulate trade, it should also have the power to, if nothing more, prevent the increase of slavery.

CHARLES PINCKNEY

As a citizen of South Carolina, I would vote to end the importations. But our people will object to this constitution if our rights are stripped away, and I wish more than anything to see it adopted.

OLIVER ELLSWORTH

Mr. President?

GEORGE WASHINGTON

Mr. Ellsworth.

OLIVER ELLSWORTH

As I have never owned a slave, I can not speak to the effects it may have on a man's character. If we were to view the subject in a moral light, then we ought to go as far as to free those already in the Country. We've come to a point, as it is in Virginia and Maryland, where the slave population grows so rapidly they've become cheaper to raise than to import. If all we do now is stop the importation, it would be as if we were taking direct action against the Carolinas and Georgia, which would be unfair. In time, slavery will be gone from this Country. Connecticut has moved towards abolition, as Massachusetts has done just a few years ago. When I hear talk of insurrection or a foreign adversary turning these slaves against us I say let that be a motive to us all for the kinder treatment of these poor souls.

GENERAL C.C. PINCKNEY

Mr. President?

GEORGE WASHINGTON

Mr. Pinckney.

GENERAL C.C. PINCKNEY

South Carolina and Georgia can not make due without slaves. This would harm us while it benefited Virginia who has an abundance of laborers. You should consider the adoption of this clause as an exclusion of South Carolina from the Union.

ABRAHAM BALDWIN

Mr. President?

GEORGE WASHINGTON

The gentleman from Georgia.

ABRAHAM BALDWIN

Each of our States have taken a different approach to handling this business because it effects every territory differently, which is why I consider these matters to be of a local nature. As my South Carolinian friend has said, if left to ourselves we would likely put an end to the evil trade in due time.

JAMES WILSON

If South Carolina and Georgia truly are disposed to end their importations as you suggest, what harm would there be in making that commitment now? You would not refuse to unite simply because the importation was prohibited, surely.

HUGH WILLIAMSON

The southern States would in fact oppose the Union, Mr. Wilson.

JOHN DICKINSON

Mr. President?

GEORGE WASHINGTON

Mr. Dickinson.

JOHN DICKINSON

It is unacceptable on every principle of our honor and dignity as a Nation that the importation of slaves be authorized by this constitution. The true question is whether the future of our Nation will shine brightly or be impeded by this practice. We must not leave it to the States.

RUFUS KING

Even if we were to view slavery as if it were only a political matter, the southern States must understand just as they will oppose abolition, there will be opposition from the other States unto them.

(MORE)

RUFUS KING (CONT'D)

The endless importation of cheap labor is not fair to those of us who have already fought to rid our State of slavery. If we must suffer the continuance of this evil, some good will ought to be shown by the south.

JOHN LANGDON

Mr. President?

GEORGE WASHINGTON

The gentleman from New Hampshire.

JOHN LANGDON

With respect to my southern friends, this power belongs to the national government. I could not in good conscience leave the States at liberty to continue importing slaves without restraint.

GENERAL C.C. PINCKNEY

I feel obligated to say I don't believe South Carolina would end her importations in any short time. Levying a tax on those to come would be reasonable.

JOHN RUTLEDGE

Unless our rights to import are left untouched, those believing the Carolinas and Georgia would remain in the Union do so in vain.

Something is eating at Gouverneur Morris.

GOUVERNEUR MORRIS

Mr. President?

GEORGE WASHINGTON

Go ahead, Mr. Morris.

GOUVERNEUR MORRIS

Whenever this subject of slavery is brought to the floor, there is shame in our voices. We've argued how slaves ought to be computed in this new system. Do we see them as men? If we did, we would make them citizens and allow them to vote. Instead we decide every five slaves would be counted as equal to three free men.

(MORE)

GOUVERNEUR MORRIS (CONT'D)

A Georgian or South Carolinian who goes to the coast of Africa, and in defiance of the most sacred laws of humanity, tears away his fellow creatures from their dearest connections and damns them to the most cruel bondages shall have more votes in a government instituted for the protection of the rights of mankind, than the citizens of Pennsylvania or New Jersey who view this nefarious practice in horror. Every human being who breathes the air of this Nation should enjoy the privileges of a free man. The rights of human nature and the principles of our religion call on us to dispense the blessings of freedom to all mankind.

Now there's talk of a tax. If this was permitted, would our shame be too great to admit we see human beings as property? I would sooner submit myself to a tax that would pay for the freedom of every slave in America than leave our children with the shame of this constitution!

A silence, and perhaps shame, overtakes the assembly room. The consummate mediator, Roger Sherman, stands.

ROGER SHERMAN

Mr. President?

GEORGE WASHINGTON

Mr. Sherman.

ROGER SHERMAN

We have two choices. Allow the southern States to continue their importations, or part with them. If the South were to leave the Union, they would continue to import all the same. So that leaves us with a fractured Nation and limitless importations in the south. We hold the Nation together, gentlemen. But I will not agree to a tax because it does imply they are property, and I will not bear that shame.

EDMUND RANDOLPH

Mr. President?

GEORGE WASHINGTON

Governor Randolph.

EDMUND RANDOLPH

If we do nothing to mitigate the importation of slaves, I will not sign this constitution.

GENERAL C.C. PINCKNEY

If we were left at liberty until the year eighteen o' eight, I believe we could compromise.

JAMES MADISON

Twenty years is a long time. It will encourage the worst appetites of slavers and landholders to buy up as much as they can.

GEORGE WASHINGTON

If the gentlemen should so vote for a commitment, a member of each delegation will formulate the compromise. I expect to have it in writing tomorrow.

FADE OUT/IN:

INT. HALLWAY/ PENNSYLVANIA STATEHOUSE - MORNING

SUPERIMPOSE: September, 6

Washington is greeting EIGHT PENNSYLVANIA ASSEMBLYMEN in the hall outside the assembly room. He finishes shaking the hands of the many gleeful members who are excited to meet him.

GEORGE WASHINGTON

I do apologize. Our work has taken longer than we anticipated.

ASSEMBLYMAN

It's no bother at all. We'll give you the hall as long as you need and take our work upstairs in the meantime.

GEORGE WASHINGTON

You have my thanks. I should be getting back.

(MORE)

GEORGE WASHINGTON (CONT'D)

There's no telling what mischief
this lot will be in if I'm not
there to supervise.

The assemblymen chuckle and part ways. Washington returns to the assembly room.

INT. ASSEMBLY ROOM/ PENNSYLVANIA STATEHOUSE - CONTINUOUS

The delegates are chatting amongst themselves as Washington returns to his chair.

GEORGE WASHINGTON

Did you make any progress while I
was out?

JOHN DICKINSON

The Delaware delegation has decided
what it shall be having for dinner.

He draws a laugh from the delegates.

GEORGE WASHINGTON

Very good, Mr. Dickinson. And have
we decided on the alternative mode
of electing the president?
(crickets)
We shall remain here until we do.
Even if it means missing supper.

The delegates grumble at the thought.

DISSOLVE:

It's getting dark outside. The delegates are bored and tired
of what has felt like an endless debate.

GEORGE MASON

If none of the candidates regularly
receive a majority of the electoral
votes, the Senate would be making
the final selection. And if the
president's reelection hinges on
the Senate, they would control
every aspect of his elected term.

Delegates with similar misgivings stamp and cheer.

HUGH WILLIAMSON

It would lay the foundation for
corruption and aristocracy.

JAMES WILSON

I say give it to the Congress, not the Senate.

Gouverneur Morris shakes his head.

JAMES MADISON

This is only an alternative if the State electors fail. We have to create the strongest incentive not to leave it in the hands of any legislature. The large States carry more votes. That same advantage is in the Congress, which gives the State electors less encouragement to coalesce support for their candidate. If the final decision is left to the Senate, the small States would have an advantage in the selection, forcing the State electors to make the initial appointment a success.

Some delegates have buried their face in their hands.

JOHN DICKINSON

Giving it to the Congress keeps it closer to the people, which is why we've gone through all this trouble in the first place.

ELBRIDGE GERRY

If the president's first term was determined by the Senate, and in his reelection the State electors fail again to form a majority, then we leave it to Congress for a final decision. It relieves his dependence on the senate.

RUFUS KING

I would support the motion.

HUGH WILLIAMSON

It's a reasonable deterrent against any undue influence in the Senate.

GOUVERNEUR MORRIS

I'm in favor as well.

JAMES WILSON

Even a single presidential term is a very dangerous power to hand over to the Senate.

Wilson and Morris take turns standing and trump each other.

GOUVERNEUR MORRIS

The Congress has the biases of the larger States to contend with.

JAMES WILSON

What worries me is the Senate will already be making appointments to the executive and judiciary, and now they may be choosing the bloody president as well?

GOUVERNEUR MORRIS

The Senate may only choose from the handful of candidates the State electors have chosen.

JAMES WILSON

The Senate also has the power to remove him. This is far more power than any legislative body should rightly have. Will the president even be able to hire a damn cook without needing their approval?

The officers outside the main door open them and to the surprise of all, in walks Alexander Hamilton. Washington, who has been exhausted by the long day, is now genuinely upbeat.

GEORGE WASHINGTON

Mr. Hamilton. It's good to have you back.

ALEXANDER HAMILTON

I just rode in. It took some time before I realized you were still convened.

JOHN LANGDON

We are being held against our will.

His joke raises their spirits.

JOHN DICKINSON

The President has decided we are not allowed our supper until we conclude our business.

ALEXANDER HAMILTON

I've arrived just in time then.

GEORGE WASHINGTON

Won't someone brief New York's
returning delegate?

Hamilton is near Franklin and shakes his hand, then Wilson's. Gouverneur is expecting the same, but instead of a handshake, Hamilton thumps him on the back, reminding him of his embarrassing affair with Washington. Hamilton takes his seat and reads the committee's report.

HUGH WILLIAMSON

Mr. President?

GEORGE WASHINGTON

Mr. Williamson.

HUGH WILLIAMSON

To those in favor of the Senate making the selection; Giving them this incredible power changes the entire purview of the upper House.

JAMES WILSON

Precisely. The Senate will have a hand in all three branches. The president will not be the man of the people as he ought to be, but a minion of the Senate.

EDMUND RANDOLPH

Agreed. We would be foolish to further empower the Senate.

ALEXANDER HAMILTON

Why not the State Houses?

The room turns silent.

GEORGE WASHINGTON

Beg your pardon...

ALEXANDER HAMILTON

Why not the State Houses? It seems to me the whole idea is to keep the presidency close to the people. But we need a safeguard if one candidate doesn't receive a majority of electoral votes. You don't want the Congress involved because the president needs to be independent of them. So... Why not the State legislatures?

The room falls silent, having not considered this.

ROGER SHERMAN

Would this be per capita or by State?

ALEXANDER HAMILTON

One vote per State. I have no qualms with it.

The delegates take another moment to consider the idea.

ROGER SHERMAN

I could agree to that. I say we vote.

ALEXANDER HAMILTON

Second.

GEORGE WASHINGTON

Then on the proposal of Mr. Hamilton and Mr. Sherman, should the president not receive a majority of electors, The State legislatures shall immediately choose by ballot the president, with each State having one vote. New Hampshire?

JOHN LANGDON

Aye.

GEORGE WASHINGTON

Massachusetts?

RUFUS KING

Aye.

GEORGE WASHINGTON

Connecticut?

ROGER SHERMAN

Aye.

GEORGE WASHINGTON

New Jersey?

DAVID BREARLY

Aye.

GEORGE WASHINGTON

Pennsylvania?

BENJAMIN FRANKLIN

Aye.

GEORGE WASHINGTON
Delaware?

GEORGE READ
Delaware votes no.

GEORGE WASHINGTON
Maryland?

LUTHER MARTIN
Aye.

GEORGE WASHINGTON
Virginia?

EDMUND RANDOLPH
Aye.

GEORGE WASHINGTON
North Carolina?

HUGH WILLIAMSON
Aye.

GEORGE WASHINGTON
South Carolina?

GENERAL C.C. PINCKNEY
Aye.

GEORGE WASHINGTON
Georgia?

ABRAHAM BALDWIN
Aye.

GEORGE WASHINGTON
You've done it, gentlemen.

The delegates are relieved. Gouverneur is baffled by Hamilton.

GOUVERNEUR MORRIS
(under his breath)
Son of a bitch...

GEORGE WASHINGTON
Enjoy your supper, Mr. Dickinson.

JOHN DICKINSON
You're more than welcome to join us, Mr. President.

Washington is about to slam his gavel.

GEORGE WASHINGTON

(3 beats)

What are you having?

INT. LIBRARY/ PENNSYLVANIA STATEHOUSE - AFTERNOON

William Samuel Johnson, Rufus King, Hamilton, Gouverneur Morris and Madison are in the upstairs library, each with a copy of the current plan. Hamilton and Johnson are standing.

WILLIAM SAMUEL JOHNSON

We have this twenty-three article monstrosity to contend with.

GOUVERNEUR MORRIS

Our committee is aptly named then.

There are several blank sheets of paper on the table. Morris takes the initiative and arms himself with ink and a quill.

ALEXANDER HAMILTON

Governor Randolph's committee decided against a fancier preface.

JAMES MADISON

He wanted to make the distinction this was a legal document with no object to philosophic implications.

GOUVERNEUR MORRIS

(reads original report)

We the people of the States of New Hampshire, Massachusetts, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey..

(stops reading)

This won't do.

RUFUS KING

Why not?

GOUVERNEUR MORRIS

Are we peoples of our States, or the people of America?

RUFUS KING

You might say both.

GOUVERNEUR MORRIS

I'm from New York originally. I didn't come as a Pennsylvanian. I came here as a representative of the United States.

ALEXANDER HAMILTON

(2 beats)

We the people of the United States.

Morris concurs and they wait for the others to speak up.

RUFUS KING

We the people of the United States.

JAMES MADISON

We the people...

Morris gets to work on his first draft.

WILLIAM SAMUEL JOHNSON

Some members wish to see their States named.

ALEXANDER HAMILTON

Every new State that arises will want to be named. It's unnecessary.

GOUVERNEUR MORRIS

(reads combined report)

*We the people of the United States;
...Do ordain, declare and establish
the following Constitution for the
Government of ourselves and our
posterity.*

(dramatically sighs)

Mr. Hamilton would you remind me as to the purpose of this committee?

ALEXANDER HAMILTON

I'm already on it.

Hamilton takes a seat and begins writing on blank paper. The others continue ahead.

GOUVERNEUR MORRIS

What's striking is Congress's powers are scattered across eight separate Articles.

WILLIAM SAMUEL JOHNSON

How would you align them?

GOUVERNEUR MORRIS

I wouldn't. I'd combine them.

JAMES MADISON

It'll be lengthy.

GOUVERNEUR MORRIS

More so than any other.

RUFUS KING

Where would you start?

GOUVERNEUR MORRIS

Establishing the legislature. Then naming its powers.

WILLIAM SAMUEL JOHNSON

It was you and Governor Randolph who insisted we first declare the three branches exist.

Morris is writing.

GOUVERNEUR MORRIS

They will be, but in their own articles. Consecutively.

JAMES MADISON

Declaring they are equal branches is something no State constitution nor the Articles of Confederation ever did.

GOUVERNEUR MORRIS

This will work.

EXT. VALLEY FORGE - AFTERNOON

Washington and Robert Morris, atop their horses, trot across the beautiful green fields of Valley Forge and up a hill to get the widest view. The General points to landmarks.

GEORGE WASHINGTON

The woods didn't cover nearly as much ten years ago. We were encamped all along the ridge there.

ROBERT MORRIS

It's a remarkable place.

Robert gazes at Washington, who is lost in reflection. Washington trots forward into the valley.

INT. LIBRARY/ PENNSYLVANIA STATEHOUSE - AFTERNOON

A half-hour has passed and they are hard at work. Madison and King are combing through the articles. Johnson overlooks Morris and Hamilton paces as he reads his scribbles.

JAMES MADISON

A State's relation to both the legislature and the Constitution ought to be a separate article.

RUFUS KING

Then what happens to the clauses effecting both?

JAMES MADISON

Regarding monies it belongs in article one with the legislature.

GOUVERNEUR MORRIS

And regarding land, it goes into article four.

Hamilton drops his writings in front of them. As they read;

ALEXANDER HAMILTON

There it is. A better recognition of popular rights than any number axioms you find in a State's bill of rights.

GOUVERNEUR MORRIS

(reads aloud)

We the people of the United States, in order to form a more perfect union, to establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessing of liberty to ourselves and to our posterity, do ordain and establish this Constitution for the United States of America.

(3 beats)

I don't hate it.

RUFUS KING

Justice, defence, and liberty for us and our children...

ALEXANDER HAMILTON

For as long as this Constitution stands.

Morris begins transcribing Hamilton's work.

EXT. RUINS/ VALLEY FORGE - AFTERNOON

Washington walks his horse along a faded path near the RUINS of an old fortification barely held together.

GEORGE WASHINGTON

You remember the winters most. The men would occupy a cold, bleak hill and sleep under the frost and snow. There wasn't nearly enough food. Thousands didn't have boots. When I stepped out, there were trails of blood in the snow from the men who couldn't properly cover their feet. Thousands passed on from disease.

Robert is following him from behind as he listens.

GEORGE WASHINGTON (CONT'D)

This is why I came to Philadelphia. I hope never again to see another war in my lifetime. This is what I wish. A Constitution that gives the people the power to decide their futures. That's real power. Lawless nations have never been without war. But if you give the people the power to decide for themselves, why would they choose anything other than peace?

(reflects)

Come. I'll show where I was camped.

The continue on up the path.

INT. LIBRARY/ PENNSYLVANIA STATEHOUSE - NIGHT

Morris and Johnson are having an argument.

GOUVERNEUR MORRIS

The word 'slave' will not be written in this constitution!

WILLIAM SAMUEL JOHNSON

Your emotions have no bearing on the legality to regain one's owed services.

GOUVERNEUR MORRIS

I've only made it more clear.

(reads notes)

'No person legally held to service or labour in one state'...

WILLIAM SAMUEL JOHNSON

(interrupts)

The law is meant to be interpreted as it is written. The southerners will be eyeing you like a hawk on this one. If a single word isn't to their liking they will demand it be rewritten.

RUFUS KING

He's right Gouverneur.

GOUVERNEUR MORRIS

If this is to be the greatest charter of liberty the world has seen, it must be a beacon of hope to all who read it.

WILLIAM SAMUEL JOHNSON

The language shouldn't deviate from its source. That's all I'm saying.

(3 beats)

I'm going to visit the privy.

Johnson leaves. Hamilton, next to Morris, reads aloud.

ALEXANDER HAMILTON

Shall be delivered up to the person justly claiming their service or labor...

(to Morris)

The fugitive clause is plain as day. There's not much else there.

Morris takes the paper from Hamilton and thinks. Almost ready to give up, he suddenly puts down the paper and inks his quill. He then crosses out the word '*justly*' from the clause. Hamilton takes the paper as his eyes flare. They are keeping this between themselves.

ALEXANDER HAMILTON (CONT'D)

You don't acknowledge there's any justice in it. There couldn't be if they were considered property, which they're not. It's brilliant. Just reword the entire thing and they won't see it.

Morris begins writing on a blank sheet of paper.

TIME CUT:

They continue to deliberate both together and separately. It is now late into the night and Madison has fallen asleep. The others are tired as well and continue on.

EXT. VALLEY FORGE - NIGHT

At the edge of the forest, Robert is urinating on a tree. He finishes and returns to his horse, looking for Washington.

ROBERT MORRIS

George!... George!
 (to himself)
 Where did you ride off to...

He mounts and rides along the forest in the night, though it isn't too dark. In the clearing ahead, he sees a horse.

ROBERT MORRIS (CONT'D)

There you are.

Morris rides around to find Washington on one knee, his hat by his side and both hands clasped together in prayer. Washington's horse is still and silent as well. Morris dismounts and removes his hat, silent as Washington prays.

INT. LIBRARY/ PENNSYLVANIA STATEHOUSE - NIGHT

The five men continue to work well into the night, sharing ideas and sketches with each other. The arduous task nears completion as Morris writes the Seventh Resolution. The document (not yet written on its final parchment) is laid out neatly on a handful of pages as the men look on their work. They all stand, Morris being the last to do so. They exchange looks from one another to the Constitution. Madison collects the excess papers scattered about and drops them in the nearby hearth. Morris separates the pages on the table, at the moment appearing at a loss for words; as are they all.

EXT. WALNUT STREET/ CITY TAVERN - NIGHT

Madison crosses Second Street on his way home. Near the corner of the cross street, City Tavern sounds lively as ever. Cheery songs are loudly sung. Madison indulges his curiosity and approaches one of the windows. Inside the tavern, dozens of soldiers, and more than a dozen delegates are in a celebratory mood. At the head of the table sits Washington and Franklin, who in their superior age merely appreciate the festivities rather than take part. One of the soldiers raises his mug to toast Washington and Franklin. As Madison has never felt comfortable in such an environment, he is captivated by how these two men command so much respect.

INT. ASSEMBLY ROOM/ PENNSYLVANIA STATEHOUSE - DAY**SUPERIMPOSE: September, 17**

The members are chatty and less formal than usual, though still in session as Secretary Jackson reads the engrossed Constitution, now in its final form. Once he finishes, Franklin rises with a speech in hand.

BENJAMIN FRANKLIN

If the President and the members would indulge me, I have a few words I'd like to share.

GEORGE WASHINGTON

Of course, Doctor.

BENJAMIN FRANKLIN

I confess that there are several parts of this Constitution which I do not at present approve, but I am not sure I shall never approve them. For the older I grow, the more apt I am to doubt my own judgment, and to pay more respect to the judgment of others. From such an assembly of statesmen, can a perfect production be expected? It therefore astonishes me to find this system approaching so near to perfection as it does. Thus I consent to this Constitution with all its faults, because I expect no better, and because I am not sure that it is not the best. On the whole, gentlemen, I can not help expressing a wish that every member of the Convention who may still have objections to it, would with me, on this occasion doubt a little of his own infallibility, and put his name to this document.

Many members stamp and cheer. Randolph rises.

EDMUND RANDOLPH

I apologize if any offense is taken by my refusal to sign the document. This may be the most difficult decision of my life, but I am driven by my conscience and am ready to answer the objections of the people.

BENJAMIN FRANKLIN

Ever the politician, eh?

Randolph smiles and returns to his seat.

GEORGE MASON

I have made my objections known. Whether it be the corruption I see forming in the ten-mile square which will seat our new government. Or the lack of an accompanying Bill of Rights to ensure those basic freedoms the people hold so dear. Therefore I must withhold my vote. Still, it was one of the great honors of my life to serve with you all.

Mason bows in the bittersweet moment.

ELBRIDGE GERRY

I'm sure you all have grown tired of hearing my objections and fears of a government with limitless power. I respect every man's decision whether or not to sign the Constitution as I hope you do mine.

ALEXANDER HAMILTON

It really would have been remarkable to have every member sign it. Whose ideas were more contrarian than mine? And yet I still see the value and hope it brings for our future. That is why, despite my objections, I will sign the Constitution.

NATHANIEL GORHAM

Mr. President?

GEORGE WASHINGTON

Yes, Mr. Gorham?

NATHANIEL GORHAM

If it isn't too late, I had hoped we could make one minor amendment to the document. I ask we quickly reconsider the clause declaring the number of representatives in Congress not exceed one for every forty-thousand citizens, and replace the threshold by every thirty-thousand citizens instead.

RUFUS KING

Second. I support my colleague's motion. The correction is simple to make and will not delay us.

Unexpectedly, Washington rises to speak.

GEORGE WASHINGTON

As President, my position has restrained me from offering my sentiments on these matters. Some may even now think it inappropriate for the President to express his beliefs. But it is a wish of mine that Mr. Gorham's alteration be made. The small number of representatives we have allotted is, in my opinion, insufficient to properly secure the rights and interests of our people. It is fortunate, even at this late hour, that the matter was brought to the floor by Mr. Gorham because it has always appeared to me an unsought part of the Constitution. This will be the last opportunity for me to speak, and being of a very consequential matter, it would bring me much satisfaction to see the motion adopted.

Nearly every member was stunned to hear his speech. Washington doesn't bother taking note and remains standing.

GEORGE WASHINGTON (CONT'D)

Does anyone else wish to speak?

(silence)

We shall vote on the proposal then.

New Hampshire, what say you?

JOHN LANGDON

New Hampshire votes yes.

GEORGE WASHINGTON

Massachusetts?

RUFUS KING

Aye.

GEORGE WASHINGTON

Connecticut?

ROGER SHERMAN

Aye.

GEORGE WASHINGTON

I would call on New York Mr. Hamilton but you are lacking a quorum.

ALEXANDER HAMILTON

I understand, Mr. President. For what it's worth, it would've been 'aye'.

Washington nods.

GEORGE WASHINGTON

New Jersey?

DAVID BREARLY

Aye.

GEORGE WASHINGTON

Pennsylvania?

BENJAMIN FRANKLIN

Without hesitation, Pennsylvania votes aye.

GEORGE WASHINGTON

Thank you, Doctor. Delaware?

JOHN DICKINSON

Aye.

GEORGE WASHINGTON

Maryland?

LUTHER MARTIN

Aye.

GEORGE WASHINGTON

Virginia?

Madison looks to Randolph and Mason, who nod.

JAMES MADISON

Virginia unanimously votes yes.

GEORGE WASHINGTON

North Carolina?

HUGH WILLIAMSON

Aye.

GEORGE WASHINGTON

South Carolina?

GENERAL C.C. PINCKNEY

Aye.

GEORGE WASHINGTON

And Georgia?

ABRAHAM BALDWIN

Aye.

GEORGE WASHINGTON

Thank you, gentlemen. Now it's time we signed the damn thing.

The delegates stamp and cheer. Washington walks to the front of his desk. Major Jackson stands and places the Constitution on Washington's desk, facing the delegates. Washington dips his quill in ink, and is the first to proudly sign.

GEORGE WASHINGTON (CONT'D)

Won't the New Hampshire delegation inscribe the document?

JOHN LANGDON

With pleasure.

Langdon and Gilman sign their names. The Massachusetts delegates, except Gerry, rise and take their turn. The front door opens and in walks William Paterson, who has been absent since early August.

WILLIAM PATERSON

I hope I'm not too late...

GEORGE WASHINGTON

Not at all, Mr. Paterson. We're happy to have you.

Washington shakes his hand and Paterson waits his turn. Delegates are standing, eager and proud. Connecticut, then the lone New York delegate Hamilton and New Jersey are next up, as they follow the same order as the roll-call. Washington again stands behind his desk beside his chair, overlooking the momentous event.

James Wilson helps Franklin to his feet and across the hall. The delegates clear a wide path for him and realize the tears in his eyes as this moment means so much to him. Franklin is handed the quill, but before he inks it, he finds himself again gleaming at the sculpted sunburst atop Washington's chair. The nearby delegates are curious as to why.

BENJAMIN FRANKLIN

Artists and painters have always struggled to distinguish a rising sun from a setting sun. Over the course of our sessions, I've oft looked to the President's chair and not been able to tell which it was. But now, on this blessed day, I have the happiness to know that it is a rising and not a setting sun.

Franklin wipes his tears to ensure they do not drip on the Constitution as he signs it. Wilson was especially moved by his words and is emotional as well. The delegations continue to take turns orderly signing their names. Madison shakes Charles Pinckney's hand after he signs. He and Paterson congratulate one another as well.

All the delegates are on their feet as the final inscriptions are made. Washington lifts the small bell from his desk and rings it for the final time. The front doors are opened and the delegates file out of the assembly room. Washington, Franklin, and Madison remain standing by the Constitution.

EXT. ROBERT MORRIS' RESIDENCE - AFTERNOON

Hamilton is helping Billy load the rest of Washington's luggage atop the carriage in front of the foyer of Robert Morris' grand home. Robert and his wife, her child in her arms, stand atop the steps to the front door. Washington exits the door and speaks to them.

GEORGE WASHINGTON

I can't thank you enough. Had I known how long my stay would be, I may have been even more reluctant to impose. But you couldn't have made my time here more comfortable.

MARY WHITE

Don't ever let yourself feel unwelcome, George.

ROBERT MORRIS

It was good to see you after all these years.

GEORGE WASHINGTON

And you, Robert.

They embrace and Washington heads down the stairs.

ROBERT MORRIS

I have a feeling you'll be called on again, George. Til next time.

GEORGE WASHINGTON

So long.

Hamilton pats Billy on the shoulder.

ALEXANDER HAMILTON

Keep an eye on him for me, Billy.

BILLY LEE

Always.

Billy hops inside the carriage from the far side. Hamilton stands in front of the door Washington plans to enter.

GEORGE WASHINGTON

I know you had to refuse my last invitation to visit me at Vernon. Should you find the time to get away from New York, you're more than welcome to stop by.

ALEXANDER HAMILTON

I'll see if I can. Mr. Madison and I have our work cut out for us. Have to make sure none of this was in vain.

They look at each other for a moment, then Hamilton nods and instead of opening the carriage door, moves out of the way. Washington opens the door himself and enters the carriage.

ALEXANDER HAMILTON (CONT'D)

Robert was right, the Nation will call on you again.

GEORGE WASHINGTON

In the meantime, I'd like to go home.

They smile and nod. Hamilton slams his hand on the carriage, prompting the driver to snap the reins and head out.

EXT. MARKET STREET - AFTERNOON

The streets are lined with excited citizens wishing to wave goodbye to Washington. Madison steps out the boardinghouse and sees the carriage approaching.

INT. WASHINGTON'S CARRIAGE - CONTINUOUS

As their carriage pulls up the street, Billy looks out towards the many onlookers.

BILLY LEE

Here we go again.

GEORGE WASHINGTON

Will you cover the window, Billy?

Billy looks at Washington hesitantly, then slides the curtain over the window near him. They are now hidden from everyone outside. Washington sits quietly with a very serious look on his face as the voices are muffled. He is tired and savors this brief moment of peace.

GEORGE WASHINGTON (CONT'D)

You can open it now.

CUT TO BLACK:

-
-
-

TITLE CARD I:

In the coming months, the States would assemble their individual conventions and open the Constitution to public debate. By the end of 1787, the first States to ratify were Pennsylvania, Delaware, and New Jersey.

Georgia, Connecticut, and Massachusetts authorized the Constitution early the following year, as did Maryland and South Carolina.

On June 21, 1788, New Hampshire became the ninth State to ratify the document, thus making the Constitution legal.

TITLE CARD II:

During the Virginia convention's opening day of debate, Edmund Randolph declared his support for the Constitution, citing the painful alternative of a divided Union.

Facing stern opposition in their respective States of Virginia and New York, Madison and Hamilton fought tirelessly along with their allies to gain support. Deliberating well into the summer of 1788, and after several marginal votes, New York and Virginia joined the Union.

North Carolina eventually ratified on November 21, 1789.

TITLE CARD III:

On May 29, 1790, more than a year after George Washington was sworn in as the first President of the United States, Rhode Island had decided it was finally time to join the Union.

TITLE CARD IV:

Later in his life, Gouverneur Morris remarked:

"Never, in the flow of time, was there a moment so propitious, as that in which the convention assembled."

FADE TO BLACK.

Roll Credits.

End.