

Chapter 13

Georgia from Confederation to Constitution

Chapter Preview

TERMS

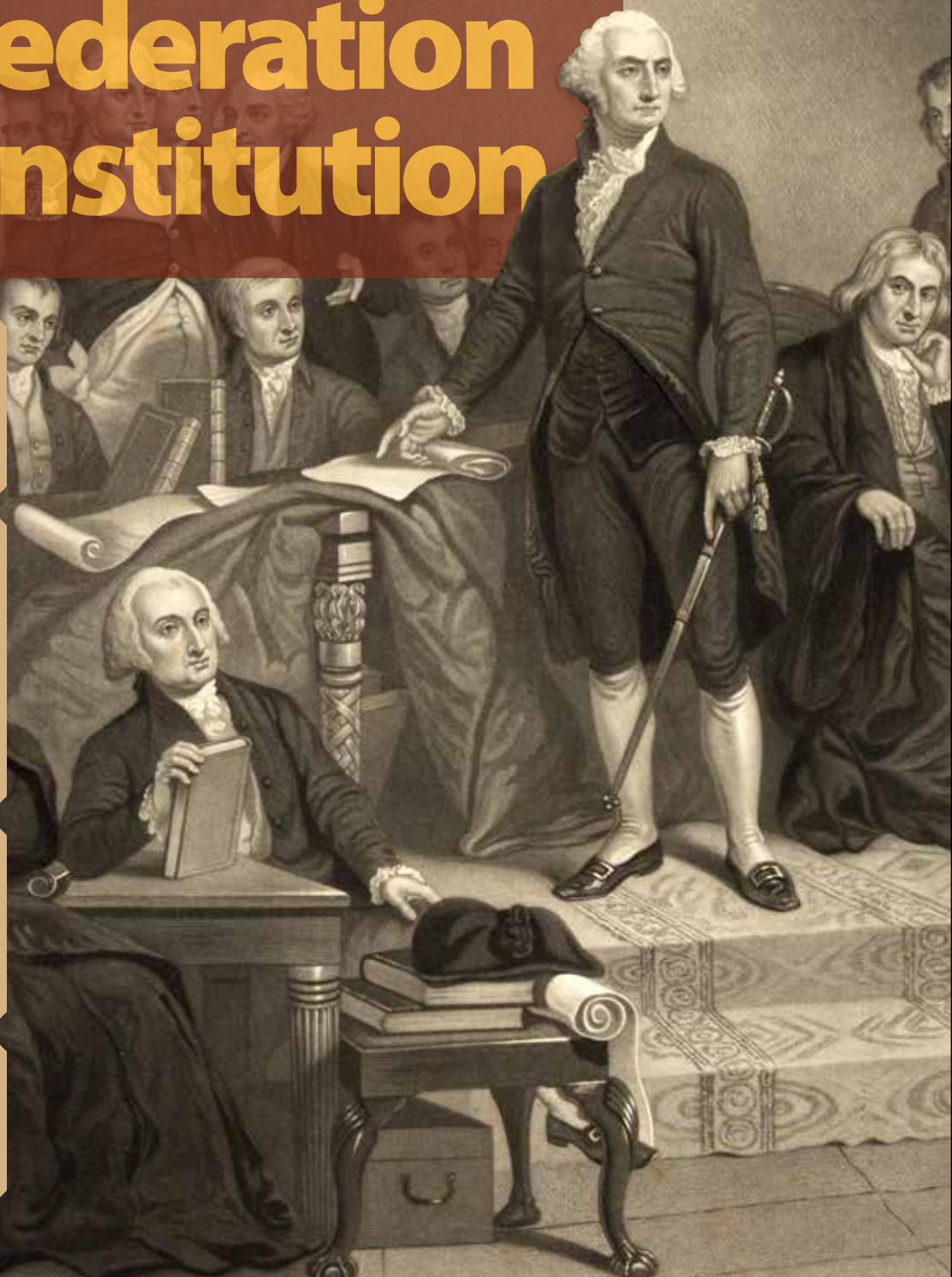
Articles of Confederation, unicameral, credit, tuition, Great Compromise, United States Constitution, Electoral College, Federalists, Antifederalists, Bill of Rights, secede

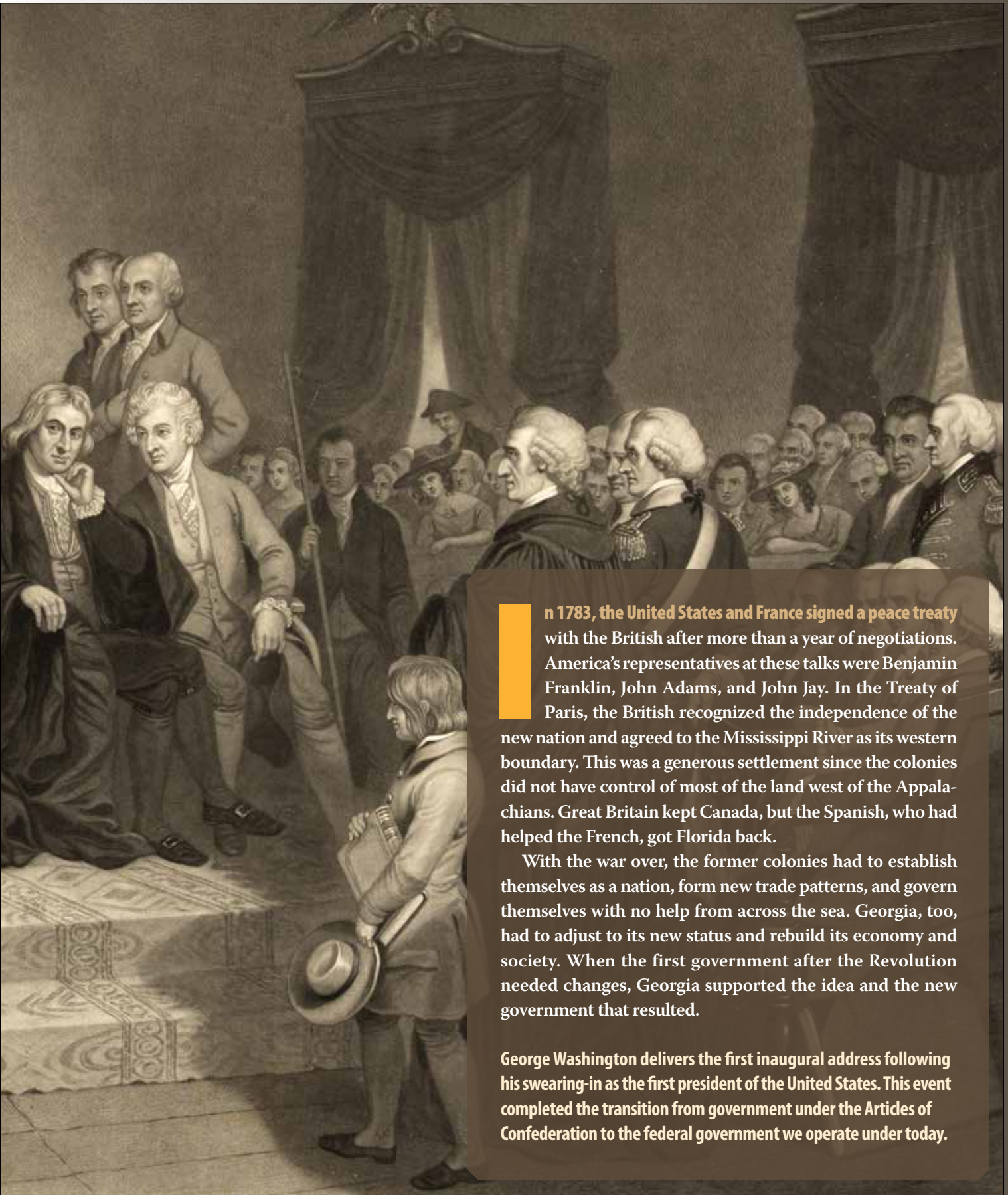
PEOPLE

Alexander McGillivray, Abraham Baldwin, William Few, William Pierce, William Houstoun

PLACES

Louisville, Northwest Territory, Philadelphia





In 1783, the United States and France signed a peace treaty with the British after more than a year of negotiations. America's representatives at these talks were Benjamin Franklin, John Adams, and John Jay. In the Treaty of Paris, the British recognized the independence of the new nation and agreed to the Mississippi River as its western boundary. This was a generous settlement since the colonies did not have control of most of the land west of the Appalachians. Great Britain kept Canada, but the Spanish, who had helped the French, got Florida back.

With the war over, the former colonies had to establish themselves as a nation, form new trade patterns, and govern themselves with no help from across the sea. Georgia, too, had to adjust to its new status and rebuild its economy and society. When the first government after the Revolution needed changes, Georgia supported the idea and the new government that resulted.

George Washington delivers the first inaugural address following his swearing-in as the first president of the United States. This event completed the transition from government under the Articles of Confederation to the federal government we operate under today.

Section 1

Georgia under the Confederation Government

As you read, look for

- the first government of the United States,
- how Georgia handled land confiscated from the Loyalists,
- relations with the Native Americans after the war,
- terms: **Articles of Confederation, unicameral.**

For several years, Georgia and the other twelve states lived under their first experiment in self-government, a confederation. They had problems, however, with money, trade, and relationships with other countries and with the Native Americans whose nations were within the states' own borders.

During this Confederation period, Georgia began rebuilding after the destruction caused by the Revolution and the exodus of Loyalists, British officials, and slaves. Part of the rebuilding was trying to solve the state's problems of finances, land, and Native Americans.

Figure 23 Timeline: 1780 to 1790



1781
Articles of Confederation ratified

1783
Treaty of Paris ended Revolutionary War; Treaty of Augusta

1785
Academy of Richmond County held first classes; University of Georgia chartered

1787
Constitutional Convention

1788
U.S. Constitution ratified by 11 states

1780

1782

1784

1786

1788

1790

1781
U.S. Postal Service established

1782
George Washington created the order of the Purple Heart

1785
New York City became the temporary capital of the United States

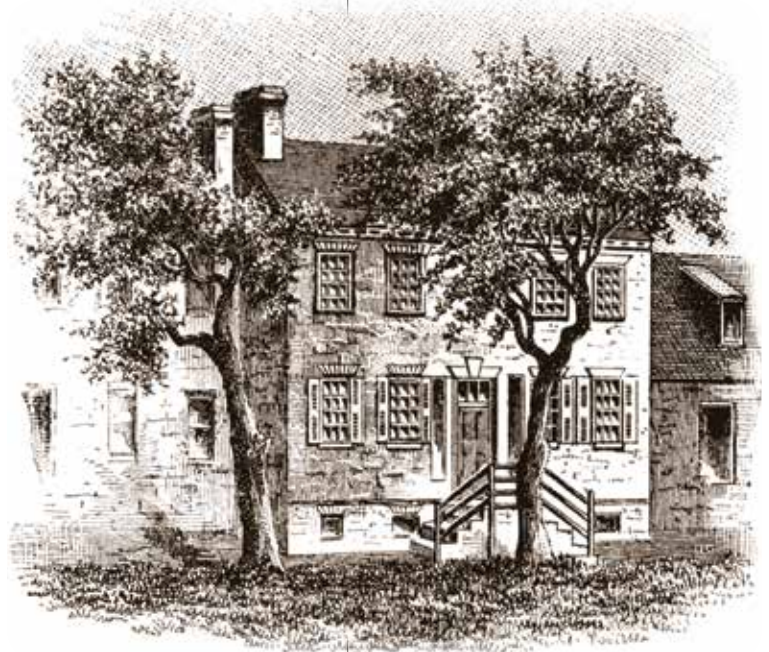
1786
The United States adopted the "dollar" as currency

1789
George Washington became first president

The Articles of Confederation

For much of the American Revolution, the government of the United States had been the Second Continental Congress. In 1781, after years of negotiations concerning overlapping claims to the land west of the Appalachian Mountains, the states had formed a confederation. In the confederation, the power to govern remained mainly in the states; the central government was limited to certain actions needed by the whole group. The way the government operated was outlined in the document that established it, the **Articles of Confederation**. The main functions of the Confederation government were to defend the country, pay its debts, settle arguments between the states, maintain relationships with other countries, and set up a postal service for mail going between the states.

The Confederation had no executive branch of government because the ex-colonies remembered the executive power of the king and royal governors. There was also no court system; the judicial functions were handled within each state. The government was a **unicameral** (one-house) legislature that worked by forming committees to deal with specific tasks. Even the powers of the legislature were limited. It could not tax and could not regulate trade between the states or with foreign nations. In the legislature, each state had one vote, but the measures the Confederation Congress approved were not supreme over laws passed by the states. To change anything about the Articles, every state had to agree; that made change very difficult. The government that most affected a citizen in this early United States was the state government.



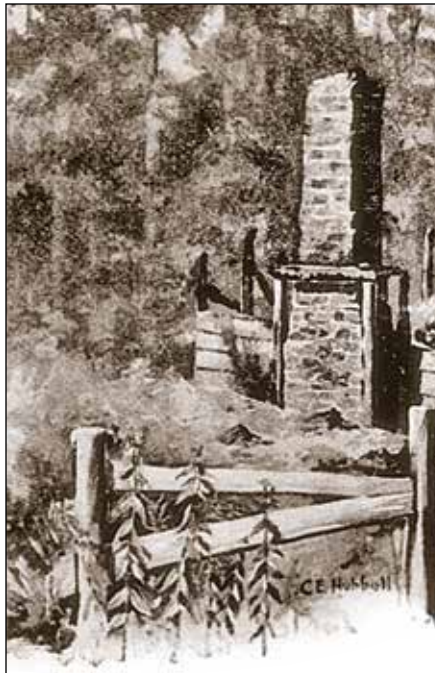
Georgia's Government

At the end of the war, Georgia's government was based on the Constitution of 1777. The state government did have an executive branch; however, the executive powers were shared by a governor and a council. As discussed in Chapter 12, the executive branch was weak. The governor had no veto or pardon power. The legislature held most power.

Georgia did have a court system. The superior court in each county was the major institution of county government, overseeing elections, controlling roads, and providing aid for the poor. Sometimes a special commission was set up in a county by the assembly to address a particular problem or carry out a specific function. For example, if a stream or river needed to be cleaned out to make it more navigable, the assembly would set up a special commission.

The main issues facing the new state involved overcoming the problems left by the war—how to rebuild Georgia's buildings and farms, pay the state's debts, and establish better relationships with the Creek and the Cherokee.

Above: Georgia's General Assembly met for the first time in this house in Savannah. For the early years of statehood during the war, Georgia had no fixed capital. In 1785, it was resolved that future meetings of the assembly take place in Augusta, which served as the state capital until 1796.



Above: The Revolutionary War left much destruction behind, with homes and crops destroyed and slaves and animals scattered. **Below:** The head-right system attracted many settlers, who came south to Georgia on the Great Wagon Road.



Land

When the soldiers returned home from the Revolutionary War, some found their cattle gone and their buildings in ruin. Many slaves had either left with the British or run away, so planters did not have enough labor. As one former planter said, Georgians would have to “begin the world again.”

Land was still the most important issue for most citizens. The personal wealth of most Georgians was in land, not cash.

With land, a farmer could cut his own wood for fuel, grow food for his family and his animals, and make a little cash to pay for any goods he could not produce himself. For wealthy planters, land allowed them to produce large amounts of cash crops, which provided money to have not only necessities but also luxuries.

One question the new government faced was what to do with land that had belonged to Loyalists. Many Georgia Loyalists wanted to return, especially when those who had gone to East Florida learned that Great Britain had given up East and West Florida in the Treaty of Paris. Near the end of the war, after the Patriots had taken control of Georgia, some Loyalists had regained their citizenship by enlisting in the Continental troops.

Those who had not done this had to make a formal request to return. The state did not permit the return of Loyalists who had most actively opposed the Patriot cause. Some, especially if they had helped the Patriots or at least tried to stay out of the fighting, were allowed to resume their lives in Georgia.

Loyalists who either did not want to return or whose return applications were rejected lost their property. The state confiscated it (took it over) and hoped to make money by selling it. In the coastal area, leading Patriots wanted the old rice lands of former wealthy Loyalists. Royal Governor James Wright not only lost his position as governor, but his livelihood and home. He left behind many plantations totaling over 25,000 acres and valued at £33,000. While the British government did eventually grant him a pension for his service, he was never compensated for the losses his loyalty had cost him.

Soldiers in both the state militia and the Continental army, including those from other states who had fought for independence in Georgia, could receive land for their service. This was called a *bounty grant*. The amount of land received depended on the rank of the soldier—the higher the rank, the more land. Privates got two hundred acres. Colonel Elijah Clarke



received several thousand acres. In 1784, two new counties, Washington and Franklin, were laid out with sections reserved for war veterans who were to receive grants.

Many settlers came to Georgia because the state continued to grant (give) land by the headright system. For example, in 1782, the “head” of a family had the “right” to receive two hundred acres of land plus fifty acres for every additional household member. The headright grant was supposed to be limited to one thousand acres, but that limit was often ignored.

With the threat of the Loyalists removed, hundreds of settlers moved onto land in the backcountry. Most were small farmers. Settlers moving from other states came mainly from Virginia and the Carolinas. Some did come down the Great Wagon Road from Pennsylvania and other northern states. The backcountry began to fill up with those whose hopes for themselves and their children centered around owning and working their own farms.

The growing importance of the areas away from the coast resulted in the assembly’s decision to move the capital further into the interior. In 1786, the assembly voted to find a new site for the capital. A new town—to be called Louisville—was ordered built on the Ogeechee River near George Galphin’s old trading post. Until it was completed, Augusta served as the capital for ten years.

Above: The intersection of three main roads at this old market, which had been built in 1758, was chosen as the site of the new state capital, to be named Louisville.

Something Extra!

The new capital of Louisville was named in honor of the French king who had been an ally in the war for independence.



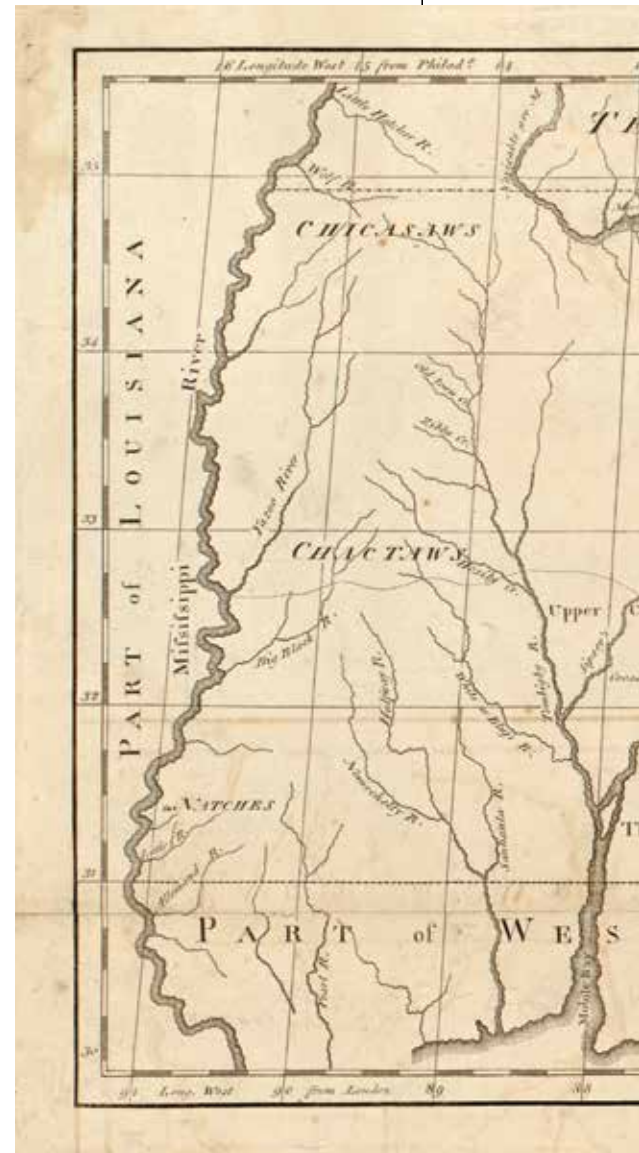
Indian Relations

As the colonies were settled, many colonial charters granted land in areas that extended beyond the Appalachian Mountains. Often, those lands overlapped. During the Revolutionary War, to settle disputes among themselves over the land claims west of the Appalachians, the states north of the Ohio River gave up their claims. The Confederation as a whole now owned what was called the *Northwest Territory*. It eventually became five states: Ohio, Indiana, Illinois, Wisconsin, and Michigan. The southern states held onto their land because their claims to land all the way to the Mississippi River were clearer. Georgia's western claims included land that is today Alabama and Mississippi. Everything west of the Ogeechee River, however, was still claimed by the Creek; the Cherokee claimed the northern area of the state.

Settlers began to fill up the fertile land the Indians had given up in the 1763 and 1773 treaties. If the Revolutionary War had not disrupted settlement, these areas would probably have been settled even earlier. Georgia came under increased pressure to get more land from the Indians. The land between the Ogeechee and Oconee rivers was particularly attractive. Many hoped that land north of the 1773 agreement would be opened as well.

Although Georgia hoped to gain new land, it wanted to do it without causing major conflict with the Native Americans. Establishing good relationships with the Indians was very important, since many of them had not supported the American cause for independence. The fur trade had also been damaged by the war. Most of the traders had been Loyalists, who were now gone or who had died. In some areas, the deer population had also declined from so much hunting.

The first meeting after the fighting ended was with the Cherokee. At a meeting at Long Swamp in October 1782, the Cherokee agreed to give up land west of the Savannah River and south and west of the Tugalo River. This land was directly above the 1773 treaty land. In 1783, at a meeting in Augusta, the Cherokee reconfirmed their agreement, and the Lower Creek agreed to



Something Extra!

A society in which status and power are inherited through the mother is called a "matrilineal" society.



give up their claim to that same area. Some, but not all, of the Creek agreed to give up Creek land east of the Oconee River.

The Upper Creek were totally opposed to ceding more land and would not sign the 1783 Treaty of Augusta. Their leader was Alexander McGillivray. For years, he resisted all attempts by whites to acquire more Creek land. He said that since he and his followers had not agreed to the 1783 treaty, Georgia's claims to the land were illegal. He even looked for help to the Spanish officials who came to Florida in 1783.

Georgia leaders called more meetings with the Creek in the 1780s. The Lower Creek agreed to two more treaties at Galphinton (1785) and Shouderbone (1786). McGillivray never supported those treaties. He continued to demand that all settlers get out of the territory beyond the Ogeechee River. At times, war seemed possible.

Unable to solve these difficulties in its relationship with the Creek, Georgia often asked for help from the Confederation government. But the

Above: This 1795 map, titled "Georgia, from the latest authorities," shows Georgia when its western boundary was the Mississippi River. Between the Georgia counties and the Mississippi, almost all of the land is identified according to the Indian tribes that lived there. In less than forty years, the Indians would be almost completely gone. **Opposite page:** A reenactor at Stone Mountain Frontier Days demonstrates the lifestyle of an Indian of early Georgia.



Above: By the late 1700s, the Creek had adopted many European ways of living, as demonstrated by this Creek log cabin, modeled after the cabins built by white settlers.

Confederation government was weak and not much help. By the late 1780s, the issue of Creek lands had not been solved, and Georgians were eager to finalize a treaty.

Finances

Another major problem for the young state government was money. During the war, the government had many expenses but not much income. While the British were in control of Savannah, the Patriot government had not been able to tax and so had no money. Although the Patriots had printed money during the war, the money had little value, and people could not buy goods with it.

By the end of the war, Georgia was in debt. Some of the debts were to its own citizens, who had given supplies to the troops. They expected the government to pay them back after the war. Georgia's government also needed money for such expenses as having meetings to make treaties with the Indians. The Confederation as a whole also had debts from the war. Although the Confederation government could not tax, it did ask each state for money to help pay the national debt.

The state of Georgia hoped to get money through the sale of property confiscated from Loyalists, especially rice planters. Money, however, was

scarce. Even when those lands were sold, payment was slow. At this time, there was no income or sales tax; a tax on land was the main source of income for the government. The state's finances gradually improved as the economy improved and more taxes and land payments were collected. However, it took many years before all Georgia's financial problems were solved.

Reviewing the Section

1. Define: unicameral.
2. What document established the first government of the United States?
3. Which tribe resisted ceding land to the state of Georgia?
4. How did Georgia get money for its government?

Georgia Portraits

Alexander McGillivray

Alexander McGillivray is a good example of how the British and the Native Americans became united not only by trade, but sometimes by blood. On his father's side, Alexander belonged to the Clan Chattan of Scotland; on his mother's, to the powerful Wind Clan of the Creek. His father Lachlan McGillivray migrated to Georgia as one of the Highland Scots Oglethorpe recruited in 1735. By 1741, Lachlan could speak the Creek language, and in 1744 he received a license as a trader to several Creek towns.

Lachlan took Sehoy Marchand, daughter of a Creek mother and French trader, as his wife. On December 15, 1750, their son Alexander was born. (He was named in honor of the head of Clan Chattan, who had died bravely in battle.) The young boy lived in several family homes during his childhood: in Creek country; in Augusta, where his father had a store; in Charleston, where he received an education; and in Savannah, where he was an apprentice for merchants. People noticed his education and his talents.

At age twenty-five, Alexander decided to return to his mother's people. Since power among

the Creek descended through the mother's line, Alexander had a place of leadership. During the American Revolution, both Lachlan and Alexander were loyal to the British cause. Beginning in 1778, Alexander served as deputy to the Upper Creek towns. In 1783, his people appointed him "Head Warrior of all the Nation." After the war, Alexander tried to bring all the Creek together in a stronger nation with more central power. He was firmly against ceding additional lands to the state of Georgia.

When George Washington became president, he invited Alexander to come to the capital, which was then New York. Washington graciously welcomed McGillivray and his chiefs to his home. Abigail Adams, wife of Vice President John Adams, observed that McGillivray was "much of a gentleman." On that trip, Alexander and his chiefs agreed to the Treaty of New York, which moved the boundary



Alexander McGillivray attempted to centralize the power of the Creeks, and to avoid giving more of their land to Georgia.

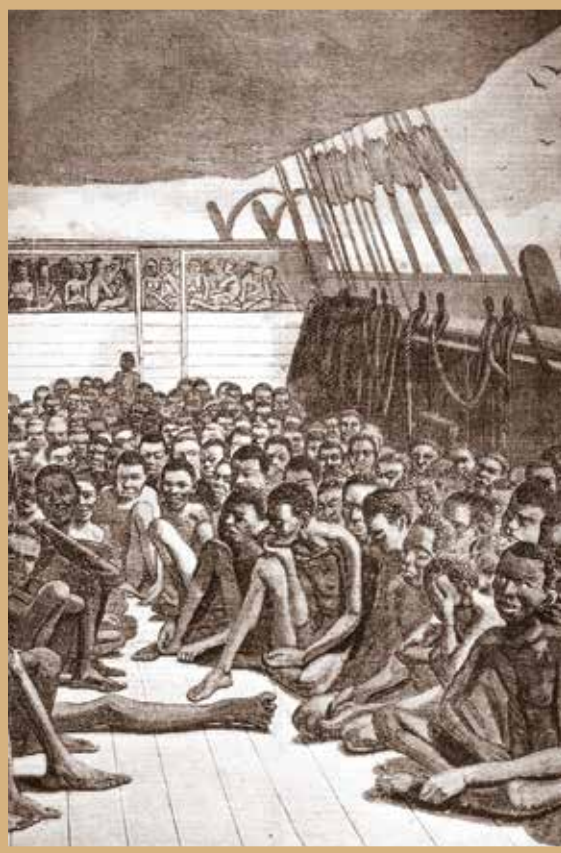
of Creek lands to the Oconee River. On the occasion, President Washington gave McGillivray a set of books, which the chief prized. In 1793, at the age of forty-three, Alexander McGillivray died on a trip to Pensacola.

Section 2

Georgia's Economic, Educational, and Religious Development

As you read, look for

- the rebirth of Georgia's economy after the war,
- education and religion in Georgia after the war,
- terms: **credit**, **tuition**.



Above: The relative scarcity of slaves in the wake of the Revolutionary War led to the importation of several hundred a year in the 1780s.

The rebuilding of Georgia's economy happened as small farmers and large planters grew their crops, craftsmen made their goods, and merchants established trade relations with other states and other countries.

A new emphasis on education emerged in the states, including Georgia, as citizens faced the prospect of governing themselves. Founding educational institutions was more difficult in Georgia and other southern states because the population was generally spread out on farms. Georgia did, however, make the effort to have schools in towns. It led the nation in chartering a college.

The rural nature of Georgia was also a challenge for religious institutions, but one that churches worked hard to overcome. Prewar religious groups reorganized, and new religious movements came to the state. While much of this economic, educational, and religious building and rebuilding was still in early stages by the end of the Confederation period, the foundation was laid for more growth in the 1790s and early 1800s.

The Economy in Georgia

As in the colonial period, what people did with their land depended on which part of the state they settled. In the coastal area, rice cultivation slowly returned. Because rice took so much labor and many slaves had left, there was a shortage of labor in the early years after the war. The slave trade increased in spite of high prices for slaves and the shortage of money. Many planters bought slaves on **credit** from Savannah merchants. That is, they bought slaves and paid for them over time. Several hundred slaves a year were brought to Georgia for sale in



the 1780s. Rice planters also had to rebuild the irrigation (watering) systems that allowed them to flood their rice fields at the proper time.

The cultivation of indigo came back, but it was not as important as it had been before the war. In the coastal area, planters from Barbados introduced “sea island” cotton, a variety of cotton with long fibers. It became a cash crop on some island plantations, but the amount grown was small.

The main cash crop was tobacco, which had been grown in Virginia and North Carolina since early in the colonial period. As farmers from those states moved to Georgia, they brought their knowledge of tobacco cultivation with them. A farmer and his family could grow a few acres of tobacco. Those who owned slaves could grow a much larger quantity. Tobacco brought the gradual development of more plantations and slavery to the areas beyond the rice lands of the coast. Augusta became an important center for the tobacco trade as farmers rolled their tobacco in barrels along winding tobacco roads or floated their crop down the river in shallow boats.

Most of the farmers moving into the interior of Georgia raised cattle, hogs, and chickens, and grew food crops like wheat, corn, and vegetables. What they did not eat themselves or feed to their animals, they sold in local markets. In Georgia’s towns, trade and craftsmanship reemerged after the war. In the city of Savannah and the larger towns such as Augusta, settlers could find more than just the basics. In Savannah, the only area large enough to be called a city, merchants began to reestablish trade routes beyond the state, including trade ties with British merchants and with other countries.

Education in Georgia

After the war, Georgians, like citizens of other states, became concerned about education, especially for white men. If ordinary citizens would be voting, they needed to be able to read and make informed decisions. Some men

Above: Tobacco became the most profitable crop in the late 1700s. Some farmers transported it to market in large barrels, called hogsheads, rolled along behind mules or donkeys.

Something Extra!

Sea island cotton would not grow in other parts of the state because the growing season was not as long.



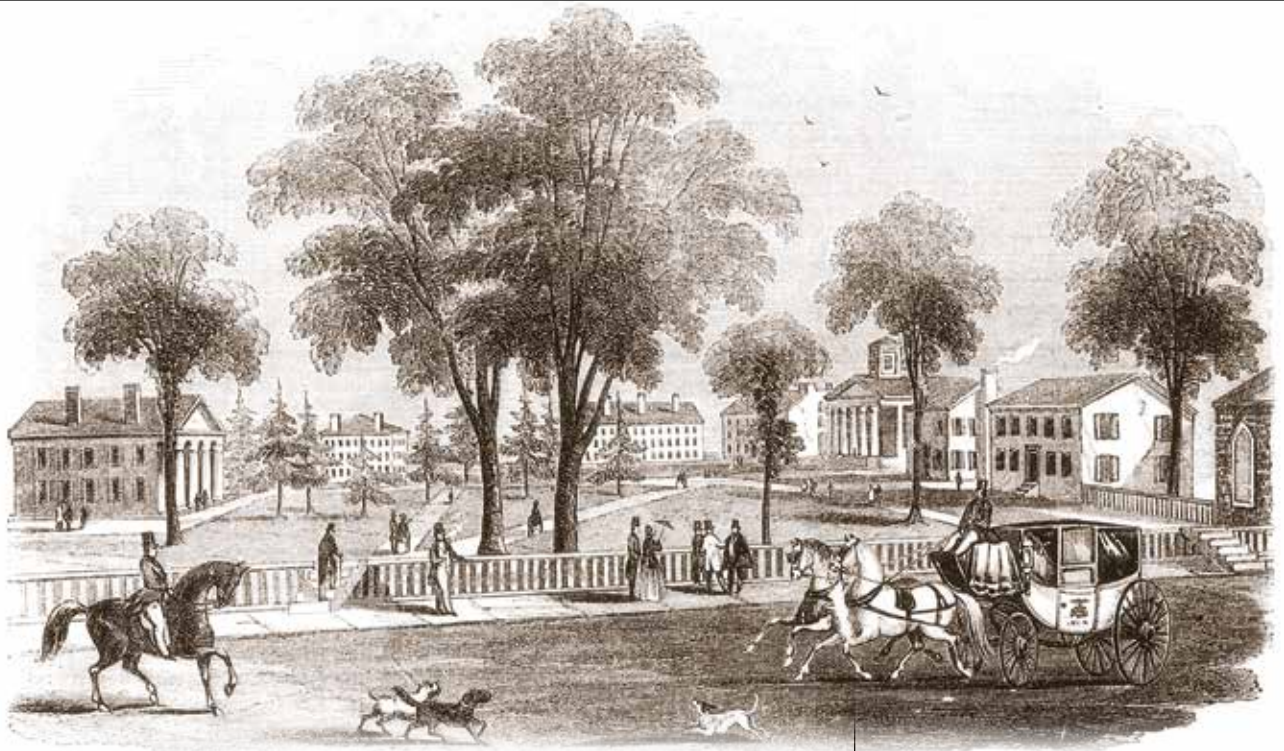
Above: This building, constructed in 1802, operated as the Academy of Richmond County until it moved to a new location in 1926. The Academy is Georgia's oldest school, the oldest high school in the South, and one of the oldest in the country still in operation.

had to be educated for public service in government positions including the executive, legislative, and judicial branches of the state's government. This concern for education was evident as early as the Constitution of 1777, which said that each county should have a school paid for from state funds. The war had prevented that from happening. Even after the war, county schools remained more of a goal than an accomplished fact.

In 1783, however, the assembly established special commissions in Burke, Richmond, and Wilkes counties to, among other things, set up and oversee schools. The Academy of Richmond County, the first in the state, was chartered in 1783 and held its first classes in Augusta in 1785. Wilkes County followed in 1786 with Wilkes Academy in the new town of Washington, one of many towns named for George Washington in the young country. Chatham Academy in Savannah was established in 1788. Liberty and Glynn Academies were planned at this time, but did not open until 1789.

The dream of free public education for the state's children was still that—a dream—at this time. Farm children lived in the country far from schools. They were needed as workers for their families' survival. Parents taught their children what parents thought they needed to know in life. Boys learned farming; girls learned cooking, sewing, and other skills needed to maintain a home.

Even in towns, public schools were not free. The counties provided the land for the schools, but parents had to pay to send their children there. For example, the Academy of Richmond County charged **tuition** (a fee for instruction) based on which "stage of education" a student was studying. First stage included letters, spelling, and reading and cost \$4 a quarter. It was decades before the state of Georgia set aside money for a "free school fund." Most of Georgia's education remained private. Teachers advertised in



towns, and wealthy planters continued to hire tutors to live on their plantations and teach their children.

Before the Revolution, colleges had been private. With the exception of the College of Philadelphia (now the University of Pennsylvania), colleges had been founded by religious denominations. The only college in the South before the Revolution was William and Mary College in Virginia, which had been established by the Anglican Church. In 1785, the state of Georgia chartered what became the University of Georgia, the nation's first state-supported university. The university had no religious affiliation; its purpose was to educate leaders for the state whatever their religious affiliation. For the rest of the Confederation period, the university remained an idea and plan, not yet a reality. It took sixteen years before the university held its first classes.

Georgians who were educated did have access to books and newspapers. After the war, Loyalist newspaperman James Johnston was allowed to return to Georgia; the state needed a printer and a newspaper. By 1783, he was publishing what was now called the *Gazette of the State of Georgia*. The paper brought news of Georgia and the world to the state's citizens, as well as advertising the goods and services available. In 1786, Augusta, the capital of the state, also had a newspaper, the *Augusta Chronicle*. Still published, it is the oldest continuous newspaper in the South.

Religion in Georgia

The Revolution had been hard on Georgia's religious denominations. The Anglican clergy in Georgia, along with the Lutheran minister at Ebenezer, were all Loyalists and eventually left the state. The British captured the young Patriot Congregationalist minister at Midway, and he died as a prisoner of war. The meetinghouse-style church building of the Midway Congregationalists was

Above: The University of Georgia was chartered in 1785, the first university founded by a state government. The charter was written by Abraham Baldwin, one of two Georgians to sign the U.S. Constitution.

Something Extra!

The first building at the all-male, all-white University of Georgia was called Franklin College, in honor of Benjamin Franklin. Today, it is known as Old College.



Above: Methodist circuit riders endured many hardships bringing religious services to the backcountry. **Below:** This building, constructed in 1801, is the oldest existing church building in Augusta. It was moved in 1844 to become the home of the Springfield Baptist Church.



burned before the invasion of Savannah in 1779. St. Paul's Anglican Church in Augusta was also destroyed by the war, as were other churches.

Over the next few years, old churches were rebuilt and new churches built. The Constitution of 1777 stated that the Anglican Church was no longer the government-sponsored religion. After the war, the former Anglicans separated from the Church of England and founded the Episcopal Church. The new denomination kept most of the rituals and religious beliefs of the Anglican Church. Other prewar religions remained. Jews in Savannah continued to meet in each other's homes, while the Congregationalists rebuilt in Midway. Lutherans met in the Jerusalem Church in Ebenezer, which had survived the war in spite of being used by British soldiers. The Baptists founded several churches throughout the backcountry in the 1770s and 1780s.

The Methodists had begun in England as a group within the Anglican Church. After the Revolutionary War, the American Methodists

wanted to become a separate denomination. Thus, they became the Methodist Episcopal Church. By 1785, the Methodists sent Beverly Allen to the state as a missionary. The Methodists held their first conference in Georgia in 1788, which established a firm foundation for the church's later growth in the state.

Both Baptist and Methodist churches grew quickly in the rural, frontier areas of the state. The Baptist belief that each congregation should operate separately and that lay people had great authority in the church made it possible

for backcountry settlers to form their own churches. The Methodists did not believe in totally independent congregations. Instead, they thought that the congregations had connections to each other through districts and conferences. They served rural areas by having ministers who rode *circuits*, going from church to church on one trip. Georgia's other main religion was Presbyterian. The number of Presbyterian churches also increased in postwar Georgia, especially as Scots-Irish Presbyterians moved into the new lands.

Slaves in towns sometimes worshiped in the same churches as their owners. In 1782, Andrew Bryan, a slave of wealthy planter Jonathan Bryan, was baptized and began preaching to the African American community of Savannah. In 1788, the Reverend Abraham Marshall, son of Baptist minister Daniel Marshall officially ordained



Andrew Bryan as a Baptist minister and the First Bryan Baptist Church was organized. In 1793 Andrew Bryan purchased his freedom. With the help of prominent whites, including his former owner, Bryan and his congregation built the first church building, which was completed in 1795 in Savannah.

Before the Revolution, the Baptists had established a church on the plantation of Indian trader George Galphin at Silver Bluff in South Carolina. In the 1780s, some black members of that church moved to an area on the western edge of Augusta called Springfield. They renamed their congregation Springfield Baptist Church in 1793. The First Bryan Baptist and Springfield Baptist Churches are Georgia's oldest independent black churches.

Many Georgians were not affiliated with an organized religion. Living far away from the nearest church, what faith they had was practiced privately. Later, in the 1790s, a religious revival increased the number of churches, and methods such as camp meetings made religious participation possible for more people.

Above: Camp meetings became a popular way to bring religion to the frontier, gathering scattered settlers together for several days of worship and socializing.

Something Extra!

The African American minister of the Silver Bluff congregation had baptized Andrew Bryan in Savannah.

Reviewing the Section

1. Define: credit, tuition.
2. What was the first state-supported university chartered in the United States?
3. What new religious denomination came to Georgia after the war?

Section 3

Creating a New Constitution

As you read, look for

- the weaknesses of the Articles of Confederation,
- reasons for calling a constitutional convention,
- important issues at the Constitutional Convention,
- reasons for Georgia to ratify the U.S. Constitution,
- terms: **Great Compromise, United States Constitution, Electoral College, Federalists, Antifederalists, Bill of Rights, secede.**

The Articles of Confederation was the first experiment by the states at forming a central government. The Confederation government had some successes, especially in passing measures to deal with the Northwest Territory. But the new country also experienced problems, especially in economic and diplomatic matters.

Problems under the Articles of Confederation

The problems that developed in the 1780s under the Articles all related to the weakness of its central government. You learned about them in Section 1. The government needed increased powers to tax, so it could pay its debts and keep the respect of other countries and of its own citizens. U.S. relationships with other countries were also a challenge. The young and weak United States needed the power of a stronger central government to be able to negotiate effectively with Great Britain, France, and Spain. Spain, for example, would not allow the United States to use the lower Mississippi River, an important transportation route for those sending their goods to market from the western side of the Appalachian Mountains. The young country also had problems in its relationships with the Indians, who were determined to hold onto their homelands. Some of the structure of the Confederation government was just not effective. Having no executive to carry out the functions of the government was a problem. The two-thirds majority required to pass all measures made it difficult to get anything done.

Some of the country's leaders believed that the government under the Articles was too weak, that changes had to be made. In September 1786, a group met at Annapolis, Maryland, to discuss trade problems between the states. Only five states sent representatives to this meeting. The group



Above: In 1787, the Constitutional Convention that created the U.S. Constitution met at Independence Hall in Philadelphia. Georgia sent four delegates to the convention, two of whom—Abraham Baldwin and William Few—signed the final document. The signing is depicted in this painting by Howard Chandler Christy, which hangs in the U.S. Capitol in Washington, D.C.



decided to call for a meeting in May in Philadelphia, inviting all the states to send delegates. In February, the Confederation Congress approved the idea of this convention to revise the Articles of Confederation.

Georgia was interested in the Philadelphia Convention because the state hoped changes in the central government might help Georgia in its negotiations with the Creek. The assembly chose several delegates to make the trip to Philadelphia. Four attended: William Few, Abraham Baldwin, William Pierce, and William Houstoun. They were not all there all of the time, but Georgia was always represented by at least one of them. William Pierce wrote notes on many of the other delegates, which became interesting historical documents.

Something Extra!

Benjamin Franklin was the oldest delegate at the convention (81). George Washington was chosen to preside over the meetings.



Above: James Madison was the author of the Virginia Plan, which formed the basis of the new constitution. Often called the “Father of the Constitution,” Madison was also one of the primary authors of *The Federalist Papers*, which were important in the ratification process. In 1809, he became the fourth president of the United States.

Something Extra!

The Great Compromise is also known as the Connecticut Compromise because it was proposed by Roger Sherman and Oliver Ellsworth, both Connecticut delegates.

The Constitutional Convention

In May 1787, delegates from twelve states—all but Rhode Island—attended the convention to discuss changes or amendments to the Articles of Confederation. The states had chosen some of their leading citizens—Benjamin Franklin of Pennsylvania, George Washington and the young James Madison from Virginia. Meeting in Independence Hall, the delegates agreed to complete all their work before they reported what changes they made. They then proceeded to create a new government.

In the months between the Annapolis and the Philadelphia conventions, James Madison had designed a framework for government that was introduced to the convention as the *Virginia Plan*. His plan did away with the Articles of Confederation completely, replacing that government with a stronger national government that could collect taxes, make laws, and enforce laws in its own courts. The new government would have three branches—executive, legislative, and judicial. Instead of one house, the legislature would have two houses—a Senate and a House of Repre-

sentatives. Rather than each state having one vote, each state would have a number of representatives in each house based on population. Wanting a stronger national government, Georgia supported the Virginia Plan.

The small states immediately objected. They feared that, if the larger states had more votes, they would control the national legislature and thus be able to pass laws favoring their own special interests. They proposed the *New Jersey Plan*, which centered on keeping the Articles of Confederation with the one-house Congress in which each state had one vote. They proposed giving the Confederation Congress more powers, including the powers to tax and to regulate trade with other countries and trade among the states.

The debate over these competing plans was at times tense. Some delegates feared the convention might break up, but they finally arrived at an agreement based on each side giving up some of what it wanted. Introduced in early July, this **Great Compromise** established the lower house of Congress—the House of Representatives—with the number of representatives from each state based on its population. The upper house of Congress—the Senate—would have two senators from each state. Thus, in the Senate, the states, regardless of their size, would be equal. This compromise probably saved the convention.

The delegates disagreed over how to count the population of a state. Slaves were a large part of the population of the southern states. The northern states did not want to count the slaves at all, arguing that this would give the southern states control of the House of Representatives. In another compromise, all free persons and three-fifths of “others” would be counted to determine a state’s population. That phrase referred to slaves, although the word was never used.

Figure 24 Articles of Confederation and the U.S. Constitution

	Articles of Confederation	U.S. Constitution
Taxes	Congress could ask states to pay	Congress has right to levy taxes
Trade	No power to regulate interstate trade	Congress has right to regulate trade between states
Coining Money	States and federal government	Federal government
Raising an Army	Congress could ask states to supply forces	Federal government can raise army
Legislature	Unicameral legislature; each state has one vote	Bicameral legislature (Senate, House of Representatives); one vote per senator or representative
Representation of States	Between 2-7 representatives per state	Two senators per state; representatives determined by population, but at least one per state
Passing Laws	Approval of 9 states	Majority of both houses plus president's signature
Executive	None	Executive branch headed by president
Courts	No system of federal courts	Federal judiciary headed by supreme court
Amending Document	Unanimous consent of 13 states	2/3 of both houses of Congress plus 3/4 of state legislatures

The new bicameral Congress had more specific powers, including the ability to tax and to regulate trade. It also had powers that were more open to different interpretations. These included the power to provide for the “general welfare” and to make all “necessary and proper” laws. Other rules established the qualifications for serving in these houses. The establishment of Congress and guidelines for its powers became Article I of the document that became the **United States Constitution**.

Article II established a new executive branch, which was to be headed by a president and a vice president. The delegates wanted an executive who had enough power to be effective in carrying out and enforcing the laws, but not enough power to become like a king. The delegates could not decide who would elect the president and vice president—the citizens or Congress. Because they wanted to make sure the person would be of the highest reputation, they put the choice in the hands of a body called the **Electoral College**. Eligible voters would vote for electors in their states; those electors would then vote for the president and the vice president. (The delegates assumed

Figure 25 Ratification of the U.S. Constitution

	Date	State	Votes	
			Yes	No
1.	December 7, 1787	Delaware	30	0
2.	December 12, 1787	Pennsylvania	46	23
3.	December 18, 1787	New Jersey	38	0
4.	January 2, 1788	Georgia	26	0
5.	January 9, 1788	Connecticut	128	40
6.	February 6, 1788	Massachusetts	187	168
7.	April 28, 1788	Maryland	63	11
8.	May 23, 1788	South Carolina	149	73
9.	June 21, 1788	New Hampshire	57	47
10.	June 25, 1788	Virginia	89	79
11.	July 26, 1788	New York	30	27
12.	November 21, 1789	North Carolina	194	77
13.	May 29, 1790	Rhode Island	34	32

that the states' electors would be men held in high esteem by the citizens.) The number of electors for each state would be the same number as its members had in Congress. The executive powers of the president included the important one of serving as commander-in-chief of any military forces the country might establish or call up in time of war.

Article III established a separate judicial branch and called for a supreme court and for lower courts as needed. It was left to Congress to determine the number of justices and the number of lower courts. The courts would interpret the laws as they applied in particular cases. Some cases from the state courts could be appealed to the national courts.

The Constitution set up a federal system, in which power was divided between different levels of government. The laws of the national government would be supreme. The states could no longer pass laws that opposed those of the central government. Above all, the Constitution itself became the supreme law of the land; neither the state governments, nor the central government, could make laws that did not follow it. In the end, it began with "We the people" not "We the states," which truly made it a national government.

When the Constitution was completed, thirty-nine of the original delegates signed it on September 17, 1787. Abraham Baldwin and William Few signed for Georgia. What had started as the Philadelphia Convention to amend the

Articles of Confederation had ended as the Constitutional Convention. The delegates had an entirely new document to present for the public's ratification (approval). That would come in special conventions in each state, called especially for the purpose of considering the Constitution.

Ratification of the Constitution

William Pierce was the first to arrive in Georgia with a copy of the Constitution. The *Gazette of the State of Georgia* published it on October 13, and the state assembly called for a ratifying convention to be held in the winter. Delegates met in the capital, Augusta, on December 28 and discussed it over the next two days. On December 31, 1787, all voted to approve it. The signing took place on January 2. On January 5, the delegates met for the last time to approve the letter sent to the Confederation Congress announcing the ratification. Georgia was the fourth state to ratify the Constitution and join the new United States.

This quick and easy approval happened because, by 1787, Georgians feared that a war with the Creek was coming. They had not been able to get Alexander McGillivray to agree with any of the treaties they had proposed. Settlers were moving onto Indian lands anyway, and relations with the Creek were becoming more and more strained. The central government under the Articles of Confederation had done little to help. Georgians, especially small farmers on the frontier, hoped that the stronger national government created by the Constitution would offer more protection and would negotiate with the Creek from a position of more power. In the coastal area, planters and merchants supported the new government because it would have the power to negotiate trade treaties and regulate trade, which they believed would promote business. At the Constitutional Convention, Abraham Baldwin had worked with South Carolina delegates to include the clause that allowed the slave trade to continue for another twenty years. As a result, planters had no objection to the Constitution on that basis.

Ratification was not so easy in many states, where the Constitution was a very divisive document. Those who supported the Constitution were known as **Federalists**; those against it were called **Antifederalists**. In many states, the Antifederalists were small farmers who feared a strong national government far away from them; they preferred for the power to remain with their much-closer state governments. They believed they would be able to exert more control over their state governments. Some Antifederalists were also unhappy that there was no written guarantee of citizens' rights. After the years of conflict with the British over their right as citizens, they wanted to make sure that they did not set up a government that could abuse those rights. Some people feared that a republican, or representative, form of government could not work in a country the size of the United States.



Above: Alexander Hamilton of New York was a leader of the Federalists and the author of 51 of the 85 essays that comprise *The Federalist Papers*, which were intended to explain the new constitution to those who would be voting on its ratification. He went on to become the first secretary of the treasury and is one of the few non-presidents to be pictured on United States currency, on the \$10 bill.



Above: John Jay of New York was the third author of *The Federalist Papers*. He had served as secretary of foreign affairs under the Articles of Confederation, and in 1789 he became the first chief justice of the United States Supreme Court. He later served two terms as governor of New York.

Getting the large states to ratify and keeping the United States as a geographically connected whole were very important. To try to accomplish that, three Federalist supporters who had been at the Convention—John Jay and Alexander Hamilton of New York and James Madison of Virginia—wrote a series of essays explaining the Constitution and how it would work. They hoped to convince New York voters of the benefits of the new government. The arguments were used in other states as well. The essays appeared first as newspaper articles; later, they were published in a book called *The Federalist Papers*.

The Constitution said that when nine states had ratified the document, those nine would join together as the United States of America; the remaining states could then join if they chose. In June 1788, New Hampshire became the ninth state to ratify it. Preparations began for elections in the fall, with the new government to begin in the spring of 1789.

The Virginia convention was almost evenly divided, but it did ratify after promises were made to add amendments protecting citizens' rights. These amendments came to be known as the **Bill of Rights** (the first ten amendments to the U.S. Constitution). The New York ratifying convention approved the Constitution by only three votes, mainly because New York City was strongly Federalist and threatened to **secede** (withdraw) from the state if it did not join the United States. North Carolina did not join the United States until 1789, and Rhode Island held out until 1790.

Georgians were happy to be part of the new government. The capital of Augusta had a large celebration, firing cannons and holding a large public dinner. Georgians had high hopes that the new government would help them solve the problems they had had under the Confederation. They were so impressed by the new U.S. Constitution that they wrote a new state constitution in 1789.

Like the U.S. Constitution, Georgia's constitution divided the powers among the three branches of government. The governor became the head of the executive branch and was given increased power. The legislature became the Senate and House of Representatives.

With new governments at the state and national level, Georgians looked forward to a time of growth and prosperity. For the Native Americans, however, the creation of the stronger national government proved to be the beginning of the end of their ability to keep their homelands.

Reviewing the Section

1. Define: Great Compromise, Electoral College, secede.
2. Who were the Federalists and the Antifederalists?
3. How many states had to ratify the U.S. Constitution before it went into effect?
4. Why do you think the delegates at the Constitutional Convention chose to write an entirely new constitution rather than fix the Articles?

Georgia Portraits

Georgia Signers of the U.S. Constitution

Four men represented Georgia at the 1787 Philadelphia Convention, which wrote the U.S. Constitution. Two were still there to sign the completed document in September: Abraham Baldwin and William Few.

Abraham Baldwin had only been in Georgia three years before the assembly chose him to represent the state in Philadelphia. Born in Connecticut, Baldwin had a degree in theology from Yale and taught there before becoming a chaplain in the Continental Army in 1779. After the war, he studied law and settled in Augusta to practice. He led the movement for a state college, convincing the assembly to approve the charter for the University of Georgia. He then served as its president during its planning and building phase from 1786 to 1801.

During these years, Baldwin was also busy in public service. He served in the Georgia legislature, in the Confederation Congress, and in the U.S. Congress for ten years. He died in Washington, D.C., during his eighth year as a U.S. senator. He considered his role in the compromise that created equal representation in the Senate as one of his important contributions.



William Few was a self-taught lawyer who moved from North Carolina to Augusta in the mid-1770s. He immediately became active in the Patriot movement against the British government. During the Revolution, he was a member of the committee that wrote the 1777 state constitution. He was also the state surveyor and Indian commissioner, a member of the Executive Council, a member of the Georgia assembly, and a delegate to the Continental Congress. After the war, he served in the Confederation Congress before attending the Constitutional Convention. Like his fellow delegate Abraham Baldwin, William Few tended to support the large-state position.

He was also a strong advocate for the residents of upper Richmond County having their own county. That led to the formation of Columbia County in 1790. He served as a U.S. senator from 1789 to 1793 and as a federal district judge from 1796 to 1799. A devout Methodist, Few became an opponent of slavery and moved with his family to New York in 1799. There, he also held many prominent positions, including the president of City Bank.



Georgia's signers: Abraham Baldwin (top) and William Few (above).

Chapter Review

Chapter Summary

Section 1 Georgia under the Confederation Government

- In 1781, the newly independent country set up a central government as outlined in the country's first constitution, the Articles of Confederation. The main functions of the Confederation government were to defend the country, pay its debts, settle arguments between the states, maintain relationships with other countries, and set up a postal service for mail going between the states.
- The Articles of Confederation established a rather weak national government, with no executive or judicial branches. Other weaknesses of the new government included no power to tax or regulate trade among the states.
- After the war, Georgia seized the land of Loyalists, hoping to make money by selling it.
- Settlers could get land by the headright system, in which the "head" of a family had the "right" to receive a certain amount of land for each household member.
- In 1786, the assembly voted to establish a new capital closer to the interior of the state.
- Georgia signed a series of treaties with the Cherokee and the Lower Creek by which they acquired Indian land west of the Savannah River and south and west of the Tugaloo River. Alexander McGillivray, chief of the Lower Creek, opposed these treaties.
- Georgia was in debt after the war. It took years for the state's financial problems to be solved.

Section 2 Georgia's Economic, Educational, and Religious Development

- Georgia's economy slowly recovered from the ravages of the war. The growing of rice along the coast increased the number of slaves in the state. Indigo and sea island cotton were also grown. Tobacco was the main cash crop in the interior.
- Savannah was the only area in the state large enough to be called a city.
- Academies were established in some counties to educate the state's children, although most farm children were taught by their parents.
- In 1785, Georgia chartered what became the University of Georgia, the nation's first state-supported university.
- Religious denominations also recovered after the war, and the Baptist and Methodist churches grew quickly in the frontier areas of the state.

Section 3 Creating a New Constitution

- Because of the problems with the Confederation government, delegates from twelve of the states met in Philadelphia in 1787 to revise the Articles of Confederation. Instead, the delegates wrote a new document, the United States Constitution.
- Georgia's delegates to the Constitutional Convention were William Few, Abraham Baldwin, William Pierce, and William Houstoun.
- The final document established a government of three branches—legislative, executive, and judicial.

- The legislative branch established a bicameral Congress composed of a Senate and a House of Representatives. The executive branch was headed by a president and a vice president. The judicial branch consisted of a supreme court and lower courts.
- When the Constitution was completed, Abraham Baldwin and William Few signed it for Georgia.
- Georgia was the fourth state to ratify the U.S. Constitution. It supported the document because (1) it hoped that the stronger national government would offer more protection and would negotiate with the Creek from a position of more power; (2) it would have the power to negotiate trade treaties and regulate trade, which would promote business; and (3) it allowed the slave trade to continue until 1808.
- Georgia wrote a new state constitution in 1789 that was similar to the U.S. Constitution.



Understanding the Facts

1. Define *confederation*, and explain the purpose of the Articles of Confederation.
2. Describe what the U.S. Constitution is and what purpose it serves.
3. When did Georgia ratify the U.S. Constitution?
4. Who was Alexander McGillivray and what role did he play in the post-Revolution era?



Developing Critical Thinking

1. Federalists favored a stronger central government, while Antifederalists did not. Consider the advantages and disadvantages of a strong central government and develop a chart to show the pros and cons of each.

2. Review the positions of the Federalists and Antifederalists. Based on your understanding of the ideas behind these titles, determine which philosophy each of our major political parties today generally follows.



Writing Across the Curriculum

Determine your position on supporting a strong or weak central government. Write a persuasive essay that describes your position and would convince your reader to adopt your ideas.



Extending Reading Skills

Read the first paragraph under “Problems under the Articles of Confederation” on page 310. Identify the main idea and three supporting facts.



Exploring Technology

Use your favorite search engine to look up the amendments to the U.S. Constitution. Does the number of amendments surprise you? Look at the purpose of the amendments and identify the one that you think is most interesting or most important.



Practicing Your Skills

One facet of our presidential election system that is unique is the Electoral College. Use a search engine to find more information about the Electoral College. For example, what does the number of state legislators in the U.S. House of Representatives have to do with the Electoral College?