

concerning the said river as may be mutually advantageous to the two States.” Maryland in January 1785 responded to the Virginia resolution by appointing a like number of commissioners<sup>5</sup> “for the purpose of settling the navigation and jurisdiction over that part of the bay of Chesapeake which lies within the limits of Virginia, and over the rivers Potomac and Pocomoke” with full power on behalf of Maryland “to adjudge and settle the jurisdiction to be exercised by the said State, respectively, over the waters and navigations of the same.”

At the invitation of Washington the commissioners met at Mount Vernon, in March 1785, and drafted a compact which, in many of its details relative to the navigation and jurisdiction of the Potomac, is still in force.<sup>6</sup> What is more important, the commissioners submitted to their respective States a report in favor of a convention of all the States “to take into consideration the trade and commerce” of the Confederation. Virginia, in January 1786, advocated such a convention, authorizing its commissioners to meet with those of other States, at a time and place to be agreed on, “to take into consideration the trade of the United States; to examine the relative situations and trade of the said State; to consider how far a uniform system in their commercial regulations may be necessary to their common interest and their permanent harmony; and to report to the several State, such an act relative to this great object, as when unanimously ratified by them, will enable the United States in Congress, effectually to provide for the same.”<sup>7</sup>

This proposal for a general trade convention seemingly met with general approval; nine States appointed commissioners. Under the leadership of the Virginia delegation, which included Randolph and Madison, Annapolis was accepted as the place and the first Monday in September 1786 as the time for the convention. The attendance at Annapolis proved disappointing. Only five States—Virginia, Pennsylvania, Delaware, New Jersey, and New York—were represented; delegates from Massachusetts, New Hampshire, North Carolina, and Rhode Island failed to attend. Because of the small representation, the Annapolis convention did not deem “it advisable to proceed on the business of their mission.” After an exchange of views, the Annapolis delegates unanimously submitted to their respective States a report in which they suggested that a convention of representatives from all the States meet at Philadelphia on the second Monday in May 1787 to examine the defects in the existing system of government and formulate “a plan for supplying such defects as may be discovered.”<sup>8</sup>

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<sup>5</sup> George Mason, Edmund Randolph, James Madison, and Alexander Henderson were appointed commissioners for Virginia; Thomas Johnson, Thomas Stone, Samuel Chase, and Daniel of St. Thomas Jenifer for Maryland.

<sup>6</sup> Text of the resolution and details of the compact may be found in *Wheaton v. Wise*, 153 U.S. 155 (1894).

<sup>7</sup> Transill, *op. cit.*, 38.

<sup>8</sup> *Id.* at 39.