

Connecticut Article the First Ratification Trail

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Research Archive*
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Here is what the surviving trail presently supports.

The Connecticut sequence

1. Congress transmitted the twelve articles

On September 25, 1789, Congress agreed to twelve proposed articles. President Washington transmitted authenticated copies to the state executives on October 2.

Connecticut's original engrossed copy survives. It is reportedly one of only eight state copies still known to exist. The text Connecticut received included the final enrolled wording of

Article the First:

After the first enumeration required by the first article of the Constitution, there shall be one Representative for every thirty thousand, until the number shall amount to one hundred, after which, the proportion shall be so regulated by Congress, that there shall be not less than one hundred Representatives, nor less than one

Representative for every forty thousand persons, until the number of Representatives shall amount to two hundred; after which the proportion shall be so regulated by Congress, that there shall not be less than two hundred Representatives, nor more than one Representative for every fifty thousand persons.

That matters because Connecticut was acting on the final congressional proposal—not the earlier House version containing “nor less than.” Sources: [National Archives transcription](#), [National Archives Foundation](#).

2. Connecticut House acted on October 27, 1789

The Connecticut House of Representatives approved eleven of the twelve proposed articles.

It accepted:

- Article the First—the representation article
- Articles Three through Twelve—the articles that became the Bill of Rights

It rejected only Article the Second, concerning congressional compensation.

Therefore, this statement is historically supportable:

On October 27, 1789, the Connecticut House of Representatives voted to approve Article the First.

But the House alone was not the Connecticut legislature for Article V purposes. Connecticut had two legislative chambers.

3. Connecticut’s upper chamber postponed action

Connecticut’s upper chamber was then called the Governor and Council, or Upper House.

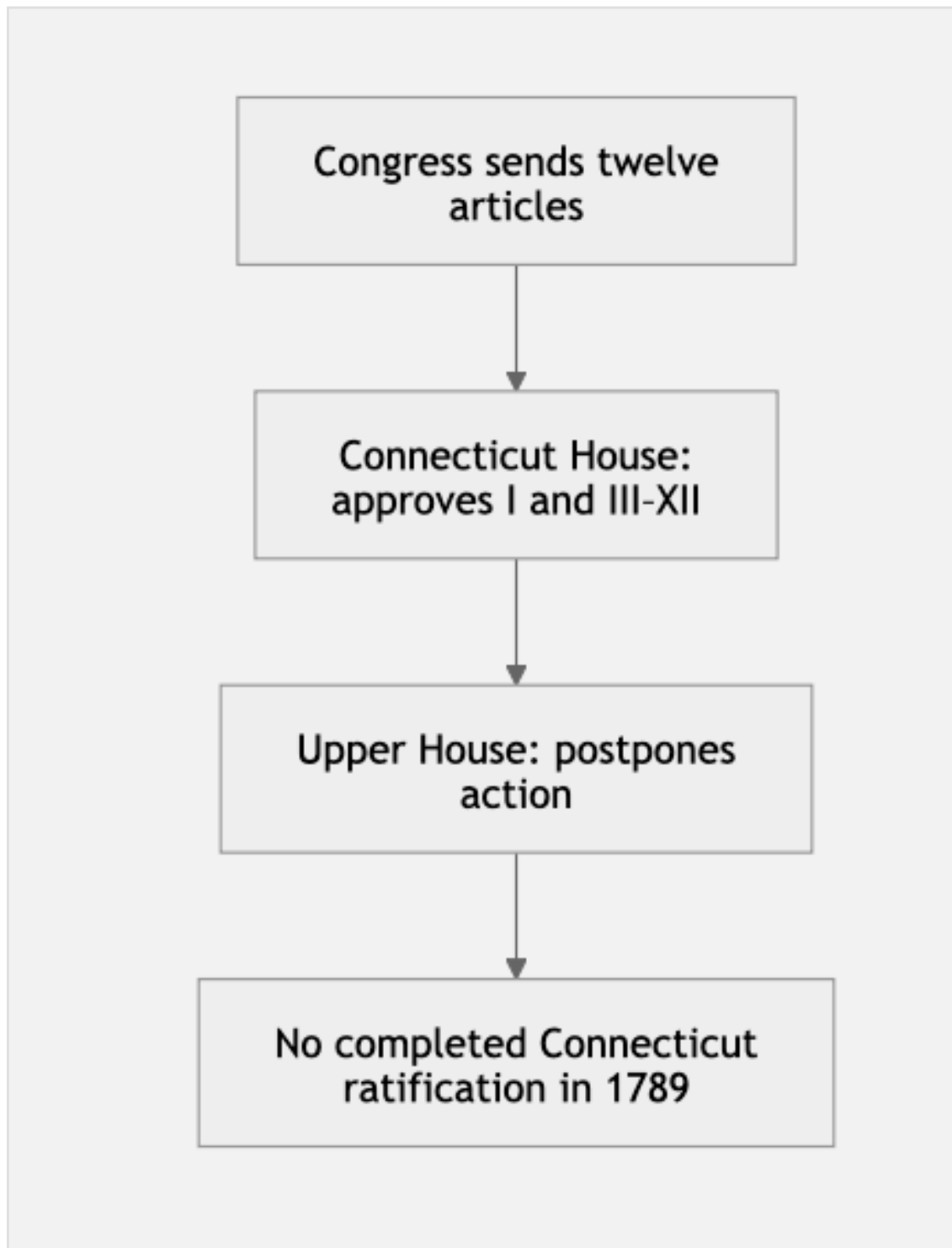
Rather than concur with the House’s October resolution, it

deferred consideration until the next session—after the annual election.

That left the October 1789 House action incomplete.

There was no identical act approved by both chambers and no certified Connecticut ratification sent to the federal government.

This is the first crucial break in the trail:



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A["Congress sends twelve articles"] --> B["Connecticut House: approves I and III-XII"]

B --> C["Upper House: postpones action"]

C --> D["No completed Connecticut ratification in 1789"]

flowchart TD

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4. The chambers reversed positions in May 1790

At the May 1790 session, the matter returned.

The House now approved only Articles Three through Twelve. In other words, the House no longer included:

- Article the First
- Article the Second

The Upper House, however, approved all twelve articles—including Article the First.

That created a remarkable crossed result:

Session/ chamber	Article I	Article II	Articles III– XII
House, October 1789	Yes	No	Yes
Upper House, October 1789	Deferred	Deferred	Deferred
House, May 1790	No	No	Yes

Upper House, May 1790	Yes	Yes	Yes
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Thus, both chambers did vote favorably on Article the First—but not as matching actions during the same legislative process:

- The House approved it in October 1789.
- The Upper House approved it in May 1790.
- When the Upper House approved it, the newly constituted House did not.

The two chambers never agreed upon the same ratification instrument.

Did Connecticut ratify Article the First?

The strongest defensible conclusion is: Connecticut considered Article the First favorably in both legislative chambers, but it did not complete a legally recognized ratification because the chambers never concurred in a common resolution.

That is materially different from saying:

Connecticut ratified Article the First.

The latter claim is not supported by the recognized federal ratification record.

There was:

- no completed concurrent legislative act;
- no final authenticated Connecticut certificate covering Article the First;
- no transmission accepted or recorded by the federal government;

- no inclusion of Connecticut in Secretary of State Thomas Jefferson's ratification count.

An early federal compilation explicitly stated:

"No returns were made by the states of Massachusetts, Connecticut, Georgia, and Kentucky."

See the reproduced federal ratification record at [Yale Law School's Avalon Project](#).

The "transcribing error" theory

A modern Article-the-First argument says Connecticut's House changed its position in May 1790 because it recognized a copying or wording error in the final article—particularly the famous change from "less" to "more."

I would treat that cautiously.

What we can establish:

- The House-approved congressional version of August 24 used "nor less than" in its final clause.
- The final enrolled congressional version used "nor more than."
- Connecticut possessed an authenticated copy of the final enrolled version.
- Connecticut's House approved Article the First in October 1789 but omitted it in May 1790.

What we have not yet established from a contemporary Connecticut journal entry:

- that the House expressly explained its May rejection as a response to a transcription error;
- that Connecticut believed it had received an unauthorized or incorrectly enrolled text;

- or that its two non-concurrent votes were intended to combine into a completed ratification.

The explanation may ultimately be supported by manuscript annotations, committee papers, or inter-chamber messages—but it should not be presented as proven until we see those documents.

Where the Connecticut originals should be

The Connecticut State Library's finding aid points us toward Record Group 002, Records of the General Assembly. Its holdings include records for 1776–1792 and the published Public Records of the State of Connecticut series. [Connecticut State Library RG 002 finding aid](#).

The archival hunt should target:

1. House proceedings for October 1789, especially October 27.
2. Upper House proceedings for October 1789.
3. House proceedings for May 1790.
4. Upper House proceedings for May 1790.
5. Original bills, resolutions, committee reports, and amendments.
6. Messages exchanged between the two chambers.
7. Governor Samuel Huntington's message transmitting Washington's communication.
8. Secretary of State correspondence and certified legislative acts.
9. Connecticut's original engrossed copy of the twelve articles.
10. Any clerk's docket or endorsement showing why

the resolution failed.

11. Contemporary Connecticut newspapers reporting the proceedings.

12. The federal executive files showing that no Connecticut return arrived.

The finding aid indicates that legislative material of this period may appear in several forms—not merely a published journal. That means the original “bill file” and inter-chamber papers could reveal more than the formal proceedings.

The 1939 action does not cure Article the First Connecticut acted again in April 1939 during the 150th-anniversary observance. That resolution ratified the ten articles recognized as the Bill of Rights—original Articles Three through Twelve.

It did not ratify Article the First.

The National Archives describes the 1939 action as symbolic because Articles Three through Twelve had already become part of the Constitution in 1791. [National Archives](#), [U.S. House historical record](#).

What this shows us.

Connecticut gives us an important story, but not an additional ratifying state.

The accurate version is:

Connecticut came remarkably close. Its House approved Article the First in October 1789, and its Upper House approved it in May 1790. But the chambers never concurred in the same ratification resolution, so

Connecticut did not complete or certify a ratification.

The potentially explosive archival question is not whether each chamber once favored Article the First—we already have strong evidence that they did.

What do the original bills, endorsements, and inter-chamber messages say about the House's changed position between October 1789 and May 1790?

That is where a genuine Connecticut discovery may still be waiting.

NOTE: These records support the Article the First Initiative™ moving forward with the ratification of Article the First by 27 additional states, which—added to the 11 states that previously ratified it—would reach the present constitutional threshold of 38 states.

Connecticut's divided legislative history is fascinating, but it does not provide a completed, federally recognized ratification. The Initiative should therefore:

- Treat Article the First as ratified by 11 states.
- Treat Connecticut as not ratified.
- Avoid depending on contested historical theories.
- Pursue ratification by 27 additional states to reach today's Article V threshold of 38 states.

The clean public position is:

Article the First remains pending before the states. Eleven states have ratified it. Under today's Article V threshold,

twenty-seven additional state legislatures can complete its ratification.

That approach gives the Initiative the strongest footing: the surviving Connecticut record remains part of the educational history, while the ratification campaign moves forward without asking courts or officials to accept Connecticut's incomplete eighteenth-century proceedings.