

## PROLOGUE

### ***THE SECOND CONVENTION***

Friday, September 7<sup>th</sup>, 1787

Philadelphia, PA

Everyone knows the end is near. Most of the delegates to the Constitutional Convention, those who are actively engaged in the endeavor, have returned to Philadelphia. Forty-one members answer the roll call this morning. Fourteen others are absent for pressing personal matters, or for lack of interest.

The agenda for this day is shorter than usual. The delegates have about lost their taste for endless debate. The principal accomplishment of the day will consist of appointing a Committee on Style and Arrangement which will then be tasked with presenting to the convention a final palatable document on which to vote. Once this convention is done, the weary delegates can finally be on their way home to resume their lives, free of the heat and pestilence of this wretched city.

Upon adjournment, the five members of the newly formed committee gather briefly in the shade of a tree not far from the entrance to the Pennsylvania State House. Here, at least, there is a waft of fresh and moving air.

Dr. William Samuel Johnson of Connecticut, the elected Chair of this new body, is brief. "Gentlemen, may I suggest that each of us give this matter some consideration in the coming hours and then, perhaps we could convene at lunchtime tomorrow to share our thoughts."

James Madison of the Virginia delegation is quick to endorse the proposal. "A prudent approach to my thinking."

"Excellent," responds Johnson. "With you gentlemen's permission, I will speak with the proprietor at City Tavern this evening and see if we might reserve a quiet area to ourselves for Saturday. Rufus and I are in residence there."

Then Johnson asks, "Are there any other suggestions?" Alexander Hamilton of New York has nothing to add. Neither does Rufus King of Massachusetts.

The final member, Gouverneur Morris of Pennsylvania, asks, "What time is preferred?"

"Shall we say 1:00 p.m.?" responds Johnson. The others express agreement.

"Very well. I bid you all a pleasant evening."

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Saturday, September 8<sup>th</sup>, 1787

Philadelphia, PA

Hamilton is the last to arrive, though well within the boundaries of due consideration. He joins the others at a large table in a secluded corner of City Tavern. The smell of a tasty mutton stew is already wafting through the

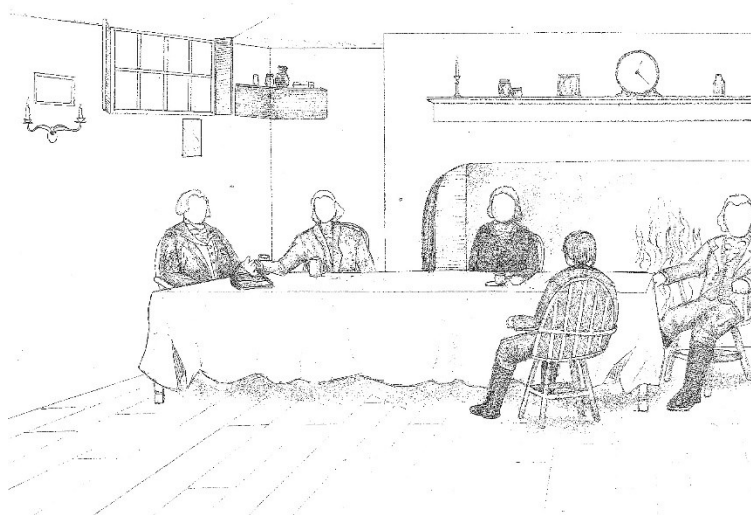
establishment. It almost overcomes less delightful smells emanating from the filthy, muddied street outside.

City Tavern had become a favored respite from the officious State House for many of those who labored there. A joint venture of several local businessmen, the facility filled an essential function in the community. Since 1773, It had been a gathering place for citizens high and low. Its long gallery was especially useful for community meetings, but other rooms offered more private settings. Only the thick planked wooden walls knew of all the momentous discussions that had taken place within. Small apartments were also available for daily or longer-term rental.

The bar wench is conscientious, though nothing to tempt even the easily aroused Gouverneur Morris. Hamilton and Madison order tea. Rufus King and Dr. Johnson join Morris in preferring the cider. No one dares drink the water in Philadelphia. The beverages arrive, and the men make their culinary wishes known.

No food has as yet been delivered to the table. Nevertheless, the omnipresent flies are already risking their lives for a drop of something sweet. There are no faint-hearted Dipterans here. These flies are veterans of many fierce engagements, and their battle instincts are finely honed. No amount of waving or swatting deters them. It is a maddening facet of everyday life in Philadelphia.

A general review of convention affairs dominates the discussion until the meal is complete and empty plates are removed. At a propitious moment, Dr. Johnson clears his throat as a signal that the central business of the gathering is about to begin.



“I trust, gentlemen, that we have each given thought to the challenge ahead. Let me share my views first, and then we shall see how we may differ. It strikes me that we are dealing with numerous and incongruous parts that must somehow be made into a seamless whole -- no mean feat. My second revelation is that, if we are to achieve continuity of prose, this cannot be the work of a

committee. We cannot each compose a piece of it and expect the document to 'hang together,' as John Hancock would say.

"Nay, much like the drafting of our Declaration of Independence, this historic task must fall to one talented purveyor of the written word. What say you, Mr. Hamilton?"

"I confess, my examination of the task led to quite similar conclusions, sir."

Johnson acknowledges the comment, then turns his attention to Mr. King. "Your thoughts, Rufus?"

"I am in complete agreement, primarily because I believe we must rapidly conclude this business. The delegates grow restless, and I am sure they will tolerate little delay. I am also sure, Doctor Johnson, that I am not the author that is needed here."

"We shall see, Rufus. How about you, Gouverneur -- what can you add to the discussion?"

Morris sits up in his chair a bit. "I have heard nothing with which I could disagree. And though I can think of nothing to add, I am certain that James will favor us with insights most fruitful." He gestures with his good arm, palm up, toward Mr. Madison, who resides in the next chair.

With the hint of a smile, Madison says, "Insights most fruitful. There you have it, gentlemen. My insight is that there is only one among us best suited to play this role, and we have just heard from that man."

Morris stares at Madison without expression. Madison smiles back. Morris then shifts his gaze to the chairman. "What of the eminent essayists who sit among us. I assumed that Messrs. Hamilton and Madison were selected for this committee for that very purpose."

Dr. Johnson answers. "This is no essay, Gouverneur. It is fine to write with passion about an issue that engages you. But this task requires more." Johnson pauses for a quick sip of tea before continuing.

"Frankly, I had come to the same conclusion as James, though perhaps not for the same reason. I know that you are also passionate about certain aspects of this constitution, my friend." Johnson now extends his remarks but addresses the entire group. "What sets Mr. Morris apart, however, is that I have also witnessed him display the ability to subdue his own passions, honestly attempt to understand opposing points of view, and then deftly craft a compromise. Therein lies his unique talent -- the talent that insists he accept our commission."

His colleagues are quick to indicate their agreement with Dr. Johnson's analysis. Morris surveys the faces of the other men at his table, then bows his head slightly.

"Well, it appears I am Cornwallis at Yorktown. I hope you will allow me to surrender with dignity."

"Most assuredly, my friend," says Madison as he lays a hand on Gouverneur's shoulder. "But we shall not abandon you. I, for one, will be at your door directly after Church tomorrow to see if there is any way I might ease your labors."

"That will be much appreciated, sir," responds Morris. Others in the gathering express their vows of support as well.

Dr. Johnson then asks, "And when shall we gather again to assess the progress?"

"Well," offers Hamilton, "I can hardly see our contributions being beneficial until there is a complete first draft. It is at that point that a committee might spot elements of duplication or omission or note a break in the logical progression of the document -- things the author may be too close to see."

Morris quickly agrees. "Yes, gentlemen, let me send word when I have something worthy of your attention. I will push myself along, I promise. I too am anxious to see this thing materialize."

As the final act of the meeting, Dr. William Samuel Johnson passes along a satchel given him on Friday by William Jackson, the Secretary for the convention. It contains the collected works of the proceedings.

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Sunday, September 9<sup>th</sup>, 1787

Philadelphia, PA

Mr. Morris feels compelled to attend services at Christ Church on Sunday morning. The sermon offers no great inspiration, though merely being there helps to calm his soul and steel him to the challenge ahead. He sits with local friends who have guests visiting from New York, the state of his birth and youth.

Gouverneur Morris always patiently explains to new acquaintances that his first name is not a title but is an actual given name. This generally placates the inquirer and allows for a cordial exchange. However, Mr. Morris too often has to endure the simple-minded suggestion that, at some point in his career, he should have been a real Governor.

As the congregation disperses, Gouverneur catches sight of Agnes Lochry, a handsome woman in her mid-thirties who lost her husband fighting the British and their Indian allies in the Ohio Valley six years earlier. She waves and smiles in such a way that Gouverneur understands he is expected to approach. The lady gladly accepts his offer of escort home. In short order, they are passing through the square in front of the State House, her hand resting delicately on his forearm.

Colleagues always marvel at Mr. Morris' prowess with the ladies. Yes, Morris is over six feet tall and always impeccably dressed, but he had lost much of the use of his left arm in one accident and now walked with a wooden leg due to another. A receding hairline and emerging second chin were additional features that should have repelled. And yet, the women who enter his circle seem to be consistently, easily, and utterly charmed. Gouverneur does not allow these disabilities to curtail his social ambitions.

"My dear Mr. Morris," opens Mrs. Lochry, "I believe it has been more than two weeks since we last spoke. I rather miss our conversations, you know."

"I am, indeed, remiss Madam in not attending to your door of late. Affairs at the convention are coming to a close, and I have been perhaps too engrossed in such trivialities."

This statement draws an unexpectedly strong response. "Trivialities! My word, sir, what you are accomplishing is anything but trivial." Mrs. Lochry halts and spins her escort to the left.

"Just look around you. Look at the men congregated in groups there, and there. Every day they gather and speculate on what will come of your work. And it is not only the men. My lady friends, who are aware that we are acquainted, quiz me regularly about what progress is being made. I have even heard the Negro folk pondering what changes will be coming for them."

Morris stops and absorbs the scene around him. There are a number of men and women wearing their best Sunday garments. Like himself, they are probably eager to get home and into more relaxed garb. But they do seem to be lingering longer than usual, and some of the conversations appear more severe than one would expect after Sunday chapel.

Agnes sees that her companion is verifying her point. "Gouverneur, these are the people you have been working for. This will be their constitution. Above all, it must serve to make their lives better -- safer, freer, more tranquil. But it has all been kept so secret. Can you give me any assurance at all that the new constitution will bring welcome and wholesome improvements?"

"Actually, Mrs. Lochry, it seems to have fallen to me to put the final document together. I sincerely hope that it will rise to your high expectations. Time will tell."

The couple strolls quietly together for a distance. Then the conversation turns to lighter matters, like their plans for Christmas. Mrs. Lochry will be visiting her daughter in the village of Reading. Mr. Morris plans to visit relatives in New York and enjoy the many distractions that the city has to offer. Finally, they reach the Walnut Street residence of Mrs. Lochry.

"Gouverneur, you will come to dinner at least once more before your business is concluded, won't you?"

Mr. Morris bows slightly and then stands straight again. "I shall make every effort, I assure you, to spend at least one more evening in your most enchanting company. In fact, you have now given me even more incentive to complete my present task promptly."

"I shall hold you to your promise, sir. And now I bid you get to work so that it shall not be so long again before we meet."

"As you say, madam. Have a most pleasant day."

Morris pivots to face in the direction of his temporary home at Mrs. Dailey's Boarding House, while Lochry climbs the short staircase to the front door of her permanent residence. Just before entering, she calls back to her friend.

"Gouverneur, remember, we, the people, expect great things of you."

Mr. Morris turns his face back toward Agnes and tips his hat before continuing with a broad smile. *We, the People*, thinks Morris, *that might prove a useful phrase.*

Morris returns to his quarters with renewed ambition. He immediately sets about organizing the material that Dr. Johnson had given him the evening before.

Shortly after 1:00 p.m., there is a knock at his door. Ever faithful to his word, James Madison has arrived to assist, and Rufus King has accompanied him.

Morris had retained the largest room in the boarding house. Still, as the pair enters, they see that it has become quite cramped. Virtually every horizontal surface available is covered with pages of parchment. If there is some order to this collection, surely only Morris is privy to it. Madison and King stand aghast.

"My God, sir," exclaims Madison, "is this our constitution?"

"I fear it is, James," responds Morris. "You see here the committee reports, approved amendments, and other decisions of this convention. However, as you well know, each provision was, for the most part, considered independently. The task before us now is to connect one to the other and somehow command it to flow off the tongue with some ease."

"A daunting task, to say the least," offers Rufus King. "How may we be of service to you this afternoon, Gouv?"

Morris takes a moment to consider the question. "Well now, against each wall, I have placed the provisions pertaining to one branch of government. Along the far wall are the segments concerning the Legislative Branch. Under the window is the Executive, and over here are the Judicial. On my bed are spread the articles that do not well fit the other groupings. Perhaps you kind gentlemen would review these collections to see whether there is some more logical organization to them, or if I have misplaced any item."

Rufus and James remove their coats, struggle to find a place to lay them, and then dive into the assignment. Finishing one grouping, they rotate to the next until all four collections have been examined by both. The task consumes the better part of an hour. In the meantime, Morris seeks out his landlady and arranges for fresh coffee to be brought to the room.

Madison looks at King and then speaks for both. "I confess, Gouv, I can contrive no better way to proceed."

Rufus nods and adds, "What shall we do next?"

Gouverneur sips his coffee as he ponders the dilemma. "Well, first let me ask you this question. Which of the branches should be explained first?"

James Madison is quick to answer. "My friend, there is no question here. The Legislative Branch must have precedence over all others. Let us not forget that this convention was convened only to revise the Articles of Confederation, and under the Articles, there was only the Legislative function. We have clearly exceeded our charter, but we must absolutely put the Legislative first. This may, at least, soften the temper of our soon-to-be critics."

"I agree with James on that point," says Rufus. "Then, I would think the Executive must follow. Judicial bodies have existed for some time, but it is the Executive, as we have envisioned it, that sets our work apart."

“Yes,” says Morris. “That, and the balance we have sought amongst the powers of the branches. What you say makes perfect sense. Let us consider the order decided.”

Madison offers a new suggestion. “Gouv, would it aid you if Rufus and I were to each take one of the branches and then put the provisions in some sort of orderly progression?”

“Perhaps. I suppose any further guidance on the flow of the document would be useful.”

Madison promptly attacks the Executive provisions and using his keen mind, quickly settles on a sequence that seems best. While King very carefully examines again the Legislative, Madison quickly sorts the Judicial papers and then moves on to the Miscellaneous. He is still pondering this group of documents when Rufus completes his task. Madison hands his papers to King for review, and Rufus exchanges the Legislative collection.

“Tell us what you think, Rufus,” James enjoins, “but what I see here is at least four quite disparate topics. My advice, Gouv, would be to treat these groupings as separate articles. Attempting to combine their various aspects will only confuse the reader.”

Morris and Madison wait patiently for King to complete his examination. “Once again, I agree with James. The document must be kept as simple as practical, lest approval by the convention be delayed or the eventual ratification by the states be waylaid by confusion.”

Morris replies, “I quite agree. Simplicity is key. Your visit has been most fruitful, gentlemen. You have my gratitude.”

“What more can we do?” asks King.

Morris takes a moment to again scan the papers decorating his room. “Friends, do you sense any holes in the document? Is there anything still missing, despite our long labors?”

James Madison is again prompt in his reply. “Actually, yes. I am quite certain that it requires a rather eloquent introduction. Something that summarizes the document’s purpose, but also captures the imagination of the reader.”

“I had very similar thoughts, James,” responds Morris. “And I have the seed of an idea on how to approach the issue. However, I think there is nothing left to do but to put the puzzle together, and perhaps, at this point, one mind may actually be better than three.”

“Then, good sir, we shall leave you to it,” says Madison with some enthusiasm. “I have every confidence that you will soon present to the committee a document that it can wholeheartedly endorse to the Convention.”

“Indeed,” adds King. “And I have no doubt that, one day, the name of Gouverneur Morris will be universally acclaimed as the father of our modern constitution.”

“You are too kind, gentlemen. I wish you an enjoyable evening, and I shall, I trust, with God’s good graces, report some progress on the morrow.”

Once his visitors have departed, Morris brings the papers concerning the Legislature to his writing desk and begins the process. He works steadily and is making good progress until shortly after 6:00 p.m.

Suddenly, the loneliness of this cell that has been his home for too many months is overwhelming. The author realizes that he needs to clear his mind and then come back to the task with freshened eyes. Besides, long sessions of sitting now cause his joints and muscles to rebel. Morris dons his coat and hat, grabs his walking cane, and departs for a destination as yet undefined.

Gouverneur weighs his options. He could return to City Tavern for a bite to eat. No, his appetite is not yet active. A visit with Dr. Franklin is always stimulating. However, Benjamin is rarely without evening visitors, and Gouverneur cannot afford a prolonged engagement. In the end, Gouverneur finds himself exploring the banks of a small creek as it winds its way through the city and toward the mighty Delaware River. It calms his soul to watch the relentless flow of the stream over and around the rocks and boulders thrown in its way. He smiles at the metaphor for his own current bit of work.

By the time he meanders back into his own neighborhood, the odors wafting from the kitchen of City Tavern are irresistible. Morris makes short work of a wild turkey pie but foregoes his usual claret.

As Morris exits the tavern and turns toward Mrs. Dailey's, he sees that the first stars have begun to show above. He stops for a moment and finds himself looking heavenward. Silently he prays that the Almighty will guide his hand in the coming hours. By 8:20 p.m. Mr. Morris is back in quarters and feverishly applying quill pen to paper.

The howl of a stray mutt wakes old Mrs. Dailey at half-past one in the morning. She throws on a shawl and shuffles down the hall toward the rear door to see if she can shoo it away. The dog might disturb her paying guests. As she returns from routing the petulant pooch, she notes the light still flowing from beneath the door to Mr. Morris' apartment. *Poor man*, she thinks, *hard to it again*.

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Monday, September 10<sup>th</sup>, 1787

Philadelphia, PA

Morris continues his labors until shortly before dawn. Laying down, just to rest his eyes for a moment, Gouverneur lasts no more than a few minutes before a deep sleep envelops him.

As one might expect, his subconscious mind begins to make subtle connections between past and present. A young Gouverneur is again helping his uncle erect a cabin on a parcel of recently purchased land. The cabin appears in his dream half-built, and a storm is forming on the horizon. Morris is being chastised by his angry and frustrated uncle. Apparently, the logs he had cut were of improper length, and now they are short of materials to complete the structure. Morris cringes as the tirade and the thunder grow in intensity. The dark clouds are pounding more ominously now.



Dr. Johnson pounds quite loudly on Morris' door the third time, after knocking twice. Finally, he hears stirring on the other side. A disheveled Morris slowly opens the door to his visitor and is surprised to then become aware of the time. It is half-past ten in the morning.

The committee chairman apologizes for waking his colleague but explains that General Washington is inquiring after their progress. A groggy Gouverneur reports that he has made great strides overnight.

"The basic structure is in place, sir. There are still some clauses that require attention, and I want to work a bit more on the language of the Preamble, but I believe I can present a coherent draft of the whole document to the committee by this evening -- especially since I have now had a good rest. Could we all meet again at about seven this evening at the tavern?"

Dr. Johnson can see that his man is giving it his all and wants to support his friend. "Is there anything I can do to help you, Gouverneur?"

"I think not, but I thank you for the gesture. You were quite right. This work requires one pen. I promise I will have it for you tonight."

"Well, I thank you, my friend, for your splendid efforts," says Johnson as he departs. After reporting to the General, Dr. Johnson gets word of the scheduled meeting to the other committee members.

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By 7:00 p.m., Dr. Johnson's committee is again assembled. Each man listens intently as Gouverneur reads the individual clauses of the manuscript to the group. At the end, they express universal admiration for the work presented. The talented Mr. Morris had indeed provided the transitional clauses necessary to make the document flow. In addition, he had creatively filled in several glaring gaps in the substance of the document, expertly discarded redundant material, and masterfully resolved conflicting passages. Morris had also written a cleverly worded resolution regarding ratification that might encourage the reluctant to sign the document.

Dr. Johnson aptly summarizes the sense of the committee. "This is a truly remarkable bit of literary agility. Our faith in the representative from Pennsylvania has been amply rewarded. Mr. James Madison and Mr. Alexander Hamilton make only a few suggestions for improved wording. These are graciously accepted by Gouverneur Morris. The committee had fulfilled its charter."

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Tuesday, September 11<sup>th</sup>, 1787

Philadelphia, PA

The Honorable George Washington is just sitting down with his hosts, Robert and Mary Morris, for a light breakfast when there is a rap at the entrance. The doorman announces that Dr. Johnson wishes to convey a short message to

the Convention Chairman. As he enters the dining room, Mrs. Morris graciously invites the representative from Connecticut to join them for the morning meal.

As Johnson has recently finished breakfast, he declines all but a cup of tea. He then relays his brief status report. "Sir, the draft presented by Gouverneur Morris endured only minor modification when we met last evening. He has done a masterful bit of work. Today, Gouverneur is preparing the master document, with these changes, in his best pen. It shall be ready for presentation tomorrow."

"This is, indeed, most welcome news, Dr. Johnson," says Washington with a rare smile. He longs to return to Mount Vernon and enjoy an overdue respite from the affairs of government. He and Robert Morris then demand to hear more detail about the final product. Dr. Johnson ends up staying much longer than intended.

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Wednesday, September 12<sup>th</sup>, 1787

Philadelphia, PA

As soon as General George Washington calls the convention to order, Dr. William Samuel Johnson rises to gain the floor and is eagerly recognized. He then happily reports to the assembled body that the work of the Committee on Style and Arrangement has been successfully concluded. This news is well received.

Johnson then suggests that Mr. Morris, as its principal architect, read the document through for the group before submitting the original to the Secretary. The delegates listen intently to the final result of their labors.

Upon completion of the reading, the Convention Chairman calls for a motion to accept the report of the Committee. The proposal is quickly adopted. James Madison makes a note in his journal.

Elation is short-lived. The next motion opens the debate.

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Monday, September 17<sup>th</sup>, 1787

Philadelphia, PA

Delegates to the convention spend the balance of Wednesday, all day Thursday and all day on Friday making final appeals for their cherished positions on various issues. Saturday continues the pattern of minor wordsmithing, alterations proposed, and alterations rejected. Sunday, thank goodness, is a day for everyone to take a deep breath – all except Gouverneur Morris and William Jackson, the Convention Secretary. They spend the bulk of Sunday preparing a second draft with all the approved changes.

Beneath the surface, however, momentum is building. Monday morning brings, not only a refreshing hint of Fall's arrival but an air of whispered anticipation.

Perhaps the highlight of this splendid day is the presentation by Benjamin Franklin. Like George Washington, the Sage of Philadelphia has been unusually reserved during the convention. Washington, of course, feels compelled to

maintain a semblance of neutrality. Franklin, however, is content to assert his influence, whatever that may be, only upon the weightiest of issues.

Today is such a day. As the communal editing nears its end, Dr. Franklin rises and begins by acknowledging that the document is not without its flaws, but points out that these very provisions, in the end, given our imperfect foresight, may prove not to be flawed at all. Continuing his oratory, it appears that several points in his appeal are resonating with his fellow delegates. He concludes:

*“It, therefore, astonishes me, sir, to find this system approaching so near to perfection as it does . . . Thus I consent, sir, to this Constitution because I expect no better, and because I am not sure that it is not the best. The opinions I have had of its errors, I sacrifice to the public good.”*

*“I cannot help expressing a wish that every member of this Convention who may still have objection to it would with me, on this occasion, doubt a little of his own infallibility -- and to make manifest our unanimity, put his name to this instrument.”*

Shortly after 6:00 p.m., William Jackson, the Secretary for the Convention, begins a roll call of the states. Three state delegations fail to answer the call. The other ten cast their collective vote in the affirmative.

General George Washington, the Chairman of this Convention, who had for so many months presided with supreme patience, now rises to his full height and declares an end to the debate. The time for signing has arrived.

General Washington, as the presumptive first President of the now more United States, assumes the honor of being the first signer. The state delegations are then summoned to the front of the chamber in order of their geographic latitude, north to south. Thirty-nine delegates, representing ten of the states, and ranging in age from 26 to 81, affix their signatures.

A messenger is sent to Christ Church and shortly before 7:00 p.m. Its bells alert the city to the occurrence of some auspicious event.

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Tuesday, September 18<sup>th</sup>, 1787

Philadelphia, PA

William Jackson is waiting near the entrance as David Claypoole arrives to work on this bright fall morning. They greet each other as Claypoole unlocks the doors to the Pennsylvania Packet and Daily Advertiser, America’s first successful daily newspaper.

“Good morning, William. Is that the document we’ve been so eagerly awaiting?”

“It is, indeed,” responds Jackson. “How soon can you set to preparing it for print?”

“Oh, this will have top priority, I assure you, William. However, I see where you have made many modifications to the document. Could you perhaps stay close as we lay down the type, so we can be assured of an accurate accounting?”

I am at your disposal, Mr. Claypool. As long as necessary.”

Gradually, the text of the proposed constitution is delivered to each state capitol and to every town and village along the way. A few citizens, here and there, are quick to recognize that a miracle had taken place in Philadelphia. Most, however, will take far longer to embrace that revelation.

## CHAPTER ONE

### ***COLONEL SEILE MAKES HIS DECISION***

Tuesday, December 14<sup>th</sup>  
(Back to the future)

Lynn Haven, FL

Ernie Seile had long ago reached that stage of life where change was unwelcome. He had navigated the ups and downs of the American economy for almost half a century and finally reached a zone of comfort. The wife and kids would be all right when he checked out. He and Simone could now afford to travel to places they had only admired in National Geographic. Last summer, it was Santorini and the Greek isles. He hopes that trip will not be their last adventure together.

Each year, his aging body seems to find a new way to narrow his world. Now Simone is having hip issues too. These changes are especially unwelcome. As Seile is locking the car, a young couple passes. *Well*, muses Ernie, *they all look young to me now*.

“Good morning, sir,” says the woman in a voice much too perky for 7:20 a.m.

“Thank you for your service, sir,” says the man.

Ernie had forgotten he was wearing his veteran’s cap. “Huh, oh, well, thank you, and good morning.” Seile had been doing general contracting work for twenty years, after a twenty-four-year career in the U. S. Air Force.

“It’s an exciting day, isn’t it?” says the woman. “There could be big changes coming.”

Ernie cringes at hearing that word again. “Yeah, could be.” He forces a smile.

“See you inside,” says the youngish man.

Ernie waves farewell. By the time he joins the line of people waiting to vote, Seile is six places behind the couple. He’s glad he got up early to get this done.

Seile notices that a lot of the folks in line are closer to his age, but then most people had already cast their votes through some digital device, wherever they happened to be at the time. The referendum had been running for thirty days now, but this was the day designated for those who still preferred to vote in person.

Finally, Colonel Seile reaches the table where the election workers check each person’s identity. They find his name on the list and mark it off. Then he is guided to a makeshift booth that contains the contraption they use for voting these days. Drawing upon decades of high-level technical training and experience, Ernie scans the machine and then touches the screen on the simulated button that says, “Begin.” It was a good guess.

In this iteration of the new National Referendum System, there is only one proposal under consideration. Ernie silently mouths the words that appear on the screen.

Resolved -- Upon approval of this resolution, the President of the United States shall appoint a non-partisan commission to plan a Constitutional Convention that will be assembled within one year. The purpose of the convention shall be to more clearly define the rights and responsibilities of the four branches of government and of the states.
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To Ernest P. Seile (Col., USAF, Ret'd.) this proposal represents change on a massive scale. He reminds himself of the rationale behind the decision he had reached some days ago. *Who knows what half-baked ideas a wide-open convention might come up with?*

Ernie's trigger finger approaches the digital button on the screen that says, "No." He hesitates. In his mind, he is watching his grandchildren playing some sort of tag game *So much of what made America great has been lost, just in my lifetime. Little* in the backyard of his Lynn Haven, Florida home. He's thinking, *Stephan and Miss Somer would now only read of my era in historical accounts. What a terrible loss!*

That's when Ernie realizes that he has been focusing on how this proposal might affect his future. *But, hell, I won't be around that much longer,* thinks Ernie. *Twenty years from now, will the grandkids thank or rebuke me for voting to preserve a system that many see as becoming more dysfunctional every year?*

Ernie reads the proposal once more. In the neighboring booth, a voter hears, "Screw it!", and then the sound of a curtain being drawn back sharply. The system records another vote in favor of the proposition.

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Tuesday, December 14<sup>th</sup>

Washington, D. C.

At precisely 6:00 p.m., the Secretary of Labor is ushered out of the Oval Office. Smokey Weston, the President's Chief of Staff, and Vicky Brazil, his Personal Secretary, have successfully cleared the remaining calendar. The President needs to catch a power nap before beginning a long night in front of the television.

Yesterday, President Thomas Jefferson Carroll and the First Lady, Laura, had appeared in prime time to make one final appeal for Citizens to approve the proposal of the Ninth Caucus. The message seemed to have been well received, but one never knows.

"My fellow Americans," opened the President, "thank you for joining us on this Monday evening."

The camera then focused on the First Lady. “And warm greetings to all the friends of America who may be watching around the world.”

President Carroll continued. “Well, we certainly are living in interesting times. American voters have now had multiple opportunities to exercise control over the national policies that most affect their lives. We are practicing a form of Democracy never before attempted on this scale in all the world’s history.”

“And,” the First Lady interjects, “every day you are proving to the world that American Citizens are worthy of their new responsibilities. You truly are becoming the fourth and highest branch of this government. You should be very proud of the example you are setting for all freedom-loving peoples.”

The President picks it up from there. “Now, we all know there have been some bumps along this road -- some misunderstandings. As a result, the ninth Caucus to meet has determined that it is time to more clearly define the powers and responsibilities of each branch of the federal government and of the states. We wholeheartedly agree.

“However, prominent Americans have been bombarding the airwaves and digital cables with warnings of chaos and apocalypse should one word of our present constitution be altered. What I hear in their squealing protests is fear – fear that the common sense of the American people might further disturb the prerogatives of the privileged and the elite who feel themselves more worthy to govern than what they consider the ignorant masses. This attitude is so twentieth century.

“What I hope to do tonight is to re-assure and calm you. If you vote to allow me to establish a commission that will plan a new constitutional convention for America, I promise there will be prudent guidelines given to that commission. The excellent features of our present constitution, like the separation and balance of power principle, will be faithfully preserved. The human rights we now enjoy, thanks to the sacrifices made by so many heroes, will be protected, if not enhanced. Like you, I feel that if we are going to do this thing, we must do it right. I look forward to a document emerging from this next convention that will be much plainer in its language and far more difficult to misinterpret or spin to some unintended purpose.

“I want to close,” says President Carroll, “with a message that comes from long ago but speaks to us with renewed force and clarity at this turning point in American history. You have probably heard me cite this quote before, but it bears repeating. These are the words of Thomas Jefferson, one of our most prestigious Founding Fathers.

*‘Some men look at constitutions with sanctimonious reverence, and deem them like the ark of the covenant, too sacred to be touched. They ascribe to the men of the preceding age a wisdom more than human, and suppose what they did to be beyond amendment.*

*I knew that age well; I belonged to it, and labored with it. But I know also, that laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths disclosed, and manners and opinions change with the change of circumstances, institutions must advance also, and keep pace with the times.'*

Well, the human mind has made great progress. In fact, we have experienced revolutionary change in almost every aspect of our lives: communications, transportation, medicine, engineering, construction, education, and learning, appreciation for cultural diversity, and in environmental awareness -- everything except the way we govern ourselves. But that, I believe, is about to be upgraded as well."

Laura then added her voice. "You know which way T. J. and I are going to vote tomorrow. We have faith that the American people will send their best and brightest to this convention and that these delegates will create a foundation document worthy of the twenty-first century -- one of lasting utility and beauty. Our constitution will again be a model for all the world to follow. My husband, your friend, will ensure that this happens and will settle for nothing less. Now, goodnight and God bless you all."

The President leaned over and took Laura's hand, smiling at her and then for the camera. "Goodnight America, and an even better tomorrow." The image faded from television screens across the globe, and regularly scheduled programming was resumed.

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Tuesday, December 14<sup>th</sup>

The White House

From the beginning of the evening, it becomes apparent that voter turnout is unusually heavy, even in areas where weather conditions are less than ideal. Laura and T. J. sit in matching lounge chairs at the center of a room that is set up specifically for viewing movies or watching special events on a larger than life screen. Selected members of the staff play musical chairs with the remaining seats as they drift in and out, watching the show for a time, and then excusing themselves to take care of some seemingly important task. It's half-past nine in the evening in D.C.

Smokey Weston has his wheelchair pulled up next to the President. He looks worried. "I don't know if this big turnout is going to be enough or not. Gettin' two out of every three voters to agree to this one might be a pretty tall order."

A "Yup" is the succinct but unresponsive response from the President.

The First Lady isn't much better. She sighs and adds, "In God we trust."



With polling places closing at 6:00 p.m., returns from the eastern states are just beginning to trickle in.

Maine	702243	Yes (59%)	468160	No (41%)
Vermont	316806	Yes (57%)	238994	No (43%)
New Hamp.	767135	Yes (67%)	377843	No (33%)
Maryland	3170466	Yes (64%)	1178338	No (36%)
S. Carolina	2734002	Yes (69%)	1228319	No (31%)
Florida	8681902	Yes (53%)	7699045	No (47%)

Sitting to Laura Carroll's left is her daughter, Madison Gray. And alongside Madison is Duff Scroggin, now a Special Assistant to the President. The two had met during Carroll's campaign over three years ago and gradually become a couple. Duff still can't believe that this incredible girl, who is so obviously out of his league, seems to want to stick with him. Now he's going to really press his luck. He has a deposit placed on a ring. New Year's Eve is either going to be a night they will always remember, or Madison will finally put him in his place.

As the summary returns from the first six states are displayed by the Global News Network (GNN) newscaster, most of the people in the room can think of nothing worth saying. Disappointment is the prevailing emotion.

Vice President Maggie Russell, standing behind the President's chair, finally breaks the silence. "Well, at least New Hampshire and South Carolina have their heads on straight." The comment does little to lighten the mood.

The phone by the entrance rings. Vicky Brazil answers it promptly to minimize the disruption.

"Mr. President, it's your friend, Gene Kirby, from GNN."

President Carroll quickly comes to the phone. "Hey, Gene. Well, here we go again -- another nail-biter. Hope you got your usual four-hour nap earlier today. I know how you old guys need your rest."

"Yeah, right," scoffs Kirby. I think I'm going on 37 hours straight already, and, you're correct, it looks like another long night. I wish I had a nice cushy government job like you. Say, weren't you supposed to make me Ambassador to Tahiti or something? How come that never came through?"

"Well, that's a pretty demanding position, Gene. I think we better look for something more in line with your diminished capacities."

"Oh, I'm so insulted," responds Kirby dryly.

"So," says Carroll, "what's your prognosis for this operation?"

Kirby doesn't reply immediately. "I know those early returns are discouraging, T.J. I certainly thought more Americans would be excited about this. But the east coast is always going to be a bit more backward leaning than

other parts of the nation. Remember, it was the western regions that pulled your ass out of the fire last time. So, I wouldn't panic just yet. You hang in there. We'll talk more later."

"Thanks a bunch, Gene. It's always good to hear your voice. If you spot any trends, you'll call me back, right?"

"Count on it. Bye."

The President ends the call and starts back to his chair. As he sits down, he addresses Duff Scroggin. "Scroggin, I've got a special assignment for you. Please find the whittling knife in my desk, lower left drawer, and then track down a piece of soft wood that I can work on. Can you handle that?"

Duff explodes out of his chair, eager for something to do. "On it, boss."

Laura looks over at her husband, with a frown. "Oh, good," says the First Lady with sarcasm. "I needed a second napkin ring to match the one you almost completed a few years ago."

The President smiles at his lady. "On it, boss."

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Wednesday, Dec. 15<sup>th</sup>, 1:07 a.m.

The White House

All the states in the Mountain Time Zone have completed their counts. It is still too close to call. Overall, the Yes vote is hanging around 64% -- not enough to pass the measure. The Left Coast will have to come in heavy on the Yes side, or the proposal will die.

Most of the folks in the room are pretending to be awake. Others have succumbed. T. J. addresses Laura without looking away from the big screen.

"Well, this is about what we predicted. I only hope that six-stop run from Seattle to L.A. did some good last week."

Laura reaches over and pats her husband's hand as it rests on the left arm of the chair. "Hang in there, darlin'. It's just history in the makin'."

The President smiles at the repetition of a line he had used on her some years back, then stands to do some stretching. He sees the mostly comatose bodies sprawled around the room and smiles at the scene. His whittling knife and half-finished carving of something-or-other lie on the table in front of his chair. He'd abandoned the project somewhere around midnight.

"I gotta take a walk," says the President heading for the open door. As he passes through, Secret Service Agent Shiloh Ronning goes on alert. She keys the microphone on the radio and quietly says, "Sentry-1 to Base. Roughrider is on the move." Two clicks on the receiver tell her the message was received. She follows her boss at a discreet distance.

As T. J. Carroll wanders the halls with no particular destination in mind, he recalls sitting in his den at home in South Dakota and feeling the presence of his ancestors whose pictures adorned the walls. Now the deserted passageways of this house are filled with the spirits of those who once occupied them. They look down on him from their portraits which are hung everywhere he turns. T.R.,

G.W., JFK, Ike, and, of course, T.J.'s namesake. What sage advice would they offer this morning?

Finally, the wanderer arrives at a landscape which he finds much less intimidating. It's an oil painting by Ferdinand Reichardt that depicts the area around Independence Hall in Philadelphia circa 1860. He studies it intently for several moments.

"Ronning," says the President, "quit skulking in the shadows and get over here." The dedicated Secret Service Agent quickly complies with the order.

"You're a trained observer. Tell me what you see here."

Shiloh Ronning scans the image methodically for some time before responding. "I think it's a Sunday morning in the summer. Many of these people are wearing white and are all dressed up. Perhaps a nearby church has just let out. The well-to-do are anxious to get home and out of their heavy formal clothes. But I see the black folks are working the square, perhaps offering refreshments after that long sermon. How's that, sir?"

"Excellent, Shiloh. I'm impressed. Do you also see that there are several conversation groups, men's and women's? What do you suppose they are talking about?"

"Well, the couples that are walking together are probably discussing what's for lunch or their plans for the rest of the day. The gentlemen, I expect, would be discussing political matters."

"I agree, Shiloh. Imagine -- if this is a scene from the summer of 1860 as the placard indicates, the nation will be embroiled in a civil war in less than a year. Tensions are already running high. I imagine everyone is concerned about the impact of a nation suddenly split in two; worried about what it would mean to society and to themselves personally. Interesting times."

Just then there is a disturbance somewhere off in a distant corner of the building, yelling and cheering. Instinctively, the President and his escort head back toward their point of origin.

Soon, Duff Scroggin rounds the corner ahead on the run. He is wearing a broad grin, but is so out of breath from his sprint, that he can't speak right away.

The President assesses his demeanor and says, "Do you bear good tidings, Mr. Scroggin?"

Duff stands erect and gives the thumbs-up sign. Then he holds his thumb and forefinger up about an inch apart. Shiloh gets the message. It was close, but there will definitely be a third constitutional convention.