James Madison and the Nationalists, 1780-1783

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IN the Continental and Confederation Congresses, wrote Irving Brant, James Madison "endeavored to establish . . . national supremacy—first by a return to the original authority Congress lost when it stopped printing money and became financially dependent upon the states, next by recognition of implied powers in the Articles of Confederation, then by the vigorous exercise of powers whose validity could not be challenged, finally by amendment of the articles to confer new powers upon Congress."[1] While subsequent biographers of Madison have challenged Brant on lesser points, both they and other students of Confederation politics have generally affirmed his central theme. Current scholarship portrays the young Virginian as an eager, dedicated nationalist throughout his years of congressional service, one of a group of reformers often referred to as "the nationalists of 1781-1783."[2]

Several elements of this familiar portrait are misleading. They impede a better understanding of Madison's personal development and erect unnecessary obstacles to attempts to comprehend his later career. They also obscure some vital differences among the nationalistic reformers of the

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[1] Brant, *James Madison,* 6 vols. (Indianapolis, Ind., 1941-1961), II: *The Nationalist,* 418.

[2] Ralph Ketcham, *James Madison: A Biography* (New York, 1971), 126-134; Merrill D. Peterson, ed., *James Madison: A Biography in His Own Words* (New York, 1974), 51, 69-71; E. James Ferguson, "The Nationalists of 1781-1783 and the Economic Interpretation of the Constitution," *Journal of American History,* LVI (1969), 241-261. Important monographs identifying Madison with a group of nationalistic reformers include Merrill Jensen, *The New Nation: A History of the United States during the Confederation, 1781-1789* (New York, 1950); E. James Ferguson, *The Power of the Purse: A History of American Public Finance, 1776-1790* (Chapel Hill, N.C., 1961); H. James Henderson, *Party Politics in the Continental Congress* (New York, 1974); and Joseph L. Davis, *Sectionalism in American Politics, 1774-1787* (Madison, Wis., 1977).

early 1780s—differences with critical implications for the more successful effort for reform that came at the decade's end.

Prevailing views do not explain that Madison first rose to prominence in Congress as a determined advocate of Virginia's special interests. For months, those interests reinforced his inclination to *resist* unauthorized extensions of congressional authority—an inclination deeply rooted in his Revolutionary creed. But a commitment to Virginia and the Revolution also called with growing urgency for change. Day by day, while British forces devastated the deep South and then turned toward Virginia, Congress groped for one expedient and then another to keep an army in the field. Victory at Yorktown put an end to the danger that the South might be torn from the Confederation, but the agonizing crawl toward peace brought difficulties nearly as severe. While Madison continued to defend his state's distinctive interests, he came increasingly to favor significant additions to the powers of Congress.

Still, Madison's acceptance of the need for fundamental change was limited and halting. Until the fall of 1782 he supported several reforms with obvious reluctance, often as a product of his alarm for Virginia or for the Revolutionary cause. Even in his final months of congressional service, when he allied himself with Robert Morris and others to push Congress toward the reforms of 1783, he proved unable to accept the ultimate objectives of his allies. James Madison was not a "nationalist" during the early 1780s—not, at least, in several of the senses commonly suggested by that term. His cooperation with the Morrisites did not reflect a concord of opinion. On the contrary, the course of the cooperation suggestively prefigured the confrontation with Alexander Hamilton that would eventually divide the Federalists of 1789 into the warring parties of the 1790s.

When Madison retired from Congress, he intended to reenter the Virginia legislature to advocate compliance with Confederation treaties and acceptance of the congressional recommendations of 1783. But he did not yet favor a complete departure from the Articles of Confederation. He had been pushed, not pulled, toward national supremacy. He had developed doubts about the program and intentions of his former allies. Developments would push him farther in a nationalistic direction in the years ahead. By the time of the Virginia Plan of 1787, he would see some very positive advantages in a program of centralizing reform. And yet the doubts he carried with him from the early 1780s would also help to shape his subsequent career. The content of Madison's nationalism was not just different from, but incompatible with, the centralizing vision of other nationalists who gathered, first, around the old Confederation's superintendent of finance and, after 1789, around the new republic's secretary of the Treasury. This incompatibility had quite important consequences, often overlooked, during the crisis of 1783. It would become explicit after a new federal government had been approved.[3]

[3] It is not sufficient to concede, as several influential authors do, that there were differences between Madison and the nationalists from the Middle States. The

Madison presented his credentials to the Continental Congress at a gloomy juncture in the history of the Confederation. North America was near the end of the most severe winter in a generation. At Morristown, where the continentals were enduring hardships more extreme than at Valley Forge, George Washington wondered how he could keep his hungry, unpaid troops together when their three-year enlistments began to expire. In December 1779 Congress had turned to requisitions of specific supplies to feed the army. On March 18, 1780, the day Madison arrived in Philadelphia, Congress devalued the continental dollar at a rate of forty for one and threw responsibility for generating new bills of credit on the states. Desperate as these decisions were, the long delay in reaching them had brought congressional prestige to a point as low as its power. During 1779, while precipitate inflation threatened to choke the army's supplies, Congress had erupted in bitter public controversy over peace terms, the diplomatic establishment, and the mutual accusations of Silas Deane and Arthur Lee.[4]

While Madison was aware of all these problems and had labored in particular to collect his thoughts on the financial crisis, the desperate condition of affairs hit him with redoubled force as soon as he began to view it from the central government's perspective. Soon after his arrival, he warned Gov. Thomas Jefferson that "the course of the revolution" had seen no moment "more truly critical than the present." The army was "threatened with an immediate alternative of disbanding or living on free quarter." The treasury was empty. Public credit was exhausted. Congress complained "of the extortion of the people, the people of the improvidence of Congress, and the army of both." Congress recommended measures to the states, and the states separately decided whether it was expedient to comply. "Believe me, Sir, as things now stand, if the states do not vigorously proceed in collecting the old money and establishing funds for the credit of the new, . . . we are undone."[5]

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caveat is commonly lost in the generalization when it is entered at all. For example, in *Power of the Purse,* 158-160, Ferguson writes that Madison "was not in the inner councils of the Morris group," at least during the Newburgh Affair. Yet Ferguson, with Brant, describes the Virginian as "an unwavering Nationalist," a phrase he usually defines in terms of Morris's objectives. The reader may fairly infer that what distinguished Madison from the inner group was that he was "less intransigent" in his insistence on a common program (*ibid.,* 166). Other authors make no distinction between Madison and the Morrisites, sometimes with disturbing consequences. For a recent example see James H. Hutson, "Country, Court, and Constitution: Antifederalism and the Historians," *William and Mary Quarterly,* 3d Ser., XXXVIII (1981), 337-368.

[4] Charles Royster, *A Revolutionary People at War: The Continental Army and American Character, 1775-1783* (Chapel Hill, N.C., 1979), 299-300; Edmund Cody Burnett, *The Continental Congress* (New York, 1941), 401-403; Jack N. Rakove, *The Beginnings of National Politics: An Interpretive History of the Continental Congress* (New York, 1979), 255-274.

[5] Madison to Jefferson, Mar. 27, 1780, *The Papers of James Madison,* 14 vols. (Chicago and Charlottesville, Va., 1962-), II, 6. Hereafter cited as *Madison*

The shock that seems apparent in Madison's early letters to Virginia is a most important clue to understanding his career.[6] Forced to grapple daily with the nation's problems through the Confederation's most difficult years, he would never forget the desperation he often felt. Having occupied the station that he did, he found it impossible to see American affairs in the manner that he might have seen them had he never left Virginia. His later letters repeatedly comment on the different perspectives of those who comprehended problems from a national vantage and those who were immersed in local concerns.[7] And yet these early letters may also easily mislead. They do not justify the view that Madison attempted to extend congressional authority from the beginning of his service.

At twenty-nine, the youngest man in Congress, Madison was shy, weak-voiced, and diffident. Through his first six months of service, he made no motions and probably never entered a debate. Authorities agree that Congress was preoccupied with war and relatively free of factional division during the spring and summer of 1780, months marked by military disaster in the Carolinas, continuing depreciation of the currency, and the failure of specific supplies to meet the needs of the northern army, in which mutinies erupted in May and June. The optimism sparked by the financial reforms of March quickly gave way to virtually unanimous alarm over the army's condition and to a general opinion that so much reliance on the states might have to be replaced by broader congressional authority.[8]

Madison plainly shared the general sense of crisis and national humiliation.[9] He seems to have agreed with Joseph Jones, his senior colleague in Virginia's delegation, that Congress had surrendered too much of its power to the states.[10] He certainly agreed that the situation demanded prompt ratification of the Articles of Confederation.[11] How much farther

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Papers, vols. 1-7 were edited by William T. Hutchinson and William M. E. Rachal and vols. 8-14 by Robert A. Rutland *et al.* I have modernized spelling and punctuation and given abbreviations in full throughout this article.

[6] As Ketcham notes in *James Madison*, 101.

[7] See, especially, Madison to Edmund Randolph, May 20, 1783, *Madison Papers*, VII, 59.

[8] See the secondary sources cited in nn. 2 and 4, together with Worthington Chauncy Ford *et al.*, eds., *Journals of the Continental Congress, 1774-1789*, 34 vols. (Washington, D.C., 1904-1937), XVI-XVII, and Edmund C. Burnett, ed., *Letters of Members of the Continental Congress*, 8 vols. (Washington, D.C., 1921-1936), V. The latter works are hereafter cited as *Jours. Cont. Cong.* and *Letters Cont. Cong.*

[9] See, especially, Madison to Jefferson, May 6, 1780, *Madison Papers*, II, 19-20.

[10] Madison to John Page, May 8, 1780, to Jefferson, June 2, 1780, and to Jones, Oct. 24, 1780, *ibid.*, 21-22, 37-38, 145-146. On June 19, 1780, Jones wrote to Washington, "Congress have been gradually surrendering or throwing upon the several states the exercise of powers they should have retained. . . . Congress is at present little more than the medium through which the wants of the army are conveyed to the states. This body never had or at least . . . exercised powers adequate to the purposes of war" (*Letters Cont. Cong.*, V, 226-227).

[11] Madison to Edmund Pendleton, Sept. 12, 1780, *Madison Papers*, II, 81-82.

he might have been willing to go to strengthen the federal hand is impossible to say. But there is nothing in his surviving papers through the end of 1780 that confirms the common suggestion that he was ahead of other delegates in accepting the need for centralizing reforms. Rather, there are several hints that he persisted somewhat longer than did most in the hope that such extensive change might be unnecessary. The want of money, he protested, "is the source of all our public difficulties." One or two million guineas "would expel the enemy from every part of the United States" and "reconcile the army and everybody else to our republican forms of governments, the principal inconveniences which are imputed to these being really the fruit of defective revenues." The troops, he thought, could be as well equipped "by our governments as by any other if they possessed money enough."[12]

By the time he wrote these words, Madison had been thrust into a role of greater visibility in Congress, though hardly as an advocate of centralizing change. On September 6 he seconded a motion in which Jones presented Virginia's terms for the western cession that Congress had recommended as necessary to assure ratification of the Articles. Almost immediately, Jones, to whom the delegation had deferred on this vital issue, departed for Virginia to attend his ailing wife and to persuade the legislature to complete the cession. Appointed to the committee to consider Jones's motion, Madison shared prominently from this point on in all congressional deliberations concerning the west—not least because he feared that his remaining colleagues in Virginia's delegation, John Walker and Theodorick Bland, were not sufficiently alert to the commonwealth's long-term interests. On September 16, with Kentucky much in mind, he suddenly entered the ongoing controversy over Vermont, whose independence Bland favored, with a set of resolutions looking toward a congressional settlement that would have placed the rebellious territory firmly under the jurisdiction of either New Hampshire or New York.[13] Moreover, when Congress received the committee's report on the Virginia cession and agreed to strike a clause voiding private purchases from the Indians, Madison voted against the altered resolutions, although Bland

[12] Madison to Pendleton, Nov. 7, 1780, *ibid.*, 166. For additional hints of his persistent hope that problems could be solved within the present structures, see Madison to Jefferson, May 6, 1780, and to John Page (?), May 8, 1780, *ibid.*, 19-20, 21.

[13] Madison, "Resolutions Respecting Vermont Lands," Sept. 16, 1780, *ibid.*, 87-88. On Sept. 19, 1780, Madison wrote Jones that he believed a decision should be made "on principles that will effectually discountenance the erection of new governments without the sanction of proper authority" (*ibid.*, 90). Jones's reply of Oct. 2, 1780, strengthens the impression that the Virginians, who were faced with a weak secession movement in Kentucky, had their own interest very much in view. Of the agitation for Vermont's independence, Jones said, "Such excrescences should be taken off on their first appearance. . . . We know not what may be the consequences if Congress shall countenance by precedent the dismembering of states" (*ibid.*, 106).

and Walker cast the delegation's vote in favor of the committee's recommendations.[14]

For all his wish to help prepare the way for the completion of the Confederation, Madison would always stubbornly resist any cession that would not confirm his state's exclusion of the claims of the great land companies. Recognition of these claims, in his opinion, could transfer a great treasure "from the public to a few land mongers."[15] It would also imply an improper congressional jurisdiction over the northwest. Through all the months ahead, while the terms of a cession remained a periodic subject of controversy, Madison insisted that Virginia's sovereignty was absolute within the whole of its chartered bounds. He denied that Congress had a valid, independent claim to the lands northwest of the Ohio River and maintained that Congress could acquire legitimate authority only by accepting a cession on Virginia's terms.[16]

Meanwhile, Madison's preoccupation with the west and his determination to defend state interests prompted him to take a major role in deliberations over a potential treaty with Spain. With most of the delegates from the frightened South, Madison favored close cooperation with France. He quickly established close relationships with the Chevalier de La Luzerne and the secretary of the French legation, François de Barbé-Marbois.[17] He has often been identified as a member of a "French party," and French agents described him as "devoted to us." Yet La Luzerne also characterized him as "not free from prejudices in favor of the various claims of Virginia, however exaggerated they may be."[18] Certainly, these claims made Madison a difficult friend of France on the issue of America's relationship with Spain.

Aware that Spain would not complete a treaty that might threaten its position in Louisiana, French emissaries sought American flexibility on the question of a western boundary and on American pretensions to a right to navigate the Mississippi River. No one in Congress was *less* flexible on these issues than the young Virginian. The original instructions for a

[14] *Jours. Cont. Cong.*, XVIII, 916. For the issue of the western lands to this point see Thomas Perkins Abernethy, *Western Lands and the American Revolution* (New York, 1937), chap. 19, and Peter Onuf, "Toward Federalism: Virginia, Congress, and the Western Lands," *WMQ*, 3d Ser., XXXIV (1977), 353-374. Onuf's insistence that a resolution of this issue was, for many Virginians, a prerequisite for support of stronger federal power has been particularly helpful.

[15] Madison to Jones, Oct. 17, 1780, *Madison Papers*, II, 136-137.

[16] For now, Madison swallowed his "chagrin" over the decision of Oct. 10 and urged Virginians to proceed with the cession. He insisted that Virginia could still accomplish the exclusion of the companies simply by attaching to its act of cession a condition voiding private claims, perhaps even a provision that "no private claims be complied with" in the cessions of any state (*ibid.*). See also Madison to Jones, Sept. 19, 1780, *ibid.*, 89-90.

[17] Jones to Madison, Oct. 9, 1780, *ibid.*, 120-121; Madison to Jones, Oct. 24, 1780, *ibid.*, 145; Brant, *Madison*, II, 77-79.

[18] Quoted in Brant, *Madison*, II, 14.

Spanish treaty were entirely to his liking. When the hard-pressed Georgians and South Carolinians moved to abandon Congress's original insistence on free navigation of the Mississippi, Madison forced postponement of a reconsideration despite the anxiety he suffered when his stand embroiled him in another conflict with Bland. He trusted, he told Jones, "that Congress will see the impropriety of sacrificing the acknowledged limits and claims of any state" without that state's consent.[19] And when he wrote Governor Jefferson to seek a resolution of the difference between himself and Bland, he indicated that the desperate military situation in the South had not sufficed to make him think that Virginia should agree to purchase a Spanish pact at the price of the navigation of the Mississippi or its western claims. He also asked for specific instructions as to what the delegates should do if Congress made concessions on either matter without Virginia's consent.[20]

By the end of his first year of service, Madison had become a congressman with whom his fellows reckoned. Early in 1781 he was mentioned as a candidate for the position of secretary for foreign affairs.[21] Created in January, this post was the first of four executive offices established by Congress while Virginia and Maryland were acting to complete the ratification of the Articles. Congress made these important administrative changes, culminating in the appointment of Robert Morris as superintendent of finance, without a serious division. Madison supported them, although his surviving papers are entirely silent on the subject. In the years ahead, he would become something of an administration man in Congress. He was willing to see a good deal of executive initiative, normally supported the secretaries' recommendations, and seems often to have been called upon by Morris and Robert R. Livingston, the secretary for foreign affairs, to guide their proposals through Congress.[22]

Madison's support for executive efficiency should not be confused with a determined nationalism. In close conjunction with the creation of executive departments, Congress asked the states for power to levy a 5 percent duty on foreign imports and began a broad consideration of the adequacy of the newly ratified Articles. Analyzing these deliberations of the spring and summer of 1781, most students of Confederation politics have identified Madison as one of the leaders of a nationalistic push. Failing to secure endorsement of a federal power to coerce delinquent states, it is said, Madison conducted a campaign to expand federal

[19] Madison to Jones, Nov. 25, 1780, *Madison Papers,* II, 203. See also Madison to Jones, Dec. 5, 1780, *ibid.,* 224.

[20] Virginia Delegates in Congress to Jefferson, Dec. 13, 1780, *ibid.,* 241-242.

[21] Thomas Burke to William Bingham, Feb. 6 (?), 1781, *Letters Cont. Cong.,* V, 562-563.

[22] "I have always conceived the several ministerial departments of Congress to be provisions for aiding their counsels as well as executing their resolutions" (Madison to James Monroe, Mar. 21, 1785, *Madison Papers,* VIII, 255-256).

authority by means of a doctrine of implied congressional powers.[23] This interpretation rests on a partial reading of the evidence and smothers a deep and obvious ambivalence in Madison's position during this time of important reforms. It also raises an imposing barrier to understanding how he would arrive at the position he would occupy by 1793.

What we know of the critical decisions of 1781 can be reduced to a few essentials. On February 3 John Witherspoon moved that the states be asked to grant Congress the power to superintend the nation's commerce and an exclusive right to levy duties on imports. This motion was defeated, four states to three. Then, by the same margin, Congress approved a recommendation of power to levy a 5 percent impost. Madison and Jones overrode Bland to cast Virginia's vote *against* both proposals.[24] At some point Madison prepared a substitute resolution, which seems the best clue to his current preference: "That it be earnestly recommended to the states, as indispensably necessary to the support of public credit and the prosecution of the war, immediately to pass laws" levying a 5 percent duty on foreign imports and vesting Congress with power to collect and appropriate the funds to discharge the principal and interest of its debts. The language plainly suggests that while Madison wanted this revenue and favored congressional collection, he did not currently favor an independent congressional power to levy the tax or to use it for any purpose except to provide for the debt.[25] On this issue and on the question of congressional superintendence of commerce, he was not willing to extend congressional authority as far as many of his fellows would have liked.

Similar conclusions can be reached about the episode that may appear to offer the strongest evidence for Madison's early participation in a nationalistic thrust. During the spring and summer of 1781, a progression of three congressional committees considered ways to strengthen the Articles. Madison served on the first of these committees and wrote its report,

[23] Madison "used every strategem to expand" congressional power "indirectly," moving to give Congress power to prohibit trade with Britain, to permit impressment of supplies, etc. (Ketcham, *James Madison,* 114). This accords closely with the longer discussion in Brant, *Madison,* II, chap. 8: Madison believed in "easy discovery of implied powers where none were expressly stated" (p. 110). Defeated on the matter of the coercive power, he drove "to the same end by specific legislation based on implied powers" (p. 111). "Forced by necessity, Congress adopted one specific measure after another which Madison put before it, based on implications of power" (p. 118).

[24] *Jours. Cont. Cong.,* XIX, 110-113.

[25] Madison, "Motion on Impost," Feb. 3, 1781, *Madison Papers,* II, 303-304. At the end of May, Madison was still not as unequivocal an advocate of this independent federal revenue as he would come to be. He defended congressional collection as necessary to prevent diversion of the funds to state uses and as less disruptive of the states' internal governance than Pendleton feared. But he confessed that a congressional right to collect an impost might require a confidence in Congress "greater perhaps than many may think consistent with republican jealousy" (Madison to Pendleton, May 29, 1781, *ibid.,* III, 140-141).

which recommended an amendment authorizing Congress "to employ the force of the United States" to compel delinquent states to fulfill their "federal obligations."[26] Madison's biographers have correctly pointed out that he regarded the coercive power as implicit in the Articles and was quite serious about employing this formidable tool at a time when Virginians were complaining bitterly about inadequate northern support. He even wondered whether Congress, by seeking an amendment, should risk a denial by the states of a power it already possessed by implication.[27] But it is equally important to recall the nature of Madison's defense of the proposed amendment. While a coercive power was implicit in the Articles, his report maintained, the absence of a more "determinate and particular provision" could lead to challenges by recalcitrant states. Moreover, it was "most consonant to the spirit of a free constitution that . . . all exercise of power should be explicitly and precisely warranted." A preference for explicit grants of power was a theme to which the Virginian would return repeatedly in the months—and, of course, the years—ahead.[28]

In 1781 Madison insisted on the existence of implied congressional powers in the case of coercion of delinquent states. He assumed the presence of implied powers—logically at least—when he moved to tighten the embargo on trade with Britain and to authorize Gen. Anthony Wayne to impress supplies on his march to Virginia. So, however, did virtually the whole of Congress, for neither of these motions generated constitutional debate. Each advocated an extension or renewal of measures that Congress had long employed. They are not sufficient grounds for concluding that Madison was engaged in a campaign to extend congressional authority. Apart from the coercion of the states, the incidents that have been cited to support the view that he was deliberately attempting to enlarge congressional authority uniformly involved measures that were obvious derivatives of the power to make war, and no one had to torture the Articles to support them.[29] Ordinarily, Madison was demonstrably wary of

[26] Madison, "Proposed Amendment of Articles of Confederation," Mar. 12, 1781, *ibid.*, III, 17-19.

[27] Madison to Jefferson, Apr. 16, 1781, *ibid.*, 71-72, in which he argued that the grant of a coercive power was necessary because of the "shameful deficiency" of some of the "most capable" states and the "military exactions" to which others, "already exhausted," were consequently exposed. Note also the remark that a federal navy, which Madison conceived to be the proper tool of coercion, merited support for a "collateral reason." "Without it, what is to protect the southern states for many years to come against the insults and aggressions of their northern brethren?"

[28] Madison's most eloquent denunciation of legislative trangressions of constitutional limitations would come in his "Memorial and Remonstrance against Religious Assessments [in Virginia]," 1785, *ibid.*, VIII, 295-306.

[29] The single issue on which Madison, who was frantically working to rush assistance to Virginia, might be fairly accused of torturing the Articles saw him argue that five states should be sufficient to form a quorum for ordinary business. Thomas Rodney Diary, Mar. 5, 1781, *Letters Cont. Cong.*, VI, 8.

the doctrine of implied powers. His regard for written limitations of authority and charter boundaries between the powers of the nation and the states is clear.

Madison's position on a national bank is one of many illustrations of the point. With nearly all his colleagues, he favored the appointment of Robert Morris, conceded the financier's extraordinary conditions for acceptance, and supported the superintendent's attempts to finance the Yorktown campaign and to preserve the public credit from absolute collapse. The bank was a partial exception. Morris submitted his proposal for a bank on May 17, 1781, three days after accepting his office, two weeks after the Virginia delegates had reported the final collapse of the currency, and one week after the Virginia legislature had been forced to flee from Richmond. On May 26 Madison nevertheless distinguished himself as one of only four congressmen to oppose a resolution endorsing the superintendent's plan, believing that the Articles conferred no federal power to create a corporation. On December 31 Madison apparently acquiesced in the ordinance of incorporation itself, but not without some agony. "You will conceive the dilemma in which . . . circumstances placed the members who felt on the one side the *importance* of the institution, and on the other a want of power and an aversion to assume it," he wrote. Unwilling to frustrate the financier, disappoint the army, or break an implicit promise to subscribers, worried congressmen had felt able to do no more than insert a resolution by Edmund Randolph recommending actions by the states to give the bank's charter validity within their bounds. "As this is a tacit admission of a defect of [federal] power, I hope," Madison explained, "it will be an antidote against the poisonous tendency of precedents of usurpation."[30]

The bank was not the only issue on which Madison revealed the limits of his continentalism and his inclination to insist on strict construction of the Articles. On May 28 Congress received La Luzerne's request for a definition of its terms for peace. Through the summer and into the fall of 1781, countered at every turn by Witherspoon and opposed by the French and the frightened delegates from the deep South, Madison fought a losing battle to make the western claims of the United States—or, at minimum, the western claims of Virginia—part of the peace ultimata. Failing that, he sought to make these claims a necessary part of any commercial treaty with Great Britain.[31] During the same months he continued to worry about growing congressional sentiment in favor of independence for Vermont, not least because he suspected that "some of the little states . . . hope that such a precedent may engender a division of some of the large ones."[32] The question of western cessions was slowly

[30] Madison to Pendleton, Jan. 8, 1782, *Madison Papers,* IV, 22-23. See also Virginia Delegates to Benjamin Harrison, *ibid.,* 19.

[31] *Ibid.,* III, 133; *Jours. Cont. Cong.,* XX-XXI, *passim;* Brant, *Madison,* II, 137-140, 143-146.

[32] Madison to Pendleton, Aug. 14, 1781, *Madison Papers,* III, 224.

working its way through a Congress hostile to Virginia's conditions.[33] Madison ended the year thoroughly angered over the congressional temperament. He counseled Virginians against despair. Congress, he explained to Jefferson, had not adopted "the obnoxious doctrine of an inherent right in the United States to the territory in question." He hoped that Jefferson would try to counteract "any intemperate measures that may be urged in the legislature." Yet he freely declared his opinion that the congressional proceedings were "ample justification" for a legislative revocation of the cession and a remonstrance against interference in Virginia's jurisdiction, as well as ample indication that the legislature should "in all their provisions for their future security, importance, and interest . . . presume that the present union will but little survive the present war."[34]

Through the spring of 1782, as he completed his second year in Congress, Madison remained preoccupied with Vermont and the western cession. He continued to work to block Vermont's admission as an independent state. He questioned congressional authority, feared the consequences of the precedent for Virginia, and resisted the addition of another state to the forces of the easterners and the landless block in Congress.[35] He also sought to force a decision on the Virginia cession, which he perceived as intimately connected to the struggle over Vermont.[36] When Congress stalled, postponing a decision indefinitely, Madison suggested to Arthur Lee that it would not be "consistent with the respect we owe to our own public characters nor with the dignity of those we serve to persist longer in fruitless applications" for a congressional decision. Instead, the delegation would request instructions from the legislature, "who will certainly be fully justified in taking any course . . . which the interest of the state shall prescribe."[37] Madison hoped the

[33] See Virginia Delegates to Thomas Nelson, Oct. 9, 16, 23, 1781, *ibid.,* 281-282, 286-288, 293, and Randolph to Nelson, Nov. 7, 1781, which reported the delegation "almost worn down with motions respecting your cession. . . . Virginia is . . . not merely destitute of friends but surrounded by those who labor to retrench her territory" (*Letters Cont. Cong.,* VI, 259-260).

[34] Madison to Jefferson, Nov. 18, 1781, *Madison Papers,* III, 307-308.

[35] With every indication of approaching hostilities between the Green Mountain men and the authorities of New Hampshire and New York, Madison groaned, it might be necessary to accept congressional interposition despite the constitutional and practical arguments against it. "It is very unhappy that such plausible pretexts, if not necessary occasions, of assuming power should occur. Nothing is more distressing to those who have a due respect for the constitutional modifications of power than to be obliged to decide on them" (Madison to Pendleton, Jan. 22, 1782, *ibid.,* IV, 38-39).

[36] Madison to Pendleton, Apr. 23, 1782, *ibid.,* 178; Madison to Randolph, May 1, 1782, *ibid.,* 196-197. See also Madison's memorandum, "Observations Relating to the Influence of Vermont and the Territorial Claims on the Politics of Congress," May 1, 1782, *ibid.,* 200-203.

[37] Madison to Lee, May 7, 1782, *ibid.,* 217-218.

legislature would continue firm. The delegation even determined at one point to make its support for measures pressuring recalcitrant states to approve the impost "subservient to an honorable" decision on the cession.[38]

Madison's positions on the impost, on a national bank, and on the west should warn against identifying him with a group of nationalistic reformers during his first two years and more in Congress. The more closely one examines this interpretation, the larger grow the problems. H. James Henderson, for example, explicitly follows Brant in portraying the Virginian as a consistent, energetic nationalist,[39] yet Henderson's quantitative studies afford poor support for this view. The cluster-bloc analysis for 1780 places Madison in a New England-Virginia bloc on the fringes of an "Eastern Party," which was the home of most of the old radicals who remained in Congress and which voted quite differently from the Southern and New York blocs, whose members Henderson identifies with a nationalistic thrust.[40] The table for 1781 places Madison in a separate Virginia bloc, which was the most loosely attached of the four groupings within a dominant "Middle-Southern Coalition."[41] The analysis for 1782, when divisions were dominated by the issues of Vermont and the west, associates Madison with a separate Virginia group within a "Southern Party," which opposed a "Northern Party" with New England and Middle States blocs.[42] Only during 1783 does the analysis of roll calls place Madison firmly within a nationalistic coalition.

For the months between the spring of 1780 and the fall of 1782, the evidence permits few generalizations about Madison's congressional position, and these must differ markedly from the conclusions most scholars have drawn. Madison *did* consistently advocate a harmonious relationship between the United States and France, although no one in Congress was a more persistent or effective *opponent* of American concessions to French or Spanish desires on the matters of the western boundaries or the Mississippi River. By the summer of 1782, Madison's desire for close relations with the French and his appreciation of Benjamin Franklin's contribution to such relations prompted him to take a leading role in

[38] Madison to Randolph, *ibid.*, 220.

[39] Henderson, *Party Politics*, 249.

[40] *Ibid.*, 250-251, and chap. 10 *passim*.

[41] *Ibid.*, 288-289. Indeed, if I read Henderson correctly, his reason for placing the Virginia bloc in this coalition is the link between Randolph, Jones, and some of its marginal members and the Pennsylvania-Maryland bloc, which was the core of the "Middle-Southern Coalition." This, of course, has little to do with Madison's own position, which might fairly be characterized as eccentric. Henderson sees the "Middle-Southern Coalition" of 1781 as opposed to a "New England Group" more on matters of foreign policy than on domestic issues, yet Madison often found his closest allies in the arguments over peace terms among the Massachusetts men.

[42] *Ibid.*, 295.

opposition to the maneuvers of his Virginia colleague Arthur Lee, whose enmity toward Franklin and suspicion of the French Madison denounced as portending a revival of the party controversies of 1779.[43] The younger man's dislike of Lee was compounded by the latter's vendetta against Robert Morris, whom Madison normally supported.[44]

Through the fall of 1782, however, Madison did not conceive of Congress as divided into pro- and anti-Morris parties, nor is it possible to identify him with a group intent on national aggrandizement. He did not vote that way across a range of issues. On the impost and the national bank he sided with the handful of congressmen most resistant to centralizing reform. Moreover, one may search in vain through his surviving papers through most of 1782 for any indication that he was even aware of a reformist push toward greater national authority, much less identified with one. Far from seeking subtle means to extend the constitutional boundaries of congressional power, he seems to have been a strict constructionist of sorts. He was not invariably consistent on the point; he consciously departed from the principle when exigencies required. But he departed from the principle with obvious reluctance and concern. Madison's fundamental inclination was to insist on charter definitions of authority, on *both* the full assertion of powers confided to the central government and genuine regard for the authority left to the states. If this could lead him to support coercion of delinquents, it could also—and more often—lead him to defend states' rights.[45]

Nowhere was this more evident than on the matter of Virginia's western claims, the issue that distinguished Madison most clearly from the majority in Congress. Historians have emphasized the young man's role in the creation of a national domain, and it is also necessary to remember that he frequently wrote home to urge adoption of the impost and compliance with other congressional recommendations. Madison was certainly no localist. Neither was he *principally* a defender of the states' constitutional preserves. Contemporaries nonetheless saw him correctly as a dedicated servant of Virginia. He was willing to subordinate his desire for the impost and the cession to his determination to exclude the speculators from the west and to defend Virginia's jurisdictional claims. He opposed congressional control of commerce. He shared with most Virginians an intense suspicion of New England and an acute resentment of the obvious congressional jealousy of the Old Dominion. When he discussed congressional divisions, he identified his foes as easterners, Pennsylvania speculators, and members from the landless states. He could not commit himself consistently to centralizing change while these remained his dominant

[43] Madison to Randolph, July 23, 1782, *Madison Papers,* IV, 435; Madison, "Comments on Instructions to Peace Commissioners," *ibid.,* 436-438.

[44] Madison to Randolph, June 4, 1782, *ibid.,* 313.

[45] For additional defenses of state preserves and attempts to determine "constitutional" boundaries see *ibid.,* 195-196, 298, 391-394, 410-412, 444-445.

concerns. He would not be unaffected by these feelings when his perspective changed.

In the fall of 1782, as Congress anxiously awaited news from its peace commissioners in Paris, circumstances slowly altered Madison's preoccupations. Deliberations on Vermont and the cession took turns to his liking.[46] At the same time, the Confederation government drew ever nearer to financial collapse. The superintendent of finance had completed his administrative reforms of the Department of the Treasury, put the Bank of North America into operation, enlarged the supply of usable paper by issuing the "Morris Notes," and urged a settlement of accounts between the nation and the states as the first step toward funding the general debt. But the states were increasingly in arrears on their requisitions—Virginia notoriously so. Rhode Island had not approved the impost. Pressure from unpaid public creditors was mounting, and Morris had seized the occasion of one of their memorials to deliver his most important paper on public finance. Dated July 29, 1782, this report insisted that additional general revenues must be added to receipts from the impost and the anticipated sales of western lands in order to meet current expenses and pay the interest on the debt. By fall, however, Congress had done no more than requisition additional funds for the interest due the creditors.[47]

Through the fall, Madison still served as something of an administration man in Congress. His views accorded closely with the financier's when the clamors of soldiers and civilian creditors led two states to contemplate assuming a portion of the Confederation's financial responsibilities. Reporting for a committee assigned to consider New Jersey's warning that the state might be compelled to pay its line out of funds intended for its annual quota, Madison insisted that "the federal constitution" provided that costs for the common defense be paid from the common treasury.[48] He also served with John Rutledge and Alexander Hamilton on a committee that managed to dissuade the Pennsylvania assembly from adopting a plan to pay its civilian federal creditors from state funds.[49] As before, he defended the authority confided to the general government, just as he insisted on respect for the written limitations on its power. He continued to guard Virginia's interests, not only in deliberations on the cession and Vermont, but also in early considerations of adjustments of

[46] Madison, "Notes on Debates," Nov. 14, 1782, *ibid.*, V, 273-274 (hereafter cited as "Notes"); Madison to Randolph, Sept. 10, Nov. 5, 1782, *ibid.*, 115-116, 242-243.

[47] For the evolution of and action on Morris's proposals, besides sources cited in nn. 2 and 4, see Clarence L. Ver Steeg, *Robert Morris: Revolutionary Financier* (New York, 1954), chap. 5, and 123-129. Morris's report is in *Jours. Cont. Cong.*, XXII, 429-446.

[48] Madison, "Report on Payment of New Jersey Troops," *Madison Papers*, V, 173-177.

[49] "Notes," Dec. 4, 1782, *ibid.*, 363-364.

state accounts. On the latter issue he could not agree entirely with the superintendent.[50]

Rather suddenly, the budding crisis burst. Events propelled the Virginian toward a leading role in the war years' most important effort to extend the powers of Congress. In December 1782 a deputation from the angry army arrived in Philadelphia to demand immediate pay for the private soldiers and firm assurances to the officers that they would receive the half-pay pensions promised them in 1780. Then, on Christmas Eve, a humiliated Madison was compelled to tell the fundless Congress that Virginia had rescinded its approval of the impost, destroying all remaining hope that the proposal of 1781 might provide the required relief. Soon thereafter, Robert Morris committed himself to an all-out push to win approval of his plans. The superintendent feared that the end of the war would ruin an unrepeatable opportunity for strengthening congressional authority and securing the general revenues necessary to restore public credit and promote peacetime prosperity. As rumors of a preliminary treaty of peace grew louder and unrest in the army assumed an ominous tone, a "movement for uniting the support of the public creditors—civil and military—emanated . . . from the Office of Finance."[51]

On January 6 Congress received the army's memorial. The following day a grand committee met with Morris, who informed them that the finances would not permit any payments at present or any assurances of future pay until general funds were established for the purpose. On January 9 the financier informed another committee that accounts abroad were overdrawn and secured permission for one more draft on foreign funds despite that fact. On January 17 he told the army deputation that one month's pay could be provided from this draft, but that no other provisions could be made without congressional action. At the same time, he advised Congress against further applications for foreign loans. Finally, on January 24, without warning, he submitted a letter announcing that he would resign at the end of May if permanent provision had not been made for the public debt. The superintendent declined to be "the minister of injustice."[52]

The letter from the financier jarred Congress, which began a full-scale consideration of funding the following day. Moreover, some of Morris's supporters took it as a signal for a concentrated effort to enlist extra-congressional pressure for independent federal revenues, especially from the army. For two months Congress battled over funding and commutation of the half-pay pensions amidst growing rumors that the army might

[50] Morris's advice, "in rigid adherence to his maxims of public faith," as Madison put it, was that state surpluses of old continentals be credited at the official rate of 40-1. The eastern states particularly had retired great quantities at far lower rates. Madison opposed ratios of 40-1, 75-1, 100-1, and even 150-1. "Notes," Nov. 26, 1782, *ibid.*, 321-322; Madison to Randolph, Dec. 3, 1782, *ibid.*, 356-357.

[51] Ver Steeg, *Morris*, 166-177, 185-187, quotation on p. 169.

[52] *Ibid.*, 171.

refuse to disband. At camp, agitation culminated in the Newburgh Addresses of March 10 and 12, 1783.[53]

The major elements of Madison's response seem clear.[54] Through most of February, the Virginian, who served on all the key committees to confer with the army deputation and with Morris, was in close agreement with the superintendent on the measures necessary to resolve the crisis. As a guardian of Virginia's interests, he would not accept the financier's proposal that state surpluses of the old continentals be credited at the official rate of forty to one, nor would he support a tax on acreages of land. And yet, despite Virginia's instructions to oppose any departure from the present mode of apportioning taxes (which required an assessment of land values), he joined with Hamilton and James Wilson, the superintendent's closest supporters in Congress, to insist that the present rule of apportionment was unworkable and must be changed. And while he shared the general congressional resentment of Morris's threat to resign, he agreed with the financier that Congress must have both an impost and additional general revenues to meet its constitutional responsibilities.[55]

With Madison restrained by Virginia's preference for requisitions based on the Articles' rule of apportionment, Wilson and Hamilton took the early lead in advocating independent revenues collected by Congress, while Bland and Arthur Lee led the opposition. Then, on January 28, Madison entered the debate with one of the most impressive speeches of his congressional years. It was unnecessary, he remarked, to argue the necessity of paying the public debt, since "the idea of erecting our national independence on the ruins of public faith and national honor must be horrid to every mind which retained either honesty or pride." No one,

[53] The precise nature of the relationship between army radicals and the nationalists and public creditors supporting Morris is undiscoverable. Interpretations range from Henderson's suggestion that Hamilton and Gouverneur Morris, who was Robert's assistant at the Treasury, made "hesitant and uncoordinated" efforts to encourage continuing verbal protests from the army (*Party Politics,* 332-335), through an argument that Hamilton and both Morrises conspired to provoke a coup d'etat by the group around Gates and then to alert Washington in time to squelch it. For the latter see Richard H. Kohn, *Eagle and Sword: The Federalists and the Creation of the Military Establishment in America, 1783-1802* (New York, 1975), chap. 2, and C. Edward Skeen, "The Newburgh Conspiracy Reconsidered," With a Rebuttal by Richard H. Kohn, *WMQ,* 3d Ser., XXXI (1974), 273-298. I suspect a declaration of an intent to disband was more than Hamilton or R. Morris wanted from the army, but it is clear that the Morrisites urged the army to look to Congress, not to the states, for satisfaction of its demands and used the agitation at camp to generate an atmosphere of crisis in Philadelphia. All authorities agree that Madison was not involved in contacts with the army.

[54] Madison's "Notes on Debates," the single most important source for the crisis of 1783, make it possible to follow developments daily. My discussion is based primarily on these (*Madison Papers,* VI, *passim*), and on *Jours. Cont. Cong.,* XXIV.

[55] Madison to Randolph, Jan. 22, 1783, *Madison Papers,* VI, 55. For the response to Morris's letter see "Notes," Jan. 24, 1783, *ibid.,* 120.

though, continued to suppose that Congress could rely on "a punctual and unfailing compliance by thirteen separate and independent governments with periodical demands of money." Nor could Congress reasonably depend on the states to make separate, permanent provisions for the debt. Innumerable occasions would arise for diversion of such funds to state uses, while the conviction of every state that others would fail to meet their obligations would ultimately stop such separate provisions completely. The situation called imperatively for "the plan of a general revenue operating throughout the United States under the superintendence of Congress." The alternative, as Pennsylvania's recent conduct showed, would be state assumptions of federal responsibilities. "What then," he asked, "would become of the Confederation?" What would be the reaction of the army? "The patience of the army has been equal to their bravery, but that patience must have its limits."

Madison denied that general revenues would contravene the principles of the Confederation. Congress was already vested with the power of the purse. "A requisition of Congress on the states for money is as much a law to them as their revenue acts, when passed, are laws to their respective citizens." The Articles authorized Congress to borrow money. If provision for the resulting debt could be made in no other way, then "a general revenue is within the spirit of the Confederation."[56]

With this speech of January 28, Madison seized a leading role in the attempt to win congressional approval of general revenues. He became, indeed, floor general of the effort, although his specific proposals could still be distinguished from those of Hamilton or Wilson by their southern flavor. Viewing the congressional support for an assessment of lands as an insuperable barrier to prior approval of general funds, Madison supported a motion to move the discussion of a mode of assessment ahead of the debate on independent revenues. Hamilton, who saw that the Virginian was trying desperately to bridge the gap between the congressional majority and Morris, quickly fell in line with Madison's attempts to untie procedural knots.

The strategy eventually misfired. By the end of January, even Lee and Bland were moving toward support of a modified impost. Madison argued quietly and effectively for a commutation of the half-pay pensions. Yet the New England and New Jersey delegates continued to resist, provoking him, at one point, to cry out that he was "astonished to hear objections against a commutation come from states in compliance with whose objections against the half-pay itself this expedient had been substituted."[57] Even worse, Congress managed, to Madison's surprise, to agree on a method for assessing lands, although he voted consistently against the plan that was finally approved.[58] Madison had anticipated that a full

[56] "Notes," Jan. 28, 1783, *ibid.*, 143-147.

[57] "Notes," Feb 4, 1783, *ibid.*, 187.

[58] *Jours. Cont. Cong.*, XXIV, 137. Madison condemned the plan as contrary to the Articles because it required a return of population as part of the formula for making an assessment (*Madison Papers*, VI, 256, 195-198, 209, 213, 215-216, 247).

discussion of the possibility of an assessment would convince others, as he was convinced, that the Articles' rule for apportioning requisitions was unworkable. Instead, Congress agreed on a procedure, and the commitment of many members to a first recourse to taxes based on such apportionments remained a major obstacle to approval of general revenues.

The problem was immediately apparent when John Rutledge and Virginia's John Francis Mercer moved to apply the proceeds from a new impost exclusively to the debt due to the army. Madison helped to defeat this proposal on February 18, only to hear Hamilton and Wilson follow with a motion that Congress open its doors to the public when matters of finance were under debate. The Virginian shared the general dislike of this surprising motion, which was greeted with adjournment, and he queried the Pennsylvania delegation privately about it. The Pennsylvanians told him that they had put themselves in a delicate position with their legislature by persuading it to drop its plans for state payments to civilian creditors and simply wished their constituents to know where they stood. "Perhaps the true reason," Madison suspected, "was that it was expected the presence of public creditors, numerous and weighty in Philadelphia, would have an influence" on congressional proceedings.[59]

Congress had already heard Hamilton urge a general revenue on grounds that worried several members. "As the energy of the federal government was evidently short of the degree necessary for pervading and uniting the states," the New Yorker had argued, "it was expedient to introduce the influence of officers deriving their emoluments from and consequently interested in supporting the power of Congress."[60] The subsequent attempt by Hamilton and Wilson to open Congress itself to a powerful lobby reinforced a gathering impression that several advocates of general funds hoped the public creditors would press both the state and federal legislatures into a grant of independent revenues to Congress.[61] Madison was obviously uncomfortable with the expression of such desires.[62]

At just this point the pressure from the army neared its peak, encouraged, if not deliberately provoked, by some of the Philadelphia

[59] "Notes," Feb. 18, 1783, *Madison Papers,* VI, 251.

[60] "Notes," Jan. 28, 1783, *ibid.,* 143.

[61] See also Nathaniel Gorham's comment, "Notes," Feb. 18, 1783, *ibid.,* 249-250, and the famous letter of Feb. 7, 1783, in which Gouverneur Morris wrote to Gen. Henry Knox: "If you will permit me a metaphor from your own profession, after you have carried the post, the public creditors will garrison it for you" (*Letters Cont. Cong.,* VII, 34n-35n).

[62] Among other indications, he entered an interesting footnote to the portion of Hamilton's speech quoted above: "This remark was imprudent and injurious to the cause which it was meant to serve," since this sort of influence was precisely what made the states resist a collection by Congress. All the members who shared this fear "smiled at the disclosure." Bland and Lee said privately that Hamilton "had let out the secret" ("Notes," Jan. 28, 1783, *Madison Papers,* VI, 143n).

advocates of general revenues. On February 19, with members openly referring to the threat from the army,[63] Rutledge renewed the motion to appropriate the impost exclusively to the soldiers' needs. Again, Hamilton "strenuously" opposed "such a partial dispensation of justice," suggesting that "it was impolitic to divide the interests of the civil and military creditors, whose joint efforts in the states would be necessary to prevail on them to adopt a general revenue." Mercer countered that he opposed "a permanent debt supported by a permanent and general revenue," believing "it would be good policy to separate instead of cementing the interest of the army and the other public creditors."[64]

On the following evening, February 20—after another day of angry debates—Madison joined Hamilton, Nathaniel Gorham, Richard Peters, and Daniel Carroll at the home of Congressman Thomas FitzSimons. Hamilton and Peters, whose military backgrounds and contacts seemed to make them best informed, told the gathering that the army had definitely decided not to lay down arms until its demands were satisfied; a public declaration would soon announce this intent, and "plans had been agitated if not formed for subsisting themselves after such a declaration." Washington, the two ex-officers announced, "was already become extremely unpopular among almost all ranks from his known dislike to any unlawful proceeding," and "many leading characters" were working industriously to replace him with Horatio Gates. Hamilton said that he had written the commander to alert him to these schemes, urging him to lead the army in any plans for redress, "that they might be moderated." If these revelations were intended to intensify the pressure for the taxes Morris wanted, the strategy could not have been more misconceived. With only Hamilton dissenting, the group of delegates agreed that the temperament of Congress made it impossible to secure any general revenues beyond the impost.[65] Several must have silently concluded that the temper of the army would permit no more delay.

The meeting at FitzSimons's was a critical event for Madison. On the morrow, he rose in Congress for a speech in which he once again defended general revenues as consistent with "the principles of liberty and the spirit of the constitution." But he "particularly disclaimed the idea of perpetuating a public debt," and he admitted that he was now convinced that Congress would have to limit its recommendations to the impost and a "call for the deficiency in the most permanent way that could be reconciled with a revenue established within each state separately."[66] Before this speech of February 21, Madison had worked in close

[63] FitzSimons and Williamson both said openly that they hoped the army would not disband. Williamson added, "If force should be necessary to excite justice, the sooner force were applied the better" ("Notes," *ibid.*, 260-261).

[64] *Ibid.*, 259-261. Wilson agreed with Hamilton that "by dividing the interest of the civil from that of the military creditors provision for the latter would be frustrated."

[65] "Notes," Feb. 20, 1783, *ibid.*, 265-266.

[66] "Notes," Feb. 21, 1783, *ibid.*, 270-272.

conjunction with Morris and his congressional spokesmen. From this point forward, he was determined to construct a compromise of which they disapproved. On March 6, his alternative proposals for restoring public credit were reported from committee. Although Morris, Hamilton, and Wilson continued to resist, the proposals were accepted in amended form on April 18, and Madison was assigned to draft an address to the states. Already, on March 17, Congress had received Washington's report on the resolution of the Newburgh Affair.[67]

Madison's separation from the other advocates of general revenues has commonly been seen, when it is mentioned, as a straightforward product of his conviction that only a compromise could resolve the urgent crisis.[68] More was certainly involved. Beginning with his speech of February 21, Madison took pains to distance himself from suggestions that a "permanent" federal debt could be a useful tool for strengthening Congress and the union. He insisted that he would concur "in every arrangement that should appear necessary for an honorable and just fulfillment of the public engagements and in no measure tending to augment the power of Congress which should appear unnecessary."[69] Madison was out of sympathy, by now, with both the immediate tactics and the ultimate objectives of Hamilton, Wilson, and Morris. He was, indeed, no longer certain of the patriotism and republicanism of some of his fellow advocates of general funds.

Morris's report of July 29, 1782, had advocated general revenues

[67] Madison initially envisioned a comprehensive scheme to resolve several recurrent controversies among the states as well as to secure the revenues required by Congress. Recommendations of an impost and of additional, though separate, state appropriations for servicing the debt would be linked with completion of the western cessions, a federal assumption of state debts, and an abatement of proportions owed by various states upon a settlement of accounts in favor of those states whose abilities had been most impaired by the war. Congress struck the assumption of state debts from the proposal and disjoined the various elements that Madison had meant as a package whose parts would all depend on approval of the others. After excision of assumption from the plan, Madison decided against further attempts to rejoin its parts. He feared that the final plan had "no bait for Virginia," yet hoped that "a respect for justice, good faith, and national honor" would secure the state's approval (see esp. "Notes," Feb. 26, 1783, *ibid.*, 290-292, "Report on Restoring Public Credit," Mar. 6, 1783, *ibid.*, 311-314, and Madison to Jefferson, May 20, 1783, *ibid.*, 481). Morris's report on Madison's proposals approved an assumption of state debts, but preferred to turn the impost into a tariff, still insisted on the need for other congressional revenues (a land tax, a house tax, and an excise), objected to the limitation of the impost to 25 years, and urged congressional appointment of collectors. For Wilson's and Hamilton's continuing attempts to secure Morris's objectives see "Notes," Mar. 11, 20, 1783, *ibid.*, VI, 322-325, 370-372.

[68] Brant, *Madison*, II, chap. 15; Ferguson, *Power of the Purse*, chap. 8, where Madison's authorship of the proposals of April 18 is not mentioned.

[69] "Notes," Feb. 21, 1783, *Madison Papers*, VI, 272.

adequate to meet the government's ordinary operating expenses as well as to manage the debt. These revenues would be collected by officers appointed by Congress, and they would continue as long as the debt existed. For all of Madison's insistence that such measures were within the spirit of the present constitution, no one had expressed a clearer understanding that independent federal revenues would mean a fundamental alteration in the balance of power between Congress and the states.[70] It was this fundamental change that Arthur Lee opposed and Morris, Hamilton, and Wilson found so difficult to relinquish. It was this that Madison first favored and then abandoned in his speech of February 21. He gave it up, not simply because he was more flexible than some of his allies, but because it was not for him, as it was for some of them, an object worth the risks it came to entail. He gave it up, moreover, because it had become increasingly clear that several advocates of general revenues had ulterior objectives he did not share.

All of the original supporters of general funds regarded a dependable federal revenue as essential to the restoration of public credit and probably to the very survival of the Confederation. All of them regarded a provision for regular payment of the interest on the debt as a critical test of national character and an indispensable security against the day when it might be necessary to borrow again. Not all of them, however, actually wished to see the debt retired, nor did the superintendent's plan provide for payment of the principal. Contemporary critics realized this when they condemned a "permanent" or "perpetual" debt, and historians increasingly agree that several of the advocates of general funds looked beyond the reestablishment of public credit toward management of the debt in such a fashion as to promote economic development and to advance a particular variety of political centralization. Properly funded, as Morris put it, the mass of "dead" certificates of debt could rise in value, become "a sufficient circulating medium" for the country, and provide the capital for more intensive economic development.[71] Simultaneously—to use the vivid current metaphor—the obligations of the federal government would become a new "cement" of union. Looking to Congress for their salaries, pensions, or other claims, civilian creditors, the discharged soldiers, and the officers appointed to collect federal taxes, together with merchants doing business with the national bank, would "unite the several states more closely together in one general money connection" and "give stability to government" by combining in its support.[72]

[70] While Congress "exercised the indefinite power of emitting money . . . they had the whole wealth and resources of the continent within their command." Since shutting the presses, they are "as dependent on the states as the king of England is on the Parliament. They can neither enlist, pay, nor feed a single soldier, nor execute any other purpose but as the means are first put into their hands" (Madison to Jefferson, May 6, 1780, *ibid.*, II, 19-20).

[71] Report of July 29, 1782, *Jours. Cont. Cong.*, XXII, 435-437.

[72] Morris to John Jay, July 13, 1781, quoted in Ferguson, *Power of the Purse*, 123-124; *Jours. Cont. Cong.*, XXII, 432.

Hamilton had been thinking in similar fashion since the beginning of the decade. His private correspondence and his anonymous newspaper series, "The Continentalist," repeatedly insisted on the necessity of creating among the nation's leadership a class of influentials tied to the federal government and capable of counterbalancing the influentials currently tied to the states. Genuine federal power, he argued, required a union of the government's resources with those of a monied and office-holding class directly dependent on that government for promotion of its economic interests.[73]

Consciously seeking to replicate developments in England after the Revolution of 1689, several of the nationalists of 1783 sought to bind fragmented segments of the American elite into a single interest intimately connected with the federal government, much as it was thought that the ministers of William III had once attempted to create a "monied interest" that might counterbalance the Tory gentry.[74] It is not a gross exaggeration to suggest that these reformers proposed to use the national debt to create a single nation—or at least an integrated national elite—where none existed in 1783. They envisioned the emergence in America of a facsimile of those linked forces of government, the military, commerce, and finance that ordinarily fell in line behind a ministry in power and lent stability to the British system—interests that the English had in mind when they referred broadly to the forces supporting the "court." Imagining a national greatness predicated on an imitation of the political and economic strengths of England, nationalists such as Hamilton and Morris were prepared to risk some further clamors from the army, if not to feed the agitation, for the sake of general funds. But Madison, who was preoccupied with the defense of a republican revolution and who would never see

[73] See, especially, the letters to an unknown recipient (n.d.), to James Duane (Sept. 3, 1780), and to Robert Morris (Apr. 30, 1781) in Harold C. Syrett *et al.*, eds., *The Papers of Alexander Hamilton,* 26 vols. (New York, 1960-1979), II, 234-251, 400-418, 604-635, together with the conclusion of "The Continentalist," *ibid.,* III, 99-106.

[74] Ferguson was first to see that the Morris nationalists understood and wished to replicate "the role of funded debt and national bank in stabilizing the regime founded in Britain after the revolution of 1689." As historians have more fully explored the character of the 18th-century British regime and the thinking of the English "court"—a term Ferguson did not employ—the implications of this desire have increasingly emerged (*Power of the Purse,* 289-290, and *passim*). A preliminary exploration of the course of "court" thinking in America is Lance Banning, *The Jeffersonian Persuasion: Evolution of a Party Ideology* (Ithaca, N.Y., 1978), 126-140, and *passim.* Since then a host of useful contributions have appeared; see particularly Drew R. McCoy, *The Elusive Republic: Political Economy in Jeffersonian America* (Chapel Hill, N.C., 1980); John M. Murrin, "The Great Inversion, or Court versus Country: A Comparison of the Revolution Settlements in England (1688-1721) and America (1776-1816)," in J.G.A. Pocock, ed., *Three British Revolutions: 1641, 1688, 1776* (Princeton, N.J., 1980), 368-453; and Pocock, "1776: The Revolution against Parliament," *ibid.,* 265-288.

Great Britain as a proper model for America, was not. He did not quarrel with the Morrisites or join with Lee and Mercer. Neither was he ignorant of the implications when he disclaimed a desire for a perpetual debt.

Always sensitive about his reputation for consistency, Madison added to his record of his speech of February 21 a lengthy footnote explaining why he had earlier favored the general revenues he now saw as unattainable. This should be read with care, for it suggests the gulf between his motives and those of some of the other reformers, as well as the extent of his discomfort with their views. "Many of the most respectable people of America," he reflected—and it is hard to see whom he had in mind if these "respectable people" did not include the circle of public creditors, army officers, and congressmen that radiated from the Office of Finance—"supposed the preservation of the Confederacy essential to secure the blessings of the revolution and permanent funds for discharging debts essential to the preservation of union." If they were disappointed, he imagined, their ardor in the cause might cool, and in a "critical emergence" they might "prefer some political connection with Great Britain as a necessary cure for our internal instability." Madison himself had not been able to see how "the danger of convulsions from the army" could be obviated without general funds, which also seemed the surest method for preventing "the calamities" sure to follow from continuing disputes among the states. Without general funds "it was not likely the balances would ever be discharged. . . . The consequence would be a rupture of the Confederacy. The eastern states would at sea be powerful and rapacious, the southern opulent and weak. This would be a temptation. The demands on the southern states would be an occasion. Reprisals would be instituted. Foreign aid would be called in by first the weaker, then the stronger side, and finally both be made subservient to the wars and politics of Europe."[75] Collapse of the union would inevitably bring the collapse of the republican revolution in its wake.[76]

Concern for the republican experiment, distrust of the New Englanders, and doubts about the motives of his fellow advocates of general funds may all have contributed to Madison's original decision to support this strengthening of Congress. What is certain from the February memorandum is that all these fears contributed importantly to his decision to *abandon* general revenues in favor of a complex compromise designed to satisfy the army, put an end to the recurrent disagreements that had

[75] "Notes," Feb. 21, 1783, *Madison Papers,* VI, 272.

[76] Madison's fullest (and most fervent) explanation of the inseparable connection he perceived between union and the republican revolution would come in his speech of June 29, 1787, to the Constitutional Convention. Max Farrand, ed., *The Records of the Federal Convention of 1787,* rev. ed. (New Haven, Conn., 1966 [orig. publ. 1937]), I, 464-465. Without the union, the people of every state would see their liberties crushed by powerful executives, standing armies, and high taxes—instruments, by the way, that several nationalists of the early 1780s hoped to create. See also Madison's *Federalist* #41.

periodically disrupted Congress, and do these things *without* so large an alteration of the federal system. Madison did not simply conclude that it was inexpedient to delay a resolution of an urgent crisis. Rather, as he saw more clearly the directions that some of the nationalists wished to take, as he heard from credible sources the growing rumors of intrigues between the capital and the camp at Newburgh, he deliberately drew back.[77] He believed, as Washington believed, that it was profoundly dangerous to delay the satisfaction of the soldiers' demands by continuing to insist on a solution that a majority in Congress would not approve. He had also come to be uneasy at the prospect of the corollaries that Morris's solution seemed to imply. In his "Address to the States" of April 26, 1783, Madison urged the legislatures to approve the new financial plan because it was the *smallest* departure from the Articles of Confederation that could be reconciled with the necessity of providing for the debt.[78]

This was not just special pleading. Through all his years in Congress, Madison had shown a genuine regard for what he often called the "constitutional" boundaries of congressional power. Respect for written limitations of authority was near the center of his republican convictions, as was his regard for national honor. The balance of power between the federal government and the states was always, by comparison, a secondary concern. He thus stood in between the Morrisites and their opponents, genuinely swayed by what he heard from both. By 1783, some nationalists already wished for a convention that would thoroughly transform the federal system.[79] Madison was not prepared for reforms so extreme.[80] He

[77] It is likely that Madison saw the letter to Jones in which Washington suggested that the first Newburgh Address was written in Philadelphia and that the agitation at camp was ultimately attributable to Robert or, more likely, Gouverneur Morris. Madison later remarked that from "private letters from the army and other circumstances there appeared good ground for suspecting that the civil creditors were intriguing in order to inflame the army" and secure general funds ("Notes," Mar. 17, 1783, *Madison Papers*, VI, 348).

[78] "Address to the States by the United States in Congress Assembled," *ibid.*, 489. Madison admitted that the plan departed from the principles of the Confederation—a point about which he was not entirely happy—yet challenged opponents to "substitute some other equally consistent with public justice and honor and more conformable to the doctrines of the Confederation" (Madison to Randolph, May 20, 1783, *ibid.*, VII, 59).

[79] Hamilton drafted a congressional resolution calling for a convention shortly before he retired from Congress, then decided there was too little support to introduce it (Syrett *et al.*, eds., *Hamilton Papers*, III, 420-426). There is disagreement among Ver Steeg, Rakove, and Ferguson as to whether Morris also hoped for a structural transformation of the system.

[80] Hamilton mentioned his desire for a convention in a debate of Apr. 1, 1783 ("Notes," *Madison Papers*, VI, 425). Stephen Higginson, who favored the idea, told Henry Knox in 1787 that he had "pressed upon Mr. Madison and others the idea of a special convention. . . . But they were as much opposed to this idea as I was to the measures they were then pursuing to effect, as they said, the same thing" (*Letters Cont. Cong.*, VII, 123n).

was willing, unlike Lee or Mercer, to accept a centralizing solution to the difficulties the Confederation faced. But this was not his principal objective. He approved a tilting of the federal balance only in the sense and only to the point that he conceived it necessary for the preservation of a union without which the republican experiment could not survive. And he was not immune to fears that certain federal measures might prove incompatible with what he called the "spirit" or the "principles" of liberty.[81] He thus specifically disclaimed a wish for the sort of political centralization that other advocates of funding seemed to have in mind. In January he agreed with Morris that greater powers for Congress were necessary to resolve a crisis of the Revolution. By April he had changed his mind about how far the swing should go. He did not articulate a systematic explanation of his discontent with the emerging program of other continental-minded men to achieve political centralization by fiscal means—perhaps not even to himself. This would await developments after 1789, when their desires assumed more substantial shape. It would also require a further evolution of Madison's own views. By 1783, experience had taught him that congressional reliance on the states for revenue endangered both the character and harmony of the union. But he was not yet ready to conclude, with Hamilton, that the Articles of Confederation were irredeemably defective in their fundamental principles, and he had yet to formulate a truly nationalistic program of his own.

Madison stayed on in Congress until his term expired on October 31, 1783. Through his final months of service, with peace at hand and the financial plan on its way to the states for their decision, he was cast once more in his familiar role as servant of Virginia. Although he struggled unsuccessfully to locate the seat of the federal government on the Potomac River, he had the satisfaction to be present when his old opponents finally decided to give ground on Virginia's terms for a western cession. On September 13 deliberations opened on a compromise that was finally accepted with only Maryland and New Jersey in dissent. Madison

[81] A day-by-day reading of his "Notes on Debates" is necessary for a full understanding of the antinationalists' influence on Madison and his growing anxiety for resolution of the crisis; but see particularly the "Notes" for Feb. 27, 1783. Mercer charged that commutation tended "in common with the funding of other debts to establish and perpetuate a monied interest" that "would gain the ascendance of the landed interest . . . and by their example and influence become dangerous to our republican constitutions." Madison protested that commutation was a compromise intended to conciliate those to whom pensions were obnoxious. Now opponents stigmatized commutation as well. Paying the principal of the debt at once was clearly impossible, but funding was said to be "establishing a dangerous monied interest." Madison "was as much opposed to perpetuating the public burdens as anyone," but felt that funding could not be more contrary to "our republican character and constitutions than a violation of good faith and common honesty" (*Madison Papers*, VI, 297–298).

and Jones were content, and their efforts helped secure Virginia's agreement on December 22, 1783.[82]

Madison's pleasure at the outcome of this old dispute was mixed with disappointment over his state's initial rejection of the other congressional recommendations of 1783.[83] When he retired from Congress, he intended to reenter the Virginia House of Delegates to work for the enactment of the state reforms initiated by Jefferson, who had replaced him at the seat of the federal government, and to urge the state's compliance with the Treaty of Paris and the financial proposals of 1783. Pursuing these objectives, he visited George Mason on the journey home and found the great man more favorably inclined than he had anticipated toward the measures he desired. "His heterodoxy," Madison reported, "lay chiefly in being too little impressed with either the necessity or the proper means of preserving the Confederacy."[84]

For Madison, the "proper means" had very recently come to include one significant addition to the powers sought by Congress. In fact, it was his wish for this reform that set him on the path he was to take to the Constitutional Convention. As late as the spring of 1783 he had been reluctant to deliver to the federal government extensive powers over commerce. He had resisted even a commercial treaty with Great Britain, because he feared that an agreement, eagerly desired by northern shippers, could be purchased only with concessions that would sacrifice the planting states' ability to satisfy their most essential needs. "It cannot be for the interest of" Virginia, he had written Randolph, "to preclude it from any regulations which experience may recommend for its thorough emancipation" from the British monopoly over its trade.[85] As he neared retirement, though, Madison had read with alarm the earl of Sheffield's *Observations on the Commerce of the American States,* which argued that Great Britain could maintain its dominant position in trade with the United States without dismantling its restrictive navigation laws.[86] By autumn he had seen the British proclamation of July 2, 1783, which confined most American trade with the West Indies to British bottoms.[87] "Congress," he

[82] "Notes," June 10, 20, 1783, *ibid.,* VII, 125-126, 167-168; letters of these months to Jefferson and Randolph, *ibid., passim;* Abernethy, *Western Lands and the Revolution,* 270-273. On Sept. 17, and Oct. 8, 1783, two essays appeared in the *Pennsylvania Journal, and the Weekly Advertiser* (Philadelphia) over the signature "The North American." Examining the critical situation of federal affairs, these urged an alteration of state and federal constitutions that would transfer sovereignty to the central government and render the states subordinate units. Brant drew important support for his portrait of Madison as a nationalist by arguing that the Virginian was the author and that only in these anonymous essays did he reveal the real direction of his thinking. I agree with the editors of the *Madison Papers* that this attribution was mistaken (VII, 319-346).

[83] Madison to Randolph, June 24, 1783, *Madison Papers,* VII, 191-192.

[84] Madison to Jefferson, Dec. 10, 1783, *ibid.,* 401-403, quotation on p. 401.

[85] Madison to Randolph, May 20, 1783, *ibid.,* 59-62, quotation on p. 61.

[86] Madison to Randolph, Aug. 30, 1783, *ibid.,* 295-296.

[87] Madison to Randolph, Sept. 13, 1783, *ibid.,* 314-315.

now reported, "will probably recommend some defensive plan to the states. . . . If it fails . . . it will prove such an inefficacy in the union as will extinguish all respect for it."[88]

Madison reentered the Virginia assembly with his thoughts much occupied with the state's economic situation. In the same letter to Jefferson in which he reported on his visit with Mason, he described the Old Dominion's commercial condition as "even more deplorable than I had conceived." The note of shock is reminiscent of the note of alarm about the state of the union in his letters from Philadelphia as a beginning congressman. Detection of this note is similarly important to an understanding of his career. As Drew R. McCoy has explained, Madison conceived a proper course of economic development to be critical to the success of the republican experiment. This course required the breaching of mercantilist restrictions on American trade.[89] But the congressional request for power to retaliate against the British was denied. Madison's attempts to break the British stranglehold with new state regulations were gutted by the demands of local interests in Virginia's legislature.[90] The congressional recommendations of 1783 also failed to win approval from the states, among which tensions mounted.

By the end of 1784 Madison was willing, if not yet eager, to see a constitutional convention to amend the Articles of Confederation.[91] By August 7, 1785, if not much before, he was fully persuaded that America's commercial ills could not be corrected by state actions, such as those he had attempted in Virginia. Congressional superintendence of commerce, he now argued, was "within the reason of the federal constitution. . . . If Congress as they are now constituted cannot be trusted with the power, . . . let them be chosen oftener . . . or, if any better medium than Congress can be proposed, by which the wills of the states may be concentered, let it be substituted. . . . But let us not . . . rush on certain ruin in order to avoid a possible danger."[92]

It was, in short, the obvious inability of the states to grapple separately with the economic difficulties of the postwar years that first led Madison to think in terms of a thoroughgoing alteration of the federal system. It was his profound discontent with the measures many states adopted in response to the postwar depression—measures he considered contrary to the liberal principles of the Revolution—that would complete his change of stance and lead him to assume the major role in preparing the Virginia Resolutions.[93] Before his retirement from the Confederation Congress,

[88] *Ibid.*, 315.

[89] Madison to Jefferson, Dec. 10, 1783, *ibid.*, 401; McCoy, *Elusive Republic*, esp. chap. 3.

[90] McCoy, "The Virginia Port Bill of 1784," *Virginia Magazine of History and Biography*, LXXXIII (1975), 288-303.

[91] Madison to Richard Henry Lee, Dec. 25, 1784, *Madison Papers*, VIII, 201.

[92] Madison to Monroe, *ibid.*, 333-336.

[93] Two of many passages are particularly revealing of Madison's route to the Virginia Plan. "Most of our political evils"—paper money, indulgences for

there had been little evidence that he would favor, much less author, such a plan.

During his years in Congress, James Madison made several major contributions to the movement to strengthen the central government. His role in the Virginia cession and his authorship of the congressional recommendations of 1783 identified him as a prominent reformer. When he retired from Congress, everyone expected him to lead the continental-minded forces in his state assembly. Yet Madison had never been a nationalist by instinct, as some of the reformers of the early 1780s were. He had never shared the fascination with an English model of administration and political economy. His contributions to reform were always shaped and limited by a concern that certain centralizing changes might endanger both the interests of Virginia and the Revolution's most essential goals.

Through the years in Congress, Madison had ordinarily attributed the difficulties of the central government to the clashing interests of the different states, in which he was continuously involved, and to the disabilities that all the states experienced as a result of war. He had hoped that peace would meliorate these problems.[94] He did not deeply challenge the purposes or structure of the federal government as defined by the Articles of Confederation. He did not deeply question the republican regimes established in the states by the early Revolutionary constitutions. Only after he left Congress and went home to struggle year by year in the assembly with advocates of paper money, tax abatements, and assessments for religion, only as he grew increasingly distressed with poorly drafted and inconstant legislation, only when he could no longer hope that the parochial objectives of the states could be reconciled with the continuation of the union, was Madison compelled to reexamine the most fundamental assumptions of his republicanism. Only then did he conclude that accusations he had once dismissed as calumnies on republican government—charges of inconstancy, weakness, and oppression of minorities—were true of small republics and could be overcome only by "extending the sphere."[95]

At the Constitutional Convention, nonetheless, Madison still sought, as he insisted, a genuinely republican remedy for the ills of republican government. In 1787, as before, his fundamental purpose was to nurture and defend a Revolutionary order of society and politics. He remained, as

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debtors, etc.—"may be traced up to our commercial ones, as most of our moral may to our political" (Madison to Jefferson, Mar. 18, 1786, *ibid.,* 502). In the Convention, June 6, 1787, Madison stated that foreign relations, national defense, and protection against interstate disputes were not the only concern; additional security for private rights was also a necessary object. "Interferences with these were evils which had more perhaps than anything else produced this convention" (Farrand, ed., *Records,* I, 134).

[94] See the sketch printed in Farrand, ed., *Records,* III, 542-543.

[95] *Federalist* #10.

he had always been, a nationalist at certain times, on certain issues, and within the limits of his Revolutionary hopes. Grasping this, it may seem less surprising that he quickly moved into the opposition to Alexander Hamilton's proposals for the new regime.

Hamilton may well have been "affectionately attached" to the cause of republican government.[96] As secretary of the Treasury he nevertheless attempted to "administer" the new American republic toward a future incompatible with Madison's desires.[97] Of all the nationalists of 1783, Hamilton had had the clearest vision of a nation integrated on a British model. After 1789 his foreign policy and constitutional constructions were intimately related to this vision. Both served an economic program intended to create a counterbalance to the influence of state attachments by tying the interests of a critical segment of the American elite to the fortunes of the central government. If Hamilton had seen a little deeper into the assumptions of his occasional ally, he might have been less startled when Madison rebelled.

Hamilton and Madison both understood that the United States had no equivalent of England's national elite. For Madison, this fact was an essential precondition of the promise that the new Constitution might effect a genuinely republican solution to the nation's ills. Liberty, as he conceived it, demanded both a government dependent on the body of the people and security for the fundamental rights that had been threatened in the states by majority control. The pluralistic structure of American society, which would be mirrored in the pluralistic character and conduct of its leaders, was the most important guarantee that a responsive federal government would not prove equally at odds with the protection of the civil liberties of all. For Hamilton, by contrast, pluralism was America's great weakness. A government consistent with promotion of the common good and security for private rights was not to be attained except by policies designed to overcome the centrifugal inclinations of the American order. Hamilton's economic program, calculated to encourage the appearance of a unified elite whose interests would divorce them from the localistic inclinations of the American majority, was deliberately intended to subvert the social and economic structure on which Madison believed a federal republic had to rest. In the Virginian's stands in the old Congress—his hostility to speculative gain at public expense, his profound distrust of Britain, his inclination to respect constitutional definitions of authority, and his eventual disagreement with the more determined advocates of general funds—lay several warnings that his thinking did not really share "the same point of departure" as Hamilton's own.[98] After 1789, Madison refined and made explicit principles that had already influenced him in 1783.

[96] As he insisted in a letter to Edward Carrington, May 26, 1792 (Syrett *et al.*, eds., *Hamilton Papers*, XI, 426-445).

[97] Madison's word in an interview with Nicholas P. Trist, Sept. 27, 1834 (Farrand, ed., *Records*, III, 533-534).

[98] Hamilton to Carrington, May 26, 1792, Syrett *et al.*, eds., *Hamilton Papers*, XI, 426-445.