



ESTABLISHING THE FIRST GOVERNMENT

Under the U.S. Constitution — Commentary, 1788-1795

After years of struggling under a weak wartime government, and months of debating and voting on a new plan of government, the time arrived in spring 1789 when the new federal government was to become reality. Arriving one by one in New York City, the men elected to office brought a deep commitment to success—and the sobering knowledge that failure was not an option. Unlike revolutionary governments after them, these men did not have America’s example to look back on; they had to create it. Welcome to chapter one of this heady period—later entitled “the early republic” when the nation’s future under the second plan of government, the U.S. Constitution, seemed assured.

■ *“you only can settle that political machine”*

Marquis de Lafayette,¹ Paris, France,
to George Washington, Mount Vernon, Virginia, 1 Jan. 1788_

It is needless for me to tell you that I read the new proposed Constitution with an unspeakable eagerness and attention. I have admired it and find it is a bold, large, and solid frame for the confederation. The electioneering principles with respect to the two Houses of Congress are most happily calculated. I am only afraid of two things — 1st, the want [lack] of a declaration of rights; 2^{dly}, the great powers and possible continuance of the president, who may one day or other become a state holder.² Should my observations be well founded, I still am easy on two Accounts. The first, that a bill of rights may be made if wished for by the people before they accept the Constitution. — My other comfort is that you cannot refuse being elected president — and that if you think the public vessel can stir without such powers, you will be able to lessen them, or propose measures respecting the permanence,³ which cannot fail to insure a greater perfection in the Constitution and a new crop of glory to yourself — But in the name of America, of mankind at large, and your own fame, I beseech you, my dear General, not to deny your acceptance of the office of president for the first years — You only can settle that political machine, and I foresee it will furnish an admirable chapter in your history.

■ *“the probability of my election”*

George Washington, Mount Vernon,
to the Marquis de Lafayette, Paris, April 28, May 1, 1788_

In answer to the observations you make on the probability of my election to the Presidency (knowing me as you do) I need only say that it has no enticing charms and no fascinating allurements for me. However, it might not be decent for me to say I would refuse to accept or even to speak much about an appointment which may never take place: for in so doing, one might possibly incur the application of the moral resulting from that [Aesop] Fable in which the Fox is represented as inveighing against the

¹ Lafayette had aided the revolutionary cause by training and leading Continental soldiers during the war.

² I.e., head of state without a defined term limit. Washington ended his presidential service at two terms, setting a precedent until the 20th century when Franklin Roosevelt was elected for four terms (the third as World War II approached). The 22nd Amendment (ratified 1951) limits a president to two terms (eight years, plus two years of a previous president’s term, for a total of ten years).

³ I.e., if you think the new federal government can function well without the broad executive powers delegated in the Constitution, you will be able to lessen those powers or propose measures to limit the time a person can hold the office of president.

sourness of the grapes because he could not reach them. All that it will be necessary to add, my dear Marquis, in order to show my decided predilection is that (at my time of life and under my circumstances) the increasing infirmities of nature and the growing love of retirement do not permit me to entertain a wish beyond that of living and dying an honest man on my own farm. Let those follow the pursuits of ambition and fame who have a keener relish for them, or who may have more years in store for the enjoyment!

- **“till all the wheels of the great machine are set in motion”** Benjamin Rush,⁴
Philadelphia, to John Dickinson,⁵ Wilmington, Delaware, 15 July 1788_

The success of the new government in restoring order to our country will depend very much upon the talents and principles of the gentlemen who are to compose the Federal legislature [Congress]. Your friends in Philadelphia have desired you to be one of the members of the Senate from the Delaware State. I know how perfectly your present tranquil mode of life accords with the present happy frame of your mind. But remember, my dear friend, that “none liveth to himself.”⁶ Even our old age is not our own property. All its fruits of wisdom and experience belong to the public. “To do good” is the business of *life*. “To enjoy *rest*” is the happiness of heaven. We pluck premature or forbidden fruit when we grasp at *rest* on this side the grave. I know, too, your present infirm state of body, but an active interest in the great objects and business of the new legislature for a few years, by giving tone to your mind, will invigorate your body. Should you only assist with your advice for one or two years, till all the wheels of the great machine are set in motion, your country will forgive your resignation of your seat in the Senate afterwards.

- **“the World looks up to you, Sir”** Samuel Vaughan⁷ to George Washington, 4 Nov. 1788_

I rejoice to hear the Congress are to meet the first Wednesday in March at New York. The World looks up to you, Sir, with anxious expectations of your presiding there to put a finishing hand to a Constitution for settling the unalienable Rights of the People on a lasting foundation, for promoting the united and durable happiness of a great Empire.

- **“I really entertain greater hopes”** George Washington, Mount Vernon,
to the Marquis de Lafayette, Paris, 29 Jan. 1789_

. . . The choice [election] of Senators, Representatives, and Electors, which [excepting for electors] took place at different times in the different States, has afforded abundant topics for domestic News since the beginning of Autumn. . . . I will content myself with only saying that the elections have been hitherto vastly more favorable than we could have expected, that federal sentiments⁸ seem to be growing with uncommon rapidity, and that this increasing unanimity is not less indicative of the good disposition than the good sense of the Americans. Did it not savor so much of partiality for my Countrymen, I might add that I cannot help flattering myself [that] the new Congress, on account of the self-created respectability and various talents of its Members, will not be inferior to any Assembly in the world. From these and some other circumstances, I really entertain greater hopes that America will not finally disappoint the expectations of her Friends than I have at almost any former period. Still however, in such a fickle state of existence I would not be too sanguine [optimistic] in indulging myself with the contemplation of scenes of uninterrupted prosperity, lest some unforeseen mischance or perverseness should occasion the greater mortification by blasting the enjoyment in the very bud.

⁴ Benjamin Rush was a Philadelphia physician who had developed medical and surgical techniques to save more lives of Revolutionary soldiers. He was a social reformer and, with Benjamin Franklin, promoted the abolitionist movement in Pennsylvania (see petition of February 1790).

⁵ Dickinson (age 56) responded that he was so debilitated by ill health that he could not return to public office. He had served the Patriot cause as an advocate for rebellion (he authored *Letters from a Farmer in Pennsylvania*, 1767-68), a Revolutionary War officer, a delegate to the Continental Congress from Pennsylvania and Delaware (and later as chief executive of those states), a delegate to the 1787 Constitutional Convention, and author (“Fabius”) of nine Federalist essays in support of the Constitution.

⁶ Romans 14 [New Testament].

⁷ Samuel Vaughan was a London merchant who lived in Philadelphia from 1783 to 1790.

⁸ I.e., Federalist pro-Constitution positions.

■ ***“in four days, the new Government is to be erected”***

John Adams, Braintree,
Massachusetts, to Thomas Jefferson, Paris,⁹ 1 March 1789

In four days, the new Government is to be erected. Washington appears to have a unanimous vote, and there is probably a plurality if not a majority in favor of your friend [i.e., Adams, for vice-president].

— It may be found easier to give Authority than to yield Obedience.

Amendments to the Constitution will be expected and no doubt discussed. Will you be so good as look over the code and write me your sentiments [opinions] of amendments which you think necessary or useful? . . .

The success of the new plan will depend in the first place upon a revenue to defray the interest of the foreign and domestic debt. But how to get a revenue? how to render smuggling and evasion shameful?

You must expect the first Operations [of Congress] will be very Slow.

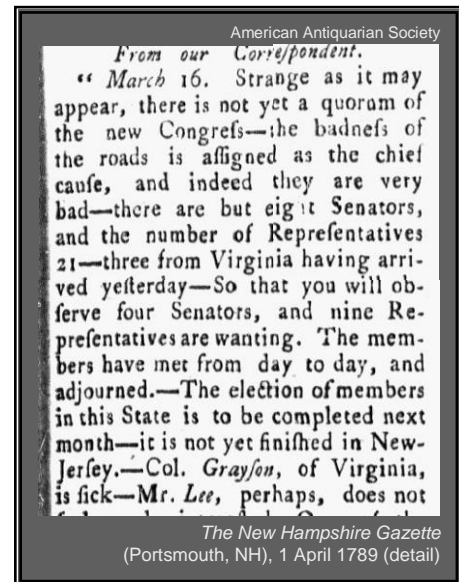
■ ***“the complexion of the New Congress”***

James Madison, New York City,
to Thomas Jefferson, Paris, 29 March 1789

Notwithstanding the lapse of time since the birthday of the new Government (the 4th of March) I am under the necessity of informing you that a quorum is not yet formed, either in the Senate or House of Representatives. The season of the year, the peculiar badness of the weather, and the short interval between the epoch of election and that of meeting, form a better apology for the delay than will probably occur on your side of the Atlantic. . . . A few days will, therefore, fit the Body for the first

step, to wit, opening the Ballots for the President and Vice President. I have already said that General Washington will be the first by a unanimous suffrage. It is held to be certain that Mr. Adams, though refused a great many votes from different motives, will have the second appointment [vice-president]. A considerable delay will be unavoidable after the ballots are counted before the President can be on the spot and, consequently, before any Legislative act can take place. Such a protraction of the inactivity of the Government is to be regretted on many accounts, but most on account of the loss of revenue. . . .

It is not yet possible to ascertain precisely the complexion of the new Congress. A little time will be necessary to unveil it, and a little will probably suffice. With regard to the Constitution, it is pretty well decided that the disaffected party [anti-Federalists] in the Senate amounts to two or three members only; and that in the other House it does not exceed a very small minority, some of which will also be restrained by the federalism of the States from which they come.



■ ***“a mark of public confidence”***

John Langdon, president pro tem of the Senate, New York,
to George Washington, Mount Vernon, 6 April 1789

Sir,

I have the honor to transmit to your Excellency the information of your unanimous election to the Office of President of the United States of America. Suffer [permit] me, Sir, to indulge the hope that so auspicious a mark of public confidence will meet your approbation [approval] and be considered as a sure pledge of the affection and support you are to expect from a free and an enlightened people. I am, Sir, with sentiments of respect,

Your obedient humble servant — John Langdon

⁹ Jefferson was serving in Paris as an American representative to the French government. He returned to the United States in late 1789.

- **“our expectations from the new government”** Shipwrights, &c., of Baltimore, Maryland, Petition to the U.S. Congress to pass a Navigation Act, 17 April 1789_

The Humble PETITION of the SHIPWRIGHTS,¹⁰ &c., Inhabitants of BALTIMORE-TOWN.

AMONGST the advantages looked for from the national government is the increase of the shipping and maritime strength of the United States of America, by laws similar in their nature and operation to the British navigation acts; . . . Your petitioners, on whichever side they turn their eyes, see reason to believe that the United States may soon become as powerful in shipping as any nation in the world. Perhaps it will appear on the closest examination of the subject that we are better prepared for a navigation act than England when she established hers. . . .

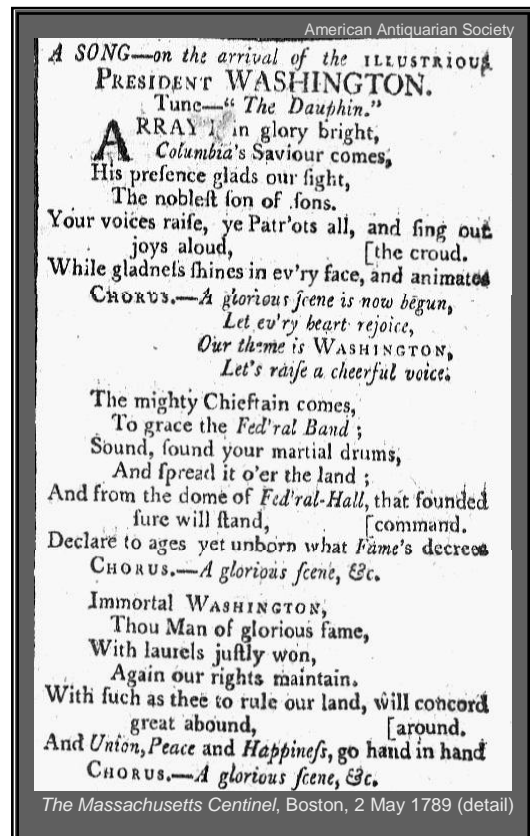
. . . It appears . . . that the eleven States which form the United States of America employed in the year 1770 three hundred and nine thousand, five hundred and thirty-four ton of shipping, from which we think it reasonable to infer that the present tonnage belonging to the United States of America greatly exceeds the commercial tonnage of England when she passed her navigation act.

These facts encourage us to hope that our expectations from the new government will soon be realized.

- **“a very gracious bow from him”** Richard Bache,¹¹ New York City, to Sally Bache, his wife, Philadelphia, 1 May 1789, on the inauguration of George Washington_

Just as the sun set on the day I left you, I arrived here. Our journey was so rapid and expeditious that I could scarcely believe that I was in New York, but so it was, and I met with a very kind reception.

I was just in time to see the inauguration of the President General, which affecting solemnity was performed yesterday [30 April] at one o'clock in the front gallery of the State House in view of thousands of admiring spectators. After he was sworn in, he was declared from the gallery (by Chancellor Livingston¹²) President of the United States, upon which the admiring crowd gave three cheers, which the President returned with a most gracious bow. He then retired into the Senate Chamber and delivered to the Senate and House of Representatives an elegant speech, for which I refer you to the newspapers. He then proceeded to St. Paul's Church, where divine service was performed by the Bishop, in his pontificalibus [vestments], to a very crowded congregation. But I must not forget to tell you that on his way to the church, through a numerous collection of spectators, I caught his eye and had the honor of a very gracious bow from him. This from so great a man in so high a station I thought myself highly honored by. In the evening we had fireworks, transparent scenery and illuminations.¹³ I intend to wait on his highness [make an official visit to the president] this morning, for there was no doing so yesterday. I esteem myself very fortunate in having arrived in time to see this novel ceremony performed.



¹⁰ Ship builders; also carpenters skilled in ship construction and repair.

¹¹ Benjamin Franklin's son-in-law, thus married to Franklin's daughter Sally.

¹² Robert Livingston was Chancellor of the State of New York, the highest judicial officer of the state.

¹³ Backlit scenery, and the exaggerated interior illumination of buildings with lanterns to produce a dramatic effect to external viewers.

■ **“a favorable symptom”** James Madison, New York City, to Thomas Jefferson, Paris, 9 May 1789_

I send you herewith the first No. [number/edition] of the Congressional Register, which will give you *some idea* of the discussions in the new Legislature. . . . The deliberations of the House of Representatives have been chiefly employed on the subject of an Impost.¹⁴ Opinions have been considerably divided on the quantum of duties [amount of taxes] that would be practicable, and in some instances on the ratio of different duties likely to operate differently in different States that would be just. In general the interests and ideas of the Northern & Southern States have been less adverse than was predicted by the opponents — or hoped by the friends of — the new Government. Members from the Same State, or the same part of the Union, are as often separated on questions from each other as they are united in opposition to other States or other quarters of the Continent. This is a favorable symptom.

■ **“already arrived at Greatness”** John Adams, New York City, to William Tudor,¹⁵
27 May 1789_

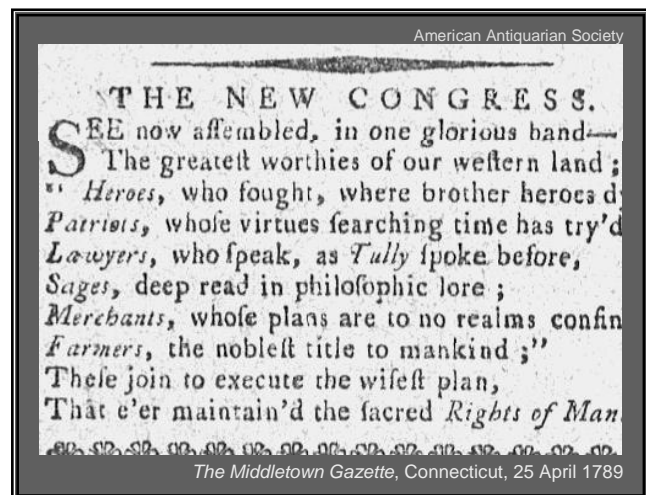
I have received your favor [letter] of the 18th but cannot agree with you that “a considerable Period must elapse before the United States can arise to Greatness.” — They are already arrived at greatness, and their greatest Misfortune is that they know it not. — The Politicians, if such there are, who think it best we never should be great are already disappointed. They may possibly contribute to keep others as ignorant as themselves, but they cannot annul the fact. —

■ **“great moderation & liberality”** James Madison, New York, to Thomas Jefferson, Paris,
27 May 1789_

The subject of amendments was to have been introduced on Monday last, but is postponed in order that more urgent business may not be delayed. On Monday sevensnight [a week from now] it will certainly come forward. A Bill of Rights incorporated perhaps into the Constitution will be proposed, with a few other alterations most called for by the opponents of the Government and least objectionable to its friends.

As soon as Mr. Brown arrives, who is the Representative of Kentucky, the admission of that district to the character of a State and a member of the union will claim attention.¹⁶ I foresee no difficulty, unless local jealousy should couple the pretensions of Vermont with those of Kentucky, and even then no other delay than what may be necessary to open the way for the former, through the forms and perhaps the objections of this State, which must not be altogether disregarded.

The proceedings of the new Congress are so far marked with great moderation and liberality, and will disappoint the wishes and predictions of many who have opposed the Government. The spirit which characterizes the House of Representatives, in particular, is already extinguishing the honest fears which considered the system as dangerous to republicanism.¹⁷

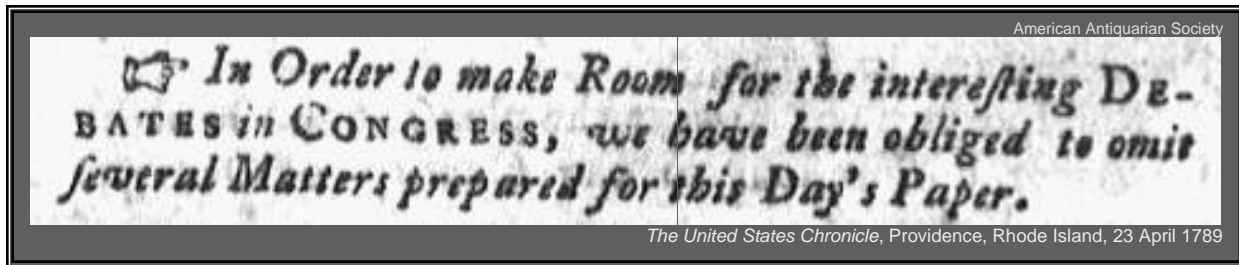


¹⁴ *Impost*: tariff. Generating revenue for the new government was priority one in the first Congress—the Continental Congress under the Articles of Confederation had been crippled by its inability to generate income through tariffs or taxes. Thus the first major act of Congress, after weeks of grueling debate, was the Tariff Act of 1789, signed by President Washington on July 4, 1789.

¹⁵ William Tudor was an influential Boston lawyer, politician, and Revolutionary War veteran.

¹⁶ Vermont was admitted as the fourteenth state on March 4, 1791, and Kentucky as the fifteenth state on June 1, 1792.

¹⁷ Those who feared “too much democracy” in the federal government—i.e., too much direct representation by the common people who had less education and political experience than the elite who had dominated government in the colonial era—had warned that the House of Representatives would be unable to deliberate with reason and moderation. “Republicanism” here means representative democracy, not a specific party or faction.



■ ***“declare the great rights of mankind”***

James Madison, Statement to the House of Representatives with proposed amendments, 8 June 1789__

It cannot be a secret to the gentlemen in this house that, notwithstanding the ratification of this system of government by eleven of the thirteen United States — in some cases unanimously, in others by large majorities — yet still there is a great number of our constituents who are dissatisfied with it, among whom are many respectable for their talents, their patriotism, and respectable for the jealousy [protectiveness] they have for their liberty, which, though mistaken in its object is laudable in its motive.¹⁸ There is a great body of the people falling under this description who at present feel much inclined to join their support to the cause of federalism if they were satisfied in this one point. We ought not to disregard their inclination but, on principles of amity and moderation, conform to their wishes and expressly declare the great rights of mankind secured under this constitution.

The acquiescence which our fellow citizens show under the government calls upon us for a like return of moderation. But perhaps there is a stronger motive than this for our going into a consideration of the subject. It is to provide those securities for liberty which are required by a part of the community. I allude in a particular manner to those two states [North Carolina and Rhode Island] who have not thought fit to throw themselves into the bosom of the confederacy. It is a desirable thing, on our part as well as theirs, that a reunion should take place as soon as possible.¹⁹

■ ***“we are in a wilderness”***

James Madison, New York, to Thomas Jefferson, Paris, 30 June 1789__

The federal business has proceeded with a mortifying tardiness, chargeable in part on the incorrect drafts of Committees and the prolixity of discussion incident to a public body, every member of which almost takes a positive agency,²⁰ but principally resulting from the novelty and complexity of the subjects of Legislation. We are in a wilderness without a single footstep to guide us. Our successors will have an easier task. And by degrees the way will become smooth, short, and certain.

■ ***“its progress has been exceedingly wearisome”***

James Madison, New York, to Edmund Randolph,²¹ 21 Aug. 1789__

For a week past the subject of amendments [including the bill of rights] has exclusively occupied the House of Representatives. Its progress has been exceedingly wearisome not only on account of the diversity of opinions, that was to be apprehended [anticipated], but of the apparent views of some to defeat by delaying a plan short of their wishes but likely to satisfy a great part of their companions in opposition throughout the Union. It has been absolutely necessary in order to effect anything to abbreviate [shorten] debate and exclude every proposition of a doubtful & unimportant nature.

¹⁸ I.e., although they are mistaken that a bill of rights must be added to the Constitution—that it is the only way to guarantee individual liberties—their intention is for the good of the nation.

¹⁹ North Carolina and Rhode Island ratified the Constitution in November 1789 and May 1790. The Bill of Rights was ratified by the final state required for ratification on December 15, 1791 (Virginia).

²⁰ I.e., the abundance of debate that occurs in any public group when everybody wants to contribute to the discussion.

²¹ Edmund Randolph was a Virginia delegate to the 1787 Constitutional Convention and one of the three delegates who refused to sign the document. In 1788, however, he voted at the Virginia convention to ratify the Constitution as eight other states had already voted for ratification.

■ ***“inflexibly opposed to the Potomac”***

James Madison, New York, to Edmund Pendleton,²²
14 Sept. 1789_

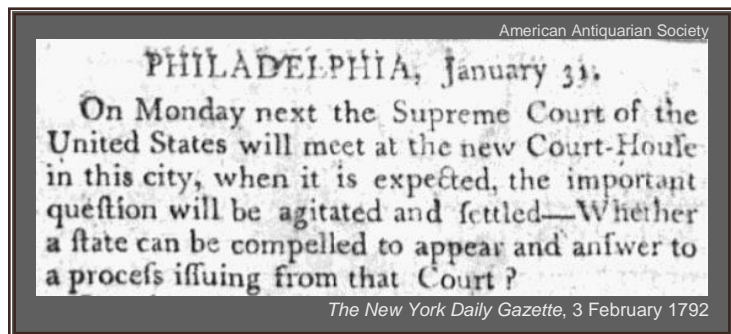
A very important question is depending on the subject of a permanent seat [capital city] for the federal Government. Early in the Session, secret negotiations were set on foot among the Northern States, from Pennsylvania inclusively. The parties finally disagreeing in their arrangements, both made advances to the Southern members. On the side of New York & New England, we were led to expect the Susquehanna²³ within a reasonable time if we would sit still in New York [if we would keep the temporary capital in New York City]. Otherwise we were threatened with Trenton [New Jersey]. These terms were inadmissible to the friends of Potomac — on the side of Pennsylvania who was full of distrust and animosity against New England & New York, the Potomac was presented as the reward for the temporary advantages if given by the Southern States. Some progress was made on this ground, and the prospect became flattering [encouraging] when a reunion was produced among the original parties by circumstances which it would be tedious to explain. The Susquehanna has in consequence been voted [by the Senate]. The bill is not yet brought in and many things may yet happen.

■ ***“Key-Stone of our political fabric”***

President George Washington, New York, to John Jay,
5 Oct. 1789_

It is with singular pleasure that I address you as Chief Justice of the Supreme Court of the United States, for which office your Commission is here enclosed.²⁴

In nominating you for the important station which you now fill, I not only acted in conformity to my best judgment, but, I trust, I did a grateful thing to the good citizens of these United States; and I have a full confidence that the love which you bear our Country, and a desire to promote general happiness, will not suffer [cause] you to hesitate a moment to bring into action the talents, knowledge, and integrity which are so necessary to be exercised at the head of that department which must be considered as the Key-Stone of our political fabric. I have the honor to be, with high consideration and sentiments of perfect esteem, Sir, Your most Obedient and most Humble Servant,



George Washington

■ ***“without distinction of Color”***

Pennsylvania Society for the Abolition of Slavery, 3 Feb. 1790_

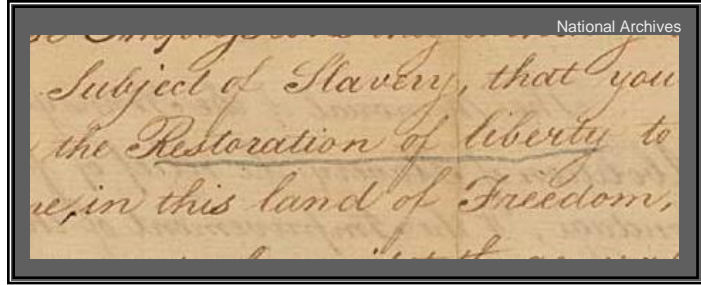
*To the Senate & House of Representatives of the United States,
The Memorial of the Pennsylvania Society for promoting the Abolition of Slavery,
the relief of free Negroes unlawfully held in bondage, & the Improvement of the Condition
of the African Races — Respectfully Showeth,*

²² Edmund Pendleton was a Virginia statesman who had served a president of the Virginia ratifying convention in 1788.

²³ The debate over the location of the permanent capital city was one of several contentious issues in the first Congress that revealed the continuing sectional divide between the northern and southern states. The southern states favored a site along the Potomac River (where Washington, DC, is located), while the northern states preferred a site near Philadelphia, Pennsylvania, on the Susquehanna River. A compromise was arranged by Madison, Jefferson, and Alexander Hamilton that led to the Residence Act, passed July 9, 1790, siting the nation’s permanent capital in the newly created District of Columbia along the Potomac River. As part of the compromise, the southern states, especially Virginia, agreed to support the federal government’s assuming all states’ debts from the Revolutionary War, a financial move they initially opposed since it would entail southerners’ taxes contributing to pay the much larger war debts of the northern states. See the 1790 letters of 19 May, 22 June, and 10 July, and footnote 28.

²⁴ One of the first constitutional charges to the first Congress, in addition to siting the permanent capital, was establishing the federal courts to which the president would appoint judges with the consent of the Senate. The Judiciary Act was passed on Sept. 24, 1789, and in early 1790 the Court convened for the first time, but heard few cases in its first years. In 1791 it moved to Philadelphia, as had Congress and the President, until the government moved to Washington, DC, in 1800.

That from a regard for the happiness of Mankind, an Association was formed several years since in this State by a number of her Citizens of various religious denominations for promoting the Abolition of Slavery & for the relief of those unlawfully held in bondage. . . .



That mankind are all formed by the same Almighty being, alike objects of his Care & equally designed for the Enjoyment of Happiness the Christian Religion teaches us to believe, & the Political Creed of America fully coincides with the Position. Your Memorialists, particularly engaged in attending to the Distresses arising from Slavery, believe it their indispensable Duty to present this Subject to your notice. — They have observed with great Satisfaction that many important & salutary Powers are vested in you for promoting the Welfare & securing the blessings of liberty to the People of the United States.” And as they conceive that these blessings ought rightfully be administered without distinction of Color to all descriptions of People, so they indulge themselves in the pleasing expectation, that nothing which can be done for the relief of the unhappy objects of their care will be either omitted or delayed.

. . . Under these Impressions they earnestly entreat your serious attention to the Subject of Slavery, that you will be pleased to countenance the Restoration of liberty to those unhappy men, who alone, in this land of Freedom, are degraded into perpetual Bondage, and who, amidst the general Joy of surrounding Freemen, are groaning in Servile Subjection, that you will devise means for removing this Inconsistency from the Character of the American People, that you will promote Mercy and Justice towards this distressed Race, & that you will Step to the very verge of the Powers vested in you for discouraging every Species of Traffic in the Persons of our fellow Men.

B Franklin, Presid^l of the Society

■ ***“the most distant approach of danger”***

James Madison, New York, to Benjamin Rush,
20 March 1790_

The Petitions on the subject of Slavery have employed [consumed] more than a week and are still before a Committee of the whole.²⁵ The Gentlemen from South Carolina & Georgia are intemperate beyond all example and even all decorum. They are not content with palliating slavery as a deep-rooted abuse,²⁶ but plead for the lawfulness of the African trade itself — nor with protesting against the object of the Memorials [petitions] but lavish the most virulent [extremely hostile] language on the authors of them. If this folly did not reproach the public councils, it ought to excite no regret in the patrons of Humanity & freedom.²⁷ Nothing could hasten more the progress of those reflections & sentiments which are secretly undermining the institution which this mistaken zeal is laboring to secure against the most distant approach of danger.

■ ***“the President has been critically ill”***

James Madison, New York, to Edmund Randolph,
19 May 1790_

The President has been *critically* ill for some days past but is now, we hope, out of danger. His complaint is a peripneumony, united probably with the Influenza. . . .²⁸

In consequence of a petition from New Hampshire, the subject of our commercial relation to Great Britain has been revived.²⁹ A majority of the H. of Reps. seem disposed to make a pretty bold

²⁵ Congress had also received petitions that month from two Quaker delegations to abolish the slave trade before 1808 (as set in the Constitution).

²⁶ I.e., trying to minimize the severity of slavery or the culpability of slaveholders by arguing that slavery has complex origins and facets.

²⁷ I.e., this behavior by the southern representatives is so absurd that, if it did not bring shame on public legislatures, it would not merit comment or attention from defenders of humanity and freedom.

²⁸ Washington required months to recuperate, having also had surgery the previous June to remove a large tumor on his thigh.

²⁹ Trade with Britain was another charged issue for the first Congress. After its defeat in the Revolution, Britain had banned American vessels from trading in the British West Indies. In 1790, responding to a petition from New Hampshire merchants, Madison proposed a retaliatory measure to

experiment, and I think it will meet with a very different reception in the Senate from the measure tried at the last session. If it fails, it will be owing to a dislike of the [trade] preference to Nations in Treaty.

The debt is not yet funded.³⁰ The zealots for the Assumption of the State debts keep back in hope of alarming the zealots for the federal debt. I understand that another effort is to be made for the assumption [bill]. Motives are felt I suspect which will account for the perseverance.

■ ***“the pressure of business”***

James Madison, New York, to Edmund Pendleton, 22 June 1790_

The pressure of business as the session approaches its term, the earlier hour at which the House of Representatives has for some time met, and the necessity of devoting a part of the interval to exercise, after so long a confinement, have obliged me to deny myself the pleasure of communicating regularly with my friends. I regret much that this violation of my wishes has unavoidably extended itself to the correspondences on which I set the greatest value, and which, I need not add, include yours. . . .

The funding and Revenue systems are reduced by the discord of opinions into a very critical state. Out of this extremity, however, some effective provision must, I think, still emerge. The affair of the State debts has been the great source of delay and embarrassment, and, from the zeal and perseverance of its patrons [supporters], threatens a very unhappy issue [end] to the session unless some scheme of accommodation should be devised. The business of the seat of Government is become a labyrinth, for which the votes printed furnish no clue, and which it is impossible in a letter to explain to you. We are endeavoring to keep the pretensions of the Potomac in view, . . . You will see by the papers enclosed that Great Britain is itching for war. I do not see how one can be avoided, unless Spain should be frightened into concessions. The consequences of such an event must have an important relation to the affairs of the United States.

■ ***“great difficulty in uniting a people”***

Thomas Pleasants Jr.,³¹ Raleigh, North Carolina,
to James Madison, 10 July 1790_

I am not acquainted with the Subject of Finance — or sufficiently informed of the situation and extent of the state debts — to be able to form a just opinion in regard to their assumption. But as the Requisitions of Congress from time to time upon the several States have not been equally Complied with, it seems unjust that the States that have paid should be taxed in the same proportion with the states that have not paid. . . .³²

The Northern and Eastern States have already made Considerable progress in Manufactures — which will increase and advance Much faster than in the Southern States. And as their Manufactures increase, their Imports will Lessen — and as their Imports Lessen their Taxes will decrease — and thus the great Burden of the debt will fall upon the Southern States.

. . . I am inclined to the opinion that it would be better at least for the Southern States that each State should provide for and Work out their own particular debt in the best Manner they Can.

Tho’ the situation of America loudly Called for some alteration in their General Government [under the Articles of Confederation] — and the Change that has taken place is perhaps as free from objections as any System that Could have been framed, yet I have always apprehended [foreseen] great difficulty in uniting a people whose Interests are so diametrically opposite under one General Government. And without more Condescension, Liberality, and Disinterestedness³³ in the

increase the duties on vessels of nations that shipped American goods to the British West Indies. Due to opposition to antagonizing British merchant-shippers, the measure did not survive the session.

³⁰ Another contentious issue of the first Congress was the assumption by the federal government of the states' unpaid debts from the Revolutionary War. In general, the northern states supported assumption, but Virginia and other southern states did not — primarily because they had already paid most of their war debts and resisted contributing taxes to pay other states' debts. In mid 1790 Virginia and other southern states agreed to support the debt “assumption bill” as a compromise whereby the northern states would support a southern location for the permanent national capital (land from Virginia and Maryland along the Potomac River, later named the District of Columbia). The Assumption Bill was passed July 26, 1790, two weeks after the Residence Act (establishing a southern site for the capital) was passed. See letters of 14 Sept. 1789 and footnote 22.

³¹ Thomas Pleasants, Jr.: son of a Virginia Quaker preacher who in 1782 officially emancipated his slaves. (See manumission data compiled by Michael Nicholls, Professor of History, Utah State University, at www.usu.edu/history/faculty/nicholls/manumissions/.)

³² During the Revolutionary War, states differed widely in providing money to the Continental Congress, which did not have power to enact taxes and could only request funds from the states.

³³ I.e., without more willingness to work with others as equals, more openness to discussion, and more nonpartisanship among the representatives.

Representatives — less attachment to local and particular Interests and greater attention to the General Good — in short unless they are in fact the Representatives of the U: states and not the partisans of particular States, all that the Enemies of the Government have foretold will probably Come to pass. . . .

The subject of Slavery hath excited great uneasiness here and will probably Cause still greater to the southward. Tho there is no doubt but Slavery is a Moral and political Evil, and that Whoever brings forward in the Respective States some General, rational, and Liberal plan for the Gradual Emancipation of Slaves will deserve Well of his Country — yet I think it was very improper at this time to introduce it in Congress, as well because they had not power to do any essential good — as that it interfered with other, perhaps more important business — and that its discussion Could not fail to produce great Intemperance of debate which tends to Weaken the Government.

■ **“this ball of liberty”**

Thomas Jefferson, Monticello (Virginia), to Tench Coxe,³⁴ 1 June 1795

I congratulate you on the successes of our two allies.³⁵ Those of the Hollanders are new and therefore pleasing. It proves there is a god in heaven, and that he will not slumber without end on the iniquities of tyrants, or would-be tyrants, as their Stadtholder.³⁶ This ball of liberty, I believe most piously, is now so well in motion that it will roll round the globe, at least the enlightened part of it, for light & liberty go together. It is our glory that we first put it into motion, & our happiness that being foremost we had no bad examples to follow. What a tremendous obstacle to the future attempts at liberty will be the atrocities of Robespierre!³⁷

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Petition to the U.S. Congress from the Pennsylvania Society for the Abolition of Slavery, 3 Feb. 1790 [text & digital image].

Images, p. 1:

- **John Adams**, portrait by John Trumbull, oil on canvas, 1793. National Portrait Gallery, Smithsonian Institution, NPG 75.52; reproduced by permission.
- **George Washington**, portrait by Charles Willson Peale, oil on canvas, 1787 (frame cropped). Pennsylvania Academy of the Fine Arts, Bequest of Mrs. Sarah Harrison (The Joseph Harrison, Jr., Collection), 1912.14.3; reproduced by permission.
- **Federal Hall, The Seat of Congress**, depicting the inauguration of George Washington, 30 April 1789, Federal Hall, New York City; 1790 drawing by Peter Lacour and engraving by Amos Doolittle (detail); 2000 photograph of engraving in the private collection of Louis Alan Talley, Washington, DC. Courtesy of the Library of Congress, Prints & Photographs Division, LC-USZC4-7831 DLC.
- **James Madison**, portrait by Charles Willson Peale, oil on canvas, 1792 (frame cropped). Gilcrease Museum, Tulsa, Oklahoma; reproduced by permission.
- **John Jay**, portrait in judicial robes by Gilbert Stuart, oil on canvas, 1794 (detail). National Gallery of Art, Gift of the Jay Family, 2009.132.1; permission pending.

³⁴ Tench Coxe was a Philadelphia merchant and later supporter of President Thomas Jefferson.

³⁵ In 1795 a revolution in Holland instigated by the French revolutionary army led to the creation of a republic that existed until Napoleon, then emperor of France, established his brother as the king of Holland in 1806.

³⁶ *Stadtholder*: state-holder, head of state [Dutch]; in this context meaning tyrant, dictator. See footnotes two and twenty-six.

³⁷ Robespierre was the main instigator of the Reign of Terror in France after the 1789 Revolution.