The Public Life of Edmund Randolph

by

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In this paper I shall make no attempt to treat any portion of the private life of Mr. Randolph. His family and domestic affairs will be ignored completely. Only those portions of his life spent in the service of the Commonwealth of Virginia, or the Federal Union shall enter into the reader’s ken. And that story alone is long enough and distinguished enough.

We first encounter Edmund Randolph in this paper when he enters the Continental Army as Aide-de-Camp to General Washington, and part from him as he sadly pens his resignation from the office of Secretary of State. I do no more than touch upon the skeleton facts of his dismissal. The question of right and wrong in that matter have been discussed pro and con for many, many years by wiser heads than I. That story has been told and retold, and I do not propose to repeat it here, for, not only would such a treatment be superfluous, but out of the scope of this paper. I am not writing about the man who penned vindication after vindication, but the man he was before the shadow of scandal drove him from the public service. I tell the story of the long years he spent serving America from the Year of Our Lord 1775 to 1795, a span of twenty years during which he was almost constantly in public life.

Part One
Introduction

Edmund Randolph was not a mental giant. He was not a wondrous statesman. He fell well short of genius. Even his friends recognised this. Washington and Jefferson, Hamilton all tower above him. But he was no ordinary man. He fell into the
class of intelligent office-holders, a good, steady man, lacking in the spark that leads to greatness or disaster, but plodding steadily upward until overtaken by the same sort of disaster that much later was to blast the career of another American statesman—who also had held the Department of State—James Gillespie Blaine.

To balance the genius of Washington, Jefferson, and Hamiltons, there must always be men like Randolph to hold down positions of trust, to relieve the pressure on the genius. Men who are well above the average, who work hard, and are forgotten by the common folk—men who make greatness possible in others.

Edmund Randolph was a francophile. One look at his letters to Mr. Hammond, the British Ambassador, and to M. Fauchet, the French Minister, is enough to convince one of that. Below I reproduce one of each, to allow the reader to judge for himself if I am not correct in adjudging Randolph to be prejudiced against Great Britain and toward France—at least after the French Revolution. Both letters are protesting encroachments by a foreign power upon the rights of the United States. Perhaps the British encroachment was more serious as the Randolph apologist may well say. This may be true, but I do not feel that the difference in degree of the offenses explains satisfactorily the difference in the tone of the two letters, and they are but isolated examples of a regular trend. I do not say that Mr. Randolph neglected his duty with regard to his protests to France, but that their tone was less calculated to give offense, reflecting his personal views which again make their appearance in his attitude with regard to the reception of Citizen Genêt.* Too, these letters will serve to illustrate his letter-writing style. Be that as it may, here they are:

Sir,

You do me no more than justice in believing that I receive with pleasure the explanations**which your letter of the 29th ultimo contains. They inspire me with full confidence that my representations, on each complaint, will be treated

* See page twenty-seven below.
** Neither the results, nor the letter referred to give much grounds for such optimism.
with candor, and assure me of redress, as far as the truth will support my demands.

On my part, permit me to repeat what I have expressed in my letter on the vexations of our commerce, that my enquiry did not go beyond the allegations of the parties interested. My view was to present only the subjects of the remonstrances lodged in my office*... delivering no opinion how far the charges were supported by evidence; and, above all, not imputing to the French republic the unauthorised misconduct of its ships of war.

I have the honor sir, to be, with great respect and esteem, your most obedient servant,

Edmund Randolph. 1

The letter above was addressed to Monsieur Fauchet. The following was to Mr. Hammond.

Sir,

It cannot be unknown to you, that a speech, said to be addressed on the 10th of February, 1794, to several Indian nations, and ascribed to the Governor-General of His Britannic Majesty at Quebec, has appeared in most of the public prints in the United States. With so many circumstances of authenticity, after so long remaining so long without contradictions, it might have justified us in inquiring from you, whether it was really delivered under British authority. Our forbearance thus to enquire is conformable with the moderation which has directed the conduct of our Government toward Great Britain, and indicates at the same time our hope, from the declarations of yours, that its views would prove ultimately pacific, and that it would discountenance every measure of its officers, having a contrary tendency.

Even now, sir, while I entertain a firm persuasion that, in assuming this speech to be genuine, I cannot well err, I shall be ready to retract the comments which I am about to make, if you shall think it proper to deny its authenticity.

At the very moment when the British ministry were forwarding assurances of good will, does Lord Dorchester foster and encourage in the Indians hostile dispositions towards the United States...

But this speech only forbodes hostility: the intelligence which has been received this morning is, if true, hostility itself. The President of the United States has understood... that Governor Simcoe has gone to the foot of the Rapide of the Miami, followed by three companies of a British regiment, in order to build a fort there.

Permit me then to ask, whether these things be so? It has been usual for each party to a negotiation, to pay such a deference to the pretensions of the other, as to keep their affairs in the same posture, until the negotiation was concluded.

*At this time he was Secretary of State.
1. American State Papers, Foreign Relations, I, 432. This work will hereafter be referred to as Am. St. Pap.
ties outweighed his faults. To use the phraseology of the navy, he'd appear in *Jane's Book of Fighting Ships* as a heavy cruiser, and it would not be fair to expect of a cruiser the qualities of a superdreadnought. He was an able statesman, a conscientious worker, a good speaker, and a patriot. What more could one expect?

II

Now that I have had my say, I will introduce the opinion held of Randolph by several of his illustrious contemporaries, for they had better opportunities to estimate his worth than I.

At the time of the Constitutional Convention William Pierce, a delegate from Georgia, said of him that he was an able scholar and statesman, who had brought forward the first principles upon which the Convention acted, and that he had supported them strongly and adequately. According to this very competent judge he had a harmonious voice, a fine person, and excellent manners.

It is curious and interesting to note that, at that same time, although they did not underestimate his ability, the French felt him to be inimical to their interests to some extent. This, however, was before the French Revolution, and Randolph, as a partisan of Jefferson—as he was to some extent at that time—would of course care little for an absolute monarchy, although he felt drawn to the radical republic that succeeded it. The French said of him:

> Edmund Randolph, gouverneur actuel, est un des hommes les plus distingués en Amérique par ses talents et son influence; il a cependant perdu partie de son considération en s'opposant avec trop de violence à la ratification de la nouvelle Constitution. Il fut membre du Congrès en 1780 et 1781, et à juger par les difficultes qu'éprouva M. le Chevalier de la Luzerne en négociant avec lui notre convention consulaire, nous devons le considérer au moins comme très indifférent sur le compte de la France. Toutes les objections qui se trouvent dans le rapport de

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3.) Farrand, M., Editor; *The Records of the Federal Convention of 1787*, III, 95. Hereafter to be cited as Farrand, M. **FARRAND.**
M. Jay furent faites alors par M. Randolph et le Minister de France ne dut son succès qu'à la modération des autres membres du Comité.

George Washington was Randolph's friend, and knew him well indeed, and here is an extract from a letter he wrote to James Madison on the appointment of an Attorney-General of the United States, which gives something of Washington's estimate of the worth of Edmund Randolph.

My solicitude for drawing the first characters of the Union into the judiciary is such that my cogitations on this subject last night, after I parted with you, have almost determined me, as well for the reason just mentioned, as to silence the clamor, or more properly, soften the disappointment of smaller characters, to nominate Mr. Balir and Colonel Pendleton as associate and district judges, and Edmund Randolph for the attorney-general, trusting to their acceptance. Mr. Randolph in this character I would prefer to any person I am acquainted with of not superior abilities, from habits of intimacy with him.

Thomas Jefferson, in the days when they were both in the Cabinet, wrote the following appraisal of Randolph, but his words must be taken with a grain of salt, for he could not brook Randolph's opposition to Jeffersonian measures. Be that as it may, he wrote this as part of a letter to Judge Tucker in August, 1793.

I can by this confidential conveyance speak more freely of R[andolph]. He is the poorest camelon [sic] I ever saw, having no color of his own, and reflecting that nearest him. When he is with me he is a whig, when with H[amilton] he is a tory, when with the P[resident] he is what he thinks will please him. The last is his strongest hue, though the 2d tinges him very strongly. The first is what I think he would prefer in his heart if he were in the woods where he could see nobody, or in a society of all whig*.

Part Two

The Virginia Era

I

Although his parents were not in favor of the Revolution** Edmund Randolph

4.) Farrand, M., III, 237.
5.) Sparks, Jared, Editor, Writings of George Washington, X, 27-28. Hereafter to be cited as Sparks, J.*.

*The italics are Thomas Jefferson's.

6.) Conway, M. D., Edmund Randolph, pp. 190-91. Hereafter to be cited as Conway, M. D.

**See article under Randolph in Dict. of American Biography. Not in scope of paper.
was a patriot. When the Revolution came he wished to join the army, and an opportunity for him to do so soon put in an appearance. Richard Henry Lee—who at that time was in the Continental Congress—recommended him to George Washington as an Aide-de-Camp, little dreaming that he was setting upon the rungs of the ladder of success the feet of one who one day would defeat him in his candidacy for Governor of Virginia. This was a fateful event in Randolph’s life, for it led him to intimacy with Washington, the leading figure of his time and clime. From this letter grew many events, including perhaps his appointment as Attorney-General. This letter was dispatched on July 26, 1775, and very shortly bore fruit.

Less than three weeks later, on August 15, George Baylor and Edmund Randolph were announced in the General Orders for the day to have been appointed Aides-de-Camp to the Commander-in-Chief. Washington rather believed that Randolph would refuse the appointment, even going so far as to half-promise it to Mr. Anthony White—who later became a Colonel—if this should prove to be the case. But Randolph did accept the position, probably to his later satisfaction, and was in the camp by August the 29th, which meant that he must have been awaiting impatiently the news of his appointment, for the conditions of travel in those days made his speed almost phenomenal.

During his brief sojourn with the army, he proved to be very useful, laying the foundations of the personal intimacy with Washington that was to continue uninterrupted until his resignation. Too, he gained the confidence of others of the important men of his day. Many of the letters Washington dispatched during this period are in Randolph’s hand, and betray his styling and methods of thought, although the text itself is Washington’s. Washington wrote to Joseph Reed, after

Randolph's departure, saying that the other aides with him were of little use in the writings of letters. Later still, he ordered Reed to return as swiftly as possible, as he sadly felt the loss of Randolph.

Edmund had left because of the death of his uncle, Peyton Randolph, who had served him as a father since the latter had disinherited him. Peyton died in Philadelphia, where he was presiding as President over the Continental Congress, on October 22, 1775. Edmund Randolph was left Washington and the army by the 2nd of November.

II

Within a month or so Edmund Randolph was again in public life, for he was appointed an Admiralty Judge to enforce the Continental Association. Thus, despite his tender age, Randolph progressed rapidly in the service of his country. Scarcely had he resigned from the military before he was called to the judiciary. His birth, though, alone ensured this, for he came of an old and prominent family, and had many very influential friends.

Thus time passed until the election of a new House of Delegates, which first assembled on May 6, 1776, and was to be perhaps the most significant in all of the long and noteworthy history of Virginia. Edmund Randolph, and his lifelong friend James Madison were the most prominent and promising youngsters in that assembly of great statesmen and politicians. The General Assembly, once convened, took upon itself the functions of government in Virginia, and became a Convention to frame a new Constitution for the Commonwealth. On May 10, 1776, the Convention appointed a Committee to draw up a Bill of Rights and draft a Constitution for the States. On this most important committee were many of Virginia's most prominent sons:

9.) Fitzgerald, J. C., Writings, IV, 76, 104.
10.) Ibid., p. 58.
11.) William and Mary Quarterly (First Series), Vol. VII, p. 6.
Edmund Randolph, Edmund Pendleton, George Mason, Madison, Henry, Nicholas, Bland, Henry Lee, Mann Page, Digges, and Carrington. Thus at the age of twenty-three Randolph rubbed elbows with the coolest and wisest heads in his State—perhaps in the entire United Colonies. In this Convention he chose Pendleton as his guiding star, and consistently supported the latter in his recommendations and negations. And their faction triumphed, although Jefferson, the old master*, and several others, opposed the formulation of any Constitution until things had crystallised.

Randolph, himself, though, at the beginning of the Convention had had his doubts as to the wisdom of the course they were pursuing, for he wrote to George Baylor—who had been a fellow Aide—as follows:

We are in confusion beyond parallel: no government is in existence but such as is vested in the hands of the Convention. This august body yesterday elected delegates of Congress, and rejected Colonels Harrison and Braxton. It was first determined we should have only five. The fortunate candidates were Wythe, Nelson, Jefferson, R. H. Lee, and T. E. Lee. We are engaged in forming a plan of government. God knows when it will be finished. It is generally thought that the contest will be between President Nelson and Mr. Henry, who shall be governor.

But no matter how undecided they were at first about the matter of forming a constitution, few of the delegates felt that they could continue even nominally under British rule, for on May 15th they instructed the Virginia delegates to the Continental Congress to propose freedom of the United Colonies.

This resolution was drawn up by Edmund Pendleton, after General Nelson had proposed it. But it was the fiery eloquence of Patrick Henry that drove it through to adoption.

Before the Convention dispersed, it elected officers for the State, and it fell to the lot of Edmund Randolph to be elected first Attorney-General of the

*In the Congress; his influence was weakened by distance.
13.) Conway, M. D., p. 29.
14.) *Ibid*.
15.) *Ibid*.
free Commonwealth of Virginia. Thus in the summer of 1776 he moved forward another 16 space on the chess-board of life. The game was going his way.

IV

As Attorney-General of Virginia, he performed well the exacting duties of that office in a land and time when all law was confused, and anarchy seemed at times to reign triumphant. He was one of the men who brought order into the new legal world that had cut itself adrift from the Law of England. Even after his election to the Continental Congress, he did not relinquish this position, but carried on this branch of his duties as diligently as before. Not until his election as Governor of the State did he finally relinquish this position. His resignation took effect on December 1, 1785, the day he became officially Governor of Virginia. For 17 ten years he had served his State as legal counsel.

V

During this time, Edmund Randolph was not inactive politically. Although he was Attorney-General of Virginia, he was also—in 1779-1779—clerk of the all-powerful House of Delegates, which held the feeble Senate of Virginia in thrall by 18 means of numbers and joint voting provisions.

VI

This apprenticeship served him well, for he renewed acquaintance with the men who ran the State, and kept himself under their eyes. And it was not long before he was rewarded. On June 18, 1779, he was appointed to the Continental Congress for a term that was to end of November's first Monday by the General Assembly. After the completion of this term there ensued a short interregnum, but on June 14, 1781, he was appointed to fill the place of Benjamin Harrison, who had resigned his appointment, and at the same time elected in person for the term following that. Thus he was to serve for Mr. Harrison until November, 1881, and then for himself until Nov-

16.) Hilldrup, R. L., The Life and Times of Edmund Pendleton, p. 185. Hereafter to be cited as Hilldrup, R. L.
17.) Calendar of Virginia State Papers, III, 119, & IV, 179, 181, 184. Hereafter to be cited as Calendar of Virginia State Papers.
18.) Fitzpatrick, J. C., Writings, XIII, 422; & Virginia Magazine of History and Biography, XVIII, 70.
ember, 1782. He first presented his credentials to the Congress on Thursday, July 22, 1779, and again—at the beginning of his second term—on July 16, 1781. And from that time he remained with the Congress until his departure for Virginia with secret dispatches on March 18, 1782. He did not return to fill the remainder of his term, but remained in Richmond or his home, Peltus, functioning in his capacity as legal advisor to the Governor.

While he was in the Congress, he served on many important committees, including the Yorktown Committee, the Public Grounds, and Appeals Committees. Then, too, he was instrumental in the construction of a consular convention with France. Besides this, he acted as liaison officer for his friend General Washington, who had written from West Point suggesting this. He was prominent as a member of the Committee on the Exchange of Prisoners, which was agitated by the problem of what to do with Lord Cornwallis. And besides this he corresponded with several of Washington’s friends for the General. All in all he was a busy man throughout this period.

VII

It was during his incumbency as Attorney-General of Virginia that the matter of the Virginia-Maryland commercial and boundary dispute came into prominence. Virginia had inadvertently ceded to Maryland more than she dreamed of giving up; i.e., the exclusive control of commerce on the Potomac River. When she realised the significance of her error, she complained of the matter. Finally the Virginia and Maryland legislatures appointed commissioners to meet at Mount Vernon and thrash the matter out, setting it upon an equitable basis satisfactory to both States. In itself this seems but a trivial matter, but it was destined to lead to
the framing of the Constitution of the United States.

The first Virginia-Maryland Convention met for only a short period in December, 1784, but reached no real decision, and finally decided to adjourn to Alexandria (Mount Vernon). There it was that they met in 1785.

The Virginia commissioners were George Washington, Colonel George Mason, Edmund Randolph, James Madison, and Mr. Henderson. Maryland sent Major Jennifer, Thomas Johnson, Thomas Stone, and Samuel Chase to negotiate with them. They met in November, 1785, but the Virginia commission was not complete. Through an error, Madison and Randolph had not been notified of the meeting. Nevertheless the others settled down to business, but failed to come to any definite decision because they found that the interests of other states as well as their own were involved. Therefore on November 29, 1785, they returned a report to their legislatures asking that the cooperation of Pennsylvania be sought in the settlement of the controversy.

When this resolution came up, James Madison suggested that not only Pennsylvania and the other colonies directly concerned in the matter but all of the colonies should be represented at such a gathering, on the theory that what touched one touched all. Thus the matter rapidly developed from a bi-state controversy to a convention of all of the states to settle the differences of a few of them. Madison's call for a general convention was a great stride along the route to national consolidation.

Virginia appointed Edmund Randolph, James Madison, Walter Jones, St. George Tucker, M. Smith, George Mason, and David Ross to represent her. The majority of these men met in Richmond, and decided to propose to the other states that the meeting-place of the Convention should be Annapolis, for they feared to expose

22.) Ibid.
24.) Hunt, G., II, 60-61.
the Convention to the influence of the Congress by allowing it to meet nearer to Philadelphia, and they could not propose Richmond without facing a charge of favoritism. Randolph was among those who were present at this pre-convention meeting.

By May 12, 1786, New Hampshire, Massachusetts, Rhode Island, New York, New Jersey, Pennsylvania, Virginia, and Delaware had appointed delegates to the Convention. The others, except for Connecticut, favored a convention but had good reasons for not having chosen representatives. North Carolina had had no legislative meeting since the forwarding of the suggestion by Virginia, and South Carolina had already delegated her commercial power to Congress for the period of fifteen years, and did not feel that this communication required any specific action on her part, since she had already tacitly agreed to joint action. Maryland feared to delegate commissioners, for she feared that the convention would weaken the authority of Congress, and she favored a relatively strong Congress. Before the Convention met, though, Maryland, on being assured that the central legislative body would not be weakened, had appointed delegates. Connecticut, the last of the unrepresented, had had such distasteful experiences with several very recent local conventions, that the very word was an unsavory odor in the nostrils of the people. Meanwhile the tendency to treat the Convention as a constituent one was growing.

In the first week of September, 1786, Madison reported that only two commissioners had arrived before him. By the tenth of the month the few who were present had well-nigh despaired of ever arriving at a quorum, and were determined to dissolve the Convention very shortly unless there should be a sudden influx of

26.) Ibid., pp. 238, 262.
delegates. At that time only three states—Delaware, Virginia, and New York—were represented. The Convention seemed doomed to expire of its own weight.

But by the beginning of October the Convention was well under way, and the trend was definitely toward the alteration of the Articles of Confederation. But the Virginia commissioners, and those of other states too, found themselves with very limited powers, and therefore could not having anything to do with definite action in that direction. However, by the end of the first week in November, the Convention had sent out to the various states a recommendation in favor of a general revision of the Articles, and Madison was able to report to Washington that this proposal had been unanimously accepted by the Virginia General Assembly.

Thus it was that the Convention which was gathered to settle a petty border dispute became, through the concerted and vigorous efforts of the supporters of a stronger federal union, the instrument which presented their desires officially to the legislatures of the various states, to make their cause officially articulate. The first great blow in the battle for unity had been struck—and Edmund Randolph was one of those who struck it.

VIII

The next step upward in Randolph's career trod hard on the heels of his return from the Convention. Already, toward the end of October, 1786, since Henry's refusal to accept reelection as Governor of Virginia, Randolph was spoken of by those who knew what was going on behind the scenes as the most prominent candidate for the gubernatorial office. James Madison felt morally certain that Randolph would be easily victorious, as he told General Washington on the 30th of October.

Madison proved to be a true prophet. The election was held on November 7,
1786, in the General Assembly of Virginia. The result was a landslide. Edmund Randolph received more votes than his two opponents together. He received seventy-three ballots, Colonel Bland twenty-eight, and Richard Henry Lee twenty-two. There was no doubt but that Randolph was Virginia's choice—or, at least, the choice of her Assembly.

Washington was glad to see his old friend and aide so favored by the State of their birth, and wrote to him a letter expressing as much in unmistakable terms:

It gave me great pleasure to hear that the voice of the country had been directed to you as chief magistrate of the Commonwealth, and that you had accepted the appointment. Our affairs seem to be drawing to an awful crisis; it is necessary therefore that the abilities of every man should be drawn into action in a public line to rescue them if possible from impending ruin. As no one seems more fully impressed with the necessity of adopting such measures than yourself, so none is better qualified to be entrusted with the reins of government. I congratulate you on the decision, and, with sincere regard and respect, etc.

George Washington.

Randolph took the oath of office on December 1, 1786, and entered immediately upon his term. As governor he encountered the usual difficulties of such a post at that time, and besides that, was absent much of the time during 1787 at the Constitutional Convention in Philadelphia, during which time his Lieutenant-Governor and successor, Beverley Randolph, acted for him.

The first matter that presented itself to Edmund Randolph after his accession to office was the perennial Indian trouble in Kentucky. This matter harassed him throughout his term of office as it did those other governors of Virginia who immediately preceded and succeeded him. The Calendar of Virginia State Papers is filled with references to the attempts of the people of what was then a dependency

30.) Calendar, IV, 181; & Hunt, G., II, 284.
31.) Conway, M. D., p. 59.
32.) Calendar, IV, 189-90, 290-91.
of Virginia but which is now the autonomous State of Kentucky to fend the sporadic Indian raids, and to gain the aid of the State militia in defense and reprisal. These troubles were chronic, broken by feeble attempts to treat with the redmen, or to help the frontiersmen, but the problem was by no means solved or set on its way towards solution during Randolph's administration. It was destined to be, for many a long year, a perennially open wound, into which drops of acid—in the forms of raid and reprisal—were dropped, causing desultory activity.*

Then, in the first month of his administration, Grayson and Carrington, who had been sent as delegates to the Congress, reported that not only was there no Congress, but little hope of one. And they added that even if Congress were in session there was little hope of obtaining aid from it for the protection of Kentucky and the other outlying sections of the State. Thus there was this worry to harass the Governor besides the matter of the coming Convention.

But on February 12, 1787, the delegates were able to report—from New York where the Congress now met—that a quorum of states—nine—was at last represented, and that business could now get under way. They added that Shay and his rebels had been dispersed, but that the central government had taken no action with regard to providing troops to protect the frontiers. And shortly thereafter they reported that the government would not even sell arms to Virginia; that Knox refused to even consult Congress upon the matter. It was evident that the Indian problem in Kentucky was Virginia's baby, and that Congress wished no part of it.

Then, to complicate matters further, Randolph received official notification of the Convention that was to meet in Philadelphia on the second Monday in May to renovate the Articles of Confederation. And this required more work.

*No specific reference except the Calendar, Vol. IV, under Cols. Logan and Lewis, and Indians.
33.) Calendar, IV, 209.
34.) Ibid., pp. 236, 244.
Meanwhile, through Carrington's frequent and full despatches, he was keeping his fingers on the pulse of the nation—the Congress. And from this direction came a gleam of better news, the intelligence that the national government was preparing to pay its debt to Virginia in the matter of the clearing of the British from the Old North-West.

Long before Edmund Randolph was even elected Governor—on October 16, 1786—the General Assembly passed an act providing for the sending of delegates to the proposed Convention. And on the 4th of December of that same year, the Virginia delegates were appointed by the same body. These were: George Washington, Patrick Henry, John Blair, James Madison, Edmund Randolph, George Mason, and George Wythe. Of these, Patrick Henry declined, and Randolph—with the authority vested in him as Governor of the State—appointed James McClurg to his place.

Early in May, 1787, as he was preparing to leave for the Convention, Randolph received the welcome news from H. Cary Lee, that at least nine states would be represented at the Convention—an unheard-of number. Cary inferred it to be well-nigh a miracle. But even after Randolph arrived in the City of Brotherly Love on the 15th of May, he found that a quorum was lacking, for although nine states had appointed delegates, these had not all arrived. A quorum was first made up on May 25. On the 27th he reported to Beverley Randolph back in Richmond that so far only seven states were represented. However, some business had been transacted, and it was expected that by the end of the week all of the states but Rhode Island—which was currently suffering from a case of acute "independitis"—and New Hampshire would be represented.

From the very beginning of the Convention, the Virginia delegates felt

35.) Calendar, IV, 246, 265-66.
36.) Farrand, M., III, 559-63.
37.) Calendar, IV, 281, 290-91; and Farrand, M., III, 20, 27.
that they, as representatives of the State which had suggested the Convention, should present to it some plan for the reconstruction of the Articles of Confederation. Therefore they formulated the so-called Virginia Plan* or Randolph Resolutions, a skeleton scheme for a new national constitution. And upon this plan mainly was the final Constitution of the United States based, so that it is highly important to know something of this plan if one is interested in the tale of the building of our nation. George Washington was the leader and most prominent man in the Virginia delegation, but did not wish to take the lead in presenting and sponsoring this plan, for he was already being spoken of as the first chief executive, and felt that it would not befit him to appear in the light of the sponsor of any scheme. Whispering tongues...are too malicious. Next to Washington in prominence stood Edmund Randolph, for he was the Governor of the State and an accomplished orator. Therefore it was he who was chosen to present the plan to the Convention.

On the 29th of May, 1787, Randolph opened the business of the day by presenting his resolutions, and from thence forward they served as the piece de resistance of the Convention, men choosing sides as those who favored them or opposed them, and as to the amount and direction of modification they felt to be necessary before the plan would be practicable. It was pulled and hauled this way and that. One opposed this and favored that. Another one's views were exactly the opposite, and so it went on, with the Virginia Plan to a great extent holding the center of the stage as a basis, a fundamental framework to be altered and enlarged until it formed a shelter for the prejudices and beliefs of a quorum of the states. As time went on other plans were presented to the Convention, but none seems to have made as much impression as the initial suggestions, and the work of

*See Appendix B for its complete text.
basing the new constitution upon the Virginia Plan and suiting most of those present went on apace.

The day after he first presented his resolutions, Randolph, at the suggestion of Gouverneur Morris, moved that his resolutions of the day before, for the alteration of the Articles of Confederation, should be shelved in favor of the consideration of the feasibility of constructing an entirely new constitution. The postponing was unanimously agreed to, but the matter of a new constitution was something else again. Many protested that the Convention had no right to consider such a proposal. Morris and Randolph, however, stood stoutly forward in favor of the national idea—and their view triumphed. The Committee of the Whole "Resolved that a national Govt. ought to be established, consisting of a supreme Legislative, Executive, & Judiciary."

Meanwhile, back in Virginia there was trouble with the so-called "State of Franklin" which distracted Randolph from the matter in hand. And this was not the only disturbing influence to which he had to pay some attention.

On May 31st, Randolph supplemented his earlier suggestions with others. He said that there ought to be a strong national legislature to curb the "turbulence and follies of democracy." Too, he wished that Senators should be fewer in numbers than the members of the lower house, and that they should be able to choose their own members from a group nominated for that purpose as suggested in the Virginia Plan.

About this time—on June 6, 1787—he wrote to Beverley, stating that he was bringing his wife up to Philadelphia as it looked as though the Convention would be protracted, although not acrimonious. When she did arrive, he moved to

39.) Farrand, M., I, 18-23.
40.) Ibid., pp. 33-35.
41.) Calendar, IV, 256.
42.) Farrand, M., I, 53.
lodgings on 5th Street near George Read's, and there remained until he left the city, for her illness would have made moving difficult if not dangerous.

I will now group Edmund Randolph's general ideas about and principal objections to the Constitution into a body, although they became evident only bit by bit as the Convention progressed, for to give them in detail and chronological order would be superfluous and tiresome, as well for the reader as the author.

He was, as I have said earlier in the paper, rather a "states'-rights man", and insisted that definite and well-defined powers be given to the national executive so that there might be no danger of tyranny. And he did not wish to have a single executive. He said that a single incumbent in the national magistracy was the "foetus of monarchy". He favored a three-man executive department, for he was a victim of the popular delusion which blamed the powerless George III for the troubles which had led to the Revolution, and wished no such "tyrant" to gain a grip on the United States.

On the other hand he wished the executive to have "power to carry into effect the national laws" to appoint to offices in cases not otherwise provided for", for he seconded a motion to that effect.

He disagreed violently with Mr. Pinckney who believed that the national legislature should have the power to negative "all Laws which they should judge to be improper." Here again his states'-rights tendencies appear.

When it was suggested that the national executive should be selected by the governors of the states, Randolph opposed the idea, pointing out that local politics, the natural states'-rights tendencies of the governors, and other such considerations would warp their judgement, influence their choice, and

43.) Calendar, IV, 293-94; and Farrand, M., IV, 61-2.
44.) Farrand, M., I, 53, 58, 66.
45.) Ibid., p. 67.
46.) Ibid., pp. 164, 168.
tend to weaken the executive. Instead he favored the election of the executive in some other way, with each state holding one vote, or, at least, equal numbers of votes. The idea of the appointment of electors—which eventually triumphed—was also not to his taste. However, he was willing to concede this point on condition that the electors should send their votes not to the Senate, but to the entire National Legislature, thus obviating any chance of a senatorial monopoly of executive power.

He wished the states to be able to amend the Constitution without the consent of the National Legislature—perhaps anticipating the obstructionism of the Senate—and believed the ratification of seven states to be sufficient for the adoption of the final product.

Of course he had many other plans, objections, and propositions, but those above were, I believe, the most relevant, and there is no point in carrying on with the minor ones ad infinitum.

But when the Constitution was finally finished and approved, Randolph, hoping that he could arrange for a second convention which would produce a plan of government more to his liking, refused to sign it, as did George Mason, although, he, perhaps acted from different motives. Although many people then and now have accused Randolph of seeking popularity or feeling pique because his plan was not adopted in toto, James Madison, who knew him as did few others, and who was one of the Virginia delegates to the Convention, exculpates him completely.

On September 18, 1787, he sent to Beverley Randolph a copy of the Constitution, and the following letter, plus a postscript stating that his wife was ill and that that would delay his departure for a short time.

Sir:
I do myself the honor of forwarding to the executive

47.) Farrand, M., I, 176, 519, & II, 502.
48.) Farrand, M., I, 208, & II, 464.
49.) Sparks, J., IX, 240; Farrand, M., II, 89, 479, 561, etc.; & Hunt, G., IX, 508-9.
a copy of the National constitution. Altho' the names of Colo. Mason and myself are not subscribed, it is not, therefore, to be concluded that we are opposed to its adoption. Our reasons for not subscribing will be better explained at large, and on a personal interview, than by letter.

I have the honor, sir, to be with great respect Y'r mo. ob. Serv't.

Edmund Randolph.

Thus from the very beginning his stand on the matter was an enigma, and a most important one. In the months to come it was a matter for speculation among the great men of the land, both pro. and con, but from his lips there came no definite answer until he felt beneath him the boards of the floor of the hall where the Virginia Ratifying Convention met.

Shortly after his return to Virginia, Edmund Randolph was re-elected Governor of the State, and the oath of office was administered to him on the 1st of December, 1787, by none other than Edmund Pendleton. Thus his state reiterated its confidence in him—despite, or perhaps because of, his stand at the Convention.

In late December, 1787, or early January, 1788, he wrote a letter to the Assembly concerning the Constitution which his good friend and intimate, James Madison, believed was favorable to the adoption of the Constitution, despite its non-committal tone. Long before this, in October, 1787, Madison had received a letter from Randolph, who had been touring the State, stating that his refusal to sign was furnishing matter for much malicious and groundless gossip, and that if he had refused to sign in hopes of gaining popularity, he had, in the phraseology of Mr. Chamberlain, missed the bus. Men thought him obstinate or publicity-seeking. But for the Constitution there seemed, he reported, to be wide-spread enthusiasm. And Madison may have been thinking as much of this letter's tone as that of the other when he made this statement.

50.) Calendar, IV, 343.
51.) Ibid., p. 362.
52.) Conway, M. D., pp. 95-7; & Hunt, G., V, 88.
But, generally speaking, in December, 1787, Edmund Randolph was thought to be the foe of the Constitution, indeed to be one of the chief leaders of this oppositions. This opposition, incidentally, was disorganised, though powerful. One reason for this disorganization was that the dissenters had different reasons for their dissent in many cases.

Washington, another good friend of the Governor, agreed with Madison, that if he dissented at all it would be but feebly. And he, too, seemed to think it very likely that Randolph would not even make this gesture.

Edmund Randolph was a candidate for the Virginia Ratifying Convention from Henrico County. At the time, of course, he was believed to be an "anti-constitutionalist". To what extent this affected the outcome of the election is a matter for debate. All we have to go on are the facts, and these I will present. William Foushee and John Marshall were Randolph's opponents in the electoral race, but Edmund received more votes than the other two combined. The results stood as follows: Marshall, who was an ardent pro-constitutionalist, was given 173 votes; Foushee, who was as ardently opposed to it, got 187; while Randolph's total was 373 votes, and his stand was supposed to be of a mild opponent to ratification.

In the Convention, Randolph rose like Jove in his might and unleashed his thunderbolts upon the anti-constitutionalists. From the very beginning of the Convention the result was decided, and Edmund Randolph and Edmund Pendleton were the men who turned the tide. Randolph, hitherto non-commital, suddenly came forth with a strong defense of ratification, saying that he considered the fact that so many states had already ratified as an expression of the will of the people of the country as a whole, and that to do otherwise than ratify would be to attempt

53.) Hilldrup, R. L., p. 278.
54.) Sparks, J., IX, 356.
to thwart their sovereign will. This flank attack crumpled the defenses of Henry and his cohorts, and while they were still unrecovered, Pendleton placed them upon the defensive through clever constitutional manoeuvering. He proposed and passed a motion stating that they were gathered, not to attack the right of the Philadelphia Convention to make a constitution, but, simply and wholly, to decide whether Virginia would accept the Constitution which had been presented for their approval. Thus the battle was carried into the enemy's camp. This and the defection of the Governor decided the issue. Henry, Mason, et al. were vanquished before the battle really began. Virginia was won for the Constitution—thanks to the abrupt and powerful volte face of Edmund Randolph.

Washington, on the 8th of May, wrote to John Jay as follows of the events in the Convention on that fateful June 4th:

Upon the whole, the following inferences seem to have been drawn; that Mr. Randolph's declaration will have considerable effect with those, who had hitherto been wavering; that Mr. Henry and Colonel Mason took different and awkward ground, and by no means equalled the public expectation in their speeches; that the former has probably receded somewhat from his violent measures to coalesce with the latter; and that the leaders of the opposition appear rather chagrined and hardly to be decided as to their mode of opposition.

Randolph voted with the constitutionalists against the attempts to sidetrack the issue, and voted for ratification without amendments, thus supporting Pendleton as he had supported him some twelve years before in the Virginia Constitutional Convention, when he had been just a youth with his feet on the lowest rungs of the ladder of success.

He continued his term as Governor, but when it came to an end, he followed
Henry's example and refused to accept another term. He was worn out by the struggles of the past two years, the strain of holding power in troublous times. The Council of State thereupon wrote to him a letter wishing him the best of luck in the future, and complimenting him on his fine work during his tenure of office.

In return to this letter he wrote:

No event of my life has ever brought more cordial satisfaction with it than your friendly letter. It holds this prominence in my judgement because it results, as you are pleased to tell me, from your observation of my conduct. I shall not dissemble that my emancipation from public life was diminished in its joy by the regret which I felt at a separation from my associates—a regret founded upon a confidence that with them I could have acted in harmony and honor to any length of service. You will therefore, believe that in any circumstances I shall consider your approbation as a testimonial the most dignified.

I have the honor, gentlemen, to be, with every sentiment of the most Respectful esteem,

Your most Obedient Servant,

Edmund Randolph. 69

On December 3, 1788, Beverley Randolph was elected Governor of the State of Virginia, and Edmund Randolph stepped out of public office for the first time in many years. His next appearance in public life was to be as an agent of the United States as a whole, not merely as an officer of his native State.

Part Three—The National Era

I

As early as July 19, 1789, Washington had sent Colonel Griffith to sound out Randolph and others as to whether they would consent to serve in the Federal Government's judiciary or other departments. But it was some time thereafter before he decided to ask him to accept the position of Attorney-General.

Finally, although convinced that Edmund Randolph was not a statesman of

59.) Calendar, IV, 513.
60.) Ibid., IV, 515.
61.) Ibid.
62.) Conway, M. D., pp. 126-27.
the first rank, Washington decided to nominate him as Attorney-General, because they were friends personally, Randolph was an important man in his home State, and because he preferred to reserve the judiciary for the top-flight minds of the nation.* He felt, too, that he could better act harmoniously and in amity with an old and intimate friend than with a stranger.

The position was of course one of great honor, another step along the road toward an eternal niche in the Pantheon. But Randolph, whose personal affairs were none too prosperous, hesitated about accepting it for some time, because the stipend was so small. And indeed, later on, he was forced to consider resignation as the only way to keep the wolf away from the door. Washington had considered this side of the question— with the natural casualness of one of the richest men in the country—but thought that the added prestige would bring him enough private cases to more than make up for what revenue he would lose by attending to his public duties. And, finally Randolph came around to the General's view of the matter, and on the 30th of November, 1789, we find Washington writing to Randolph to congratulate him on his choice, and to thank him for thus agreeing to serve his country. 63 At the same time he urged him to hurry to Philadelphia to take up his duties.

As Attorney-General Randolph was a conscientious worker, and a keen thinker. He was the odd man in the cabinet, the others lining up two against two, and leaving to him the decisive vote. Of this, Jefferson, after denouncing him foully as a chameleon, said,"...still it is not the less true that his opinion always makes the majority (in the cabinet), and that the President acquiesces always in the majority; consequently that the government is now solely directed by him." 64

Thus it was that Edmund Randolph was the real head of the Government of

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*See letter from Washington to Madison on page six above.

63.) Sparks, J., X, 58-60, 34-5; & Ford, Paul Leicester, Editor, The Writings of Thomas Jefferson, VI, p. 450.

64.) Conway, M. D., p. 191.
the United States during much of his service in the cabinet, for his vote decided almost every issue which arose. He belonged truly to neither the Jeffersonian or Hamiltonian faction, as Jefferson admits, reproaching him with his lack of steadfastness.* Therefore I will list his decisions on a few of the important matters that arose while he was Attorney-General, and point out the inferences which, to my mind, are to be drawn therefrom.

In July, 1791, he was of the opinion that the President might not interfere in the case of McGuire, Parsons, and Wells, fugitives from Pennsylvania justice, whom the Governor of that state was trying to extradite, but in vain, for the Governor of Virginia—where they had taken refuge—refused flatly to give them up. Randolph felt that the correct way to settle this affair was for Pennsylvania to produce sufficient proof of the guilt of these men as to satisfy the Governor of Virginia. Pressure from Philadelphia was not indicated. Thus his states'-rights, and strict-constructionist tendencies once more appear.

In October of the same year he was set to work examining the laws protecting the Indians with a view to revise them and supplement them, until they should be really effective. This was a monumental task, and all in vain, for the Indian problem was not settled then, nor for nearly a century thereafter.

When Citoyen Genêt appeared, his francophile tendencies came to life, and he favored the reception of that most irresponsible man despite his disgraceful conduct. For once he and that other gentleman from Virginia, Mr. Jefferson, were on the same side. Then again in the matter of the Bank Bill, his strict-constructionism threw him into the Jeffersonian fold, and he and Madison, sincerely believing it to be unconstitutional, were opposed to it even after the compromise.

*See above on page six.
65.) Calendar. V, 346-50.
66.) Sparks, J., X, 195-6.
But then perhaps they lacked Jefferson's convenient elasticity of conscience.

In the year 1792, he was of the same opinion concerning the Pennsylvania "rebels" as the minister was concerning sin. He was "agin" it. Washington acted on his advice in considering them indictable. And in his capacity as Attorney-General he attended their trial in the District Court at Yorktown to make certain that it was properly conducted, and that the Government's case was well presented.

During all of his time in the cabinet he was often at Washington's house to dine and visit, and they remained on intimate terms until the very eve of his resignation, as a glance through Washington's Diaries will assure one. Randolph fully favored his friend's second candidacy, for on August 5, 1792, he wrote to Washington and begged him to once more appear as a candidate for that office, for which he was so much better qualified than any other man in the country. And perhaps this letter had something to do with deciding the General's future course.

Who knows?

Another thing Americans have to be thankful to Edmund Randolph for, is that great American show—the Presidential Inauguration. It was Randolph's vote in the cabinet which defeated the attempt of Jefferson and Hamilton—allied for once—to make it a private ceremony to take place within the walls of the Presidential Mansion. But for once the union of those two powers, the democrat and the plutocrat, failed of its goal, and the gentleman from Virginia, Mr. Randolph, saved for America one of its most impressive and spectacular shows.

When America seemed in danger of being drawn into the quarrels of the European powers, Randolph, despite his pro-French attitude, joined the other members of the cabinet in heartily endorsing Washington's Neutrality Proclamation of

70.) Ibid., p. 322.
April 22, 1793, and, while in Virginia on a "vacation" drummed up favor for it among the notables of the State.

In the late summer and early autumn of 1793, while death—in the dread shape of the plague—stalked up and down the narrow streets of Philadelphia, and the President and others deserted the city, Randolph remained at his post. Washington had asked him to stay if possible, and report on conditions from time to time. And Randolph made it possible, although the city was so death-ridden that Washington wished to lease lodgings well out of town, and wished to know if it were possibly constitutionally for the President to change the meeting place of Congress by decree, so that the danger of exposing so many of the nation's most prominent men to the grim reaper's mighty sythe might be avoided. Randolph's answer was in the negative—more strict construction—and the fever abated before Congress met so that the matter was never brought to a test. But it illustrates Randolph's reluctance to grant powers to the executive that were not definitely assigned to him lest they be misused in the future—and this despite the dire immediate consequences of refusal.

In November Randolph was forced to give notice of his impending resignation, for he was always hard-pressed for money, but the matter blew over, and he remained at his post until advanced to the most important position in the cabinet.

II

When Jefferson shook the dust of the nation's capital from his feet and returned to Monticello to sulk, Randolph was given the State Department. His appointment took effect on January 1, 1794. He alone of the cabinet now was not a whole-hearted Federalist. Jefferson had been the last of the new "Republicans"

71.) Hilldrup, R. L., p. 309.
72.) Sparks, J., X, 372-74.
73.) Ford, Paul Leicester, The Writings of Thomas Jefferson, VI, 450.
in the national government, and now he was gone. And into the vacant State Department stepped Edmund Randolph, still forging ever upward along his chosen path—politics.

Washington seemed to doubt Randolph’s amiability toward the English—with good reason as I see it—suspecting him of still harboring a grudge against the mother country, for we find him warning his new Secretary of State to restrain himself to the fully proven facts and not to indulge in sound and fury in his answer to Hammond’s reply to Pinckney’s memorial concerning British sea policy. He evidently felt that Randolph might "go off the deep end" in the matter, as he seemed to feel strongly thereon, besides being a francophile—as were most prominent Virginians of his era.

One of Randolph’s first tasks as Secretary of State was to decide the policy of the United States with regard to the demands of Monsieur Fauchet for the payment of the debt of the United States to France before the time stipulated. After some haggling, Randolph agreed to pay one installment during the first week of September, and another one in November, and no pressure could change his stand. He seems to have been a canny man where money was concerned. However he was quite willing to accept Fauchet’s rather lame explanations of French spoiliations against the United States, although at the same time reprimanding Hammond vigorously on the same matter. Indeed, in one letter he went so far as to outline the entire stand of the United States on the matter, and bolstering it with references to International Law.

In the west he ordered Governor Shelby of Kentucky to keep his people from irritating the Spanish by any overt hostile actions, and outlined the steps

75.) Sparks, J., X, 406-7.
76.) Am. St. Pap., 427, 432, 450-54.
which he was taking to bring the matter to a peaceful settlement, by which the United States would receive the free navigation of the Mississippi—but he did not remain in office long enough to see his plan carried through by Mr. Pinckney.

And during the whole of this period his correspondence with Hammond was none too cordial. Stiffly worded missives passed back and forth between them regularly, and that improved the relationship of their nations not a whit, as also did the ominous moves of the British in the Old North-West.

Randolph set more than one precedent during his term of office. Firstly, he decided that a Minister of a power had no right to remove a consul of that power, especially where there was known to be bad blood between them. Too, he severely reprimanded the State of Virginia for harboring British privateers in violation of the American Treaty with France, insisting that they immediately take steps to rectify the matter.

But one might well say that the high spots of his diplomatic career were the treaties with Algiers and Great Britain during his tenure of office.

The Algerian situation had been a sore subject with Americans for some time, and a considerable number of American citizens were held by the Dey of Algiers as slaves. It was imperative that they be released, and that the United States reach some working agreement with the Dey for the future. Therefore Randolph ordered Colonel Humphreys—at Lisbon—to negotiate with Algiers, and authorised his borrowing up to $800,000, on the account of the United States, to be used in the interests of the United States in this matter. He suggested that if the trip to Algiers seemed hazardous to Humphreys he should not go himself, but send a man whom Gouverneur Morris—at Paris—was dispatching to him for that purpose.

78.) Ibid., pp. 461-62, & the General Index.
The negotiator was to work in concert with the French consul at Algiers if possible, but was not to commit himself too far, and was to retain his independence of action.

When Colonel Humphreys wished to return home, he was persuaded by Randolph to remain long enough in Lisbon to oversee the making of the Algerian Treaty. In the same letter he received implicit instruction for a treaty similar to that with Morocco. This occurred in late August, 1794.

The situation dragged on in a condition of somnolent torpidity until March, 1795, when Randolph informed Humphreys that even if the treaty were not acceptable to the Dey, he should at least arrange for peace and the release of the Americans held by the Algerians. At the same time he informed the Colonel that James Donaldson, Jr., had been assigned to Tunis and Tripoli as consul, and that Donaldson and Pierre Eric Skjoldebrand—consul at Algiers—would do the actual work at Algiers under the instructions of Humphreys himself. Finally, the Colonel was instructed to leave either Skjoldebrand or Donaldson in charge of the negotiations and post-haste to Paris to gain French aid in the negotiations.

The Treaty was eventually concluded by Donaldson on November 8, 1795, and thence returned to the United States where the President presented it to Congress on February 15, 1796.

Thus, although this treaty was not signed or ratified while he was in office, yet it was the work of Edmund Randolph, and to him should go the credit for it, and for the release of those unfortunate American seamen who had been brought by their evil genie to the auction block in Algiers.

His most important task, though, was the negotiation of the Treaty of 1795 with Great Britain, which is now better known as Jay's Treaty. The negotiations
of this Treaty might well be said to begin on April 14, 1794, when Edmund Randolph—who by the way would have preferred another negotiator—was ordered by Washington to draw up Jay's nomination as Envoy Extraordinary to Great Britain for presentation to the Senate.

From the time that Jay left for London Randolph was in as close touch with him as was possible under the wretched travelling conditions of that era. He did his best to keep the Envoy fully informed upon all that was happening in the United States and elsewhere so that he might not be hoodwinked, and saw that he kept in mind the Presidential instructions.*

By the time Jay arrived in London matters had turned for the worse in Anglo-American relations, what with frontier friction and Admiral Jervis' insolent and overbearing interference with American shipping, and on June 8, 1794, Randolph warned Jay that his failure would probably mean war in the light of these developments. The situation was daily growing more serious and more complicated. Then in August he mentioned to Jay the matter of the Simcoe invasion of the American North-West** and the fact that Hammond remained hostile, while the British in Canada were subsidising Indian raids on the United States. Then came the Whiskey Rebellion. The troubles incident to it Randolph minimised in his dispatches, but it must have raised British hopes of the spontaneous disintegration of the infant Republic. And Randolph was none too optimistic about the feelings of the new British cabinet, for he wrote that, "With the names of the new British Ministry before us, we predict nothing favorable to the United States, from this interweaving of parties."

In October, though, the situation was more favorable. The Rebellion had

84.) Sparks, J., X, 403-4.
*See under Jay and Randolph in Am. St. Pap.
**See on page 3 above.
85.) Am. St. Pap., pp. 474-5, 483, 496.
been efficiently suppressed, and Samuel Bayard was coming to England to negotiate for the merchants concerned as to the British captures of American merchantmen, thus relieving some of the pressure upon the public Envoy. It began to look as though a settlement was possible.

By December 10, 1794, the treaty draft had been prepared, and Jay was anxious to come home. The treaty draft had been held up by unfavorable winds, but Jay hinted that it opened the Mississippi— it did not do so, however—and the Florida rivers. At the same time he sent along copies of Lord Grenville's credentials. And on the 14th of December, Randolph, having received the treaty draft, reviewed it article by article, with general disfavor, especially where it referred to the return of the negroes taken from Charleston and other ports, the north-western posts, the exclusion from the West Indies Trade. Only for the boundary conditions could he find any praise—and that niggardly.

In January, 1795, he vociferously his objections to the British demand that they remain in control of the North-West frontier posts until June, 1796. He said that he could see no justification for this year of postponement. He also added that Jay should warn the British that unless certain provisions of the treaty are made binding despite war between the parties to it, the Government of the United States would be forced—in time of war—to grant privateering commissions to Americans.

Rumors of the Treaty, meanwhile, had begun to reach Paris, and France, at war with Great Britain, became alarmed. Monroe, in Paris, asked for instructions as to what to tell the Ministre de Relations Extérieures. In return Randolph informed Monroe that the treaty had arrived on the 7th of March—the day before

86.) Am. St. Pan., p. 509.
87.) Ibid., pp. 509-12.
88.) Ibid.
Randolph wrote this dispatch—and that it did not infringe upon the American Treaty with France, and that any other matters considered were the business of the United States, and the United States alone.

Again, on the 1st of June, he assured Monroe that there was nothing in the Treaty with Great Britain that would interfere with the continuance of friendly relations with the French Republic. Later on, in July, he wrote that it had been sent back to London for revision and would not be ratified until then—if then. Public sentiment, Randolph believed, was too overwhelmingly against it, and the British Provision Orders were bringing more and more Americans over to the side of its opponents.

At the same time that he wrote this last letter, though, he was defending the Treaty from the attacks of Monsieur Adet, Fauchet’s successor, stating categorically that it was not contrary to any obligations the United States might have towards France. Too, he informed Adet that he had never seen the Treaty himself—which seems to be decidedly untrue—but he procured a copy of it for the Frenchman. After seeing this draft, Adet made the following objections: 1st, that we granted to the British the right to seize American naval stores bound for France, while the French were bound to let such goods proceed unmolested to Britain; 2nd, that American anchorages were offered to British privateers; and, 3rd, that the new Treaty stipulated that this provision was not abrogatable.

But Hammond and the Treaty were so unpopular in the United States, that the Minister was almost murdered by a mob, while the Government was helpless to make more than a supine gesture in the way of apology, reparation, and punishment of the culprits.

89.) AM. ST. Pap., p. 699.
90.) Ibid., pp. 712, 719.
91.) Ibid., pp. 595-96; & Sparks, J., XI, 42.
92.) Sparks, J., XI, 42.
In the United States Randolph, although he defended it from foreign criticism, was no proponent of the Treaty. That was merely the facade that diplomacy and duty demanded that he turn toward the demands of an alien government infringing on American rights and self-determination.

On June 25, 1795, Randolph suggested to the President that he ascertain whether the conditional ratification which the Senate had accorded the Treaty demanded that it be returned to them when this was corrected, or if it could be considered corrected and accepted by executive act. Two days later he forwarded to the President Fauchet's request that the final consideration of the Treaty be postponed until the arrival of M. Adet. As a consequence Washington invited Adet to discuss the matter with him, but the French Envoy does not seem to have taken advantage of this friendly offer.

Even as late as July 12, 1795, Randolph was still undecided as to the merit of the Treaty and seemed rather inclined to favor it, if only the British Government would revoke the Provision Orders, which result he attempted to reach through a talk with Hammond. But in vain, probably as much because of their personal antagonism—the result of long and acrimonious wrangling—as for any diplomatic, naval, or economic reason.

When the Treaty was introduced into the Cabinet, Randolph stood alone in opposing it. He stated that it was his belief that it should not be ratified until the hostilities between France and England had ended, and the Provisions Orders repealed. He was overwhelmingly voted down, however, and the Treaty was signed by the Cabinet members—including Randolph—on August 14, 1795. Washington himself signed the formal ratification four days later.

Thus ended the negotiations of the Treaty of 1795 with Great Britain,

93.) American Historical Review, XII, 587-89.
94.) Ibid., pp. 590-99.
and the signature of this Treaty was Randolph's last official act, for before another week was passed, Fauchet's letter had exploded his reputation and position, driving him from public life.

Now to touch upon the scandal. Fauchet's letter*, intercepted by the British, was sent post-haste to Hammond, who promptly turned it over to Mr. Wolcott, the Secretary of the Treasury. Wolcott showed it to the other cabinet members, excluding Randolph, and they decided that the matter was important enough to warrant Washington return to Philadelphia to Mount Vernon. Pickering was chosen as the instrument of their decision, and dispatched to Washington a letter which said nothing definite—fear of arousing Randolph's suspicions—but which was mysterious enough in tone and strange enough in content to bring Washington back to the capital to investigate.

And the investigation led to a peremptory summons to Randolph to attend a cabinet meeting at Washington's house. He arrived, and the letter was handed to him, and he was asked to explain its contents. Being thoroughly conversant with the French language, he read it then and there, and left, promising to make an explanation on the morrow, when he should have had time to consider the accusation made against him.

And to explain away that letter would have been a difficult matter, for in it there was contained the following passage:

Deux ou trois jours avant que la Proclamation ne fût publiée Mr. Randolph vient me voir avec un air fort empressé et me fit les overtures dont je t'ai rendu compte dans mon No. 6. Ainsi avec quelques milliers de dollars la République aurait décide sur la guerre civile ou sur la paix. Ainsi les consciences des pretendus patriotes en Amérique ont déjà un tarif . . . Telle est, citoyen, la consequence evidente du systeme

*For its complete text see Appendix A.
96.) Sparks, J., XI, 52.
97.) Ibid., pp. 179-80.
But Randolph did not proffer the promised explanation, instead, he that
very evening penned the following note of resignation.

Philadelphia, 19 August 1795

Sir,

Immediately upon leaving your house this morning, I went to the office of the department of State, where I directed the room in which I usually sat to be locked up, and the key to remain with the messenger. My object in this was to let the papers rest as they stood.

Upon my return home I reflected calmly and maturely upon the proceedings of this morning. Two facts immediately presented themselves; one of which was, that my usual hour of calling upon the President had not only been postponed for the opportunity of consulting others* upon a letter of a foreign minister highly interesting to my honor, before the smallest intimation to me; but they seemed also to be perfectly acquainted with its contents, and were requested to ask questions for their satisfaction; the other was, that I was desired to retire into another room, until you should converse with them upon what I had said.

Your confidence in me, Sir, has been unlimited, and, I can truly affirm, unabused. My sensations, then, cannot be concealed, when I find that confidence so completely withdrawn, without a word or distant hint being previously dropped to me. This Sir, as I mentioned in your room, is a situation in which I cannot hold my present office, and therefore I hereby resign it.

It will not be concluded from hence, that I mean to relinquish the enquiry. No, Sir, very far from it. I will also meet any inquiry; and to prepare for it, if I learn that there is any chance of overtaking M. Fauchet before he sails, I will go to him immediately.

I have to beg the favor of you to permit me to be furnished with a copy of the letter, and I will prepare an answer to it, which, ... I cannot do ... merely upon the few hasty memoranda, which I took with my pencil ...

I shall pass my accounts at the auditor's and comptroller's offices, and transmit to you a copy.

I have the honor to be, Sir, with great respect, Your, et al.

Edmund Randolph. 99

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98.) Conway, M. D., p. 278.
99.) Sparks, J., XI, 479-80.
Thus it was that Edmund Randolph, most of whose Virginia compatriots who held the office of Secretary of State became Presidents of the United States, faded forever from the political picture and lost irretrievably his chance to rise to the highest dignity in the land. And so I picture him, sitting silent, staring across his writing table and seeing the vistas that that very morning had stretched before him, hardly able to realise that the gates to that promised land had swung shut against him, and yet feeling the first forebodings of what that scrap of paper, that fateful dispatch was to mean for him. Let us leave him there as he pens his resignation—for his life as a servant of the state is done.

FINIS
Appendix
A

The letter from M. Fauchet to the French Department of Foreign Relations, which resulted in Randolph's resignation.

Légation de Philadelphie
Relations Extérieures,
Correspond. Præ. du Ministre.
Politique. No. 10.
Philadelphia le 10 Brumaire l'an 3me.
de la République Française,
une et indivisible.

Joseph Fauchet, Ministre Plénipotentiaire de la République Française,
pres les États-Unis. Au Commissaire du Département des Relations Extérieures.

CITOYEN:—Les mesures que la prudence m'ordonne de prendre, vis-à-vis de mes collègues, ont présidé encore à la rédaction des dépêches signées d'eux; qui traitent de l'insurrection des pays occidentaux et des moyens répressifs adoptés par le gouvernement. J'ai souffert quelles se bornassent à donner un récit fidèle, mais nüdes événements; les reflexions y qui sont consignées ne passent guères les résultats qui se tirent aisement du caractère que prennent les papiers publics: je me suis réservé de te donner autant qu'il est en mon pouvoir la clé des faits que nos rapports détaillent. Quand il s'agit d'expliquer, soit par des conjectures soit par des données certaines, les vues secrètes d'un gouvernement étranger, il serait imprudent courir la chance des indiscretions, et de se livrer à des hommes, qu'une partialité connue pour ce gouvernement, une similitude de passions et d'intérêts avec ses chefs, peuvent entrainer à des confidences dont les suites sont incalculable. D'ailleurs les précieuses confessions de Mr. Randolph jettent seules surtout ce qui arrive une lumière satisfaisante: je ne les ai point communiqués encore à mes collègues. Les motifs que je cite plus haut conseillaient cette réticence, et ne permettaient encore moins de m'ouvrir à eux dans ce moment. Je vais donc essayer, Citoyen, de donner un but à toutes les mesures dont les dépêches communes te rappellent compte, et de découvrir les véritables cause de l'explosion qu'on s'obstine à réprimer avec de grands moyens, quoique l'état des choses n'ait plus rien d'alarmant.

Borner la crise actuelle à la simple question de l'excise c'est la réduire bien au dessous de sa véritable échelle; elle tient inévitamment à une explosion générale préparée depuis longtemps dans l'esprit public; mais que cette éruption locale et précipitée fait avorter, ou récule au moins pour long temps. Pour en voir la cause réelle, pour en calculer l'effet et les suites, il faut remonter à l'origine des parties qui existent dans l'État, et se retracer leurs progres.

La systeme du gouvernement actuel a fait des mécontents: c'est le sort de toutes les choses nouvelles. Mes prédécesseurs ont donné des renseignements très détaillés sur les parties du système qui ont particulièrement éveillé des clameurs et acquis des ennemis à l'ensemble. Les divisions primitives d'opinion, quant à la forme politique de l'état et à la limite de la souveraineté du tout sur chaque
État individuellement souverain, avaient créé les fédéralistes et les anti-fédéralistes. Par un contraste bizarre entre le nom et l'opinion réelle des parties, contrastant jusqu'ici peu entendu en Europe, les premiers tendaient et tendent encore de tout leur pouvoir à anéantir le fédéralisme, tandis que les derniers ont toujours voulu le conserver. Ce contraste fut créé par les-consolidateurs, ou les Constituants, qui se donnèrent l'initiative des dénominations (chose en révolution si importante!) prises pour eux celle qui était la plus populaire, quoique elle contredit au fond leurs idées, et donnèrent à leurs rivaux celle qui devait prévenir contre eux les souillures du Peuple qu'ils voulussent réellement conserver un système dont ses préjugés chérissaient au moins la mémoire et la nom.

Au surplus, ces divisions premières, de la nature de celles que le temps devait détruire à mesure que la nation aurait avancé dans l'essai d'une forme de gouvernement, qui la rendait florissante, auraient aujourd'hui complètement disparu, si le système de finances qui naquit dans le berceau de la Constitution ne leur eût donné une nouvelle vigueur sous des formes différentes. Le modus d'organisation du crédit national, la consolidation, la fondation de la dette publique, l'introduction dans l'économie de la méthode des États qui ne prolongent leur existence ou ne diffèrent leur châta que par les expéditions, créèrent imperceptiblement une classe financière, qui menace de devenir l'ordre aristocratique de l'État. Plusieurs citoyens, et d'autres ceux qui étaient aidés à l'indépendence ou de leurs bras, se sont prétendus les chefs de ces arrangements fiscaux. Delle une opposition qui se déclara entre l'intérêt foncier ou agricole, et l'intérêt fiscal, le fédéralisme et son contraire qui se fondent sur des dénominations nouvelles à mesure que la fisc usurpe la prépondéranse dans le gouvernement et la législation; delà enfin l'État divise en partisans et en ennemis du trésorier et de ses théories. Dans cette classification nouvelle de partis, la nature des choses livrait la popularité aux derniers: un instinct inné, pour ainsi dire, revolte les oreilles du Peuple contre les seuls de fisc et d'agriculture; mais le parti contraire par suite de son habileté s'obstinait à laisser à ses adversaires le nom suspect d'anti-fédéralistes, pendant qu'au fond ils étaient amis de la Constitution, mais ennemis seulement des excroissances que les théories financières menaçaient d'y attacher.

Il est inutile s'arrêter longtemps à établir que le système monarchique était lié à ces nouveautés de finances, et que les amis des dernières favorisaient les tentatives que l'on faisait pour y arrêter la Constitution par des créations insensibles. Les écrits des hommes influents de ce parti le prouvent; et les journaux du Sénat sont dépositaires des premiers essais.

Franchissons donc les espaces intermédiaires, où se signalent les essais de progrès du système, puisqu'ils ne peuvent rien ajouter à les preuves de son existence,--passons sur sa sympathie avec nos mouvements régénérateurs, tant qu'ils per courent des sentiers monarchiques,--arrivons à la situation où notre révolution républicaine a place des choses partis.

Les anti-fédéralistes se débarrassant d'une dénomination insignifiante, et prenant celle des Partiots et des Republicains. Leurs adversaires deviennent aristocrates, malgré leurs efforts pour conserver le prestige avantages des vieux noms; les opinions se frottent et se pressent; on rappelle des essais d'aristocratie qui autrefois avaient vuë insignifiants; on attaque le trésorier qu'on en regarde comme la source première; on dénonce ses opérations et ses plans à l'opinion publique; on réussit même à obtenir dans la session de '92 et '93 une échelle solennelle dans son administration. Cette première victoire devait en produire une autre, et
on espérait que fautif ou innocent, le trésorier ne s'en retirerait pas moins, par force dans le premier cas, par amour propre dans l'autre. Celui-ci, enthralé par le triomphe qu'il obtint dans l'enquête inutile de ses ennemis dont les deux finis s'arrêteront également, se dût d'ailleurs par des revers momentaires du Républicanisme en Europe, lève le masque et annonce le prochain triomphe de ses principes.

Cependant les Sociétés populaires se forment, les idées politiques se centralisent, le parti patriotique se réunit et se serre; il gagne une majorité redoutable dans la législature; l'abaissement du commerce, l'esclavage de la navigation, et l'audace de l'Angleterre le fortifient. Il s'élève un concert de déclarations et de censure contre le gouvernement; ce dernier lui-même en est étonné.

Telle était la situation des choses vers la fin de l'année dernière et au commencement de celle-ci. Parcourons les griefs qui s'articulent le plus généralement dans ces instants critiques. Ils ont été envoyés à différentes reprises en détails. On s'élève partout contre la mollesse du gouvernement envers la Grande Bretagne, l'indéfense du pays contre invasions possibles, la froideur envers la République Française. On attaque le système de finances qui menace d'étomiser la dette sous la prétèse d'en faire la garantie du bonheur public; la complication de ce système qui soustrait à la surveillance générale toutes ses opérations, le pouvoir effrayant de l'influence qu'il procure à un homme dont on regarde les principes comme dangereux, la prépondérance que cet homme acquiert de jour en jour dans les mesures publiques, et enfin les modes immoraux et impolitiques de taxation qu'il présente d'abord comme expédients et qu'il exige ensuite en permanence.

En touchant à ce dernier point nous atteignons le principal grief des occidentaux, et le motif ostensible de leur mouvement. Républicains par principe, indépendants par caractère et par situation, ils doivent se ceder avec enthousiasme aux cimetières que nous avons esquisseés. Mais l'exciise surtout les affects. Leurs terres sont fertile, arrosées par les plus belles eaux du monde; mais les fruits abondants de leurs travaux risquent de perir faute de moyens de s'échanger, comme le font ceux de cultivateurs plus heureux contre des objets que le désir indique à tous les hommes qui ont connu seulement les fruissances que procure l'Europe. Ils transforment donc l'excédent de leurs produits en liqueux grossièrement fabriquées, qui remplacent mal celles qu'ils pourraient par l'échange. L'exciise nait et atteint ces transformations consolantes; on répond à leur plainte par le seul prétexte qu'ils sont d'ajudieurs inaccessible à tout impôt. Mais pourquoi laisse-t-on au mépris des traités porter depuis dix ans au Mississippi le joug du foible espagnol? Depuis quand un peuple cultivateur subit-il l'injuste loi du carricre d'un peuple exploitateurs de métaux précieux? No peut-on pas supposer que Madrid et Philadelphie se donnent la main pour prolonger l'esclavage du fleuve, que les propriétaires d'un côté infécond croient que le Mississippi une fois ouvert et ses nombreuses ramifications rendus à l'inactivité, leurs campagnes ne deviennent desertes, et enfin que le commerce redoute d'avoir sur les rives des rivières que leurs habitants cesseront d'être sujets? Cette dernière supposition n'est que trop fondée: un membre influent dans le Sénat, M. Izard, le a énoncé un jour en conversant avec moi sans déguisement.

Je ne m'étendrai pas autant sur les murmures qu'exite le système qui préside à la vente des terres. On trouve injuste que ces pays vastes, fédérés se vendent par provinces à des capitalistes qui s'enrichissent ainsi et détaillent avec d'immenses bénéfices aux cultivateurs des possessions qu'ils n'ont jamais vues. S'il n'y a pas un dessin caché d'arrêter l'établissement rapide de ces contrées, et de prolonger leur état de l'enfance, pourquoi ne pas ouvrir dans l'ouest des bureaux de vente de terre où tout le monde soit indistinctement admis à acquérir par petite ou grande quantité? Pourquoi de réserver de vendre ou de distrib-
uerdes favoris, à une classe de flatteurs, de courtizans ce que appartie à l'État et devrait être vendu au plus grand profit possible de tous ses nombres.

Telles étaient donc les parties de la plainte publique sur lesquelles les Peuples de l'Ouest appuyaient d'avantage. Or comme te le disent les dépêches communs, ces griefs étaient systématisés par les discours d'hommes influens retirés dans des contrées adrétes, et qui par principes ou par suite d'aigreurs particulière animaient les mécontentemens déjà trop près de l'effervescence. À la fin l'explosion locale s'est opérée. Les occidentaux comptaient être soutenus par des hommes marquans dans l'Est, et croyaient même avoir dans le sein du gouvernement des feutres qui partageraient ou leurs griefs ou leurs principes.

D'après ce qui j'ai établi plus haut ces hommes pouvaient en effet être supposés nombreux. La session de '95 et de '94 avait donné de l'importance au parti Républicain, et de fixité à ses accusations. Les propositions de M. Madison ou son projet d'acte de navigation, dont M. Jefferson était originairement l'auteur, sapaient l'intérieur britannique, part integrante aujourd'hui du système financier. Mr. Taylor, membre Républicain du Sénat, a publié vers la fin de session trois pamphlets ou ce dernier est expliqué dans son origine, développé dans son progrès et ses suites avec force et méthode. Dans le dernier il assurait que l'état de choses décrit qui était le résultat de ce système ne pouvait sous un gouvernement naissant presser qu'une révolution ou une guerre civile.

La première se préparait: le gouvernement qui l'avait prévue reproduisait sous diverses formes la demande d'une force disposible qui le mit sur une respectable défensive. Déjà dans cette démarche, qui peut assurer qu'il n'ait point fait l'éruption locale pour faire une diversement avantageuse, et conjurer l'orage plus générale qu'il voyait se former? Ne suis-je pas autorisé à former cette conjecture que le Secrétaire d'État eût avec moi le Blanc seuls, et dont ma dépêche No. 3 le rend compte? Mais comment peut on espérer d'exécuter ce nouveau plan? Par des mesures exasperantes et sèvres, qu'on fut autorisé à prendre par une loi qui ne fut sollicitée qu'à la fin de la session. Cette loi donnant à la première loi sur la perception de l'excise une force coercitive qui jusques là lui manquait, et qu'on n'avait point osé demander encore.1 Au moyen de cette loi nouvelle on fit poursuivre avec une rigueur subite tous les citoyens refractaires à l'ammoniaque; grand nombre d'assignations furent émises; on entendait sans doute les suites naturelles d'une conduite si brusque et si tranchante; on préparait déjà les moyens de répression avant qu'elles fussent déclarées; c'était indubitablement ce que M. Randolph entendait en me disant que sous pretexte de donner de l'énergie au gouvernement, on voulait introduire le pouvoir absolu et fourver le Président dans les routes qui le menaient à l'immodarité.2

Soit que l'explosion ait été provoquée par le gouvernement, ou que le hazard l'ait fait éclaire, il est certain qu'une émeute de quelques certaines d'hommes qui ne sont pas trouvées ressemblant en armes, et le réunion très pacifique des comtes aux champs de Braddock, réunion qui ne s'est pas renouvelée, n'étaient point des symptômes qui justifiasent la levée d'une force aussi grande que 15,000 hommes. Les principes énoncés d'ailleurs dans les déclarations jusqu'ici rendues publiquement, annonçaient plutôt des âmes ardentes à calmer, que des anarchistes à réduire. Mais pour obtenir quelque chose d'une opinion publique prévenire contre les demandes que l'on se proposait de faire, il fallait croiser les dangers, défigner les vues de ces peuples, leur attribuer le dessin de s'unir avec l'angle-

1. On mentionnait cette loi au travail sur les lois de la dernière session joint aux No. 9 de la correspondance du Ministre.

2. The italics are M. Feuchet's.
(v)

terre, alermer les citoyens sur le sort de la Constitution, tandis qu'au fonds
la révolution ne menaçait que les ministres. On réussit par cette démarche, on
leva une armée; cette partie militaire de la répression est sans doute de Mr.
Hamilton; la partie pacifique et l'envoi des commissaires sont dus à l'influence
de Mr. Randolph sur l'esprit du President, que j'aime toujours à croire et que je crois
vériablement vertueux et l'ami de ses concitoyens et des principes.

Cependant lors-même qu'on était sur d'avoir une armée, il fallait s'assurer
encore de cooperateurs parmi les hommes dont la réputation patriotique pouvait
influerenc leur parti, et dont l'inertie ou de tiédeur dans les conjonctures actuelles
aurait pu compromettre le succès des plans. De tous les gouverneurs qui devaient
paraître à la tête des réquisitions, celui de Pennsylvanie jouissait seul du
nom du Républicain; son opinion sur le Secrétariat de la trésorerie et ses systèmes
était comme pour n'être pas favorable. Le Secrétaire de cet État possédait beau-
coup d'influence dans la société populaire de Philadelphia, qui à ce jour influençait
celles des autres États; il méritait par conséquent de l'attention. Il parait
donc que ces hommes avec d'autres que j'ignore, tous ayant sans doute Randolph
t'à leur tête, balançaient à se décider sur son parti. Deux ou trois jours avant
que la Proclamation ne fut publiée, et par conséquence que le Cabinet eût arrêté
ses mesures, Mr. Randolph vint me voir avec un air fort empressé et me fit les
ouvertures dont je t'ai rendu compte dans mon No. 6. Ainsi avec quelques milliers
de dollars la République aurait décidé sur la guerre civile ou sur la paix! Ainsi
les consciences des pretendus patriotes en Amérique ont déjà un tarif. Il est bien
vrai que la certitude de ces conclusions penibles à tifier existera éternellement
dans nos archives! Quelle vieilleness aura ce gouvernement s'il est d'au si bonne
heure décrété! Telle est, citoyen, la conséquence évidente du système de finances
conçu par M. Hamilton. Il a fait du Peuple entier un Peuple agricole, speculateur,
interessé. Les riches seules fixent ici la considération; et comme personne n'aime
t'être méprisé, tout le monde les poursuit. Cependant les excès de ce genre n'ont
point encore passé à la masse du Peuple; les effets de ce système pernicieux n'ont
fait que jusqu'ici que l'atteindre encore légèrement. Il y a encore des patriotes
dont j'aime à avoir une idée digne de ce titre imposant. Consulte Monroe; il est de
ce nombre; il n'avait prévenu sur les hommes que le courant des événements a
entrainés commes des corps dénus de substance. Son ami Madison est aussi un homme
probé. Jefferson, sur lequel les Patriotes jettent les yeux pour remplacer le Président
avait prévu ces crises. Il s'est retiré prudemment, pour n'être point force
tà figurer malgré lui dans des scènes dont ôt on tard on dévoilera le secret.

Sot qu'il fut décidé que la République Française n'achetait point
des hommes à leur désir, on vit les individus sur la conduite desquels le gouverne-
ment pouvait former des conjectures inquiétantes, se livrer avec une ostentation
scandaleuse à ses vues et seconder de même ses déclarations. Les Sociétés populaires
émirent bientôt des resolutions teintes du même esprit et qui malgré qu'elles
ayant pu être conseillées par l'amour de l'ordre, auraient cependant pu s'omettre,
courent, articuler avec moins de solemnité. Alors on voit sortir des hommes mêmes qui ont
avait accoutumé de regarder comme peu patrizians du système de taxation et de tâtes
orier, des harangues sans fin pour donner une direction nouvelle à l'esprit public.
Les milices cependent témoignent de la remise, particulièrement dans la Pennsyl-
venia pour le service auquel elles sont appelées. Plusieurs officiers resignent;
on obtiennent enfin par excursion ou par discours des réquisitions incomplètes, et
des corps de volontaires sèmes de tous les partis que complot les déficits.
Combien plus intéressants que les hommes versatile que j'ai peints ci-dessus, étaient ces citoyens simples qui répondaient aux sollicitations qui leur étaient faites de prendre parti dans les volontaires: "Si nous sommes requis, nous marcherons marques nous ne voulons pas de point avoir de gouvernement; mais nous armer comme volontaires, ce serait en apparence souscrire implicitement au système de l'excise que nous repouvons."

Tout ce que j'ai dit plus haut autorise donc à ce qu'on s'arrête à l'opinion devenue incontestable, que dans la crise qui a éclaté et dans les moyens employés pour ramener l'ordre la question véritable était l'aménagement ou le triomphe des plans du trésorier. Ceci un fois établi, passons sur les faits racontés aux dépêches communes et voyons comment le gouvernement ou le trésorier va tirer du coup même qui a menacé son système l'occasion sur le parti adverse, et de faire taire ses ennemis ouverts ou secrets. L'armée se met en marche: le Président déclare qu'il va la commander: il part pour Carlisle; Hamilton à ce que j'ai appris demande à le suivre; le Président n'ose le refuser. Il n'est pas besoin de beaucoup de pénétration pour diviner le but de ce voyage: dans le Président il est la sagesse; il peut peut même être de devoir. Mais dans M. Hamilton c'est un visite de la politique profonde qui dirige tous ses pas; c'est une mesure dictée d'ailleurs par une connaissance exacte de cœur humain. De quel intérêt n'est-il pas pour lui, pour son parti qui chancelle sous le poids des événements au dehors, et des accusations au dedans, d'afficher une infinie plus parfaite que jamais avec le Président dont le nom est un bouclier suffisant contre les attaques les plus redoutables? Or quelle marque plus évidente peut donner le Président de cette infinie qu'en souffrant que M. Hamilton dont le nom seul est entendu dans l'ouest comme celui d'un ennemi public, vienne se montrer à la tête de l'armée qui va pour ainsi dire faire triompher son système contre l'opposition de ce Peuple? Le pr- de Mr. Hamilton à l'armée devait le rattacher à son parti plus que jamais; on sent quelles idées ces circonstances font naitre des deux côtés, tout cependant à l'avantage du Secrétaire.

On avait campé depuis trois semaines dans l'ouest, que pas un homme armé ne s'était montré. Cependant le Président ou ceux qui voulaient tirer parti de cette nouvelle manœuvre firent publier qu'il allait commander en personne. La session du Congrès étant très prochaine, on voulut se l'on aurait pu obtenir à ce sujet des pressions qu'on croïait changées, un silence d'où l'on aurait pu conclure la possibilité d'enfreindre la Constitution dans sa partie la plus essentielle; dans cette qui fixe les rapports du Président avec la législature. Mais les par-iers patriotes relayeront cette tentative adroit: J'ai la certitude que les Bur- eaux du Secrétaire d'État qui restait seul à Philadelphie (car pendant que le Min- istre des finances était à l'armée celui de la guerre visitait la Province du Maine à 400 miles de Philadelphie) soutenaient la polémique en faveur de l'opin- ion qu'on voulait établir. On parla de comparaison entre le Président et le Monarque Anglais, qui quoiqu' eloigné de Westminster, remplit cependant exactement son de- voir de sanction; on insistait aussi beaucoup sur ce que la Constitution prononce que le Président commande la force armée; on a conspu la similitude; la conséquence du pouvoir de commander en personne qu'on tirait du droit de commander en chef (ou diriger) la force de l'État, a l'être ridiculisée et réduite à l'absurde, en supposant qu'une flotte à la mer et une armée sur terre. Le résultat de cette polémique a été qu'on a annoncé quelques jours après, que le Président viendrait ouvrir la session prochaine.

Pendant son séjour à Bedford, le Président a sans doute concerté les
plans de campagne avec M. Lee auquel il a laissé le commandement en chef. La lettre par laquelle il lui délégé le commandement est celle d'un homme vertueux, au moins quant à la majorité des sentiments qu'elle contient; il est parti ensuite pour Philadelphie, où il vient d'arriver, et M. Hamilton reste avec l'armée.

Cette dernière circonstance dévoile tout le plan du Secrétaire; il préside aux opérations militaires pour s'adapter aux yeux de ses ennemis un relief redoutable et imposant. Lui et M. Lee, le commandant en chef, se conviennent parfaitement de principes. Les Gouverneurs du Jersey et Maryland s'harmonisent entièrement avec eux; celui de Pennsylvanie, dont on ne l'aurait jamais soupconné, vit avec intimité et publiquement avec Hamilton. Un pareil assemblage serait pour produire de la résistance dans les occidentaux dans le cas même où ils ne songeraient à en faire aucune.

Les soldats eux-mêmes sont étonnés de la scandaleuse naissie avec laquelle ceux qui possèdent le secret, affichent leur prochain triomphe. On se demande à quoi serviront 15,000 hommes dans ces pays où les subsistances sont rares, et où il n'y a que quelques hommes turbulents à aller saisir à leur chargé. Ceux qui conduisent l'exposition le savent, il s'agit de faire une forte défense; quand on viendra à la répartition des sommes, personne ne voudra payer, et ce sera en maudissant les principes insurrectionnels des patriotes qu'on payera les quote imposées.

Il était impossible de faire une manœuvre plus habile à l'ouverture du Congrès. Les passions, indignation généreuse, qui avaient été dans la dernière sessions les esprits, allaient rentrer avec plus de vigueur encore; on n'avait rien à annoncer des brillants succès qu'on avait promis. Des hostilités de la Grande Bretagne sur le continent si longtemps désagréées et devenues évidentes, un commerce toujours vexé, des negotiations dérisoires trainant à Londres en attendant que des termes nouveaux autorisassent de nouvelles insultes; tel était le tableau qu'on allait avoir à offrir aux Réprésentants du Peuple. Mais cette crise et les grandes mouvements qu'on fait pour en prévenir les suites changent l'état des choses. Avec quel avantage on va dénoncer une attaque atroce sur la Constitution, et faire valoir l'inactivité qu'on a remise à la réfrimer; le parti aristocratique aura bientôt entendu le secret; tous les malheurs vont être attribués aux Patriotes; le parti de ces dérâmes va être déserté par tous les hommes faibles, et cette session entière aura été sauvée.

Quoi qu'il en soit, l'on ne portera point de triomphe? Peut-être en profitera-t-on pour obtenir des lois qui renforcent le gouvernement et précipitent encore la vente déjà visible qu'il a vers l'aristocratie.

Telles sont, citoyen les données que je possède sur ces événements et les conséquences que j'en tire; je souhaite que nos calculs soient deçus, et le bon esprit du Peuple, son attachement aux principes ne le font espérer. J'ai pu Être dans cette dépêche tombé dans la répétition des réflexions et des faits déjà contenus ailleurs; mais j'ai voulu te présenter l'ensemble des vues que je suis fonde à supposer au parti dominant et des manœuvres habiles qu'il invente pour se soutenir. Sans partager les passions des partis, je les observe; je dois à mon pays un compte exact et sévère de la situation des choses. Je me ferai un devoir de te tenir au cours de tous les changements qui pourraient survenir; je vais surtout appliquer à pénétrer l'esprit de la Législature. Il ne déterminera pas peu l'idée finale que l'on doit avoir de ces mouvements, et ce qu'on doit réellement en craindre ou en espérer. Salut et Fraternité.

3e. Fauchet.*

*Conway, M. D., pp. 272-281.
The Virginia Plan

The document reproduced below is Mr. James Madison, Jr.'s copy of this plan. The original is lost, but Mr. Farrand, an expert on the subject, believes that Mr. Madison's version is an accurate copy of the so-called Virginia Plan or Randolph Resolutions.*Therefore I reproduce it rather than Washington's, Breckinridge's or McHenry's.

1. Resolved that the articles of Confederation ought to be so corrected & enlarged as to accomplish the objects proposed by their institution; namely. [sic] "Common defense, security of liberty and general welfare."

2. Resd. therefore that the rights of suffrage in the National Legislature ought to be proportioned to the quotas of contribution, or to the number of free inhabitants, as the one or the other rule may seem best in different cases.

3. Resd. that the National Legislature ought to consist of two branches.

4. Resd. that the members of the first branch of the National Legislature ought to be elected by the people of the several states every for the term of ; to be of the age of at least, to receive liberal stipends by which they may be compensated for the devotion of their time to public service; to be ineligible to any office established by a particular State, or under the authority of the United States, except those peculiarly belonging to the functions of the first branch, during the term of service, and for the space of after its expiration; to be incapable of reflection for the space of after the expiration of their term of service, and to be subject to recall.

5. Resolld. that the members of the second branch of National Legislature ought to be elected by those of the first, out of a proper number of persons nominated by the individual Legislatures, to be of the age of years at least; to hold their offices for a term sufficient to ensure their independency, to receive liberal stipends, by which they may be compensated for the devotion of their time to public service; and to be ineligible to any office established by a particular State, or under the authority of the United States, except those peculiarly belonging to the functions of the second branch, during the term of service, and for the space of after the expiration thereof.

6. Resolved that each branch ought to possess the right of originating Acts; that the National Legislature ought to be empowered to enjoy the Legislative Rights vested in Congress by the Confederation & moreover to legislate in all cases to which the separate states are incompetent, or in which the harmony of the United States may be interrupted by the exercise of individual Legislation; to negative all laws passed by the several States, contravening in the opinion of the National Legislature the articles of the Union; and to call forth the force of the Union agst. any member of the Union failing to fulfill its duty under the articles thereof.

7. Resd. that a National Executive be instituted; to be chosen by the National Legislature for the term of years, to receive punctually at stated times, a fixed compensation for the services rendered, in which no increase or diminution shall be made so as to affect the Magistracy, existing at the time of increase or diminution, and be ineligible a second time; and that besides a general authority to execute the National laws, it ought to enjoy the Executive rights vested in

*These resolutions in Mr. Madison's notes are in the hand of Mr. Randolph. See Appendix C of the 3rd Volume of Farrand's Records of the Federal Convention of 1787.
Congress by the Confederation.

8. Resd. that the Executive and a convenient number of the National Judiciary, ought to compose a council of revision with authority to examine every act of the National Legislature before it shall operate, & every act of a particular Legislature before a Negative thereon shall be final; and that the dissent of the said Council shall amount to a rejection, unless the Act of the National Legislature be again passed, or that of a particular Legislature be again negatived by the members of each branch.

9. Resd. that a National Judiciary be established to consist of one or more supreme tribunals, and of inferior tribunals to be chosen by the National Legislature, to hold their offices during good behaviour; and to receive punctually at stated intervals fixed compensation for their services, in which no increase or diminution shall be made so as to effect the persons actually in office at the time of such increase or diminution.\text{sic}\) that the jurisdiction of the inferior tribunals shall be to hear and determine in the first instance, and of the supreme tribunal to hear and determine in the dernier resort, all piracies & felonies on the high seas, captures from an enemy; cases in which foreigners or citizens of other States applying to such jurisdiction may be interested, or which respect the collection of the National revenue; impeachments of any National officers, and questions which may involve the national peace and harmony.

10. Resold. that provision ought to be made for the admission of States lawfully arising within the limits of the United States, whether from a voluntary junction of Government & Territory or otherwise, with the consent of a number of voices in the National Legislature less than the whole.

11. Resd. that a Republican Government & the territory of each State, except in the instance of a voluntary junction of Government & territory, ought to be guaranteed by the United States to each State.

12. Resd. that provision ought to be made for the continuance of Congress and their privileges, until a given day after the reform of the articles of Union shall be adopted and for the completion of all their engagements.

13. Resd. that provision ought to be made for the amendment of the Articles of Union whenever it shall seem necessary, and that the assent of the National Legislature ought not to be required thereto.

14. Resd. that the Legislative Executive & Judiciary\text{sic} powers within the several States ought to be bound by oath to support the articles of Union.

15. Resd. that the amendments which shall be offered to the Confederation, by the Convention ought at a proper times, or times, after the approbation of Congress, to be submitted to an assembly or assemblies of Representatives, recommended by the several Legislatures to be expressly chosen by the people, to consider & decide thereon.\text{1}\

FINIS

On my honor as a gentleman this is my own work in toto.

[Signature]