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**THE CONTINENTAL CONGRESS
IN THE
NEW YORK CITY HALL,
1785-1788
BACKGROUND AND EVALUATION STUDY**

MAY 1969

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BY

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MAY 1969**

OFFICE OF ARCHEOLOGY AND HISTORIC PRESERVATION



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NATIONAL PARK SERVICE

PREFACE

The Continental Congress has been the subject of forty-two volumes of published journals and letters and one history. Yet, it has still to receive full historical treatment. The comprehensive history of the Congress as a political instrumentality, the human history of that generation of leaders who attended its meetings seems to have been discouraged rather than encouraged by the wealth of available sources. And one looks in vain for adequate coverage of the Congress in standard works. The American Revolution has been written about at length as a revolution; since Fiske the Confederation period has been interpreted and reinterpreted--with but passing reference to the Continental Congress.

All of which conspires to make a study of this dimension more difficult than it should be. The writer has had to work his way back to the unpublished papers of the Congress and ferret out a grain of opinion here, a trace of substance there from a wide range of other sources to recapture a sense of the Congress while in New York City.

This study was prepared under RSP FEHA-H-9 to provide materials and evaluation wanted for exhibits on the Continental Congress in the New York City Hall of the 1780's.

CONTENTS

		<u>Page</u>
Preface		i
Chapter I	Congress Arrives in New York and Moves Into the City Hall	1
Chapter II	Organization of Congress and the Government	13
Chapter III	Appraisal of the Continental Congress, 1785-1789	19
Chapter IV	Delegates to the Continental Congress	32
Appendix A.	EXTRACTS FROM THE LAND ORDINANCE OF 1785, May 20, 1785	43
Appendix B.	EXTRACTS FROM THE NORTHWEST ORDINANCE, July 13, 1787	45
Appendix C.	CHARACTER SKETCHES OF AMERICAN LEADERS BY THE FRENCH MINISTER	52

CHAPTER I

Congress Arrives in New York and Moves Into the City Hall

On Tuesday, January 11, 1785, the Continental Congress convened in the old city hall at New York. Two days later with seven states represented the Congress "proceeded to business."¹ A somewhat resigned state of mind prevailed. For a year-and-a-half Congress had wandered from one temporary meeting place to another while the public business languished and representation flagged.²

At least the members could now look forward to improved living conditions. Their most recent place of meeting at Trenton had proved inconvenient, for as young James Monroe reported to Governor Patrick Henry of Virginia, "Every State seem'd sensible of the necessity of our removal from Trenton, for the several

1. Abiel Foster to the President of New Hampshire (Meshech Weare), New York, January 14, 1785. Edmund C. Burnett, *Letters of Members of the Continental Congress* (Washington, 1936) VIII, 5. (Cited hereafter as Burnett, *Letters*.)

2. On June 21, 1783, soldiers of the Pennsylvania line had mutinied and marched on the State House (Independence Hall) where Congress was meeting. Although this demonstration was directed against the Pennsylvania Supreme Executive Council, also meeting in the building, Congress in attempting to sustain the public authority became involved, feeling they had been "grossly insulted." On the heels of this confrontation Congress departed for Princeton, New Jersey, convening there on June 30, 1783, and adjourning on November 4, 1783. The next meeting place was Annapolis, Maryland,

delegations exclusive of the officers of Congress and the foreign ministers could not obtain tolerable accommodations there"³

Initially, in retiring to New York Congress intended to provide temporary relief. As Abiel Foster wrote home "Congress seem determined to erect buildings for their accommodation near Trenton, and in the meantime to reside in this city."⁴ But the unsettled state of public affairs militated against building on such a scale. In its needy circumstances Congress could not undertake grandiose public works and, therefore, as Foster admitted "a considerable time must elapse before it can be accomplished, especially when I consider that the Houses for the accommodation of the several Delegations must be built by their respective States."⁵

That such buildings were never started, that the resolve to establish the capital at Tenton was negatived, is owing at least in part to the suitability of Congress' new place of meeting. Anything

where Congress reconvened on November 26, 1783, and adjourned June 3, 1784. Next came the short session from November 1, 1784, to December 24, 1784, at Trenton, New Jersey, that served as a prelude to the New York sojourn. In between times the Committee of the States provided caretaker management of Congress' affairs.

3. Burnett, *Letters*, VIII, 1.

4. *Ibid.*, 5.

5. *Ibid.*

but indifferent to the honor of hosting the famous Continental Congress, the city's corporation, through Mayor James Duane, offered the "Use of such Parts of the City Hall . . . as that honorable Body might judge to be most suitable and commodious for their Purposes."⁶ Subsequent proceedings make clear that Congress occupied the most elaborate room in the building, the large second floor chamber, until then in use by the state Assembly.⁷ Here they enjoyed the comforts of a landmark already rendered historically appropriate as the scene of the celebrated

6. James Duane to His Excellency Richard Henry Lee Esquire President of Congress, New York, January 14, 1785, *Papers of the Continental Congress*, No. 67, II, folio 469. (Cited hereafter as *Papers*.)

Although Congress' session at Trenton opened on November 1, 1784, by November 13, word had reached New York that a change was in contemplation. On that day the state assembly passed a resolution concurring with the senate in welcoming Congress: ". . . that the Delegates . . . for this State be instructed, in Case Congress should be determined to remove from Trenton, and should be disposed to reside in the City of New York, to assure them that their Residence therein would be agreeable to the Citizens of this State, and that such Accommodations will be provided for them as the present Circumstances of the City admit." *Ibid.*, No. 67, II, folio 477. On December 7, 1784, the Common Council of the City of New York took action: "M^r Mayor informed the Board that the United States in Congress assembled had resolved to adjourn to meet in this City on the eleventh Day of January next, and suggested the Invitation which had been given to that honorable Body by the Legislature and the Propriety of making them an Offer of such Parts of the City Hall or other public Buildings belonging to this Corporation as they should deem--necessary and best suited for their accommodation Thereupon Resolved that an Offer be made to the United States in Congress assembled of such Parts of the City Hall or other public Buildings belonging to this Corporation as the honorable the Congress shall deem necessary and best suited for their Accommodation" *Ibid.*, No. 67, II, folio 473.

7. Congress' journals and manuscript papers (in the National Archives) shed no light on this other than what is implicit in the aforementioned

Zenger press case and the deliberations of the Stamp Act Congress.

Earlier, President of Congress Richard Henry Lee and several members

resolutions and Congress' response thereto: "Resolved, That the Mayor and Corporation of the city of New York be informed, that Congress entertain a just sense of the attention which they have manifested to the interest of the Federal union, in the offer they have made of such of the public buildings in the city as may be necessary for the transaction of public business; and that they accept of the several apartments in the city-hall, the whole of which (except the court and jury rooms) will be necessary for the session of Congress, and accommodation of their officers." Library of Congress, *Journals of the Continental Congress 1774-1789*, edited by Worthington Chauncey Ford, Gaillard Hunt, John C. Fitzpatrick, and Roscoe R. Hill (Washington, U.S. Government Printing Office, 1904-37) XXVIII, 1785, 8-9. (Cited hereafter as *Journals*.)

National Park Service Historian Louis Torres reasons: "At first glance it appeared as though the Continental Congress would take over just about all the space that it had originally stated it would need, but upon second thought it settled for less. Thus, the city continued to use offices on the first floor and at least one room on the second floor. Meanwhile, the large Court Room continued to serve the various courts in their administration of justice. Little is known about the third story at this time, although it was probably used by Congress or the city.

"The main room where Congress convened . . . was the room formerly used by the New York State Assembly and the Provincial Assembly before it. It was perhaps the most beautifully furnished of all the rooms in the City Hall. This room, . . . was the large room at the southeast corner of the second floor.

"Although the paucity of documentation precludes . . . arriving at any definite conclusion, there is every reason to believe that the state legislature . . . offered its attractive chamber to Congress." *A Construction History of the City Hall on Wall Street and the Buildings Historic Associations 1699-1788* (Federal Hall National Memorial unpublished report November 1962), 83-4. (Cited hereafter as Torres, *City Hall*.)

of Congress had viewed the premises and been favorably impressed. By February 7 Congress had ordered the last of the Federal executive offices to be transferred to New York City.⁸ Later in the year on Elbridge Gerry's motion the Congress ordered Secretary Charles Thomson to see "That good carpets, mahogany arm chairs and tables be provided for the hall . . . and that each table be daily supplied wth good letter and other paper, pens, ink, penknives, sand wafers &c."⁹

8. Mayor Duane acknowledged in his letter of January 14, 1785, that he had already made contact with Federal officials on behalf of the city: "I in part executed this Trust when, in a personal Interview with your Excellency and some of the Members of Congress, . . . I had the honor of shewing the Accommodations in our power and of verbally expressing the Intentions of the Corporation." *Papers*, No. 67, II, folio 469.

"Resolved, That Joseph Carleton, Secretary in the War Office, be, and he is hereby directed to remove the books and papers belonging to that Office, to this city, as soon as the measure can be effected.

"That the Post master general be directed to remove on or before the 21 of March next; and that the Officers of the several departments of the treasury now at Philadelphia, be directed to remove on or before the first of May next, the books and papers of their respective Offices to this city." *Journals*, XVIII, 1785, 35-6, 45.

9. *Ibid.*, 625. Thomson ordered thirty-six desks and seventy-six yards of carpeting and other items (presumably damasks, tassels, and other ornamentation) from Richard Kipp, Jr., for which he paid a total of \$947.15. *Miscellaneous Treasury Records*, R.G. 39 National Archives, Blotter 8, 2774, 2864-5, 2885. From Thomas Burling he bought thirty-six mahogany arm chairs for \$288. John Bower upholstered them for an additional \$288. *Ibid.*, 2782, 2789. Thomson also charged contingency accounts for the purchase of "Wood, Candles, Stationary, Chairs Tables &c for the use of his office and of Congress" in the amount of \$190.48. *Ibid.*, Registers Office, Waste Book E, E496, 4232.

Sometime in November 1785 the artist, Robert Edge Pine, presented to Congress prints of the Magna Charta and the House of Lords and the House of Commons.¹⁰ In December framed prints of Generals Washington and Greene were received from a Mr. Joseph Brown of London.¹¹ All found their way into the New York City Hall, to grace the walls of rooms occupied by Congress. As described in a 1788 magazine article, the City Hall was a

. . . brick building, more strong than elegant. It is three stories in height, with wings at each end, and fronts Broad-street, which affords an extensive prospect. The first floor is an open walk, except two small apartments for the doorkeeper and city watch. In the second story of the Eastern wing, is the Assembly-chamber, now occupied by Congress, and adorned with the following paintings: The portrait

10. "Agreeable to Your Excellency's permission, I send the Magna Charta, and the Prints of the House of Lords and House of Commons, trusting to your kind promise of offering them to the acceptance of Congress, . . . they are on their passage in a Case with M^r Jay's Portrait, I have requested he will deliver them to Your Order." Robert Edge Pine to President of Congress, Philadelphia, October 30, 1785, *Papers* No. 78, XVIII, folio 595. Pine an Englishman, was "well-known as a painter of theatrical portraits and historical pictures In 1784 Pine emigrated to America with the idea of painting historical pictures on American Revolutionary themes and he did several life portraits of Washington, as well as other well-known Americans. He died November 19, 1788, in Philadelphia, before completing his first American historical painting." George C. Groce and David H. Wallace, *The New-York Historical Society's Dictionary of Artists in America 1564-1860* (New Haven, 1957), 506.

11. "On the letter of the 12 of Sept^r 1785 from Mr. Joseph Brown . . . informing that, . . . the plates of those prints have been executed at his expense and he shall have great satisfaction if Congress will do him the honor to accept these impressions and deem them worthy of being placed near the Seat of their deliberations, . . . *Ordered*,

of the great Columbus, belonging to the Assembly of this State; a painting valuable only for its antiquity and the character of the man--the likenesses of the King and Queen of France, as large as . . . life, executed in a masterly manner, and presented to Congress by his Most Christian Majesty; equally valuable for the richness of the paintings, the dignity of the personages whom they represent, and as pledges of royal friendship. The likeness of General Washington, . . . a likeness dear to every American, and destined to grace the walls of every Council chamber in the world.

The Western wing contains a room for the Council or Senate, now occupied by the Secretary of Congress
. . . .¹²

A year before the Reverend Manasseh Cutler, in town lobbying for the Western Reserve, described the City Hall and Congress' meeting place in some detail:

Congress Chamber is an apartment in [the] second story of [the] City Hall. This Hall is a magnificent pile of buildings in Wall Street, at [the] head of broad street, near [the] center of [the] City--It is more than twice [the] width of [the] State House in Boston, but I think not so long. The lower story is a walk, at each corner are rooms, appropriated to [the] Mayor & Aldermen of [the] City, & [the] City guards--Between [the] corner rooms on each side & at [the] ends it is open for a considerable space, supported by pillars--In front is a flight of steeps from [the] street, over which is a two story piazza, with a spacious walk which communicates with Congress chamber at

That the letter be referred to the Secy. of Congress to take order." *Journals*, XXVIII, 1785, 906.

12. From "General Description of the City of New York," *The American Magazine*, March 1788, p. 221, quoted in Torres, *City Hall*, 55-6.

[the] east end, & with [the Chamber where [the] Mayor & Aldermen hold their Courts at [the] westend. Congress Chamber is up [the] eastern stairs--it is nearly square. On the southern side the floor is raised several feet, which is ascended by steps, & enclosed with banisters. In [the] center is a large Chair, raised still higher, lined with red Damask silk, & over it a curious canopy, fringed with silk & two large, flowing, damask curtains descending from [the] sides of [the] canopy to [the] floor, partly furled with silken cords. Thus is [the] seat of [the] President of Congress, & [the] appearance at [the] opposite side of [the] Chamber is superb--On [the] flower [floor] of [the] chamber, at [the] right & left from [the] Presidents Chair, are two rows of chairs, extended to [the] opposite side of [the] room, with a small bureau table placed before each chair--the chairs & tables are mahogny richly carved--the arms & bottoms covered with red morocco leather. On each side of [the] Presidents Chair, within [the] banister, are chairs & tables similar to those of [the] members for [the] use of [the] Secretary & his clerks--in [the] midst of [the] floor is a vacant space in [the] form of a broad isle. The curtains of [the] windows are red damask, richly ornamented with fringes. At [the] east end is a portrait of General Washington full length, well executed,--at [the] opposite end are [the] portraits of some of [the] Genl officers [who] fell in [the] late war. On [the] side opposite [the] Presidents seat are [the] portraits of [the] King and Queen of France as large as . . . life. These were drawn by [the] Kings own portrait painter & presented by his Majesty to Congress. The drapery infinitely exceeds any thing of [the] Kind I ever saw before. They are dressed in their robes, & life and animation is imitated to perfection.--When the damask curtain, which cover them, were drawn, their eyes were fixed upon us with a vivacity that bespoke life itself, & their majestic countinances seemed to chastize our insolence in approaching them with so little reverence.¹³

13. Unpaged manuscript "Journey to New York and Philadelphia, 1787," Manasseh Cutler Collection, Northwestern University Library, I.

Having decorated their meeting place in a manner commensurate with their station, the Congress also, for the first time, took up ceremonial matters. On Mr. Gerry's motion they considered the advisability of requiring

That after the 1st Monday of Nov^r next all Directions to Congress shall be addressed to their Excellencies the President and Members of the U. States in Congress Assembled.

That each Member of Congress shall take Rank of every officer of the U. States.

That it be recommended to the Legislatures of the Several States to make provision by Law, that their Members of Congress shall be inferior in Rank to none but the Governors respectively.¹⁴

Jeremy Belknap described the place of assembly with additional detail, some of it not agreeing with Cutler: ". . . the President's seat is a plain arm chair on a raised step under a Green Canopy over his head is a large Sun surrounded by 12 Stars--before him a desk--at his Right hand sits y^e Secretary with a green desk--Several tables serve several members who sit in plain green chairs--" Manuscript of Jeremy Belknap's "Journal of a Tour to Philadelphia in 1785," Massachusetts Historical Society.

In welcoming the Congress Mayor James Duane assured the president that the citizens would "leave nothing undone to render the Residence of the Congress agreeable and satisfactory." Congress was not slow in responding when annoyed by the "daily interruption given to their discussions by the almost unceasing noise of passing Carriages." The Common Council approved the recommendation of a committee of Congress that "Chains . . . be drawn across the Streets from the North East, South East & South West Corners of the City Hall, . . . during their daily session." Richard Henry Lee to James Duane, New York, July 20, 1785, *Papers* No. 16, folio 322. *Ibid.*, Committee Book No. 190.

14. *Ibid.*, 648-9.

Catching the spirit of the occasion Mr. Charles Pinckney moved to add

That the President of Congress shall in future while in the Chair be seated in his robes; and that the Secretary shall also while in the execution during the hours in which Congress shall sit, appear in the robes.

That in all cases the members of Congress shall have precedence of the officers, civil and military in the U. States and of all foreign ministers.¹⁵

A committee was appointed to consider these motions on August 19, 1785, and it was renewed September 6, 1786.¹⁶ On the 18th of that month the committee on "Etiquett," reported and the Congress resolved

That the following precedence be established at the Court of the United States:

His Excellency the President of Congress.
The Honorable the Delegates in Congress.
The Honorable the Secretary of Congress.
The Honorable the Secretary of Foreign Affairs.
The Honorable the Secretary at War.
The Honorable the Commissioners of the Treasury.¹⁷

The second in a series of resolves of this committee prescribed

That all foreign Ministers be received at the Court of the United States in conformity to their rank and that [other things being equal] to the usage of Europe.

That it be the duty of [blank] to communicate to the United States printer for publication the arrival and

15. *Ibid.*, 649.

16. *Ibid.*

17. *Ibid.*, xxx, 1786, 665. *Papers*, No. 23, folio 308.

departure of his Excellency the President of Congress, the Honorable a Delegate in Congress and the first Officers of State.

That it be the duty of [blank] to communicate to the high Officers of the federal government, and the Ministers resident at this Court from foreign Nations, the arrival of his Excellency the President, and the honorable the delegate in Congress, together with the N^o of Hotel in which he or they may fix his or their residence.¹⁸

The third of the series provided

That a master of Ceremonies be appointed, and that the Office of private Secretary and Steward to the Household of the President be abolished.¹⁹

Finally, came a resolution relating to the robes of office:

That the robes of State be prepared, and that the president when in the Chair of Congress set robed.²⁰

Beyond this entry the Journals of the Continental Congress and the manuscript *Papers* are mute. These frivolities did not, however, escape the eye of French minister plenipotentiary Barbé-Marbois who reported to Vergennes "The magistrates [that is, leading statesmen] begin to distinguish themselves from the people by wearing one type of costume, or of one particular color. Several Delegates wear black, & these distinctions, however modest, attract the Sarcasms of

18. *Journals*, XXX, 1786, 665-6.

19. *Ibid.*

20. *Ibid.*

those who would level everything." On the other procedures just adopted he observed:

. . . ceremonials and Etiquette are making rather rapid progress here, & the Delegates to the Congress continue to make up pretensions which will be difficult for Foreign Ministers to subscribe to These [pretensions] will result in constraining [everyone], if they are maintained, for there will be many Delegates with whom the Foreign Ministers will not be able to communicate except on their terms. It even goes so far as the public Toasts which occasion little difficulties; they hardly ever forget to give of the United States the first, & then those of the Allies in order of their debts and treaties.²¹

Congress' reputation could offer little at the time to support all this bowing and scraping. Weak as the Congress had become, "that body developed an increasing sensitiveness as to its dignity and importance which, at times, appears almost peevish."²²

21. Francois, Marquis Barbé de Marbois, to Charles Gravier Comte de Vergennes, August 21, 1785, Correspondence Politique, États-Unis, Archives du Ministère des Affaires Étrangères, Paris.

22. *Journals*, XXVI, 1784, vi.

CHAPTER II

Organization of Congress and the Government

The Congress of 1785 under the Articles of Confederation, this country's first frame of government, had but a single chamber composed of delegates chosen by the state legislatures. As there was no separate executive--the experience with George III had precluded that for a while--those powers of government given by the Articles to the Federal entity resided in the Congress. After having handled governmental administration through committees for several years, while awaiting ratification of the Articles, Congress established those departments for the purpose indicated in the above order of precedence. At one time or another such outstanding men as Robert Morris, Robert R. Livingston, and John Jay had held financial or foreign secretaryships under Congress.

The presidency of Congress had a transient quality, attracting those not very well-equipped along with some truly outstanding leaders. Although the President's influence varied with the prestige and force of character shown by the incumbent, his role constitutionally was that of a presiding officer, corresponding more nearly procedurally and in powers to that of today's Vice-President. Elected from among the membership, the President of Congress was primus inter pares in his standing among the delegates. In Richard Henry Lee, during 1785, the Congress had as President one of the outstanding leaders of the

American Revolution, acknowledged by none other than John Adams himself to be "a Masterly Man."²³ Lee was followed in the chair by Arthur St. Clair of Pennsylvania and Cyrus Griffin of Virginia, the former better known for his failures than his successes and the latter, though enjoying "fully the confidence and respect of his age," "completely overshadowed by the giants who were his contemporaries."²⁴

The Secretary of Congress, chosen by the delegates, was from beginning to end Charles Thomson of Pennsylvania. Owing to the imperfections of government under the Articles and the divisiveness of Congress, Thomson exercised an influence far beyond what might be expected of his office. Graydon noted years later "His integrity was impeachable, and 'procured implicit credit for everything published in his name."²⁵ Writing to Vergennes early in 1785 Barbé-Marbois explained his prestige in these fuller terms:

Mr. Thomson is the most ancient Servant of the Congress and has remained the most constant point in all the Revolutions which have agitated this assembly. He is a

23. Lyman Butterfield, ed., *Diary and Autobiography of John Adams* (Cambridge, 1961) II, 120.

24. Allen Johnson and Dumas Malone, eds., *Dictionary of American Biography*, VII, 619. (Cited hereafter as *Dictionary of American Biography*).

25. Alexander Graydon, *Memoirs of His Own Time* (Philadelphia, 1846), 311 n. (Cited hereafter as *Graydon's Memoirs*.)

wise man, plain and full of moderation. Congress's confidence in him has no limits and while he does not have the right to speak in the debates of this assembly, he is, however, often consulted because he has been present for ten years [before which] all that has passed and he helps to maintain a uniform System better than the Delegates who change continually and who sometimes ignore that which their predecessors have done.²⁶

26. Francois, Marquis Barbé de Marbois had this to say about Thomson's duties and the importance the Secretary of Congress attached to them: "Ordinarily he reads every morning to the Congress that which he had done the evening before and rarely have they any occasion to make changes in his work, of which the Journals are the result. This collection which is extremely rare contains very important details on the revolution as well as on the formation of Congress and the manner in which they treat important affairs there and this practice is a very strong brake to restrain those who would escape their duty Beside the public journal, . . . the Secretary of Congress keeps the special Minutes of all the secret affairs [and] reports of Negotiations and conferences with foreign Ministers. He was also charged with all the papers [pertaining to] foreign affairs until the period Mr. Jay came into office. He has told me that he profitted by this circumstance to edit the historic Secret *Memoires* with all that was not inserted in the public Journals; that his work already has more than a thousand pages in folio and that he is writing the history of the Revolution He was on the point of quitting the Congress when its residence was fixed at New York in preference to Philadelphia where he has his family; but has since determined to continue his functions for as long a time as his age and health permit him to." Francois, Marquis Barbé de Marbois, to Charles Gravier Comte de Vergennes. February 28, 1785, Correspondence Politique, États-Unis, V. 29, Archives du Ministère des Affaires Étrangères, Paris.

As reported by the French minister plenipotentiary, Thomson's functions at the beginning of a session of Congress were as follows: "Mr. Hanson who was President of the last Congress left the Chair and placed himself at the table of the delegates of Maryland his Colleagues. Mr. Thomson Secretary announced that the Congress of 1781-1782 was finished; they sat there to form a new one and, in consequence, he required the producing of all letters of credential; they were read and verified; then he called the States and there were found to be eleven representatives; . . . The eleven . . . States gave their votes by means of a Poll submitted to the Secretary [in the form of] a rolled paper . . . [Elias

About fifty civil servants and officials comprised the Civil List housed in the City Hall or nearby private homes under lease.²⁷ As may be expected most were clerks of varying specialties, but included as well were "Judges of appeals," messengers, an auditor, a comptroller, a Treasurer, "Foreign Ministers," the chaplain, and a waiter.²⁸ Among them was Thomson's secretarial force, in intimate contact with Congress day-by-day. The Deputy Secretary, so-called, a Roger Alden, appeared on the scene July 21, 1785. Benjamin Bankson, one of the two clerks, was a Philadelphian who had been with Thomson since June 18, 1781. The other clerk, a John Fisher, also appointed in New York City on February 5, 1785. The doorkeeper for most of the New York stay, who doubled as messenger, was another Philadelphian

Boudinot declared elected] Mr. Boudinot was . . . installed in the Chair and the Seventh Congress at the summons of the Secretary took up the thread of business" Caesar Anne de La Luzerne to Joseph Mathias Gerard de Rayneval, January 2, 1783, *Ibid.*, v. 22, folio 417.

27. *Journals*, XXVI, 1784, 127.

8. *Ibid.* The three "Judges of appeals" were of the "Court of Appeals in Case of Capture." Cyrus Griffin headed this judicial body between 1780 and 1787. According to Armistead Churchill Gordon, Jr., (*Dict. of Am. Bio.*, VII, 619), this court "helped to further the beginnings of the United States Supreme Court by familiarizing the public mind with the idea of a superior tribunal of federal judicature."

In February 1788 Congress resolved to appoint two Chaplains, Dr. Samuel Provost, the eminent Protestant Episcopal bishop of New York and Dr. John Rodgers, distinguished New York Presbyterian clergyman, at salaries not to "exceed three hundred dollars each per Annum" *Journals*, XXXIV, 1788-1789, 71.

named Robert Patton. After his death on May 8, 1788, a New Yorker named James Mathers was named to the post (May 15, 1788).²⁹

The Congress itself was made up of thirteen state delegations, when at full strength. A good many years had passed since the Congress came into being, and by 1785 a new generation of representatives, not those who had declared Independence and fought the Revolutionary War to victory, was increasingly in evidence. Critics noted the prevalence of "bright, eager, but uninstructed lawyers" with much to learn about affairs of state.³⁰ In this class were, however, young

29. *Journals*, XXXIV, 1788-1789, ix. "New York, May 9 Died yesterday morning, at his lodgings in this city, Mr. Robert Patton, doorkeeper to the United States Congress assembled, in the eighty fourth year of his age. He was a native of Ireland, in an early stage of his life he came to America, and had resided in the United States upwards of sixty years. In May 1775, his well-known reputation as a man of integrity and patriotism, procured him the appointment under Congress, in which he continued until his death." *Massachusetts Spy* (Worcester), May 22, 1788, 2:3.

"Congress having rec^d information that Robert Patton late Messenger of Congress deceased this morning, . . . in Consideration of his long and faithful Services,

Resolved, That the Secretary of Congress give directions for the decent interment of the deceased at the public expense" *Journals*, XXXIV, 149. On May 16 Thomson paid \$54.39 funeral expenses and on May 21 Bankson on his behalf paid £2.9.6 for "Linen & Ribbon for the Funeral." "11 gloves" and "8 galls. wine, etc." were also acquired. *Papers*, Item 59, Misc. Papers III, 360-2. *Miscellaneous Treasury Accounts*, National Archives Record Group 39, Blotter 11, December 28, 1787, to February 2, 1789, 3872.

30. Louis-Guillaume Otto to Charles Gravier Comte de Vergennes, December 25, 1785, Correspondence Politique, États-Unis, Archives du Ministère des Affaires Étrangères, Paris, v. 30.

Alexander Hamilton and young James Madison. The limit of three year's service in certain state delegations ensured a "continual rotation of members of Congress."³¹ Delegates came great distances to stay but a few weeks, making it impossible to be conversant with public affairs. By 1786 when no novelty remained in belonging to Congress, a quorum became difficult to assemble. Inactivity marked the proceedings; few issues of any importance were raised although an abundance were in plain view but beyond Congress' established powers or competence. The standing committees were those of the States, Qualifications, and the Week. Throughout this period governmental activity of real interest took place in the states, where the nation's political life was to be found.

Given these circumstances it is not to be wondered that Congress had more time to dwell on dress and decorum, that the Secretary of Congress assumed so conspicuous a place on the floor of the chamber. Congress between 1785 and 1789 made history only now and again.

31. *Ibid.*, June 17, 1786, v. 31.

CHAPTER THREE

Appraisal of the Continental Congress, 1785 - 1789

The pattern to be followed by the Continental Congress while in New York City had been set elsewhere in the years before. As summarized by Historian John C. Fitzpatrick the Congress that convened there in January 1785 "did not assemble with any noticeable amount of patriotic enthusiasm. The matters demanding its attention were, largely, legacies of unsettled difficulties bequeathed by the Congress of 1784."³² There had begun that year a decline in the fortunes of Congress born of the Confederation's fundamental weakness. With the war over and the treaty signed, the previously felt sense of urgency evaporated and dangerous disagreements over the powers of the central government, so notorious at particular junctures in the past, were revived. Economic, political, and societal rehabilitation lay in jurisdictions other than the Federal. Obligation for military pay and wartime debts constituted a weighty problem, for which Congress could offer no solution in the absence of established income or fiscal authority. Responsibility for enforcement of the peace treaty on the nation's boundaries lay ahead as yet. With much to do and little power with which to do it, the membership lost interest. Representation

32. *Journals*, XXVIII, 1785, v.

in Congress waned, and for considerable periods of time a Committee of the States, created in 1784 for the purpose of carrying on government when full representation could not be had, acted for the Congress.³³

By the end of 1784 Congress had earned a reputation even among the members for getting in its own way. Commenting on the vote to establish the capital at Trenton, one delegate wrote home

Nothing but the loss of time attending the vibrations of Congress, the retardment of public business, and many other pernicious consequences resulting from the unsettled state of Congress would have induced me to come into that measure, at a time when the great demands against the public are unsatisfied³⁴

With the move to New York City some took heart. The Connecticut delegation wrote to the governor of that state that

The immense Quantity, Variety, and Magnitude of the Business which lies before Congress renders it necessary that as Complete a Representation as possible should be obtained and continued. Hitherto there appear on all sides and in every Body here, good Dispositions to enter into the Consideration and Discussion of public Affairs with Diligence, Zeal, and Integrity, yet none of the Ardua Regni, such as Revenue, Western Territory, etc. have hitherto been taken up, not from any direct Reluctance in any one to engage in them, but that on account of their extreme weight and difficulty, every one seems to hope by longer Reflection

33. *Ibid.*, XXVI, 1784, v. Two delegates from a state had to be present from that state to be considered fully represented.

34. William Ellery to the Governor of Rhode Island (William Greene), January 28, 1785, Burnett, *Letters*, VIII, 16.

and Consideration of those very important subjects to come to the discussion and Determination of them with yet greater Strength and Furniture of Mind: they will not however, we imagine, be much longer postponed - indeed they must not.³⁵

Some were not as sanguine:

I heartily join you in yr. Congratulations with our Countrym'n that our Ship is yet above Water, and very sincerely hope she may soon be so Equiped as to meet in tolerable security any future Tempests she may have to encounter. Much however it must be confessed is necessary to be done to accomplish this very desirable purpose. Good dispositions do not seem to be wanting here but the Embarrass'ts are so many and great and the forms of business so slow, that nothing very great is yet Effected, much is in Train but how it may terminate no one can foresee.³⁶

Before the year was out the store of hope and optimism had become nearly exhausted. The procedural evils observed in earlier sessions had persisted in this one, dire though the need for progress. Virtually all domestic matters--centering on the national debt and Congress' obligations to citizens who had supplied goods or services, soldiers who had been mustered out unpaid, and state governments for their support--were tucked away pending state action on the impost measure. Foreign debts were refinanced by floating new loans in the Amsterdam Bourse through the five great Dutch private banking houses.³⁷

35. The Connecticut Delegates to the Governor of Connecticut (Matthew Griswold) January 21, 1785, *Ibid.*, 12.

36. William Samuel Johnson to Joseph Sturgis, January 26, 1785, *Ibid.*, 13.

37. *Journals*, XXVIII, 1785, v-vi.

Despite the downward course of the 1785 session, the record of the Congress for that year was not bare of achievement. Some citizens' claims against the government were settled, negotiations were conducted with the Barbary powers as well as over navigation of the Mississippi. Congress also concluded some Indian treaties.³⁸ The year's single achievement of importance lay in the passage of the Land Ordinance of 1785, a crowning achievement in that or any year. Several year's efforts lay behind this act, for dealing as it did with disposition of the nation's western lands, it had required unaccustomed agreement among the states. According to historians Morison and Commager, the Trans-Appalachian west's millions of acres in "common possession" represented nothing less than "the most tangible evidence of nationality and unity that existed during these troubled years, and gave a certain substance to the idea of national sovereignty." Already in 1780 Congress had passed the resolution containing the "germ of American future colonial policy," that such lands ". . . shall be disposed of for the common benefit of the United States, and shall be settled and formed into distinct republican States, which shall become members of the Federal Union, and have the same rights of sovereignty, freedom, and independence as the other States."³⁹

38. *Ibid.*, v-vi.

39. Quoted in Samuel Eliot Morison and Henry Steele Commager, *The Growth of the American Republic* (New York, 1930, 1956), I, 260. (Cited hereafter as Morison and Commager.)

Acting under this principle the original states had subsequently relinquished claims to western lands based on their colonial charters. Then in 1784 Congress adopted a resolution to organize this territory, but it was never put into effect.

Now driven by the need for such land-sale revenue as would accrue to the Federal government, Congress passed the enlightened ordinance providing for survey, sale, and division by township with sections reserved for public schools, that became the basis for American land policy through to the Homestead Act of 1862.⁴⁰

Fitzpatrick feels Congress should not be criticized too sharply for not coming to grips with more of its problems at this time: ". . . its difficulties and deficiencies were not always of its own creation and it was far from being an incompetent body. The lack of representation, a matter over which it had no control, was responsible for much of its impotence, though the clogging method of voting by States was its own responsibility."⁴¹ Yet, he concedes that as the "year wore on, the Congress appeared more and more plainly as a board or committee of receivers whose primary duty lay in winding up the affairs of an expiring business."⁴²

40. For text of the Land Ordinance of 1785 see Appendix A.

41. *Journals*, XXVIII, 1785, v.

42. *Ibid.*, vi.

In 1786 the Continental Congress reached its nadir. Inactivity marked its course, sparse attendance demonstrating again feeble support for a now all-but-deserted instrumentality. The trace of optimism visible in 1785 gave way to the conviction that changes must be effected before the experiment in government could proceed further. A flood of deferred war claims descended on the Congress, much in the fashion of a latter-day bank-run. Support for the Confederation now faltered in Congress, and the members looked to reform and governmental reorganization to save the day. At this low-point, a shocked American public witnessed the Shays Rebellion in Massachusetts, where as one observer put it "an avid populace has just shaken the base of a Government which had been regarded up to now as the most solid and most perfect of all the confederation."⁴³

In 1787 the Continental Congress did an about face. Attendance remained low overall, particularly early in the year when the country's outlook was at its worst. In all, Congress transacted business on 112 days, yet on only two days were there delegates seated for all thirteen of the states.⁴⁴ A peak was reached late in September when the delegates received the newly written Constitution, representation from eleven states gathering for several days to refer the new frame of

43. Louis-Guillaume Otto to Joseph Mathias Gérard de Rayneval, September 30, 1786, Archives du Ministère des Affaires Étrangères, Paris, v. 32.

44. *Journals*, XXXII, 1787, vii.

government to the states.⁴⁵ But the legislative record improved markedly during the year as important issues came before Congress and renewed confidence gave them impetus again. Diplomatic activities and Indian affairs received much attention. The Post Office Department came under review while interstate questions claimed some of Congress' time. The usual financial difficulties confronted Congress again, but loans abroad could now be subscribed faster and with fewer concessions.⁴⁶

In 1787 too there evolved from Congress the measure for which the Confederation period will always be remembered--its supreme achievement, the Northwest Ordinance of July 13, 1787. As with the Land Ordinance of 1785 Congress was driven by the desire for land-sale revenue, now more immediate and real through Treasury Board arrangements with the Ohio and Scioto Land Companies. Immediate provision had to be made for a system of government in the northwest. This was done by organizing the entire extent of land north of the Ohio River as a single district, the Northwest Territory, under the authority of a governor and judges appointed by Congress. Five thousand male inhabitants of voting age could elect a territorial legislature and send a non-voting member to Congress. The states to be formed out of this territory (not fewer than three nor more

45. *Ibid.*, viii.

46. *Ibid.*, viii-ix.

than five) were to be admitted to the Union "on an equal footing with the original States in all respects whatever." Rights guarantees were also spelled out and a further clause provided "There shall be neither slavery nor involuntary servitude in the said territory."⁴⁷

Morison and Commager call the Northwest Ordinance " . . . one of the great creative contributions of America, for it showed how to get rid of that friction which had always been a canker in the relations of colony to metropolis." Under it

. . . a new colonial policy based upon the principle of equality, was inaugurated. The time-honored doctrine that colonies existed for the benefit of the mother country and were politically subordinate and socially inferior, was definitely repudiated. In its stead was established the principle that colonies were but the extensions of the nation, and entitled, not as a privilege, but as a right, to all the benefits of equality.⁴⁸

They regard it also as having been "Vital for the extension of [the] . . . federal system over wider areas and for adapting it to an expansive people . . . in the Northwest Ordinance . . . was adopted the policy . . . which enabled the United States to expand from thirteen to . . . [fifty] commonwealths under the same government."⁴⁹

47. For text of the Northwest Ordinance see Appendix B.

48. Morison and Commager, 263.

49. *Ibid.*, 299. The Northwest Ordinance was passed with only eight states, one over quorum, present.

On January 21, 1788, with exactly one-third as many delegates on hand as had signed the Declaration of Independence, Secretary Thomson wrote in his journal "Congress Assembled."⁵⁰ The next day the members elected a president. Business then proceeded in this last session of the Continental Congress in a desultory fashion, attendance remaining poor until at last on March 31 only six states, one short of a quorum, reported. "We are here in the old Style," Samuel A. Otis of Massachusetts wrote on April 6.⁵¹ With progress of the Constitution toward ratification the center of attention, there was little will to proceed to business, and the only consideration preventing an adjournment was responsibility for "keeping up the forms of government."⁵²

Although Congress regained its quorum on May 2, and proceeded on to business on May 5, the main purpose now in meeting was to enable the states to report their ratifications to that body. Having adopted a resolution on May 7 of the previous year to settle Congress' accounts with the states, attention now turned to this business and on May 8 further resolutions to speed the process were passed.⁵³ Statehood for

50. Edmund Cody Burnett, *The Continental Congress* (New York, 1941), 703. (Cited hereafter as Burnett, *Continental Congress*.)

51. *Ibid.*, 703-5

52. *Ibid.*, 704.

53. *Ibid.*, 705-6.

Kentucky also occupied their time, it having by now become a long-standing and vexatious matter; finally on July 3 being deferred for determination by the new government.⁵⁴

In the meantime throughout May and June attendance at Congress had been on the rise. By the time the news reached Congress on July 2 that New Hampshire, the ninth and decisive state, had ratified the Constitution, eleven states were fully represented.⁵⁵ On July 17 Otis wrote exultingly "We have had Thirteen States frequently upon the floor and have been very industrious."⁵⁶ Between then and September 13, when the meeting place and time of the new Congress were resolved, no fewer than fifty-one meetings were held.⁵⁷ At high point on August 18 there were forty members from thirteen states in attendance.⁵⁸

Interest and concern over provision for the new government did not stop all other business. The Congress of 1788 also took up military and Indian affairs and those of the Post Office, approved a new Dutch loan, discussed navigation of the Mississippi and the Barbary pirates' captives, and turned out extensive committee reports

54. *Ibid.*, 709.

55. *Ibid.*, 710.

56. *Letters*, VIII, 763.

57. *Journals*, XXXIV, 1787-1788, vii-viii.

on the executive departments.⁵⁹ In fact, even with the Constitution under consideration, on July 9 Congress found time to adopt an important supplement to the Land Ordinance of 1785.⁶⁰

By now the end was fast approaching. John Swann of North Carolina wrote on September 21

Congress have at length finished the preparations necessary to give the New Government Effect after a great deal of debating and perhaps some warmth This Question, . . . had the power to collect all the delegations from the different parts of the Union, so that there has not been a fuller Congress since the declaration of Independence. However this business being settled, Congress, I fear, like all other Bodies about to expire, will scarcely have a Witness to its dissolution.⁶¹

After September 17 there was seldom a quorum; on October 10 a quorum was had for the last time.⁶²

The City in its eagerness to make good as host of the upcoming Congress had begun remodelling the city hall into a much larger and finer building, the work creating such a din as it progressed that the delegates found it "impossible to hear one another speak."⁶³

59. *Journals*, viii.

60. *Ibid.*

61. Burnett, *Continental Congress*, 719.

62. *Ibid.*, 720.

63. *Ibid.*

Finally, Congress yielded to the "highly inconvenient situation," ordered that the rooms in a private home occupied by the Office of foreign Affairs be prepared for their meetings, and adjourned until the move was over.⁶⁴ The Continental Congress' official connection with the New York City Hall ended at this point, on October 2, although delegates came and went through the four months remaining before the new Congress convened. Thomson continued to register them as they poked their heads into his office, the last such entry being made for "Mr. Philip Pell from New York," on March 2, only two days before the first meeting of the new Congress under the Constitution:

The faithful secretary had fought the good fight to preserve the "visible head" of the Union; he had persevered to the end, he had won the victory. The spark of life had been kept in the body of the dying Congress until its heir and successor was crossing the threshold.⁶⁵

64. "It is perceived with extreme regret that . . . [the work] will render it very inconvenient if not impracticable for Congress to continue their deliberations where they now are. On this head after having consulted that Honorable body the Corporation would wish your advice. The manner of introducing this subject to the Honorable Congress we submit to you persuaded that it will be done with the utmost delicacy and so as to manifest our high respect, our Embarrassment, and our sincere desire to accommodate them by every exertion in our power." James Duane to the Honorable Delegates in Congress for the State of New York, September 29, 1788, *Papers*, No. 78, VIII, 237-8. *Journals*, XXXIV, 1787-1788, 572, 575, 577.

65. "In an important sense it is not correct to assume that the old Congress was even now defunct. There remained Secretary Thomson himself as a connecting link between the old and the new; and there

were other links besides. Most of the executive departments of the old Congress were passed over to the new government intact and continued to function for several months. The secretary himself, having served Congress faithfully throughout the whole of its life of fifteen years, fondly hoped he would be given a suitable place in the new order. He soon discovered, however, that, along with much else of that old order, the place for which he was destined was the place called discard. It came about therefore that, on the 23d of July, 1789, Charles Thomson transmitted to President Washington his resignation of the office of secretary of Congress; on the 24th the President accepted the resignation; and on the 25th, in accordance with President Washington's directions, 'the books, records and papers of the late Congress, the Great Seal of the Federal Union, and the Seal of the Admiralty' were delivered over to Roger Alden, deputy secretary of Congress, who had been designated by President Washington as custodian for the time being. It was then only that the Continental Congress really came to an end." Burnett, *Continental Congress*, 726.

CHAPTER FOUR

Delegates to the Continental Congress

During years such as these, one is unlikely to find the best minds of the country represented in the Continental Congress. Yet luminaries there were as well as some who added little to the political histrionics of the times but much to the flavor of the Congress. Orators there were, yet they appear from what has been published to have given few orations.

A score of the delegates enjoy a larger reputation today; the names of half would be readily identifiable. Thomas Jefferson, serving in 1785, heads the list, followed closely by John Hancock, who served that year and the next. Young delegates James Madison (1786-8), James Monroe (1785-6), Alexander Hamilton (1787-7), are as well known. James Wilson (1785-7), Richard Henry Lee (1785-7), Elbridge Gerry (1785), Samuel Chase (1785), Rufus King (1785-7), Charles Pinckney (1785-7), would be recognized by few non-historians. John Langdon (1786-7), Abraham Clark (1787-8), William Ellery (1783-5), Alexander McDougall (1785), and Hugh Williamson (1785-8) would be known to few historians not specialists in the period. Henry Lee [1785-8] would have to be identified as "Light Horse Harry." From the Virginia delegation alone came two Presidents of the Continental Congress (Richard Henry Lee and Cyrus Griffin) and three future Presidents of

the United States (Jefferson, Madison, and Monroe). No other delegation came close to matching this.⁶⁶

Those in the first group need nothing other than the sound or spelling of their names to identify them. Good thumbnail sketches of some of the others have been found and are presented below for whatever use they may be put. Starting with the Presidents of Congress, for Richard Henry Lee, we have Benjamin Rush's brief reference to him as a " . . . frequent, correct and pleasing speaker. He was very useful upon committees and active in expediting business."⁶⁷ John Adams called him and Patrick Henry two of the "orators" of the earlier congresses.⁶⁸ His successor, Nathaniel Gorham of Massachusetts, was described by a contemporary as

. . . high in reputation, and much in the esteem of his Country-men. He is a man of very good sense, but not much improved in his education. He is eloquent and easy in public debate, but has nothing fashionable or elegant in his style; - all he aims at is to convince, and where he fails it never is from his auditory not understanding

66. Vital data on the Continental Congress can be found in U.S., Congress, Senate, *A Biographical Congressional Directory . . . 1774-1911*, 61st Cong. 2d Sess., 1913, Doc. 654, 21-28 and "Biographies" 427-1136.

67. George W. Corner, ed., *The Autobiography of Benjamin Rush, His "Travels Through Life" together with his commonplace Book for 1789-1813* (Princeton, N.J., 1948), 151. (Cited hereafter as Corner, Benjamin Rush.)

68. Lyman Butterfield, ed., *Diary and Autobiography of John Adams* (Cambridge, 1961) II., 150.

him, for no Man is more perspicuous and full
Mr. Gorham is about 46 years of age, rather lusty, and
has an agreeable and pleasing manner.⁶⁹

No suitable sketch of Arthur St. Clair, the next in line, has been found.⁷⁰ Cyrus Griffin, the last President of Congress, impressed Brissot de Warville as "a man of good abilities, of an agreeable figure, affable and polite."⁷¹

Of the next set, the Jefferson of 1785 went undescribed, but is known to all. The thirty-two year old Hamilton presents a figure somewhat at variance with that of the later Secretary of the Treasury:

Colo. Hamilton is deservedly celebrated for his talents To a clear and strong judgment he unites the ornaments of fancy, and whilst he is able, convincing, and engaging in his eloquence the Heart and Head sympathize in approving him. Yet there is something too feeble in his voice to be equal to the strains of oratory; - it is my opinion that he is rather a convincing Speaker, . . . [than] a blazing Orator. Colo. Hamilton requires time to think, - he enquires into every part of his subject with the searchings of phylosophy, and when he comes forward he comes highly

69. As described by William Pierce of Georgia during the Constitutional Convention. Max Farrand, ed., *The Records of the Federal Convention of 1787* (New Haven, 1937), III, 87-8. (Cited hereafter as Farrand, *Records*.)

70. St. Clair seems to have enjoyed a reputation for oratory, and was fond of declaiming at the head of troop formations.

71. Quoted in Cornelia Frances Taylor, "Cyrus Griffin Late President of the Continental Congress," *The Pennsylvania Magazine of History and Biography*, III, 1879, 317.

charged with interesting matter, there is no skimming over the surface of a subject with him, he must sink to the bottom to see what foundation it rests on. - His language is not always equal, sometimes didactic like Boling-broke's at other light and tripping like Stern's. His eloquence is not so defusive as to trifle with the senses, but he rambles just enough to strike and keep up the attention. His manners are tinctured with stiffness, and sometimes with a degree of vanity that is highly disagreeable.⁷²

The thirty-seven year old James Madison was seen by the same viewer as one who

. . . blends together the profound politician, with the Scholar. In the management of every great question he evidently took the lead in the Convention, and tho' he cannot be called an Orator, he is a most agreeable, eloquent, and convincing Speaker. From a spirit of industry and application which he possesses in a most eminent degree, he always comes forward the best informed Man of any point in debate. The affairs of the United States, he perhaps, has the most correct knowledge of, of any Man in the Union. He has been twice a Member of Congress, and was always thought one of the ablest Members that ever sat in that Council. Mr. Maddison is . . . a Gentleman of great modesty,-with a remarkable sweet temper. He is easy and unreserved among his acquaintance, and has a most agreeable style of conversation.⁷³

James Monroe at twenty-seven attracted no attention and went undescribed.

Of the third set, James Wilson of Pennsylvania at forty-five appealed strongly to the intellect of that generation. By one

72. Farrand, *Records*, III, 89.

73. *Ibid.*, 94-5.

account he was

An eminent lawyer and a great and enlightened statesman. He had been educated for a clergyman in Scotland, and was a profound and accurate scholar. He spoke often in Congress, and his eloquence was of the most commanding kind. He reasoned, declaimed, and persuaded according to circumstances with equal effect. His mind, while he spoke, was one blaze of light. Not a word ever fell from his lips out of time, or out of place, nor could a word be taken from or added to his speeches without injuring them.⁷⁴

By another he ranked

. . . among the foremost in legal and political knowledge. He has joined to a fine genius all that can set him off to advantage. He is well acquainted with Man, and understands all the passions that influence him No man is more clear, copious, and comprehensive than Mr. Wilson, yet he is no great Orator. He draws the attention not by the charm of his eloquence, but by the force of his reasoning.⁷⁵

The same two viewers saw Elbridge Gerry of Massachusetts similarly:

[his] character is marked for integrity and perseverance. He is a hesitating and laborious speaker;—possesses a great degree of confidence and goes extensively into all subjects that he speaks on, without respect to elegance or flower of diction. He is connected and sometimes clear in his arguments, conceives well, and cherishes as his first virtue, a love for his Country. Mr. Gerry is very much of a Gentleman in his principles and manners;⁷⁶

He was a respectable . . . merchant, of a liberal education, and considerable knowledge. He was slow

74. Corner, *Benjamin Rush*, 150.

75. Farrand, *Records*, 91-2.

76. *Ibid.*, 88.

in his perceptions and in his manner of doing business, and stammering in his speech, but he knew and embraced truth when he saw it. He had no local or state prejudices.⁷⁷

Samuel Chase of Maryland was forty-three years of age when the 1785 session began:

The man's life and character were a good deal checkered. He rendered great services to his country by awakening and directing the public spirit of his native State in the first years of the Revolution. He possessed more learning than knowledge, and more of both than judgement. His person and attitude in speaking were graceful, and his elocution commanding, but his speeches were more oratorical than logical. He always voted with the friends to Independence. In the year 1778 he made his public station subservient to his private views, and exhibited marks of a mind tainted with that spirit of speculation which at that time pervaded nearly all ranks of citizens in the United States.⁷⁸

Rufus King of Massachusetts, twenty-nine years of age when the 1785 session began, was to become one of the best recognized of all the delegates:

Mr. King is a man much distinguished for his eloquence and great parliamentary talents. He was educated in Massachusetts [born in what today is the State of Maine], and said to have good classical as well as legal knowledge. He has

77. Gerry turned forty-one years of age in 1785. Corner, *Benjamin Rush*, 144-5.

78. Corner, *Benjamin Rush*, 150.

served three years in the Congress of the United States with great and deserved applause, and is at this time [1787] high in the confidence and approbation of his Country-men. This gentleman is . . . about five feet ten Inches high, well formed, an handsome face, with a strong expressive Eye, and a sweet high toned voice. In his public speaking there is something peculiarly strong and rich in his expression, clear, and convincing in his arguments, rapid and irresistible at times in his eloquence but he is not always equal. His action is natural, swimming, and graceful, but there is a rudeness of manner sometimes accompanying it. But take him tout en semble, he may with propriety be ranked among the Luminaries of the present age.⁷⁹

Charles Pinckney of South Carolina, another youngster of 26 when the 1785 session began, assumed the same sort of starring role in which King was cast:

. . . a young Gentleman of the most promising talents. He is . . . in possession of a very great variety of knowledge. Government, Law, History and Phylosophy are his favorite studies, but he is intimately acquainted with every species of polite learning, and has a spirit of application and industry beyond most Men. He speaks with great neatness and perspicuity, and treats every subject as fully, without running into prolixity, as it requires. He has been a Member of Congress, and served in that Body with ability and eclat.⁸⁰

Of the last set, John Langdon of New Hampshire at forty-six was described as "one of the leading men of his region" and possessed

79. Farrand, *Records*, III, 87.

80. *Ibid.*, 96.

of "a liberal mind, and a good plain understanding." Physically, he was a "large handsome man, and of a very noble bearing."⁸¹ Abraham Clark of New Jersey, nearly sixty-one years of age when the 1787 session began, was valuable to the Congress' committee system but one of the less-ingratiating delegates:

A sensible but cynical man. He was uncommonly quick sighted in seeing the weakness and defects of public men and measures. He was attentive to business and excelled in drawing up reports and resolutions. He was said to study more to please the people than to promote their real and permanent interests. With this and perhaps other faults he was warmly attached to the liberties and independence of his country.⁸²

William Ellery of Rhode Island, fifty-eight years of age in the 1787 Congress, provided that body with a jester: "A lawyer, somewhat cynical in his temper, but a faithful friend to the liberties of his country. He seldom spoke in Congress, but frequently amused himself in writing spigrams on the speakers which were generally witty and pertinent and sometimes poetical."⁸³

General Alexander McDougall of New York, turned fifty-four during the course of the 1785 Congress, was a military staff figure with a tempering influence:

He possessed genius, knowledge and uncommon fervor of mind tempered by a solid judgement. General Lee

81. *Ibid.*, 87. Howard C. Rice, ed., *Travels in North America in the Years 1780, 1781 and 1782 by the Marquis de Chastellux* (Chapel Hill, North Carolina, 1963), II, 486.

82. Corner, *Benjamin Rush*, 148.

83. *Ibid.*, 145.

used to say "he was the only cool headed enthusiast he had ever known in his life." He loved liberty above all things, but he was an enemy to mob governments. His person was dignified and his conversation sensible and methodical, but somewhat formal, produced by a slight stammering in his speech. He performed but few services to his country in the field, but was extremely useful to her in the cabinet. His talents were less active, than contemplative and judicial.⁸⁴

Hugh Williamson of North Carolina was sixty years of age when the 1785 session moved to New York City. He was one of those Delegates who made the Congress a more pleasant place to be: ". . . a Gentleman of education and talents. He enters freely into public debate from his close attention to most subjects, but he is no Orator. There is a great degree of good humour and pleasantry in his character; and in his manners there is a strong trait of the Gentleman."⁸⁵

"Light Horse Harry" Lee of Virginia turned twenty-nine two weeks after the Congress occupied the New York City Hall. His entrance into politics appears to have created little stir despite his wartime reputation for dash and courage. Lee was "a fine orator, a learned and accomplished man of letters," but his eulogy of Washington, "first in war, first in peace and first in the hearts of his countrymen" was still a dozen year's distant.⁸⁶

84. *Ibid.*, 157.

85. Farrand, *Records*, III, 95.

86. Quoted in *Dict. of Am. Bio.*, VII, 108.

To the above might be added the William Fews and Abraham Baldwins of Georgia and other states, who contributed their bit and went on to a larger fame.

If not the demi-gods of 1776 the figures in this gallery are far from devoid of historical interest. In them were combined the purpose of the past and the impulse of the future. Given the Constitution to work with they were to establish a record beyond compare.

This *dramatis personae* cannot be considered complete before a further word is spoken about Charles Thomson, longtime Secretary of Congress. At the time of his election to the post on September 5, 1774, Thomson was a spellbinding leader of the radical movement in Pennsylvania, "the Sam Adams of Philadelphia - the Life and the Cause of Liberty." As the "perpetual secretary" Thomson conducted his office as he conceived it, jealous of his prerogatives, the Ulsterman in him surging to the fore on occasions--as at least one President of Congress had already found. Fifty-five years of age when Congress assembled in New York, he had already achieved the reputation of a "man of great learning and general knowledge, at all times a genuine Republican."⁸⁷ Though never a member of Congress, as the man who had minuted the debates of Congress through every crisis, he came to exemplify the steadfast patriot,

87. Corner, *Benjamin Rush*, 155. Chastellux found his manner "polite and amiable."

When Heav'n propitious smil'd upon our arms,
Or scenes adverse spread terror and alarms,
Thro' every change the Patriot was the same -
and FAITH and HOPE attended THOMPSON'S NAME.

-- *Gazette of the United States*⁸⁸

88. Quoted in William S. Baker's "Washington After the Revolution, 1784-1799," *The Pennsylvania Magazine of History and Biography*, XIX, 1895, 436.

Appendix A

EXTRACTS FROM THE LAND ORDINANCE OF 1785, May 20, 1785 [from Henry Steele Commager, *Documents of American History* (New York, 1934, 1948, 4th ed.), 123-4.]

An Ordinance for ascertaining the mode of disposing of Lands in the Western Territory.

Be it ordained by the United States in Congress assembled, that the territory ceded by individual States to the United States, which has been purchased of the Indian inhabitants, shall be disposed of in the following manner:

A surveyor from each state shall be appointed by Congress or a Committee of the States, who shall take an oath for the faithful discharge of his duty, before the Geographer of the United States
. . . .

The Surveyors, as they are respectively qualified, shall proceed to divide the said territory into townships of six miles square, by lines running due north and south, and others crossing these at right angles, as near as may be, unless where the boundaries of the late Indian purchases may render the same impracticable, . . .

The first line, running due north and south as aforesaid, shall begin on the river Ohio, at a point that shall be found to be due north from the western termination of a line, which has been run as the southern boundary of the State of Pennsylvania; and the first line, running east and west, shall begin at the same point, and shall extend throughout the whole territory. Provided, that nothing herein shall be construed, as fixing the western boundary of the State of Pennsylvania. The geographer shall designate the townships, or fractional parts of townships, by numbers progressively from south to north; always beginning each range with No. 1; and the ranges shall be distinguished by their progressive numbers to the westward. The first range, extending from the Ohio to the Lake Erie, being marked No. 1. The Geographer shall personally attend to the running of the first east and west line; and shall take the latitude of the extremes of the first north and south line, and of the mouths of the principal rivers.

The lines shall be measured with a chain; shall be plainly marked by chaps on the trees, and exactly described on a plat; whereon shall be noted by the surveyor, at their proper distances, all mines,

salt-springs, salt-licks and mill-seats, that shall come to his knowledge, and all water-courses, mountains and other remarkable and permanent things, over and near which such lines shall pass, and also the quality of the lands.

The plats of the townships respectively, shall be marked by subdivisions into lots of one mile square, or 640 acres, in the same direction as the external lines, and numbered from 1 to 36; always beginning the succeeding range of the lots with the number next to that with which the preceding one concluded

The board of treasury shall transmit a copy of the original plats, previously noting thereon the townships and fractional parts of townships, which shall have fallen to the several states, by the distribution aforesaid, to the commissioners of the loan-office of the several states, who, after giving notice . . . shall proceed to sell the townships or fractional parts of townships, at public vendue, in the following manner, viz.: The township or fractional part of a township No. 1, in the first range, shall be sold entire; and No. 2. in the same range, by lots; and thus in alternate order through the whole of the first range . . . provided, that none of the lands, within the said territory, be sold under the price of one dollar the acre, to be paid in specie, or loan-office certificates, reduced to specie value, by the scale of depreciation, or certificates of liquidated debts of the United States, including interest, besides the expense of the survey and other charges thereon, which are hereby rated at thirty-six dollars the township, . . . on failure of which payment, the said lands shall again be offered for sale.

There shall be reserved for the United States out of every township the four lots, being numbered 8, 11, 26, 29, and out of every fractional part of a township, so many lots of the same numbers as shall be found thereon, for future sale. There shall be reserved the lot No. 16, of every township, for the maintenance of public schools within the said township; also one-third part of all gold, silver, lead and copper mines, to be sold, or otherwise disposed of as Congress shall hereafter direct

Appendix B

EXTRACTS FROM THE NORTHWEST ORDINANCE,

July 13, 1787

[from Henry Steele Commager, *Documents of American History* (New York, 1934, 1948, 4th ed.), 128-132.]

An Ordinance for the government of the Territory of the United States northwest of the River Ohio.

Be it ordained by the United States in Congress assembled, That the said territory, for the purposes of temporary government, be one district, subject, however, to be divided into two districts, as future circumstances may, in the opinion of Congress make it expedient.

Be it ordained by the authority aforesaid That the estates, both of resident and nonresident proprietors in the said territory, dying intestate, shall descend to, and be distributed among their children, and the descendants of a deceased child, in equal parts; the descendants of a deceased child or grandchild to take the share of their deceased parent in equal parts among them: And where there shall be no children or descendants, then in equal parts to the next of kin in equal degree; and among collaterals, the children of a deceased brother or sister of the intestate shall have, in equal parts among them, their deceased parents' share; and there shall in no case be a distinction between kindred of the whole and half-blood; saving, in all cases, to the widow of the intestate her third part of the real estate for life, and one-third part of the personal estate; and this law relative to descents and dower, shall remain in full force until altered by the legislature of the district. And until the governor and judges shall adopt laws as hereinafter mentioned, estates in the said territory may be devised or bequeathed by wills in writing, signed and sealed by him or her in whom the estate may be (being of full age), and attested by three witnesses; and real estates may be conveyed by lease and release, or bargain and sale, signed sealed and delivered by the person, being of full age, in whom the estate may be, and attested by two witnesses, provided such wills be duly proved, and such conveyances be acknowledged or the execution thereof duly proved, and be recorded within one year after proper magistrates courts, and registers shall be appointed for that purpose; and personal property may be transferred by delivery; saving, however to the French and Canadian inhabitants.

Be it ordained by the authority aforesaid, That there shall be appointed from time to time by Congress, a governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress; he shall reside in the district, and have a freehold estate therein in 1,000 acres of land, while in the exercise of his office.

There shall be appointed from time to time by Congress, a secretary, whose commission shall continue in force for four years unless sooner revoked; he shall reside in the district, and have a freehold estate therein in 500 acres of land, while in the exercise of his office. It shall be his duty to keep and preserve the acts and laws passed by the legislature, and the public records of the district, and the proceedings of the governor in his executive department, and transmit authentic copies of such acts and proceedings, every six months, to the Secretary of Congress: There shall also be appointed a court to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate in 500 acres of land while in the exercise of their offices; and their commissions shall continue in force during good behavior.

The governor and judges, or a majority of them, shall adopt and publish in the district such laws of the original States, criminal and civil, as may be necessary and best suited to the circumstances of the district, and report them to Congress from time to time: which laws shall be in force in the district until the organization of the General Assembly therein, unless disapproved of by Congress; but afterwards the Legislature shall have authority to alter them as they shall think fit.

The governor, for the time being, shall be commander-in-chief of the militia, appoint and commission all officers in the same below the rank of general officers; all general officers shall be appointed and commissioned by Congress.

Previous to the organization of the general assembly, the governor shall appoint such magistrates and other civil officers in each county or township, as he shall find necessary for the preservation of the peace and good order in the same: After the general assembly shall be organized, the powers and duties of the magistrates and other civil officers shall be regulated and defined by the said assembly; but all magistrates and other civil officers not herein otherwise directed, shall, during the continuance of this temporary government, be appointed by the governor.

For the prevention of crimes and injuries, the laws to be adopted or made shall have force in all parts of the district, and for the execution of process, criminal and civil, the governor shall make proper divisions thereof; and he shall proceed from time to time as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been extinguished, into counties and townships, subject however to such alterations as may thereafter be made by the legislature.

So soon as there shall be five thousand free male inhabitants of full age in the district, upon giving proof thereof to the governor, they shall receive authority, with time and place, to elect representatives from their counties or townships to represent them in the general assembly: Provided, That, for every five hundred free male inhabitants, there shall be one representative, and so on progressively with the number of free male inhabitants shall the right of representation increase, until the number of representatives shall amount to twenty-five; after which, the number and proportion of representatives shall be regulated by the legislature: Provided, That no person be eligible or qualified to act as a representative unless he shall have been a citizen of one of the United States three years, and be a resident in the district, or unless he shall have resided in the district three years; and, in either case, shall likewise hold in his own right, in fee simple, two hundred acres of land within the same: Provided, also, That a freehold in fifty acres of land in the district, having been a citizen of one of the states, and being resident in the district, or the like freehold and two years residence in the district, shall be necessary to qualify a man as an elector of a representative.

The representatives thus elected, shall serve for the term of two years; and, in case of the death of a representative, or removal from office, the governor shall issue a writ to the county or township for which he was a member, to elect another in his stead, to serve for the residue of the term.

The general assembly or legislature shall consist of the governor, legislative council, and a house of representatives. The Legislative Council shall consist of five members, to continue in office five years, unless sooner removed by Congress; any three of whom to be a quorum: and the members of the Council shall be nominated and appointed in the following manner, to wit: As soon as representatives shall be elected, the Governor shall appoint a time and place for them to meet together; and, when met, they shall nominate ten persons, residents in the district,

and each possessed of a freehold in five hundred acres of land, and return their names to Congress; five of whom Congress shall appoint and commission to serve as aforesaid; and, whenever a vacancy shall happen in the council, by death or removal from office, the house of representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress; one of whom Congress shall appoint and commission for the residue of the term. And every five years, four months at least before the expiration of the time of service of the members of council, the said house shall nominate ten persons, qualified as aforesaid, and return their names to Congress; five of whom Congress shall appoint and commission to serve as members of the council five years, unless sooner removed. And the governor, legislative council, and house of representatives, shall have authority to make laws in all cases, for the good government of the district, not repugnant to the principles and articles in this ordinance established and declared. And all bills, having passed by a majority in the house, and by a majority in the council, shall be referred to the governor for his assent; but no bill, or legislative act whatever, shall be of any force without his assent. The governor shall have power to convene, prorogue, and dissolve the general assembly, when, in his opinion, it shall be expedient.

The governor, judges, legislative council, secretary, and such other officers as Congress shall appoint in the district, shall take an oath or affirmation of fidelity and of office; the governor before the president of congress, and all other officers before the Governor. As soon as a legislature shall be formed in the district, the council and house assembled in one room, shall have authority, by joint ballot, to elect a delegate to Congress, who shall have a seat in Congress, with a right of debating but not of voting during this temporary government.

And, for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions are erected; to fix and establish those principles as the basis of all laws, constitutions, and governments, which forever hereafter shall be formed in the said territory: to provide also for the establishment of States, and permanent government therein, and for their admission to a share in the federal councils on an equal footing with the original States, at as early periods as may be consistent with the general interest:

It is hereby ordained and declared by the authority aforesaid, That the following articles shall be considered as articles of compact

between the original States and the people and States in the said territory and forever remain unalterable, unless by common consent, to wit:

Art. 1. No person, demeaning himself in a peaceable and orderly manner, shall ever be molested on account of his mode of worship or religious sentiments, in the said territory.

Art. 2. The inhabitants of the said territory shall always be entitled to the benefits of the writ of *habeas corpus*, and of the trial by jury; of a proportionate representation of the people in the legislature; and of judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offences, where the proof shall be evident or the presumption great. All fines shall be moderate; and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property, but by the judgment of his peers or the law of the land; and, should the public exigencies make it necessary, for the common preservation, to take any person's property, or to demand his particular services, full compensation shall be made for the same. And, in the just preservation of rights and property, it is understood and declared, that no law ought ever to be made, or have force in the said territory, that shall, in any manner whatever, interfere with or affect private contracts or engagements, *bona fide*, and without fraud, previously formed.

Art. 3. Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and, in their property, rights, and liberty, they shall never be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity, shall from time to time be made for preventing wrongs being done to them, and for preserving peace and friendship with them.

Art. 4. The said territory, and the States which may be formed therein, shall forever remain a part of this Confederacy of the United States of America, subject to the Articles of Confederation, and to such alterations therein as shall be constitutionally made; and to all the acts and ordinances of the United States in Congress assembled, conformable thereto. The inhabitants and settlers in the said territory shall be subject to pay a part of the federal debts contracted or to be

contracted, and a proportional part of the expenses of government, to be apportioned on them by Congress according to the same common rule and measure by which apportionments thereof shall be made on the other States; and the taxes for paying their proportion shall be laid and levied by the authority and direction of the legislatures of the district or districts, or new States, as in the original States, within the time agreed upon by the United States in Congress assembled. The legislatures of those districts or new States, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the *bona fide* purchasers. No tax shall be imposed on lands the property of the United States; and, in no case, shall non-resident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways and forever free, as well to the inhabitants of the said territory as to the citizens of the United States, and those of any other States that may be admitted into the confederacy, without any tax, impost, or duty therefor.

Art. 5. There shall be formed in the said territory, not less than three nor more than five States; and the boundaries of the States, as soon as Virginia shall alter her act of cession, and consent to the same, shall become fixed and established as follows, to wit: The western State in the said territory, shall be bounded by the Mississippi, the Ohio, and Wabash Rivers; a direct line drawn from the Wabash and Post Vincents, due North, to the territorial line between the United States and Canada; and, by the said territorial line, to the Lake of the Woods and Mississippi. The middle State shall be bounded by the said direct line, the Wabash from Post Vincents to the Ohio, by the Ohio, by a direct line, drawn due north from the mouth of the Great Miami, to the said territorial line, and by the said territorial line. The eastern State shall be bounded by the last mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: *Provided, however,* and it is further understood and declared, that the boundaries of these three States shall be subject so far to be altered, that, if Congress shall hereafter find it expedient, they shall have authority to form one or two States in that part of the said territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan. And, whenever any of the said States shall have sixty thousand free inhabitants therein, such State shall be admitted, by its delegates, into the Congress of the United States, on an equal footing with the original States in all respects whatever, and shall be at liberty to form a permanent constitution and State government:

Provided, the constitution and government so to be formed, shall be republican, and in conformity to the principles contained in these articles; and, so far as it can be consistent with the general interest of the confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the State than sixty thousand.

Art.6. There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes whereof the party shall have been duly convicted: Provided, always, That any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service as aforesaid.

Appendix C

CHARACTER SKETCHES OF AMERICAN LEADERS BY THE FRENCH MINISTER

[Louis-Guillaume Otto to Armand Marc Saint-Herem, Comte de Montmorin, quoted in Max Farrand, *The Records of the Federal Convention* (1911, 1937), III, 232-8.

John Langdon.

Un des Hommes les plus intéressans et les plus aimables des Etats Unis; ci devant gouverneur du New Hampshire et à la tête d'un parti très puissant, qui se trouve en opposition avec le Gal. Sullivan.* M. L. a fait une grande fortune dans le commerce, c'est le Rob. Morris de son Etat, faisant une grande dépense et s'attachant beaucoup de citoyens par ses libéralités. Il a été un des principaux membres de la convention de Philadelphie, mais il n'a siégé en Congrès que peu de jours, et quoique ses collègues lui ayent offert la présidence, il n'a pas voulu y rester, parce qu'il avoit en vue de se faire réélire Gouverneur dans le New Hampshire, et que ses affaires de commerce ne lui permettent pas de faire une longue absence. Il est sincèrement attaché à la France et même prévenu pour nos usages et nos usages et nos manières. Pour répandre il en a fait venir de très beaux de Paris. On prétend qu'il est jaloux de sa femme, chose assés rare en Amérique. Plusieurs officiers françois ont vu avec chagrin que n'étoit guères fondée.

Elbridge Gerry.

M. Elb. Gerry est un petit homme, très intrigant et rempli de petites finesses, qui jusqu'ici lui ont assés bien réussi. C'est celui de tous les membres du Congrès qui ait été le plus longtems en activité. Il y a acquis une grande co[n]noissance des affaire publiques, dont il tire parti pour se faire valoir auprès de ses concitoyens. En 1782, il fit un assez beau discours dans la législature de Boston pour

l'engager à ne pas permettre la ratification de la Convention consulaire. Il affecte d'aimer beaucoup M. le Chev. de La Luzerne, mais on doit se méfier de toutes ses belles protestations. Nous avons généralement très peu d'amis parmi les hommes puisans du Massachusetts, notre commerce ne les intéresse pas et nos pêcheries les gênent. M. Bowdoin, M. King, M. Sam, Adams etc. puisent toutes leurs notions politiques dans les écrits ou dans les conversations de Mrs. Jay et J. Adams. Le peuple en général aime les François, puisqu'il a vu souvent nos flottes et qu'il se souvient des services que nous lui avons rendus.

Alex. Hamilton.

. . . Grand orateur; intrépide dans les débats publics. Partisan zélé et même outré de la nouvelle Constitution et ennemi déclaré du gouv. Clinton, qu'il a eu le courage d'attaquer publiquement dans les Gazettes, sans aucune provocation. C'est un de ces hommes rares qui s'est distingué également au champ de bataille et au barreau. Il doit tout à ses talens. Une indiscretion l'a brouillé avec le gal. Washington, dont il était le secrétaire de confiance; d'autres indiscretions l'ont obligé de quitter le Congrès en 1783. Il a un peu trop de prétentions et trop peu de prudence.

Voici de que M. le chev[alier] de L[a] L[u-zerne] dit de lui en 1780: "M. H[amilton], un des "aides de camp du Gal. Wash[ington] a le plus "d'ascendant sur lui; homme d'esprit, d'une "médiocre probité; éloigné des Anglais parce "qu'étant d'une très basse extraction dans une de "leurs colonies, il craint de rentrer dans son ancien "Etat. Ami particulier de M. de La Fayette. M. "Conway pense qu' Hamilton haït les François, "qu'il est absolument corrompu et que les liaisons "qu'il paroitra avoir avec nous ne seront jamais "que trompeuses."

M. Hamilton n'a rien fait qui puisse justifier cette dernière opinion; il est seulement trop impétueux, et à force de vouloir tout conduire,

il manque son but. Son éloquence est souvent hors de saison dans les débats publics, ou l'on préfère la précision et la clarté à une imagination brillante. On croit que M. H[amilton] est l'auteur de pamphlet intitulé le *Fédéraliste*. Il y a encore manqué son but. Cet ouvrage n'est d'aucune utilité aux gens instruits, et il est trop savant et trop long pour les ignorans. Il lui a cependant donné une grande célébrité, et l'on a nommé le *Hamilton* une petite frégate que, dans la grande procession fédérale on a traîné par les rues de New York. Mais ces parades ne sont ici comme ailleurs qu'une impression momentanée et comme le parti des Antifédéralistes est le plus nombreux dans l'Etat, M. Hamilton a plutôt perdu que gagné par le zèle qu'il a déployé à cette occasion.

Etranger dans cet Etat, où il a été élevé par charité, M. Hamilton a trouvé moyen d'enlever la fille du Gal. Schuyler, grand propriétaire et très influent. Après s'être réconcilié avec la famille, il jouit dans ce moment-ci du crédit de son beau père.

Wilson.

. . . James Wilson. Jurisconsulte distingué. C'est lui qui fut désigné par M. Gerard comme avocat de la nation française, place dont on a reconnu depuis l'inutilité. Homme altier, aristocrate intrépide, actif, éloquent, profond, dissimulé, connu sous le nom de *James the Caledonian*, que ses e[n]nemis lui ont donné. Ayant dérangé sa fortune par de grandes entreprises que les affaires publiques.

James Madison.

Instruit, sage, modéré, docile, studieux; peut être plus profond que M. Hamilton, mais moins brillant; ami intime de M. Jefferson et sincèrement attaché à la France. Il a été en Congrès fort jeune et il parait s'être voué particulièrement aux affaires publiques. Il pourra être un jour gouverneur de son Etat, si sa modestie lui permet d'accepter cette place. il a refusé en dernier lieu celle de président

Hugh
Williamson.

Médecin et ex-avant Professeur
d'astronomie. Bizarre à l'excès, aimant à
pérorer, mais parlant avec esprit. Il est
difficile de bien connaître son caractère;
il est même possible qu'il n'en ait pas;
mais son activité lui a donné depuis quelque
temps beaucoup d'influence au Congrès

Abrah. Baldwin.

Raisonné et bien intentionné, mais
n'ayant jamais eu l'occasion de se distinguer.
Le Congrès vient de lui en donner les moyens,
en le nommant parmi les Commissaires pour
régler ses comptes avec les Etats.

William Few.

Sans être un grand génie, il a plus de
connaissances que son nom et son extérieur ne
paraissent indiquer. Quoique jeune encore,
il a été constamment employé pendant la guerre.
Ses collègues en ont une bonne opinion. Il est
très timide et embarrassé dans la société, à
moins qu'on ne lui parle d'affaires.