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JAMES MADISON

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Vote Trading in the First Federal Congress? James Madison and the Compromise of 1790

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Introduction

It is fitting that the men who designed the Constitution of the United States in 1787 are known as “the Framers,” for that document is skeletal indeed. This is not to say that these individuals chose to engage in an abstract exercise in implementation theory. Advocates of particular policies, eager to have their preferences graven into constitutional bedrock, compelled delegates to the Constitutional Convention to consider all the major issues of the day. With a few exceptions, however, specific policies were not embedded into the Constitution, as doing so would have precluded adoption or stymied ratification. It was thus left to the First Federal Congress, elected in the first federal election of 1788, to address the many thorny questions that the Convention had left unresolved.

The achievements of this Congress—drafting the Bill of Rights, the creation of the first federal revenue system, and the establishment of the federal executive and judiciary branches—are impressive to this day. But perhaps its most famous product is the Compromise of 1790. On June 20 of that year, Thomas Jefferson, then secretary of state, hosted a dinner attended by Virginia congressman James Madison and Secretary of the Treasury Alexander Hamilton. Here, according to Jefferson, he and his guests struck a deal to resolve two crucial issues—referred to at the time as the residence and the assumption—with which Congress had been struggling. Hamilton promised that he and his supporters in Congress would facilitate the removal of the

nation’s seat of government from New York to a site along the Potomac, allowing initially for a long, temporary stay in Philadelphia. In exchange, Madison and/or Jefferson agreed to round up the votes needed to secure passage of a key element of Hamilton’s funding plan—federal assumption of outstanding debts incurred by the states during the Revolutionary War.¹ In the days following the dinner at Jefferson’s, Congress duly adopted both measures. In the eyes of political historians, this compromise was crucial to the survival of the embryonic union, and presaged other celebrated pacts struck between the North and the South in the antebellum era—the Missouri Compromise and the Compromise of 1850 (Bowling 1968, 1991; Cooke 1970; Elkins and McKittrick 1993; Ellis 2000).

The Compromise of 1790 is of great historical significance, but it holds continuing fascination for political scientists for another reason: it is generally regarded as the product of some sort of vote trade, wherein proponents of one measure agree to support another that they would otherwise oppose, while the latter measure’s backers agree to do likewise (Aldrich 1995). Through such reciprocity is achieved the passage of two pieces of legislation that would both fail if considered on their own. The arrangement that Jefferson reports having brokered would appear to be a very early instance of a mode of legislative politics that has come to seem so quintessentially congressional.

But what actually happened in 1790? Some historians accept, at least in large measure, Jefferson’s telling of the tale. Others find his version of events wanting, either incomplete, inaccurate on specific matters, or generally erroneous. In this paper, I seek to resolve some of the many controversies that have swirled around historical studies of the Compromise of 1790. In seeking to do so, I analyze the politics of the First Federal Congress from James Madison’s vantage point. Adopting the approach that for better or worse has come to be known as the “rational choice” perspective, I assume that Madison sought to maximize his prospects for re-election.² In light of the re-election motive, I specify the legislative goals Madison sought to achieve, the obstacles that stood in his path, and the strategies that he pursued to overcome them.

The account that I construct of this intriguing chapter of legislative history leaves a number of loose ends. At many junctures, it is long on inference and short on hard evidence. I conclude, though, that what has been characterized as the Compromise of 1790 was not the product of a vote trade between Hamilton and Madison. Indeed, the distribution of preferences in Congress would have made a deal of this nature extremely problematic if not impossible. What I do find is that in the First Federal Congress, James Madison became a master of the game he had been so instrumental in devising.

The Dinner-Table Bargain

Jefferson probably jotted down his first notes on his famous dinner with Madison and Hamilton some two years after the event, his second memo nearly thirty years later (see the Appendix at the end of this chapter for the actual texts). Neither Madison nor Hamilton left any written record of their version of events. Memory—even Jefferson's—is fallible, and often readily altered by intervening events. In this particular instance, much of Jefferson's motivation for writing these memoranda was to explain how it was that he had come to deal with the treacherous monarchist Hamilton—not to leave a precise narrative for future historians. Both versions are vague in many places, and as Bowling (1991, 269) puts it, “self-serving and sometimes inaccurate.”

Still, there are many reasons to accept the basic features of Jefferson's account of the Compromise. There had long been talk of such a bargain involving the residence and the assumption being fashioned, particularly among Madison's fellow Virginians. In a letter written to Madison on September 9, 1789, several months before the dinner at Jefferson's, Edward Carrington clearly sketched out the rough outline of the Compromise. After alluding to the difficulties of fixing a permanent site, he wrote: “Pensylva. might perhaps agree to take a temporary position—if the Southern states would unite with her for this object, several considerations of a commercial kind might some short day hence induce the Eastern states to join the southern in coming further” (*The Papers of James Madison* [hereafter MP], 12, 393). Another Virginian, Henry Lee, writing to Madison on March 30, 1790, asserted that only the placement of the capital on the Potomac could assuage Virginia's supreme unhappiness with assumption: “This govt. which we both admired so much, will I fear prove ruinous in its operation to our native state. Nothing as I said in my letr. the other day can alleviate our sufferings but the establishment of the permanent seat near the center of territory” (MP 13, 102–3).

Furthermore, soon after the dinner rumors circulated that the deal had been cut (Bowling 1991, 188). When Congress subsequently approved both the Philadelphia-Potomac residence measure and assumption, politicians, political observers, and polemicists all agreed that a vote trade had occurred. A letter from “B.K.” to the *New-York Journal* charged that the federal government was leaving New York because “the Pennsylvania and Potomac interests have been purchased with *twenty-one and an half millions of dollars*” [the total amount of state debt that was assumed] (quoted in *ibid.*, 196). Another piece in the same newspaper charged that “Miss Assumption” had been seduced by “Mr. Residence,” and had given birth to two illegitimate children, “Philadelphia” and “Potowmacus” (quoted in Malone 1951, 303). In a letter written to Madison on the last day of the year, George Nicholas (from the Kentucky District of Virginia) vented his unhappiness over assumption and

with the vote trade that he believed had produced it: “The Assumption of the State debts was I think unjust and also exceeded your powers; but I do not dislike the measure as much as I do the mode of carrying it. As a separate question there was certainly a majority against it, and nothing could have carried it but the local interests of some States in other questions then depending” (MP 13, 337–38).

In addition to this and other documentary evidence, there are social scientific considerations that point to the necessity of a vote trade in this situation. First, even though the nation's population at the time was strung out along a narrow band running from Massachusetts to Georgia, Black's Theorem—which would presumably point to the choice of a median location somewhere in the Middle States of Pennsylvania or New Jersey—clearly did not hold. The Confederation Congress, predecessor of the First Federal Congress, had cycled over dozens of proposals for siting the capital (Jillson and Wilson 1994; Aldrich, Jillson, and Wilson 2002). The First Federal Congress had been similarly stymied in its first session (Bowling 1991). Secondly, Hamilton's proposal that the federal government assume outstanding state war debts had all the earmarks of “divide the dollar,” a well-known coreless game form wherein any alternative can be defeated by some other majority-preferred alternative. Some sort of grand bargain would appear to have been necessary to break the logjam on these two measures.

Other theoretical considerations, however, suggest caution in accepting this version of events. It is, at best, incomplete. Assume that there was in fact a vote trade involving the residence and the assumption. In light of the well-known instability results regarding vote trades, why was it that this particular vote trade prevailed and not some other? It is not as if members of the First Federal Congress were unable to conceive of or contemplate alternative bargains. As Representative William L. Smith from South Carolina observed in early June of 1790: “Negotiations, cabals, plots, and counterplots have prevailed for months past without yet ripening to any decision” (quoted *ibid.*, 180).

The historiography on the Compromise of 1790 also reveals sources of doubt surrounding crucial features of Jefferson's account. It is clear from both the 1792 and 1818 texts that Madison had agreed to induce his fellow Virginians White and Lee, who had previously voted against assumption, to switch their votes and thus effect passage of the measure. Exactly what Hamilton was supposed to do in return is the subject of considerable controversy. Jefferson's notes from 1792 indicate that Hamilton had promised to work with Robert Morris to persuade the Pennsylvania delegation to support the Philadelphia-Potomac residence agreement: “This Hamilton took on himself, and chiefly, as I understood, through the agency of Robert Morris, obtained the vote of that state, on agreeing to an intermediate residence at

Philadelphia" (Boyd 1965 [hereafter JP], 17, 206–7). The 1818 *Anas* version is similar: "Hamilton undertook to carry the other point. In doing this, the influence he had established over the eastern members, with the agency of Robert Morris with those of the middle States, effected his side of the engagement" (Jefferson 1818, 276).

Malone (1951) and Cooke (1970) infer from these passages that Hamilton promised to round up votes from Morris and the Pennsylvanians for passage of the Residence Bill. Bowling (1991) and Ellis (2000) disagree. There certainly is an asymmetry here—while explicitly providing the names of the Virginians who were to switch their votes on assumption, Jefferson is much more vague as to exactly what Hamilton was to do. According to Bowling (1991, 185), moreover, Madison did not need votes to achieve passage of the Philadelphia-Potomac measure. A vote trade in which only one party to the bargain supplies votes seems remarkably asymmetric, to say the least.

Bowling and other scholars infer that what Hamilton must have promised instead was to intercede with proassumption New Englanders to persuade them not to make counterproposals that would derail the Philadelphia-Potomac arrangement for the seat of government. If so, the Compromise of 1790 would actually consist of an agreement by Madison to supply votes for assumption in return for an agreement by Hamilton to break a voting cycle on siting the capital. As we shall see, however, in the days following the dinner at Jefferson's, New Englanders and New Yorkers continued their attempts to derail the Philadelphia-Potomac Bill. If this was the arrangement, then, it does not seem to me that Hamilton was able to deliver on any such promise. That being the case, I also doubt that Madison would have believed that Hamilton was even capable of delivering, and would therefore not have agreed to terms such as these.

Other historians note that the dinner at Jefferson's was merely one of several meetings held in June of 1790 to consider various means of jointly resolving the residence and assumption questions. According to Ellis (2000, 51), Jefferson's account is "essentially true," but "it vastly oversimplifies the history that was happening at that propitious moment. Which is to say that several secret meetings were occurring at the same time; and the political corridors were even more labyrinthine than Jefferson's imperfect memory of events." More specifically, Bowling (1991, 182–83) describes a series of fateful meetings in the week prior to the dinner at Jefferson's that appear to have cemented key features of the Compromise, particularly the Philadelphia-Potomac bargain on the residence. Elkins and McKittrick (1993, 160) also find a number of holes in Jefferson's account of the dinner and the Compromise, but conclude that "a bargain at this level is not to be judged on simple mechanical criteria, so many votes this way or that."

Cooke (1970, 524), by far the most skeptical of the assumption-in-return-for-residence scenario, argues that "one has only to read the debates of Congress and examine congressional roll call votes to doubt that the agreement was responsible for the passage of the residence bill or assumption." By his account, essential agreements on residence had been reached before the dinner at Jefferson's, and assumption was approved because Congress had first made significant changes in Hamilton's original proposal. He also argues that "[t]he dinner table bargain, finally, involved votes in the House, whereas the crucial battle for both assumption and the residence took place in the Senate" (525). In light of these and other difficulties, Cooke concludes that "the bargain worked out by Jefferson, Madison, and Hamilton was not consummated. . . . Each [bill] was treated separately and its passage was owing to sub rosa congressional negotiations and compromises relating only to that measure" (ibid.). In a recent econometric analysis of roll call data from the First Federal Congress, Clinton and Meirowitz (2002) reach a similar conclusion.

The editors of Madison's papers, Hobson and Rutland, even doubt that Madison either promised or attempted to persuade anyone to change his vote on assumption (MP 13, 246). For the most part they choose not to speculate as to exactly what happened in 1790. As they put it: "A paucity of documentation makes it impossible to reconstruct the tangled web of political maneuvering that ended so happily in compromise" (MP 13, 243). More specifically, they report that "JM's letters during June and July provide neither sufficient evidence for coupling the assumption and residence bills nor any clues to his role in bringing about the compromise. In fact, JM leaves the impression that he was an observer rather than manipulator of events" (ibid., 245).

An observer rather than manipulator of events? If that was in fact the impression Madison sought to create, it should immediately raise our suspicions that he did so in order to best serve his purposes. If nothing else, the utter improbability of this characterization of Madison implies that it could be very instructive to re-examine the Compromise of 1790 in light of Madison's legislative goals and the strategies he undertook to achieve them.

Madison of Virginia

The central role he played at the Constitutional Convention and his coauthorship of the *Federalist Papers* identified Madison as the chief architect of the new federal government. These efforts, however, played better in the country as a whole than they did back home in Virginia. Leader of the Federalist forces at the Virginia Ratification Convention, Madison prevailed by only a slim margin of votes (89–79) after a tough, rancorous fight. After the ensuing state elections, his nemesis Patrick Henry and the Anti-Federalists

controlled the Virginia legislature. Madison knew he had no chance of being named to the Senate. Seeking instead a seat in the House in the election of 1788, Madison also found that he had been gerrymandered into a district with strong Anti-Federalist leanings (Rakove 1991).

Running against James Monroe—his friend, neighbor, and business associate—Madison was forced to campaign hard, at least by the standards of the time. Finding that his opposition to amending the new Constitution was politically untenable, Madison changed course, promising the voters in his district that if elected, he would work tirelessly for the adoption of amendments they favored (Bowling 1988). Although many remained skeptical of his conversion, Madison managed to defeat Monroe by a vote of 1,308 to 972. The father of the Constitution was now a freshman congressman from Virginia whose prospects for re-election were far from certain.

Madison was a brilliant man, but even a person of modest intellect could have identified the objectives that, if realized, would guarantee his re-election and political future. As we have just noted, his constituents strongly favored several amendments to the Constitution. The key role he played in obtaining passage of what ultimately became known as the Bill of Rights not only bolstered his re-election prospects, but also secured for him a special place in the history of democratic government.

But there were other, more tangible issues that Madison would seek to resolve to his and to his constituents' advantage. The first was the location of the seat of government, or what we call the residence—a vexing problem that Madison had been working on since 1783. Placement of the capital on the Potomac River would reduce dramatically the conflict that his Virginia constituents increasingly sensed between the interests of their state and the interests of the new United States. The Potomac, furthermore, had become George Washington's chief priority, if not an obsession. According to Bowling (1991), Washington evinced “almost fanatic attention” to the issue of the new capital. Madison worked closely with the president, keeping him well informed as to what was going on in Congress. Madison could imagine few things that would give him more satisfaction than delivering the Potomac site to Washington.

Secondly, Madison needed to see that Virginia fared as well as possible in the ongoing reconciliation of state and federal debt and expenditure accounts from the Revolutionary War. Some states, particularly Massachusetts and South Carolina, had paid off little of their war debts. Other states, notably Virginia, had retired much of the debt accumulated during the war. If the federal government were to adopt Hamilton's funding plan of assuming outstanding state debts and apportion taxes accordingly, Virginia would come

out a net loser unless otherwise compensated. Letters Madison received from leading citizens of Virginia were unanimous in condemning the injustice that they perceived in this proposal. Speaking before Congress in opposition to the assumption proposal, Madison nicely summarized these objections: “The citizens of a state will be burthened, in proportion as their state has made exertions to discharge its obligations” (MP 13, 63).

In addition to the possibility of debt assumption, there was also the issue of “settlement.” In 1787 the Confederation Congress had established a Board of Commissioners to review states' claims of expenditures incurred during the war for the “common cause.” Unfortunately for Virginia and other Southern states, the board had been taking a tough, legalistic line in accepting claims for expenses. As Ferguson (1961, 207) observes: “With the exception of South Carolina, whose accounts were in fairly good condition, there was never the slightest possibility that claims of the southern states could be supported by documents.” As in the case of assumption, then, the settlement of expenditure claims threatened to go badly for Virginia, giving rise to increasing anxiety and anger among Madison's constituents. If Virginia were to have any future in the union and he any future in politics, Madison would need to turn this situation around.

The Residence

It is not hard to understand why members of the First Federal Congress desired to have the nation's seat of government reside in their own region, state, or city. Proximity is a crucial advantage in acquiring information about new legislation, contracts, or government jobs. This was especially true in an era in which traveling even twenty miles overland was an arduous undertaking. Building a federal city would likely produce a real estate boom as well, yielding windfall gains to landowners. Not surprisingly, between 1783 and 1790, the Confederation and Federal Congress entertained proposals for more than thirty different sites for the “Federal City.”

Madison faced a seemingly insurmountable obstacle in gaining a Potomac site. It was too far south. In the First Federal Congress there were twenty-three representatives from New York and New England, twenty-eight from the Southern states (counting Maryland and Delaware), and eleven from the Middle States of Pennsylvania and New Jersey. The situation in the Senate was similar, with five Northern states, six Southern states, and two Middle States.³ It seemed obvious to most people at the time that the seat of government would surely end up somewhere in the middle—that is, in either Pennsylvania or New Jersey. Indeed, Anti-Federalists charged that the desire

to gain the capital had unfairly facilitated ratification of the Constitution in both these states.

The record of the Confederation Congress in choosing a seat of government further bolstered expectations of a median location. In 1783 the arrival of large numbers of unpaid and seriously disgruntled Continental soldiers (the so-called Philadelphia Mutiny) induced the Confederation Congress, which had been meeting in Philadelphia, to move to Princeton, New Jersey. Accommodations there were spartan. Sharing a narrow bed with a fellow delegate from Virginia, Madison reported that the room in his boarding house was so small that one person had to stay in bed while the other dressed (Bowling 1991, 50). In October of that year, the Confederation Congress adopted a proposal offered by Elbridge Gerry and Arthur Lee to rotate the seat of government between two permanent sites—one on the Delaware, the other on the Potomac. In December 1784, however, Congress rescinded this decision and adopted a proposal to situate the “Federal Town” (an appropriately modest title, given the prevailing view that the powers of the federal government should be very limited) at the falls of the Delaware, just south of Trenton, New Jersey. The proposal also called for Congress to meet temporarily in New York. This detour was necessary to permit construction of a meeting site and boarding houses in the new town, and also to meet the demands of John Jay, who avowed that he would serve as secretary of foreign affairs only if Congress agreed to go to New York. The nine state delegations in attendance at that time unanimously approved a subsequent resolution to appropriate \$100,000 for the new federal town (*ibid.*, 65).⁴ Madison opposed the move to New York. He feared that moving farther north would make it even more difficult to eventually achieve a Potomac site (*ibid.*, 42).

When the First Federal Congress took up a Seat of Government Bill in September 1789, Madison knew that if the Potomac site were to be selected, he would first need to defeat its many competitors.⁵ Above all, Madison knew that it would be difficult to prevent selection of a more northerly and thus more central location. An obvious choice was Philadelphia, by far the largest and most important city in the middle of the country. It had hosted both the Continental and Confederation Congresses, as well as the Constitutional Convention. Furthermore, in the 1788 election, Pennsylvania had elected eight representatives at large, guaranteeing that Philadelphians would dominate the state delegation to Congress.

Proponents of Philadelphia were actually seeking a site in the environs of Philadelphia, Germantown being the most likely. Philadelphia was already the state capital, and in 1788 the Pennsylvania Ratification Convention had resolved that the federal capital could be placed anywhere in the state except

in the city of Philadelphia *per se*. They did so because they were desirous to retain state jurisdiction over the state's only port and the revenues it generated, and to thwart ongoing efforts to move the state capital westward. Robert Morris, international merchant, former superintendent of finance under the Confederation, preeminent Federalist, and newly chosen senator from Pennsylvania, had also acquired a considerable amount of real estate in Germantown.

Another major Pennsylvania contender for the federal capital was a location along the banks of the Susquehanna River, near present-day Columbia. Being near the mouth of the Susquehanna in Chesapeake Bay also put Baltimore in contention, as it would be favored by some Pennsylvanians and, presumably, by at least two Marylanders in the House and one in the Senate. Another leading possibility was the lower falls of the Delaware, which would put the capital at or near the Trenton, New Jersey, site that the Confederation Congress had chosen earlier. By 1787, Robert Morris had acquired property in this area as well.

Several features of the choice over residence, however, gave Madison room to maneuver. During this era, as now, the ease and rapidity of moving between two points (which is presumably where the utility in minimizing spatial distance comes from) was not a simple function of linear distance. Representatives traveling from the Southern states, for example, could reach New York (an ice-free, deep-sea port) faster and more dependably than locations on either the Delaware, up the Chesapeake, or still farther up the Susquehanna. Questions about the removal of obstacles to navigation on the Susquehanna, and at what and whose expense, plagued those who supported that site.

Nonspatial features of each site also militated against their selection. Philadelphia, home of Benjamin Franklin, Benjamin Rush, and other ardent opponents of slavery, was particularly objectionable to many Southerners. Pennsylvania law mandated that any slave residing in the state continuously for six months would become free. This created a major inconvenience for Southern congressmen (as well as for George Washington), who were thereby forced to take the slaves in their entourage out of the state for at least a few hours every six months (*ibid.*, 212). Philadelphia encountered opposition from the North as well. Representatives from New York and eastern (i.e., northern) New Jersey were determined that if the federal government was not to remain in New York, then at least it would not end up with their arch-rival Philadelphia. Indeed, much of the attractiveness of the Susquehanna and Delaware sites owed simply to the fact that they were not Philadelphia. Robert Morris and those congressmen in his sway, conversely,

saw the Susquehanna as the major threat to the sites they favored—that is, Germantown, or failing that, the falls of the Delaware.

A final source of complication lay in the fact that in addition to a permanent site, Congress needed to select a site to serve as a temporary capital until new facilities for the federal government were constructed. In short, the issue of space was fully multidimensional. Maclay, in his notes on the battle over the residence, calculated that “the Mariners compass has 32 points the political one perhaps as many hundreds, and the Schemers an indefinite number” (Bowling and Veit 1988 [hereafter MD], 145).

A flurry of proposals and counterproposals concerning the residence surfaced during the first session of the new Congress. New Yorkers had sought to make the members of the First Federal Congress as comfortable as possible, and most members had enjoyed their stay there. Still, they knew their city had no chance of becoming the permanent capital, and so their representatives sought to make any deal that would prolong Congress’s stay in New York for as long as possible. Madison was fully aware of their strategy. In a letter to Virginia representative Alexander White, he wrote: “This I believe is the ultimate [aim?] of the N.Y. party, and will not do for us. I suspect they begin to despair of a long possession of Congs. and consequently mix the permanent with the temporary considerations” (MP 12, 353).

The overture the New Yorkers made to the pivotal Pennsylvanians was to support a permanent site in Pennsylvania (as long as it was not Philadelphia) in return for a long, temporary residence in New York. New Englanders made the proposal more specific—a permanent site on the Susquehanna in return for temporary residence in New York. Besides gaining the support of most Pennsylvanians, the two Marylanders (Smith and Seney) whose districts were on that river would presumably also be in favor (Bowling 1991).

In his subsequent meeting with the Pennsylvanians, Madison countered with a proposal—a permanent capital on the Potomac, preceded by a long, temporary residence in Philadelphia. Maclay, a staunch supporter of the Susquehanna, was horrified, as revealed in his diary entry of August 29: “a moment after I met Mr. Smith of Maryland. He had a Terrible Story, and from the most undoubted authority. A contract was entered into by the Virginians and Pennsylvanians, to fix the permanent Residence on the Potowmac, right or Wrong. And the temporary residence was to be in Philada. and Clymer and Fitzsimons were gone to Philadelphia to reconcile the Citizens of that place to it” (MD, 140). When Maclay checked out the rumor with House members from Pennsylvania, they all denied it.

Faced with this threat, some New Englanders thought it best to counter with Baltimore, believing this would win the support of Marylanders and

Pennsylvanians who favored the Upper Chesapeake. Morris, meanwhile, lobbied members from New Jersey and New England to switch their support from the Susquehanna to the Delaware.

On September 3, the Goodhue Resolution, precursor of a bill that would place the capital on the Susquehanna, came to the House floor. Madison pulled out all the stops in opposing it. He intimated darkly that Virginia’s loyalty to the union would be shaken if Congress chose the Susquehanna instead of the Potomac: “[G]ive me now leave to say that if a prophet had risen in that body [the Virginia ratification convention] and brought the declarations and proceedings of this day into their view, that I as firmly believe, Virginia might not have been a part of the union at this moment” (MP 12, 372). His speech to the House the following day was, for the most part, a long discourse on the merits of the Potomac relative to the Susquehanna. He allowed that the Susquehanna was currently closer to the population center of the country, but predicted that the Potomac soon would be, as new settlers moved to the South and West. In any case, the Potomac was *geographically* more central than the Susquehanna, and allowed for easier access to the emerging West. What caught attention, however, were Madison’s opening remarks. Incredibly, the man who had recently authored many of the *Federalist Papers* described the new nation as a “confederacy of states” and asserted that “local governments will ever possess a keener sense and capacity, to take advantage of those powers, on which the protection of local rights depend” (ibid., 373). If Madison sounded desperate, he probably was—and should have been, as we shall see.

It is doubtful that Madison’s speeches changed anyone’s mind. A direct challenge to the Goodhue Resolution showed the Potomac a clear loser, as Lee’s motion to replace the Susquehanna with the Potomac failed 29–21. Madison’s own amendment to add the words “or Potomac” similarly failed. After other challenges failed, the House approved a motion to replace the “east bank of the Susquehanna” with the “banks of the Susquehanna.” A centrist outcome appeared to be locked in, and prospects for the Potomac looked bleak. In a letter to Edmund Pendleton written on September 14, Madison reports the failure of his overture to the Pennsylvanians. He promised to fight on, but seemed resigned to the Susquehanna:

On the side of Penna. who was full of distrust and animosity agst. N. Engd. & N. York, the Potowmac was presented as the reward for the temporary advantages if given by the S. States. Some progress was made on this ground, and the prospect became flattering, when a reunion was produced among the original parties by circumstances which it wd be tedious to explain. The Susquehanah has in consequence been voted. The bill is not yet brought in and many things may yet hap-

pen. We shall parry any decision if we can, tho' I see little hope of attaining our own object, the Eastern states being inflexibly opposed to the Potomac & for some reasons which are more likely to grow stronger than weaker—and if we are to be placed on the Susquehanah, the sooner the better. (Ibid. 12, 402–3)

The first hint that the Potomac site might still have a chance came with the approval of an amendment offered by Gale of Maryland. This Proviso, as it came to be called, stipulated that before any land could be purchased by the federal government for a new capital, Maryland and Pennsylvania must demonstrate to the president that the river (i.e., the Susquehanna) had been made navigable from that site all the way to the Chesapeake Bay. This favored the interests of Baltimore over Philadelphia, but, more important, gave President Washington the ability to postpone movement to that site. After failing initially, the Proviso passed when the speaker (Frederick Muhlenberg of Pennsylvania) broke a tie and voted for it. Many of the Pennsylvanians apparently decided to go along with it in the belief that the Proviso would be dropped in the Senate and thus in conference as well.

Madison continued his fight against the bill. He argued that it was unconstitutional: Congress alone had the power to choose its residence, whereas this bill, after adoption of the Proviso, delegated such power to the president. He also asserted that describing the site chosen as the “permanent” seat of government was at odds with the Constitution, which made no mention of any decision being permanent. Both challenges failed, and on September 17 the Susquehanna Bill passed 31–17.

Despite the seemingly overwhelming support in the House for the Susquehanna site, Madison knew that the battle was not yet lost. In a September 23 letter to Edmund Pendleton, he expressed hope that a coalition of minorities would form in the Senate to thwart the bill:

The bill however is by no means sure of passing the Senate in its present form. It is even possible that it may fall altogether. Those who wish to do nothing at this time, added to those who disapprove of the Susquehanna, either as too far South, or too far North, or not susceptible of early conveniences for the fiscal administration, may form a majority who will directly or indirectly frustrate the measure. In case of an indirect mode, some other place, will be substituted for Susquehanna, as Trenton, or Germantown, neither of which can I conceive be effectively established, and either of which might get a majority, composed of sincere and insidious votes. (Ibid., 419)

Madison's sense that bicameralism would come to his rescue was no doubt enhanced by his knowledge that when the Senate took up the bill, floor management would by convention be assumed by a senator from the state in question—in this case, none other than Robert Morris, a greater foe

of the Susquehanna than Madison himself.⁶ Morris first sought to amend the bill by deleting the Gale Proviso. Failing that, he moved to substitute Germantown for the Susquehanna, and personally guaranteed to spend \$100,000 to develop the new site if the Pennsylvania legislature were unwilling to do so! Morris had also promised the New York senators that the capital would remain temporarily in New York until at least January 1793. After losing initially, Morris won when a Delaware senator who claimed not to have understood the nature of the bill changed his vote and supported Morris's amendment. Vice president Adams broke the 9–9 tie in favor of Morris's motion for Germantown, and the bill returned once more to the House (Bowling 1991, 157–58). The Philadelphians' expectations that Adams would favor them appeared to have been borne out.⁷

Madison sought unsuccessfully to postpone consideration of the bill until the next session, but did manage to carry a motion for a one-day adjournment. Then, seemingly resigned to defeat, on September 28 he proposed one last amendment. He pointed out that once Congress assumed jurisdiction of the territory at the Germantown site, it would be without benefit of law. He therefore urged the House to “provide against one inconvenience,” and moved that the laws of Pennsylvania remain in effect until Congress specified otherwise (MP 12, 424). Madison's housekeeping amendment was adopted, and the bill as a whole carried 31–24. This sent the bill back to the Senate. Bowling (1991, 158) reports that Madison “spent all weekend in a desperate attempt to kill the bill.” He succeeded. The Senate voted to postpone consideration of the bill until next session, effectively killing it.

Expectations of the bill's ultimate failure may also have influenced the behavior of many congressmen at prior stages of consideration. Most notably, some members of the House may have decided not to oppose the Susquehanna bill in the belief that it would eventually be derailed. Fisher Ames of Massachusetts, for example, asserted that he and other New Englanders much preferred seeing the measure fail than end up in Germantown (Bowling 1991, 160). Whatever the case, the first session ended with no decision made on the residence. Madison, if not the creator of it, at the very least was able to exploit a voting cycle induced by the bicameral structure of the new Congress to defeat both Germantown and the Susquehanna. As the first session adjourned, Madison had so far won nothing on the residence. However, he had managed to live to fight another day.

In assessing Madison's successful defense against contenders to the Potomac, historians have been impressed not by his shrewd legislative strategy but by his apparent break with Hamilton and the Federalists. According to

Bowling (1991, 143), "Madison's long and widely reported speech [on the location of the capital] marked the public debut of a fundamental shift in his political stance from architect of a strong federal government to a defender of states' rights and from a leader of the Federalists to a spokesman for a new opposition party built on a foundation of decentralism." The historical record is certainly consistent with Bowling's assessment. As we know, in the next session of Congress Madison became the chief opponent of Hamilton's proposal for federal assumption of state debts. In Washington's second term the schism that had developed between Hamilton and the Jefferson-Madison faction flared into a bitter partisan divide.

It is my belief, however, that this interpretation of Madison's speech is too heavily colored by these highly salient subsequent developments, and overstates the extent of the breach between Hamilton and Madison (as well as Jefferson) that was present at this time. In response to a letter from Tench Coxe, who informed Madison that he (Coxe) had found his speech quite disturbing, Madison claims that he had not meant his remarks about Virginia and its dissatisfaction with the union to be as ominous as they sounded. According to Madison, the newspaper article reporting his speech "discoloured much the remarks which it puts in my mouth," as it had failed to place his comments in the context of a rebuttal to John Laurance of New York (MP 12, 409). The editor of the *Daily Advertiser* published the same clarification of Madison's speech—most likely due to a complaint from Madison (*ibid.*, 396). In actuality, Madison remained perfectly willing to bargain with Hamilton. The deal he would eventually seek, however, was not, as conventional accounts of the Compromise of 1790 would have it, the residence in return for assumption.

Assumption

The second session of the First Federal Congress, which opened in January of 1790, soon took up consideration of the financial plan Hamilton had formulated in his celebrated *Report on the Public Credit*. Most features of the plan had broad congressional support, but the proposal that the federal government assume the existing debts of the state did not. Disagreement over assumption was not particularly ideological. Many states, particularly the hard-money state of Massachusetts, felt that assumption of their debts was necessary for their financial survival. Even leading Anti-Federalist Elbridge Gerry supported assumption, as did the erstwhile states' rights champions of South Carolina, who had been specifically instructed by their state legislature to support assumption. Other states, notably Virginia, had extinguished

large amounts of their war debts by following the standard Colonial practice of "currency finance" and accepting state loan certificates (and in some cases federal certificates) in payment for taxes owed (Ferguson 1961). Finally, it should be noted that by 1790 the vast bulk of state debt, from both the North and the South, was held by a few thousand merchants and financiers in New York and New England.

Madison quickly emerged as leader of the opposition to assumption. Hamilton was baffled by Madison's stance, and felt blindsided as well. Madison was the other half of Publius. He and Madison had seen eye to eye on financial matters during the entirety of the Confederation Congress—including agreement on the desirability of federal assumption of state debts. Actually there was little in the plan that had not been present in Morris's plan of 1783, which both had supported. In preparing to write the *Report on the Public Credit* in September of 1789, Madison was one of the first persons Hamilton had consulted for advice. Madison's reply—that he was too busy and otherwise lacked the expertise to respond with useful comment—should probably have tipped Hamilton off that something was amiss.

According to Bowling (1991, 169), Madison's opposition to assumption "publicly confirmed the change of mind which he had first intimated during the seat of government debate in September: he would act more consciously as a decentralist, a southerner, and a Virginian." Indeed, by this time Sedgwick of Massachusetts regarded Madison as "an apostate from all his former principles. Whether he is really a convert to antifederalism . . . or whether he means to put himself at the head of the discontented in America time will discover" (quoted in Bickford and Bowling 1989, 95). Ellis (2000, 55) concurs: "During the six months prior to the dinner at Jefferson's quarters, Madison went through a conversion process, or perhaps a reconversion, from the religious faith of nationalism to the old revolutionary faith of Virginia." Elkins and McKittrick (1993, 146), finally, speak of "the divided mind of James Madison." Although "he had never doubted that the national honor required an unassailable national credit," it was also true that "Madison did what he did because of a spreading repugnance within himself to the entire system of which assumption was a part, that the more he saw of it the less he liked it."⁸

As indicated earlier, in my view these historians have overestimated the extent to which Madison had broken with Hamilton at this time. I also think that Hamilton was naive in failing to anticipate Madison's opposition to assumption. Both misunderstandings spring from the same source, and that is in not appreciating that at this time Madison was first and foremost a re-election-seeking congressman from rural Virginia. How could Madison effec-

tively represent his constituents and *not* oppose assumption? Virginia, as noted above, had relatively few debts to assume, and would be a net loser under Hamilton's plan.

Virginia was also faring badly in the settlement of expenditures made during the war. The state's inability to provide documentation for its claims, combined with looming and lapsed deadlines, portended significant financial losses. The Virginians' worst fear, however, was that the passage of assumption, which would add approximately \$25 million to the debt of the federal government, would guarantee that their claims for expenditures would continue to be given short shrift. During the First Federal Congress, Madison received several letters from leading citizens of Virginia, including Henry Lee, Edward Carrington, Edmund Randolph, and Edmund Pendleton, all expressing fervent opposition to assumption.

It is also important to note that Madison's opposition to assumption was not grounded in principle, and was not absolute. At several junctures he indicated that he would countenance assumption if certain conditions could be met. His chief demand was that assumption be linked to adequate provision for Virginia's large (though undocumented) claims in the settlement of wartime expenditures. As Banning (1995, 318) argues: "All the surviving evidence suggests that Madison was concerned, at the beginning, with the equity of Hamilton's proposal, that he might indeed have voted for it if he had been able to amend it to assure fair treatment of Virginia."

In late February 1790 the House began debate on the assumption resolution—specifically, "That the debts of the respective states ought, with the consent of the creditors, to be assumed and provided for by the United States" (MP 13, 60). Speaking against the resolution on February 24, Madison first argued that making the taxing power of the federal government the sole means of raising revenue to manage debt would be counterproductive; federal, state, and local taxing authorities, working independently and thus allowing for variation in the types of taxes that citizens of different states were willing to tolerate, would raise more revenue (*ibid.*, 61). He also argued that Virginia was being penalized for having paid off debt:

One great objection to the original proposition is, that by taking up the debts of the several states, as you find them now, you do great injustice to those states, who have, by their exertions, discharged the greatest part of the equal debts contracted during the late war: By this means compelling them, after having done their duty, to contribute to those states who have not equally done their duty. Now, my idea is, that instead of considering the debts as they are found at this moment, we contemplate them as in the state they existed at the close of the late war. (*Ibid.*, 72)

His most serious objection to Hamilton's plan, however, is that it failed to address Virginia's ongoing concern that its claims for expenditures were not

being honored. He therefore proposed that the assumption resolution include the following amendment: "that effectual provision be, at the same time, made for liquidating and crediting, to the states, the whole of their expenditures during the war, as the same hath been or may be stated for the purpose; and, in such liquidation, the best evidence shall be received that the nature of the case will permit" (*ibid.*, 61). Assumption, in short, must be linked to settlement. Defending his amendment on the floor, he dismissed those who argued that Virginia should simply trust in the good faith of the Board of Commissioners charged with settling state accounts:

It may be said that this is a superfluous condition; because there is a board in existence charged with the trust: But, sir, their power does not reach the great object contemplated. The limitation act has already barred a great number of equitable claims of one state; perhaps there are other states in the same predicament. . . . [If] adequate provision is not made on this head, a great deal more injustice will be done than by a refusal to assume the state debts.

I hope I shall be excused for connecting these provisions; because I think it is impossible to separate them, in justice or propriety. (*Ibid.*, 61 62)

On February 26, Madison came back to the same point. As the *Congressional Register* (IV, 67) summarized his remarks: "Mr. Madison . . . believed there was but one ground upon which the assumption of the state debts could be justified; and that was, securing, at the same time, a speedy and effectual provision for the liquidation and apportionment of the expenditures of the late war" (MP 13, 65). On March 1 he said it again: "There is no other way to obviate these objections, than by making our measures subservient to the ultimate settlement of the accounts between the United States and individual states, as in this alone can equality be found: So far then, as this object is kept in view, it [assumption of state debts] may have my approbation; but on no other condition" (*ibid.*, 73–74).

Madison did not succeed in getting the House to adopt his amendment.⁹ However, when the critical vote on assumption itself occurred on April 12, the proposal failed, 31–29. Proassumption New Englanders were devastated, and it was they who now intimated that maybe it would be better that the union be dissolved.¹⁰ Well into the second session, then, the First Federal Congress had not only failed to resolve the questions of residence and assumption, but had endangered the future of the union in the process.

Madison's Strategic Problem: The Linkage between the Residence and Assumption

The ill will and disappointment that the defeat of assumption engendered among the measure's advocates led many to question whether the still frag-

ile union would survive. Madison's unflagging efforts to defeat assumption would seem to parallel the tenacity of his fight against contenders to the Potomac in the battle over the residence in the first session. Here his opposition had been so strenuous and so strident that many inferred he had abruptly shifted his fundamental political beliefs. Why was Madison willing to play such serious political hardball to defeat Hamilton's proposal, and to risk so much?

I believe that at this point it is important to understand the absolute necessity, from Madison's point of view, of turning back assumption, and why he had been so determined to defeat the Susquehanna. True, in both cases these were the positions his constituents strongly supported. But there is more to it than that. Although assumption was reasonably popular in Congress and many had expected it to pass, in reality Hamilton and his allies, as we have just seen, were a few votes short. In return for these last few crucial votes, Hamilton calculated, he could in return supply support for a proposal on the residence. This is precisely the deal, of course, that has been seen to constitute the Compromise of 1790. The most promising prospect in this regard was the Pennsylvania delegation. Hartley, Fitzsimons, Clymer, and Wynkoop favored assumption. Both Muhlenbergs, Hiester, and Scott were opposed, but reportedly not adamantly so. On a number of occasions, then, Hamilton proposed that the latter four members provide the votes for assumption in return for the residence—on the Susquehanna, in Germantown, the falls of the Delaware, or wherever.

The extreme danger that a bargain of this nature posed to Madison is due to the fact that the Pennsylvania delegation was at the same time the source of the votes that Madison needed to obtain the residence for the Potomac! His proposal to them, as indicated earlier, was for a permanent capital on the Potomac, preceded by a long, temporary residence in Philadelphia.

But the Pennsylvanians could not go both ways. If they agreed to a deal with Hamilton involving the permanent residence in Pennsylvania in return for assumption, Madison's proposal to the Pennsylvanians—a permanent site on the Potomac in exchange for a temporary stay in Philadelphia—would be trumped. For Madison, losing on the residence would mean losing on assumption. Losing on assumption would mean losing on the residence. To win the capital for the Potomac, Madison not only needed to defeat the Susquehanna. He also needed to defeat assumption.

The Residence, Again

The failure of the assumption bill, following the deadlock in the previous session over the residence, sets the stage nicely for the fateful dinner at Jef-

fer's house and the compromise. Many historians believe, however, that Jefferson had succumbed to what social psychologists refer to as "fundamental attribution error"—the all-too-human tendency to overestimate the importance of one's own role in the course of events. Hobson and Rutland (MP 13), Bowling (1991), and Elkins and McKittrick (1993) all conclude that the Virginia and Pennsylvania delegations in Congress had arrived at the Philadelphia-Potomac bargain on the residence in the week prior to the dinner at Jefferson's.

As indicated previously, Madison had first made the Philadelphia-Potomac proposal to the Pennsylvanians in the first session, but had gotten nowhere with it. While still in New York following the end of the first session, however, he received a letter dated October 7 from William Grayson, senator from Virginia, who was in Philadelphia at that time. Grayson had recently met and dined with Robert Morris, who remained "very much irritated with his disappointment" over the last-minute loss of Germantown, and blamed the New Englanders and New Yorkers for his defeat. Morris, furthermore, had agreed with Grayson's assessment of the situation:

[If] any place in Pensylvy. was proposed except Susquehannah, that N.York would be agt. them, & that if Susquehannah was made the happy spot we should have the assistance of Jersey; that I even doubted N.York & the Eastern people of possessing any *real* sentiments than those that were *frustatory* that we should be cautious about stirring the subject again unless upon sure grounds & thereby [bring] them to form combinations against us. (MP 12, 431)

A subsequent meeting with Thomas Scott, a member of the Pennsylvania delegation in the House, had gone even better:

... & Scott thinks that a majority of the delegation are so irriated [sic] as to go unconditionally to the Potowmack by way of spiting N.York. It is clear to me that our contest about the Potowmack has been of infinite consequence; she is gaining friends daily, by being brought into view; & I agree with you that we played a great game & staked nothing. I would now (though never sanguine before) bett her agt. the field. (Ibid., 432)

Sensing real opportunity in the air, Madison immediately set off for Philadelphia. As Risjord (1976, 311) reports, he too met with Morris, and "the two reaffirmed the Pennsylvania-Virginia alliance and mapped strategy for the 1790 session." By November 20, Madison informed George Washington that the Philadelphia-Potomac deal was looking up: "He [Morris] broke the subject of the residence of Congs, and made observations which betrayed his dislike of the upshot of the business at N.York, and his desire to keep alive the Southern project of an arrangement with Pennsylvania" (MP 12, 452).

In short, Morris and Madison cemented an agreement on the Philadel-

phia-Potomac proposal that had been in the works for some time. Believing that Hamilton and his forces in Congress had acted in bad faith to defeat his ideal point (Germantown), Morris decided that a long temporary residence (previous proposals involving the temporary residence had been for three to four years) was the best he could get. He also shared the entirely reasonable belief, indeed the prevailing belief at the time, that once the federal government opened for business at the "temporary" site in Philadelphia, it would never leave. Maclay certainly felt that even a few years would allow the Philadelphians "to fortify and entrench themselves with such systematic arrangements that we should never get away" (quoted by Risjord 1976, 313). The fact that Washington had nearly died in May no doubt strengthened his belief that temporary possession of the capital could be parlayed into a permanent one.

A comparison of House and Senate roll calls on the residence between the first and second sessions of the First Congress shows clearly that the inter-session meetings between Madison and Morris had borne fruit. The Virginia-Pennsylvania alliance was clearly in place by the time the House returned to the residence question in late May of 1790—well in advance of the dinner at Jefferson's, and well in advance of the meetings of a week earlier. These data are presented in Table 11.1. During the first session, dominated by consideration of the Susquehanna and Germantown, the Virginia and Pennsylvania delegations were in total disagreement on virtually every vote. During the second session, however, they were solidly aligned with each other on virtually every vote. This was true on the nine votes in the House prior to the June 20 dinner at Jefferson's, as well as on the thirteen that followed the dinner. In a letter to James Monroe written on the day of the dinner, Thomas Jefferson made note of the alliance: "The Pennsylvania and Virginia delegations have conducted themselves honorably and unexceptionally on the question of residence. . . . [T]hey have seen that their true interests lay in not listening to insidious propositions made to divide and defeat them" (JP 16, 538).

This is not to say that all went swimmingly for Madison and the Philadelphia-Potomac deal. After voting on May 31 to go to Philadelphia for the next session by a whopping 38-22 margin, on June 11 the House voted to instead go to Baltimore, 31-28. The absence of two New Jersey votes and the defections of the Marylanders from the Chesapeake were responsible for this reversal.

At this point, however, I think Madison was aware that he had several things working in his favor. The alliance with Pennsylvania was intact, and would hopefully continue to withstand Hamilton's efforts to pull it apart. All

TABLE 11.1. Roll Call Votes on the Residence:
Pennsylvania and Virginia Delegations

	Total Agreement	Strong Agreement	Strong Disagreement	Total Disagreement
House				
1st Session	1	2	0	9
2nd Session	19	3	0	0
Senate				
1st Session	0	1	1	2
2nd Session	24	2	0	0

Note: The two state delegations were classified as being in total agreement when all members of both delegations voted the same way on a bill, in total disagreement when all members of one delegation voted one way and all members of the other delegation voted the other way. Strong agreement occurred when all but one member in each delegation voted the same way. The case of strong disagreement that is recorded (Senate, 1st Session) occurred when one senator from each state voted one way while the other senator from each state voted the other way.

the Marylanders had voted with him on the May 31 vote, and the Baltimore proposal had no chance in the Senate. He also knew by this time that the Senate was strongly inclined to support the Potomac as the permanent site. Certain problems remained, and Madison continued to soft-pedal the Potomac's chances in his letters to Virginia. I think he was confident, however, that as far as the residence was concerned, victory was within sight.

Assumption, Again

While Madison was closing the deal with Morris and the Pennsylvanians on the residence, Hamilton continued to pursue the votes that would deliver him assumption. As we have seen, however, Hamilton's strategy for obtaining them involved a bargain with Pennsylvania on the residence, and Madison, as revealed in letters to Washington, Monroe, and others, was ever mindful of the threat this posed to the Potomac. Jefferson expressed similar fears in a letter to George Gilmer, warning of "A bargain between the Eastern members who have it [assumption] so much at heart, and the middle members who are indifferent about it, to adopt those debts without any modification on condition of removing the seat of government to Philadelphia or Baltimore" (ibid., 575).

After the House had rejected assumption in April, the Senate took up consideration of Hamilton's financial plan in early June—shortly after postponing action on the Residence Act. During debate, Morris, ever willing to consider a better offer, suggested that he would favor assumption pending favorable resolution of the residence issue. Hamilton soon approached him

with a new offer: Hamilton's allies in the House would support either Germantown or the Falls of the Delaware (i.e., Trenton) for the permanent site if Morris could obtain one vote for assumption in the Senate and five in the House. As indicated earlier, it seemed to Hamilton that at least four of the House votes that were needed to pass assumption could be obtained from the Pennsylvanians who strongly desired the residence but were not strongly opposed to assumption (the delegation had split on the April 12 vote, three in favor, four against).

As noted above, however, reaching an agreement with Hamilton would require that Morris renege on his arrangement with Madison. Morris, probably figuring that he could always fall back on his agreement with Madison and thereby win at least the temporary residence, demanded the temporary residence in Philadelphia as well. Bowling speculates that Hamilton might have been able to muster a majority for assumption in both houses, but not at Morris's price—that is, both the temporary and permanent residences in Pennsylvania. New York and New England, which is presumably where Hamilton would have gone for the votes on residence in return for Morris's on assumption, would not go this far (Bowling 1991, 179). I am more in agreement with Risjord's (1976) assessment that the major reason this deal did not prevail was the fact that Hamilton was actually not able to produce votes for Morris on the Residence Bill, nor Morris for Hamilton on assumption (see also Cooke 1970 and Aldrich 1995). Contrary to Hamilton's expectations, the four antiassumptionist Pennsylvanians were not open to a bargain. Described by Hobson and Rutland (MP 13, 243) as "the only surviving evidence in JM's papers that explicitly links location of the national capital with the proposal to assume the state debts," a note sent to Madison from Virginia congressman Josiah Parker clearly indicates that Pennsylvanians were not going to go along:

A Charte Blanche is offered to the Pennsylvania Delegation respecting the permanent & temporare Seat of Congress if they consent to the Assumption of the State debts as reported by the Secy. of the Treasury. A meeting has been on the Subject. Gen'l M. [Peter Muhlenberg] Gen'l. H. [Daniel Hiester] & Mr. S. [Thomas Scott] would not consent—this is from indubitable Authority. (MP 13, 246)

Dinner at Jefferson's

When Jefferson encountered him in front of the President's Mansion on Broadway on the morning of June 20, Hamilton was not his normal, cocky self. He was instead, Jefferson remembered, "sombre, haggard, and dejected beyond description. Even his dress uncouth and neglected" (JP 17, 205). It is

now easy to understand why Hamilton was beaten. His many efforts to trade votes on the residence in return for assumption had failed. Now, with the Philadelphia-Potomac bargain looking increasingly like a done deal, the means to achieve assumption (vote switches by the four Pennsylvanians) had slipped away as well. He told Jefferson that he feared New England would desert the union, and felt that the failure to carry assumption meant he should resign as secretary of the Treasury.

This leads us, then, to the central problem with the traditional "dinner table" account of the Compromise of 1790. As indicated at the beginning of this paper, Madison, feeling the Potomac within his grasp, did not need any votes from Hamilton to sew up the Philadelphia-Potomac Residence Bill. But if it were the case that Madison had put together an unstoppable coalition on the residence, what was it that Hamilton could provide that would justify Madison not only acquiescing to assumption, but actually rounding up the votes needed to achieve its passage? What Jefferson had written in his 1792 notes on the dinner-table bargain was that Hamilton was to obtain the support of Morris and the Pennsylvanians for the Philadelphia-Potomac Residence Bill. But as we have seen, the historical record makes it quite clear that Morris and the Pennsylvanians had already concluded an agreement with Madison on this very measure. Indeed, it was this very agreement that Hamilton had been striving to unravel. As we have also seen, Jefferson's letter to Monroe of June 20 reveals that he was fully aware of both the Virginia-Pennsylvania alliance and of Hamilton's efforts to break it.

Bowling (1968) and other historians put more credence in the 1818 *Anas* account, in which Jefferson refers to Hamilton agreeing to exert the "influence he had established over the eastern members" (Jefferson 1818). They infer that what Madison had asked from Hamilton was that he [Hamilton] persuade his New England allies to cease their efforts to unravel the Philadelphia-Potomac deal. There is some evidence that suggests this may have occurred. When the Senate returned to consideration of the Residence Bill in late June, Rufus King of New York sought to keep the capital temporarily in New York in return for a permanent site in Baltimore. This measure was supported by the six senators from the states south of Virginia (much to the chagrin of Madison) as well as by those from New York, Connecticut, and Rhode Island. The Massachusetts senators voted against the proposal, however, thus defeating King's challenge.

There is also reason to doubt, however, that the Massachusetts senators were doing Hamilton's bidding. In the votes leading up to King's motion they had consistently supported measures to remain in New York, but consistently opposed measures that would put the capital in Baltimore. Accord-

ing to Bowling, they feared the development of Baltimore as a commercial rival; the only port on the Potomac—Alexandria—was far too modest to pose a similar threat. Moreover, as noted above by Risjord (1976), the failure of Hamilton to cut a deal with Morris on assumption was due to Hamilton's inability to move votes on the Residence Bill, combined with Morris's inability to move votes on assumption. Why would Madison ask Hamilton to intervene with the New Englanders, then, when he knew this was something Hamilton could not deliver, or, perhaps more accurately, something that would occur of its own accord—that is, the Massachusetts opposition to Baltimore? Just as Hamilton knew he had lost, then, Madison knew he had won. The April 12 vote had shown that he could block assumption. He also knew that the Philadelphia-Potomac measure deprived Hamilton of all his residence-based bargaining chips.

This brings us to the real business transacted that night at Jefferson's dinner table: Madison was now in a position to dictate terms to Hamilton, and thus to extract the best terms possible for Virginia on assumption and the settlement. Madison had sought throughout the 1790 session of Congress to pursue Virginia's interests in these areas, but all his efforts—the amendment to link assumption and settlement, his proposal to add two additional members to the Board of Commissioners, and his attempt to persuade Washington to replace the current commissioners—had come to naught.

As the author of assumption and secretary of the Treasury, Hamilton was in a position to see to it that Virginia received "adequate provision" for her "equitable claims," as Madison had demanded in his speech before the House. As he had stated on several occasions, Madison was prepared to support assumption if his conditions could be met. On this score he was far more willing to negotiate than was the median voter back in Virginia. Indeed, in correspondence following the April 12 vote against assumption, Madison began spinning hard to prepare his constituents for the eventual passage of the measure. He knew that no matter how good a deal he was able to obtain on assumption, he would still have to sell it. In letters to James Monroe (MP 13, 150), Edmund Pendleton (*ibid.*, 148–49, 184), and Edmund Randolph (*ibid.*, 189), he sought to convince them of both some bad news—some form of assumption was bound to pass—and some good news—it might work out not to be such a bad deal for Virginia after all.

In this regard many historians have commented on the intemperate letter of April 3 that Madison received from Henry Lee. Characterizing assumption as a "mad policy," Lee opined that

To disunite is dreadful to my mind, but dreadful as it is, I consider it a lesser evil than union on the present conditions.

I had rather myself submit to all the hazards of war & risk the loss of every thing dear to me in life, than to live under the rule of a fixed insolent northern majority. . . . No policy will be adopted by Congress which does not more or less tend to depress the south & exalt the north. . . . How do you feel, what do you think, is your love for the constitution so ardent, as to induce you to adhere to it tho it should produce ruin to your native country? (*Ibid.*, 137)

Writing back to Lee on April 13, Madison informed him that the House had rejected assumption the previous day. He predicted the issue would resurface, however, but that Virginia would not necessarily fare badly: "The minority do not abandon however their object, and 'tis impossible to foretell the final destiny of the measure. It has some good aspects, and under some modifications would be favorable to the pecuniary interests of Virginia—and not inconsistent with the general principle of justice" (*ibid.*, 147).

In the days following the dinner at Jefferson's, the assumption bill did receive, to borrow Madison's language, "some modifications that were favorable to the pecuniary interests of Virginia." By the time the Senate approved the debt-funding bill on July 21, the total amount of state debt to be assumed had dropped from \$25 million to \$21.5 million. Virginia's allotment for the loan taken out to underwrite assumption was pegged at \$3.5 million. By my calculations, this made Virginia, with 17.8 percent of the population (all free persons plus 60 percent of the total number of slaves), responsible for 16.3 percent of the loan. This amount was virtually identical to the whole of her remaining state debt. For Virginia, assumption had become a wash. As Madison explained later that month in a letter to his father:

The truth is that in a pecuniary light, the assumption is no longer of much consequence to Virginia, the sum allotted to her being about her proportion of the whole, & rather exceeding her present debt. She will consequently pay no more to the general Treasury than she now pays to the State Treasury, and perhaps in a mode that will be less disagreeable to the people, tho' not more favorable to their true interests. (*Ibid.*, 285)

Madison's chief demand, however, was that assumption be linked to adequate provision for Virginia's large (though undocumented) claims in the settlement of wartime expenditures. Actually, as Risjord (1976, 311) reports, Hamilton had already signaled a willingness to satisfy Madison on this score. On April 16, four days after the defeat of assumption in the House, Fitzsimons (Hamilton's associate) moved to appoint a committee to draft a bill for the "speedy settlement of state accounts." Things soon began to look up for Virginia: "Toward the end of May, when the substance of the settlement bill became known, Madison and William Davies, Virginia's commissioner of ac-

counts, spent several days re-examining their state's claims, and they were 'happy to find' that Virginia would be as well off as 'her more immediate antagonists, Massachusetts and South Carolina, should the business of assumption be brought up again'" (ibid., 312).

As the implementation of the settlement of accounts transpired, Virginia continued to fare well. According to Ferguson (1961, 323): "If one can judge by Virginia's experience after 1790, the General Board freely accepted and approved claims of every description." The board permitted Virginia's commissioner of accounts, William Davies, to sit in on every meeting. Davies concluded that Virginia's lack of expense vouchers had actually become quite an advantage, as by August of 1791 the board had rejected not a single claim, save one submitted by mistake. Virginia ultimately emerged with a credit of \$19,085,981. The other Southern states also fared extremely well in the settlement (Ferguson 1961).

Hamilton's end of the bargain, in short, was to accept modifications to the assumption bill that were friendly to the interests of Virginia, and to continue to see that the expenditure claims of Virginia (and other states in similar circumstances) were settled on generous terms. There is, of course, nothing in either of Jefferson's accounts of the dinner to support this conclusion. On the other hand, letters that Jefferson wrote to James Monroe and to Thomas Randolph on June 20, 1790, clearly sketch out the general outline of a bargain for making assumption palatable to Virginia and the other states in its position:

Congress are much embarrassed by the two questions of assumption, and residence. All proceedings seem to be arrested till these can be gotten over. And for the peace and continuance of the union, a mutual sacrifice of opinion and interest is become the duty of everyone: . . . In this situation of things, the only choice is among disagreeable things. The assumption must be admitted, but in so qualified a form as to divest it of its injustice. This may be done by assuming to the creditors of every state a sum exactly proportioned to the contributions of the state: so that the state will on the whole neither gain nor lose. . . . On the question of residence, the compromise proposed is to give it to Philadelphia for 15. Years and then permanently to George town by the same act. This is the best arrangement we have now any prospect of, and therefore the one to which all our wishes are at present pointed. If this does not take place, something much worse will; to wit an unqualified assumption and the permanent seat on the Delaware. (JP 16, 540-41)

The passage above is from the letter to Randolph, but the letter to Monroe is virtually identical. Jefferson's description of the modifications to be made to the assumption bill are fuzzy, and he indicates that Philadelphia was to

have the temporary residence for fifteen years instead of ten (suggesting the letters were written prior to the dinner instead of after). Still, these contemporaneous letters present a much more accurate account of the bargain struck over dinner at Jefferson's house than the notes he made in 1792 and in 1818.

As several historians have noted, Jefferson subsequently came to regret the role he had played in arranging the Compromise of 1790. In a September 9, 1792, letter to George Washington, he describes the affair as something "I was duped into by the Secretary of the treasury, and made a tool for forwarding his schemes, not then sufficiently understood by me; and of all the errors of my political life, this has occasioned me the deepest regret" (ibid. 24, 352). In his 1792 notes he describes assumption as unjust, and, in the *Anas* (Jefferson 1818, 276), as a "pabulum to the stock-jobbing herd." However, I think by far the greater source of his regret lay in the fact that the bargain had allowed Hamilton to survive politically. In the months and years that followed, of course, a massive rift developed between Jefferson/Madison and Hamilton, whom they came to view as an avowed monarchist presenting a clear and present danger to the republic. In Jefferson's view, they had been induced to rescue assumption by the exaggerated threat of disunion. He and Madison had also been much too disposed to assist Hamilton in extracting himself from his political predicament. Had they instead discounted Hamilton's dire warnings and let the April 12 vote against assumption stand, they might thereby have knocked Hamilton out of national politics when they had had the chance.

Nailing Down the Residence

When Madison left Jefferson's house on June 20, he had presumably extracted all from Hamilton that he could. Remaining, however, were the still dicey tasks of winning passage of the Philadelphia-Potomac Bill and, to keep his promise to Hamilton, of shepherding the modified assumption bill through as well. As noted earlier, efforts on the former had initially gone well in the second session, but things had become stuck again when opponents of the temporary capital in Philadelphia won a vote to go to Baltimore instead. The House then decided to postpone action until after the Senate had taken up the bill. Whether this was an intentional piece of strategy on Madison's part I do not know, but it turned out to be a shrewd move.

Madison's expectations that the Senate would look favorably upon the Potomac were soon realized. After decisively rejecting a move to Baltimore, on June 28 the Senate voted by a 16-9 margin to accept the Potomac as the

permanent seat of government. The Pennsylvania–Virginia alliance had picked up the votes of all other senators from the Middle States and all but one from the South to overcome nearly unanimous opposition from New York and New England.

Also as expected, opponents of the plan attempted to overturn it by knocking out Philadelphia as the temporary site. The most serious challenge appears to have been a 13–12 vote in favor of Rufus King's motions to make New York the temporary capital until 1800, but I think this was not the case. The bill under consideration, authored by Pierce Butler of South Carolina, had left a blank in the clause specifying the location and duration of the temporary site. King's motions simply filled in the blanks, thereby putting New York into consideration. When the Senate actually voted on the measure the next day, it failed, 9–16. The votes cast on this measure were virtually identical to those cast on the Potomac roll call. In my view, the more serious challenges were the motions to remain in New York a bit longer—first, until the end of 1794, then until the end of 1792. In both cases Vice President Adams cast no votes to break 13–13 ties. In any case, these turned out to be rear guard actions, as the Senate approved the Philadelphia–Potomac Bill on June 30.

The beauty of letting the Senate move first is that the House would now decide the fate of the residence by acting upon the Senate bill. Madison, who in the previous session had used a housekeeping amendment to send the ill-fated Germantown Bill back to a cruel fate in the Senate, now urged his colleagues in the House to eschew amendments and adopt the Senate bill as it was written. He warned that if it were returned to the Senate it could come back to them once again proposing the Delaware or Susquehanna sites! Elbridge Gerry provided clear refutation of any notion that Hamilton could have stifled New Englanders opposed to the Philadelphia–Potomac Bill. Resurrecting a combination of counteroffers that had been made in the Senate, he proposed to remain in New York temporarily and then move to Baltimore for the permanent site. Among other things, Gerry asserted that New York had been promised the temporary residence if it supported ratification of the Constitution without amendment. His motion lost 37–23.

After turning back several amendments proposing the familiar list of alternative locations (Germantown, Baltimore, Delaware, between the Susquehanna and Potomac), the House approved the Philadelphia–Potomac Bill on July 9 by a vote of 32–29. Recalling the debate months later, Smith of South Carolina described Madison as “a general who marshalled his troops so well that not a single change was made to the Senate bill” (quoted in Bowling 1991, 193). By this point, however, the clock was in Madison's favor. Oppo-

nents of the Philadelphia–Potomac Bill, of whom many were anxious to return to the business of assumption, were simply willing to give up. As Fisher Ames put it: “I would not find fault with Fort Pitt, if we could assume the debts, and proceed in peace and quietness. But this despicable grog-shop contest, whether the taverns of New York or Philadelphia shall get the custom of Congress keeps us in discord, and covers us all with disgrace” (quoted in *ibid.*, 178).

Delivering Assumption

Madison now needed to persuade enough erstwhile opponents of assumption to switch their votes to ensure passage of the bill. Unfortunately the senators and representative from Rhode Island had finally arrived during the last few days of June, and they were all antiassumptionist. He thus needed to find four votes in the House and likely one in the Senate, not just the two in the House that Jefferson claims he had promised to Hamilton. There is no doubt that he found them. After the House defeated a motion, 29–32, to delete assumption from the bill, the New York newspapers reported the names of the vote switchers (*ibid.*, 199). In addition to Alexander White and Richard Bland Lee from Virginia, he found two more in the Maryland delegation—Daniel Carroll and George Gale, author of the Proviso that had so muddied the waters in debate over the Susquehanna site in the first session. Maryland senator Charles Carroll also provided a vote for assumption in the Senate, although he had not previously gone on the record opposing it.

What all five shared in common, of course, was their proximity to the Potomac. This, more than anything else, is the *prima facie* evidence that has persuaded so many for so long that despite their inaccuracies, Jefferson's 1792 and 1818 accounts of the Compromise of 1790 were essentially correct. We have concluded, however, that Madison and Hamilton did not have a *quid pro quo* agreement involving the residence and assumption. By this time, moreover, the five vote switchers were all perfectly aware that the Potomac residence had been won as a consequence of the alliance with Pennsylvania. Why, then, did Madison choose the Potomac Five to be the ones to switch their votes on assumption? And how did he persuade them to do it?

I can envision Madison making a series of interlaced arguments to them. For the most part I think they were the same arguments that he himself had found persuasive. The first was simply that Hamilton's concessions on assumption and intervention in the settlement had actually made the bill a reasonable proposition from Virginia's standpoint. Most likely he also pointed out that the measure had George Washington's blessing (Malone 1951, 297).

In order to make it more palatable to the people back home, however, it would not hurt at all to foster the impression that the residence had come in a bargain involving assumption. The impression of linkage between the two matters would similarly allow Hamilton's supporters to conclude that the loss of the residence was a necessary price for the overall success of his funding plan.

Secondly and more important, I think Madison was able to convince them that they should back assumption, not in exchange for the residence, but precisely because they had succeeded in winning the residence. What good would a national capital on the Potomac be if the nation itself was not strong and viable? Most likely the New England states would not actually follow through on their threats of dissolution were assumption to be rejected, but doubts about their loyalty and commitment would have a stifling effect on the growth and progress of the United States. Winning the residence, in short, had significantly increased Virginia's stake in the success of the new nation. It thus made sense for the Virginians to deliver on assumption. It was no longer a bad deal for Virginia and, by assuaging New England, would go far in strengthening the ties of union.

Finally, according to Bowling (1991), Madison added some inducements. He promised Lee that he would back legislation in the next session to specify that Lee's hometown of Alexandria would be in the federal district. Daniel Carroll of Georgetown was assured that the federal buildings would be built on the Maryland side. I suspect he would have gotten these votes anyway, but it does mean that at this point something of a quid pro quo involving the residence and assumption did take place. The irony is that Madison was in a position to sweeten the deal in this manner because his overall strategy of *not* commingling the issue of assumption in his pursuit of the residence had prevailed, while Hamilton, who had proffered any number of bargains involving the residence and assumption, had failed.

The record is mixed on the question of whether Madison was ever able to sell assumption to the people of Virginia. He himself, of course, continued to vote against it. In a letter to Madison dated August 1, 1790, John Dawson told him that he still found assumption objectionable, but that the final measure was "in a less exceptionable shape than it first appear'd" (MP 13, 290-91). In an August 10 letter, Governor Beverly Randolph of Virginia expressed disappointment that Madison's proposal to add two new members to the Board of Commissioners had failed, but added: "The Assumption Business as it is now modified will I believe be more favorably received than it would have been in it's original Dress, but never will become a favorite in Virginia" (292). In late 1790 the Virginia state legislature sent a memorial to

Congress condemning the funding bill (Bowling 1991, 204). Still, the acid test here is that of re-election, and in 1790 all Virginia incumbents were returned to Congress.

Discussion

The Compromise of 1790 was not the product of a quid pro quo vote trade between Madison and Hamilton, whereby Madison would win the residence for the Potomac and Hamilton would gain approval of assumption. A deal of this nature would actually have been highly problematic. In seeking to win over the final few votes needed for assumption, Hamilton had repeatedly offered the Pennsylvania delegation his allies' support for the residence of a permanent capital in their state. The Pennsylvania delegation, however, was also the source of the votes that Madison needed to obtain the residence for the Potomac. In return, Madison had agreed to a long temporary stay for the government in Philadelphia. The Pennsylvanians could not go both ways. If they agreed to a deal with Hamilton involving the residence in return for assumption, Madison's proposal to the Pennsylvanians—a permanent site on the Potomac in exchange for a temporary stay in Philadelphia—would necessarily be rejected. For both Hamilton and Madison, losing on the residence would mean losing on assumption, and losing on assumption would mean losing on the residence.

In the end, the Pennsylvanians cast their lot with Madison, who thereby achieved the residence for the Potomac. Madison could now deal with Hamilton from a position of strength, and he exploited this position fully. In return for supplying the votes Hamilton needed for assumption, Madison won important concessions in the plan itself. Just as important, Virginia (and other states) received extremely favorable consideration in the settlement of large (though undocumented) claims for wartime expenditures. Although this interpretation of the Compromise diverges from Jefferson's 1792 and 1818 accounts of the dinner-table bargain, it adheres closely to the proposals he sketched out in letters written to James Monroe and to Thomas Randolph on the same day as the dinner.

My hope is that this chapter has arrived at a clearer and more compelling account of what actually took place in 1790. However, it also raises several questions for which there are no easy answers. The first involves the point we have just addressed—namely, Jefferson's documents. Why did his 1792 and 1818 accounts of the dinner-party bargain, particularly with respect to Hamilton's role in the piece, differ from the contemporaneous and, in my view, more accurate and veridical letters written to Monroe and Randolph?

The subsequent accounts frequently sought to put Hamilton in the worst possible light. However, reporting that Hamilton agreed to seek votes from Morris and the Pennsylvanians on the Residence Bill (1792) or to persuade his congressional allies to cease and desist (1818) hardly seems to put him in a worse light than indicating his willingness to accept amendments to the assumption bill and to ensure generous treatment for Virginia in the settlement.

This leads directly to another question. Why was Hamilton apparently unwilling to alter his proposal for the assumption of state debts in order to satisfy Madison at the very beginning of House action? Why did he and his allies in Congress march straight into the April 12 defeat, which could easily have derailed his entire funding plan? Perhaps he feared that acquiescing to Madison would trigger a bidding war among the states, thereby leading to a total debt too large to be serviced by the taxes that Congress was willing to put in place. It is also possible that he acted out of a combination of hubris and irrational exuberance when it came to forecasting votes, but one should generally prefer explanations that do not posit the actors in question making bad mistakes.

Another question, also involving Hamilton, is why was the vote trade he proposed to the pivotal Pennsylvania delegation—votes for assumption in return for the permanent residence in their state—rejected? According to Bowling, as many as four of them were only weakly opposed to assumption. Part of the answer, of course, is that there was considerable disagreement among them as to where in Pennsylvania the permanent residence should be sited. By accepting Madison's proposal over Hamilton's, however, they were essentially revealing that they were more anxious to win a long temporary residence than the permanent one. As indicated previously, many at the time believed that in the case of the residence, as in property law, possession was worth a great deal. They predicted that once the government had moved to Philadelphia, the move to the Potomac would never occur. Correspondingly, Philadelphia supporters feared that if the government remained in New York much longer it would never leave there. I am reluctant to characterize Morris and the other backers of the temporary residence as having inappropriately high discount rates; in 1790 the survival of the United States for ten years was hardly a sure thing. Nevertheless, I must say that I am left with the sense that they were engaging in wishful thinking to think that in 1800 the government would not move to the Potomac.

Finally, why did Robert Morris not blame Madison, at least to some degree, for the defeat of Germantown at the end of the first session? He certainly knew Madison was the author of the seemingly innocuous amendment that sent the bill back to the Senate. Nor does the intent of Madison's

amendment seem to have been open to interpretation. As Maclay noted in his diary on Monday, September 28, the day Madison's amendment was approved:

just as I was leaving the Hall. Izard took me aside asked me to stay. said a Trifling amendment will be made in the lower house just enough to bring it up here & we will throw it out, I told him I wished nothing so much as to see an End of the Business. I was not able to attend, but if I was I could not be with him on this question. Well then You must not tell Morris, of this I was just going away and said I will not. (MD, 169)

In my view, Morris was perfectly aware that Madison was the author of this last-ditch effort to derail Germantown. I think the conclusion he drew from this episode, however, was that it would be very difficult to get anything through Congress that Madison opposed. Morris therefore decided that it would be far more fruitful to work with Madison than against him. Soon after returning to Philadelphia, he thus made the overture to Grayson that led the way to the ultimately successful Virginia-Pennsylvania alliance.

Conclusion

The second session of Congress ended on August 12, 1790, but Madison decided to stay in New York a few weeks longer. Doing so would be better for his health, and would allow him to travel back to Virginia with Jefferson. He thus wrote to his father, asking him to pass on to the appropriate people a letter announcing his willingness to return to Congress if his constituents so desired. In this letter he outlined, in an understated sort of way, what had been accomplished in the First Federal Congress:

The Sessions of Congs. was closed yesterday. The list of Acts inclosed will give you a general idea of what has been done. The subjects which conduced most to the length of the Session are the assumption of the State-debts, and the Seat of Government. The latter has been decided in a manner more favorable to Virginia than was hoped. The former will be less acceptable to that State. It has however been purged of some of its objections and particularly of its gross injustice to Virginia, which in a pecuniary view is now little affected one way or the other. (MP 13, 293)

Ellis (2000, 74) is more straightforward in describing what Madison had accomplished: "It was a three-sided deal—residence, revised assumption, and settlement—and Virginia won on each score." I would put it this way: it is far more accurate to characterize the Compromise of 1790 as Madison's Triumph of 1790.

Appendix

Jefferson's first account of the dinner-table bargain, most likely written in late 1792, is as follows:

On considering the situation of things I thought the first step towards some conciliation of views would be to bring Mr. Madison and Colo. Hamilton to a friendly discussion of the subject. I immediately wrote to each to come and dine with me the next day, mentioning that we should be alone, that the object was to find some temperament for the present fever, and that I was persuaded that men of sound heads and honest views needed nothing more than explanation and mutual understanding to enable them to unite in some measures which might enable us to get along. They came. I opened the subject to them, acknowledged that my situation had not permitted me to understand it sufficiently but encouraged them to consider the thing together. They did so. It ended in Mr. Madison's acquiescence in a proposition that the question should be again brought before the house by way of amendment from the Senate, that tho' he would not vote for it, nor entirely withdraw his opposition, yet he should not be strenuous, but leave it to its fate. It was observed, I forget by which of them, that as the pill would be a bitter one to the Southern states, something should be done to soothe them; that the removal of the seat of government to the Patowmac was a just measure, and would probably be a popular one with them, and would be a proper one to follow the assumption. It was agreed to speak to Mr. White and Mr. Lee, whose districts lay on the Patowmac and to refer to them to consider how far the interests of their particular districts might be a sufficient inducement to them to yield to the assumption. This was done. Lee came into it without hesitation. Mr. White had some qualms, but finally agreed. The measure came down by way of amendment from the Senate and was finally carried by the change of White's and Lee's votes. But the removal to Patowmac could not be carried unless Pennsylvania could be engaged in it. This Hamilton took on himself, and chiefly, as I understood, through the agency of Robert Morris, obtained the vote of that state, on agreeing to an intermediate residence at Philadelphia. This is the real history of the assumption, about which many erroneous conjectures have been published. (JP 17, 206-7)

The second account, written in 1818 and published originally in the *Anas*, is very consistent with the first. It is assumed that Jefferson consulted his original 1792 notes in writing it:

I proposed to him [Hamilton], however, to dine with me the next day, and I would invite another friend or two, bring them into conference together, and I thought it was impossible that reasonable men, consulting together coolly, could fail, by some mutual sacrifices of opinion, to form a compromise which was to save the Union.

The discussion took place. I could take no part in it but an exhortatory one,

because I was a stranger to the circumstances which should govern it. But it was finally agreed, that whatever importance had been attached to the rejection of this proposition, the preservation of the Union and of concord among the States was more important, and that therefore it would be better that the vote of rejection should be rescinded, to effect which, some members should change their votes. But it was observed that this pill would be peculiarly bitter to the southern States, and that some concomitant measure should be adopted, to sweeten it a little to them. There had before been propositions to fix the seat of government either at Philadelphia, or at Georgetown on the Potomac; and it was thought that by giving it to Philadelphia for ten years, and to Georgetown permanently afterwards, this might, as an anodyne, calm in some degree the ferment which might be excited by the other measure alone. So two of the Potomac members (White and Lee, but White with a revulsion of stomach almost convulsive,) agreed to change their votes, and Hamilton undertook to carry the other point. In doing this, the influence he had established over the eastern members, with the agency of Robert Morris with those of the middle States, effected. his side of the engagement. (Jefferson 1818, 275-76)

Notes

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1. It is not clear whether it was Madison or Jefferson who actually accepted the task of persuading a sufficient number of erstwhile opponents of assumption to change their votes. Malone (1951) believes that because Madison continued to vote against assumption it must have been Jefferson. Most scholars agree with Bowling (1971, 1991) that it was Madison. A strong hint that it was Madison comes from the 1792 manuscript describing the bargain; the first three words of the sentence, "It was agreed to speak to Mr. White and Mr. Lee . . ." [about changing their votes] originally began "Mr. Madison undertook," but Jefferson crossed them out (JP 17, 208). Given Madison's leadership of the Virginia delegation and my sense that Jefferson would have considered this too tawdry a business to actually carry out himself, and, as we shall see later, that there were many other aspects of the resurrection of assumption that Jefferson does not touch upon, I concur with the conventional wisdom that it was Madison who brokered the delivery of the votes promised for assumption.

2. The assumption of re-election maximization may seem anachronistic, given the typically short and desultory nature of service in Congress before the

twentieth century (Polsby 1968; Kernell 1977). In the case of Madison, however, I think it is not. He was without question a career politician. Even if one confines attention to the context of Congress, the assumption of re-election maximization is reasonable. More specifically, Madison, along with seventeen others from the group of sixty-six who served in the First Federal Congress, continued to serve through the Fourth—a reasonably long congressional career even by today's standards.

3. Maryland and Delaware also might be classified as Middle States, but this of course does not change the political geography of the battle over the residence. Also, the problem for Madison and the Potomac in the first session of 1789 was actually worse, because the five representatives from North Carolina did not arrive until well into the second session. The lone representative from Rhode Island arrived shortly after the North Carolinians.

4. Contrary to Aldrich, Jillson, and Wilson (2002), it was not necessarily the voting rules of the Confederation Congress that impeded selection of a site for the capital. The problem here was that the \$100,000 for the federal town was never actually appropriated, and the commission to oversee construction was never appointed. The chief obstacle to siting was thus the lack of revenue-raising power under the Articles of Confederation. For their part, the citizens of New Jersey did not believe it was worth putting up their own money to acquire the necessary land or to begin the construction of governmental buildings.

5. This section of the chapter draws heavily upon Bowling's (1991) comprehensive and authoritative study of the creation of Washington, D.C. To avoid making countless citations to this work I do so only when reference to a particular page number is particularly helpful or necessary.

6. Things might conceivably have gone differently had the bill gone to William Maclay, the other senator from Pennsylvania and a strong backer of the Susquehanna site. Maclay, however, was far less prominent than Morris, having been elected to the two-year term and Morris to the six-year term. The prickly Maclay was also quite ill during much of his time in New York, and, in my judgment, exhibited symptoms of clinical depression.

7. Benjamin Rush had strongly lobbied Adams in behalf of Philadelphia as soon as Adams had been elected vice president. In what was ostensibly a letter of congratulations, Rush nonetheless informed his old friend that "[t]here is an expectation here which I have humored that your influence will be exerted immediately in favor of a motion to bring Congress to Philadelphia." He also warned that "[by] delaying the removal of Congress to Philadelphia, you will probably be dragged in a few years to the Potomac, where Negro slaves will be your servants by day, mosquitoes your sentinels by night, and bilious fevers your companions every summer and fall, and pleurisies every spring" (quoted in Bowling 1991, 103).

8. In contrast to studies that point to important changes in Madison's views regarding the Constitution, the Bill of Rights, and the nature of the most seri-

ous threats facing the new republic, Banning (1995, 7) argues that his political thought remained fundamentally consistent throughout his long career. For what it is worth, late in his life Madison agreed with Banning.

9. The Committee of the Whole approved Madison's amendment linking assumption to settlement, but the measure ultimately failed when the entire bill was taken up by the House.

10. An ardent foe of assumption, a gleeful William Maclay describes the dismay of assumption advocates:

When he [Sedgwick] returned his Visage to me bore the visible marks of Weeping. Fitzsimons reddened like Scarlet his Eyes were full. Clymer's color always pale now verged to a deadly White. his lips quavered, and his neither Jaw shook with convulsive Motions. His head neck & Breast consented to Gesticulations resembling those of a Turkey or Goose, nearly strangled in the Act of deglutition. Benson bungled like a Shoemaker who had lost his End. Ames's Aspect was truly hippocratic, a total change of face & feature. he sat torpid as if his faculties had been benumbed. Gerry exhibited the advantages of a cadaverous appearance. at all times pallid, and far from pleasing, he ran no risk of deterioration. . . . Thro' an interruption of Hectic hems and consumptive coughs. he delivered himself of a declaration, That the Delegates of Massachusetts. would proceed no further, but write to their State for instructions. happy Impudence sat enthroned on Lawrence's brow. he rose in puffing pomp, and moved that the Committee should rise. And Assigned the agitation of the House as a Reason. Wadsworth hid his Grief Under the rim of a round hat. Boudinot's wrinkles rose in ridges. And the Angles of his mouth were depressed, and their apperture assumed a curve resembling an horse Shoe. (MD, 242)

Yet Maclay himself realized the game was still afoot:

Fitzsimons first discovered recollection. and endeavoured to rally the discomfited & disheartened heroes. He hoped the good Sense of the House would still predominate and lead them to reconsider the Vote which had now been taken. and he doubted not but it would yet be adopted. Under proper Modifications. The Secretary's Group pricked up their Ears and Speculation wiped the Tear from either Eye. (Ibid.)