

## **Republican Stalwarts During The Jefferson Administration**

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During the Washington and Adams administrations, which lasted twelve years, the Federalists came to dominate the national government ; however with the election of Thomas Jefferson this dominance had drawn to an end. They had not only lost the presidential election of 1800; they also forfeited their majority in the legislative branch of the government. Thomas Jefferson's first inaugural address sounded a conciliatory note; however, it can be seen as an appeal to Federalists for a peaceable transfer of power. It also contained reassurances to the devotees of Revolutionary-era republican ideals. Jefferson's famous "We are all Republicans; we are all Federalists" inaugural address offered an olive branch to the Federalists who had just been ousted from power. The newly elected president then proceeded to outline his definition of a truly republican government and indicated that it was by these standards that his administration would operate. He promised, "equal and exact justice to all men, of whatever state or persuasion, religious or political." On the international level Jefferson advocated, "Peace, commerce, and honest friendship with all nations, entangling alliances with none." He also made clear his intent to preserve the rights of states governments and to defend them as the "surest bulwark against anti-republican tendencies." Furthermore, he pledged his support of the national Constitution. In what may have meant to be a veiled warning against those who had just lost power in the national government, Jefferson advocated "Absolute acquiescence in the decisions made by the Majority, the vital principle of republics, from which there is no appeal but to force, the vital principle and immediate part of despotism." In keeping with one of the bedrocks of Revolutionary-era republican ideals, he supported the reliance in a well-developed militia in times of peace. His statement about "economy in public expense, and the honest payment of our debts also reflected republican ideals. Jefferson made clear his position that farming was the backbone of the nation when he referred to the "encouragement of Agriculture and Commerce as its handmaid." He also included a statement showing his feelings about the much hated Sedition Act, when he spoke of "freedom of religion, freedom of the press, and freedom to persons under the protection of the Habeas Corpus; And tried by juries, impartially selected."<sup>1</sup> Jefferson, although extending an olive branch to the Federalists, clearly indicated his intention to adhere to the republican concepts of the Revolutionary era.

Many of the Republicans who had struggled to hold back the Federalists during Washington's and Adams's administrations saw Jefferson's victory as more than just a change in presidents. Republicans looked forward to their chance to recapture the ideals of the republicanism of the Revolutionary era. In a letter to Joseph Nicholson concerning the election of Jefferson, Randolph wrote, "In this quarter, we think the great work is only begun; and that without a substantial reform, we shall have little reason to congratulate ourselves on the mere change of men."<sup>2</sup> The fear of executive power, reared its head among the adherents of pure republicanism even at the moment of their great victory over John Adams and the Federalist dominated Congress. Randolph was not alone in his reservations concerning the defeat of the incumbent and the election of Jefferson. Nathaniel Macon as well worried that the new administration might not follow the path of pure republicanism. Additionally, the prominent jurist and politician, Edmund Pendleton expressed his unease in an essay entitled, "The Danger Not Over," and urged his "compatriots to make use of their recent victory." Pendleton argued that if Jefferson's obviously trustworthy character lulled them into a false sense of security their "happiness of the moment might be fleeting." Pendleton urged his readers to remain vigilant protectors of republicanism.

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<sup>1</sup> Jefferson's First Inaugural Address, March 3, 1801, in Paul L. Ford, ed., *Jefferson's Writings*, vol. 8, New York: G. P. Putnam's Sons, 1892-1899, 197-8.

<sup>2</sup> John Randolph, Bizzare, to Joseph Nicholson, July 26, 1801, autographed letter in Nicholson Manuscripts, Library of Congress.

He declared, “The rare event of such a character [Jefferson] at the head of a nation imposes on us the sacred duty of seizing the propitious opportunity, to do all in our power to perpetuate that happiness: as to that species of confidence, which would extinguish free inquiry and popular watchfulness, it is never desired by patriotism nor ought to be yielded by freeman.”<sup>3</sup> Pendleton’s ominous warning placed Jefferson and all members of the new administration on alert that the devout disciples of the concepts of Revolutionary-era republicanism would remain ever watchful of incipient tyranny. John Taylor of Caroline, nephew of Pendleton, John Randolph, and Nathaniel Macon were among those who continued to keep a close eye on the federal government, especially the executive branch.

After the close of the Sixth Congress, Macon found himself in an unaccustomed position. For the first time in many years, he was no longer part of an opposing minority. Jefferson was a man who through his Kentucky Resolves and other political actions had identified with Macon’s political beliefs. Macon and Jefferson were also evidently on friendly terms and occasionally corresponded concerning topics other than politics. Thus, Macon felt comfortable writing Jefferson and offering some suggestions for the tone of the new administration. While spending the recess between the Sixth and Seventh Congresses on his North Carolina plantation, Buck Springs, Macon, in accord with the revolutionary republican principles he embraced, disclosed to the president elect his hopes for a quieter, less ceremonial presidential term. Macon suggested that lavish entertainments, called levees, be eliminated and that the annual address of the president be delivered by letter without all the fanfare of the past. In accordance with his republican ideals, Macon advocated reducing the size of the army and navy as well as the diplomatic corps. The North Carolinian, ever mindful of his responsibility to monitor public spending closely, not only opposed large governmental expenditures but called Jefferson’s attention to more mundane matters by suggesting that the government pay tax collectors a fixed salary rather than a commission. Fearing corruption, he also warned against making postal appointments to anyone associated with a newspaper or printing business, because he saw a conflict of interest.<sup>4</sup> The newly elected President seemed agreeable to Macon’s suggestions and sent him a reassuring letter in which he stated, “Levees are done away. The first communication to the next Congress will be, like all subsequent ones, by message, to which no answer will be expected. The diplomatic establishment in Europe will be reduced to three ministers. The compensation to collectors depends on you not me.”<sup>5</sup>

Macon, though encouraged by this response, took a wait-and-see approach toward Jefferson. The Inaugural Address and their personal correspondence with the president led Macon and other staunch supporters of Revolutionary-era republicanism to hold out strong hope for overcoming the governmental excesses of the Washington and Adams administrations and shaping a government that would more closely reflect their views.

When Thomas Jefferson assumed the presidency in 1801 he proceeded, with the assistance of strict adherents to the pure republican beliefs, to revamp the federal government. Reform and retrenchment, the goals of the first Jefferson administration, received the support of all Republicans during the first two years. The republican purists, such as Macon and Randolph, fell in line with Jefferson and wholeheartedly threw themselves into the task of erasing the odious Federalist policies of the former presidents.

Macon had served in the House of Representatives for ten years, and during that period had not wavered from his deeply held republican ideals. When the first session of the Seventh Congress convened, the body elected him Speaker of the House. Among his duties was the naming of House Committees. He immediately chose the twenty-eight year old Virginian, John Randolph, as chairman of the powerful Ways and Means Committee. Randolph, steeped in the ideals of revolutionary republicanism from an early age, could be depended on to hold the line on government spending. Macon’s committee appointments gave the Federalists, now the minority party, an adequate voice on all committees, with Republicans having only a bare majority in each. Elections, Unfinished Business, Claims, and Ways and Means committees had a Republican-Federalist ratio of four to three, two to one, four to three, and five to four respectively. Republicans had long complained of partisanship being shown in the naming of committees by the Federalist controlled House.

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<sup>3</sup> Edmund Pendleton, “The Danger Not Over,” October 5, 1801, *The Letters and Papers of Edmund Pendleton*, vol.2, ed. David John Mays (Charlottesville: University of Virginia Press, 1967) 695-99.

<sup>4</sup> Nathaniel Macon, Buck Spring, North Carolina to Thomas Jefferson, April 23, 1801, Jefferson Papers, Library of Congress.

<sup>5</sup> Thomas Jefferson, Monticello, to Nathaniel Macon, May 18, 1801, Jefferson Papers, Library of Congress.

In the previous Congress Speaker Sedgwick had placed a disproportionate number of Federalist on the standing committees of Commerce, Claims, and Elections. The Judiciary Committee had no Republicans and the Defense Committee had only one.<sup>6</sup> Macon, while speaker of the House, consistently appointed committees with Republicans holding only a bare majority of the seats. With committees named, it was now time to set about implementing the Principles of '98.

Randolph set out with almost a religious fervor to assist in the reformation of the federal government. Fear of a standing army, one of the hallmarks of Revolutionary-era republicanism, received early attention in the Seventh Congress. Within three weeks of the House being called into session, Randolph had submitted a motion stating that it was "expedient to reduce the Military Establishment of the United States."<sup>7</sup> In his speech to members of the House, Randolph argued that state and local militias were sufficient to the needs of the nation. His recommendations passed handily. Reducing the size of the military fit into the plan of returning to pure republican ideals not only because it lessened the danger of misuse of the army and navy by a power-hungry executive, but it was also a money saving measure. Cutting government expenses on unnecessary and dangerous military expenditures had the added benefit of reducing or even discontinuing duties on goods.

Aversion to taxes, another distinguishing trait of pure republican thought, resulted in legislation to discontinue many of the taxes levied during the two previous administrations. Jefferson in his first address to Congress stated, "There is reasonable ground of confidence that we may now safely dispense with all the internal taxes."<sup>8</sup> Randolph was up to the task of reducing governmental expenses, and on December 31, 1801, he spoke of the expediency of repealing laws concerning internal taxes. Specifically mentioned were the duties on stills and distilled spirits, refined sugar, sales at auctions, pleasure carriages, stamps, and on postage for letters.

Jefferson's address also suggested that Congress take a closer look at the Judiciary Act passed by the "lame duck" Sixth Congress. He had expressed his outrage at the former administration's expansion of the judiciary branch. Jefferson had displayed his anger to William Giles when he wrote about his determination to "expunge the effects of Mr. Adams's indecent conduct, in crowding nominations after he knew they were not for himself, till 9 o'clock of the night, at 12 o'clock of which he was to go out of office."<sup>9</sup> The president was not alone in his outrage concerning the increase and partisan appointments of federal judges.

The advocates of Revolutionary-era republicanism in both branches of Congress saw Adams's actions as evidence of the corrupting nature of power. Randolph brought the matter before the House, submitting a resolution requesting an inquiry into the possibility of making necessary changes to the judicial system. A large majority adopted the resolution, and Macon appointed a committee to consider such action; however, the committee never met because the Senate had already begun framing a bill to repeal the Judiciary Act, and the House decided to await the Senate's action. When the Senate bill came before the House, the debate would be open to the committee of the whole and Macon, under those circumstances, would be allowed to enter the debate. The Federalist minority, rather ironically, opened the debate with an attempt to show that the Republican motive in repealing the Judiciary Act was a purely partisan action. The Federalists claimed that the Republicans' real aim was to eliminate the Federalist judges and gain control of the judicial branch. Furthermore, Federalists maintained that the repeal of the act would be unconstitutional, because it threatened the independence of the judiciary. Before they had finished with the subject, Federalists even threatened that passage of the bill could lead to civil war.<sup>10</sup> There was no shortage of emotion on either side of the debate. William Branch Giles launched a scathing diatribe against the Federalists and John Adams, in which he called Adams's administration "monarchical." Giles said the Federalists had corrupted the government and followed the doctrine of despotism. The Virginia Congressman delivered such a vicious attack that Federalist James Bayard was able to take advantage of Giles's overstatements and invective to place Republicans on the defensive. After Bayard's long and eloquent speech, Giles did not take the floor to answer.<sup>11</sup>

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<sup>6</sup> *Annals of Congress*, Seventh Congress, First Session, 312-7.

<sup>7</sup> *Ibid.*, 354.

<sup>8</sup> James D. Richardson, *A Compilation of the Messages and Papers of the Presidents*, vol. I, New York: 1913, 316.

<sup>9</sup> Thomas Jefferson to William Giles, March 23, 1801, Paul L. Ford, ed., *Jefferson Writings*, vol. 8, New York: G. P. Putnam's Sons, 1892-1899, 25.

<sup>10</sup> *Annals of Congress*, Seventh Congress, First Session, 510-22.

<sup>11</sup> *Ibid.*, 579-602.

Instead, Macon entered into the debate and outlined his reasons for supporting the bill: the country did not need such a massive judicial system, and the Senate bill would save money. He defended the bill based on his Revolutionary-era republican principles that guided him on all matters. Macon, however, was not ready to relinquish the floor and responded to the vindictive speeches given by the earlier speakers, primarily Giles, a Republican. He seemed to admonish both Republicans and Federalists for their intemperate remarks, saying, “In talking about the late or present president, it ought not be forgotten that they both signed the Declaration of Independence. They have both been Ministers in Europe, and both Presidents of the United States. Although they may differ in political opinion, as many of us do, is that any reason we should attempt to destroy their reputations.” Then, in what must have come as a surprise to Federalists, Macon continued his defense of Adams. Macon said, “I have differed in opinion with the former President, but no man has ever heard me say, that he was either corrupt or dishonest; and sooner than attempt to destroy the fame of these worthies whose talents and exertions we owe our independence, I would cease to be an American; nor will I undertake to say that all who differ from me in opinion are disorganizers or Jacobins.”<sup>12</sup>

Why would Macon, who hated the Judiciary Act as much as any Republican, offer such a defense of Adams, the man, Republicans held responsible for the act? Macon’s aim was to garner support of the bill to repeal the Judiciary Act; therefore, there was no valid reason to attack either Adams or the Federalists. Macon was defending his long held republican ideals. Even before there was a Federalist or Republican faction, Macon had committed himself to remain faithful to his ideological and political views. Macon’s motto was “principles not men” and this allowed him to fight vigilantly against Federalist principles and not attack individuals.<sup>13</sup> His strict adherence to pure republican views and his obvious respect for the opinions and rights of his colleagues give a good measure of the man. His entire career reflected his ethical standards. Macon found it possible to be fair to his opponents and still maintain his principles, and this won him the respect of men on both sides of the House.

Weeks of contentious debates and often-intemperate remarks by Federalists and Republicans passed before the bill finally came to a vote. On four occasions James Bayard, veteran Federalist member from Delaware, tried to amend the bill. A large number voted down all of his attempts. On March 1, the House passed the Judiciary Act and two days later Jefferson signed it.<sup>14</sup>

When the first session of the Seventh Congress ended on May 3, 1802, Macon, Randolph, and Jefferson were all well pleased with the outcome. The work of “reform and retrenchment” was well underway. Randolph had expected sweeping changes with the election of Jefferson and felt that this session of Congress was a good beginning. In a letter to Joseph Nicholson, Randolph maintained that he supported Jefferson because of the new style of government he brought to Washington. He qualified this statement of approval by adding, “but I am not like some of our party who are so devoted to him as the Federalists were to General Washington.”<sup>15</sup> Randolph’s Revolutionary-era republicanism feared too much power entrusted into the hands of any man, and those adhering to the same ideals felt that power was such a strong force it could corrupt even the best men.

Although Randolph had high expectations for the government under Jefferson’s leadership, he never felt any obligation toward his distant cousin from Monticello or any political party. He expressed his attitude toward the president in a letter to his brother’s widow, Judith. Randolph would never blindly follow Jefferson or accept the inherent validity of his every belief. He declared that instead of being an unquestioning adherent of any man, he was “a citizen of the republic of reason,” and therefore, he owed his allegiance only to his own principles and obligation to execute honorably his responsibilities as a member of the House of Representatives.<sup>16</sup> Randolph’s appointment as Chairman of the Ways and Means Committee and his increased influence in the House did nothing to change his conviction that he was a free agent, answerable only to his own conscience.

The Second Session of the Seventh Congress continued the program of reform and retrenchment so dear to Macon and Randolph. When Jefferson received notification that Congress was ready to accept any communication he wished to impart, he fulfilled his earlier promise to Macon and sent his state of the Union message to Congress in written form and expressed his wish that no formal reply be made.

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<sup>12</sup> Ibid., 718.

<sup>13</sup> Nathaniel Macon to Joseph H. Nicholson, January 28, 1810, Joseph H. Nicholson Papers, Library of Congress.

<sup>14</sup> *Annals of Congress*, Seventh Congress, First Session, 1104.

<sup>15</sup> John Randolph to Joseph H. Nicholson, Washington, December 17, 1801, Nicholson Papers, Library of Congress.

<sup>16</sup> John Randolph to Judith Randolph, Philadelphia, April 19, 24 year (1800), Bryan Papers, University of Virginia Library.

After receiving the written message, Macon instructed the clerk of the House to read it. Jefferson's message mentioned several items that coincided with the Republican plans for cutting back on taxes and government spending and he only briefly mentioned France's acquisition of Louisiana from Spain, which Jefferson had known about since June 1801, although the French government publicly denied it.<sup>17</sup> Jefferson's brief mention of the transfer of ownership Louisiana did not diminish the importance of the issue and it was a frequent topic of discussion throughout the nation; however, Congress could do little other than debate the western crisis caused by Spanish retrocession of Louisiana. In France, Robert Livingston, and Talleyrand, the French Foreign Minister, began discussions on the possibility of the French selling the whole of Louisiana to the United States. So with the issue of Louisiana at somewhat of an impasse the Seventh Congress during the latter part of the second session devoted most of its attention to the more mundane business of running the government. Randolph, in his position as chairman of the Ways and Means Committee, pushed for reduction in government spending and complained about a group of Republicans seeking political plums. He saw these actions by those claiming to support republican ideals as reprehensible and a betrayal of the principles they claimed to uphold. In spite of this concern, Randolph concluded that there had been "substantial reform," in the Seventh Congress but much more remained to be accomplished.<sup>18</sup> Macon also seemed pleased with the progress in the House and he could have taken pride in the fact that the members of the House unanimously recognized and thanked him "for his conduct in discharging the arduous and important duties assigned him, while in the chair."<sup>19</sup> Traditionally at the end of Congress there was a motion to thank the Speaker, but in recent years, the motion had only passed by a small majority. Macon had earned the respect of both Federalists and Republicans. Federalist, William Grove, instead of leaving for home as soon as the important business of the House concluded, wrote to a friend, "I mean to stay and see the last of the session, and to give my vote of thanks to our old friend Macon who has conducted himself with more moderation and impartiality in the chair than many of us expected, and I firmly believe more than any of his party would have done, had they been in his situation."<sup>20</sup> Thus ended the first Congress under control of the Republicans. The nation's legislators had much to consider as they left Washington in the early spring.

The issue of the Spanish cessation of Louisiana to France was a topic of concern throughout the nation and even if Jefferson had not openly conveyed his qualms to Congress, he had made them known to many. Upon hearing of the French acquisition of Louisiana from Spain, he began to fear the consequences of such a powerful European nation controlling territory that was so close and vital to America. Republicans, particularly those from Virginia, had admired the French Revolution in its early stage. This feeling had been somewhat diminished by the rise of Napoleon Bonaparte, but many of the proponents of the French Revolution had looked upon Bonaparte as a necessary, if unfortunate, outgrowth of the Revolution. Many of these same Republicans disliked the British government and distrusted that nation's imperialistic commercialism. Now, with the French controlling Louisiana, and Napoleon Bonaparte ruling France, the Jefferson administration and the Republicans had to re-evaluate their approach to foreign policy. Jefferson expressed his dramatic diplomatic about-face in a letter to Robert Livingstone, American minister to France. The president wrote that on the day that Napoleon's France occupied the port city of New Orleans Americans "must marry ourselves to the British fleet and nation." He went on to explain that France had up until this point been seen as America's natural friend, but the French acquisition of New Orleans changed this. Jefferson wrote, "There is on the globe one single spot, the possessor of which is our natural and habitual enemy. It is New Orleans, through which the produce of three-eighths of our territory must pass market. France, placing herself in that door assumes to us the attitude of defiance." According to Jefferson's reasoning, a weak Spain offered little threat to the United States; however, a powerful France was an immediate danger.<sup>21</sup> These fears made the plan to acquire New Orleans even more acceptable.

The Eighth Congress began two weeks early due to the pressing issue of the proposed Louisiana Purchase. News from Paris reached Congress of an agreement for the United States to acquire not just New Orleans but the entire Louisiana Territory.

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<sup>17</sup> Jefferson had known about the French acquisition of Louisiana since early June 1801, although the French government denied it. Then, in November 1802, Americans were notified that their rights of free navigation of the Mississippi River and the use of New Orleans port facilities had rescinded. This placed American agricultural interests in great distress. The use of the river as a means to transport their goods was vital to the economy of the United States.

<sup>18</sup> John Randolph to Joseph Nicholson, July 1, 1801, Nicholson Manuscripts, Library of Congress.

<sup>19</sup> *Annals of Congress*, Seventh Congress, Second Session, 700.

<sup>20</sup> William Barry Grove to John Steele, February 25, 1803, Henry Wagstaff, ed., *The Papers of John Steele*, vol.1, Raleigh: Publication of the North Carolina Historical Commission, 1924, 370.

<sup>21</sup> Thomas Jefferson to Robert Livingston, April 18, 1802, Ford, *Jefferson's Writings*, vol. 8, 287.

Macon expressed his approval of the acquisition, with his only concern being if the money was on hand to seal the deal. Availability of good, fertile land insured the continued existence of independent farmers and this was an important factor to the maintaining a healthy republic. The possible attainment excited Macon, and he hoped that soon the United States would acquire even more territory. In a letter to John Steele, he wrote, "The purchase of Louisiana is all the talk with us, all pleased, and we hope shortly to hear that the Floridas have been acquired by the same pacific measures."<sup>22</sup> Randolph wholeheartedly supported the purchase, both publicly and privately. Macon and Randolph displayed no qualms about acquiring the vast amount of land. The acquisition would ensure the availability of fertile farmland for future generations and meshed with the republican ideal of a nation populated by independent farmers. Before the House could take up the matter of appropriating funds necessary to complete the purchase of Louisiana, the Senate had to ratify the Louisiana Purchase Treaty with France. While awaiting Senate action, the House once again elected Macon as Speaker, and he proceeded to appoint the standing committees. He named John Randolph as chairman of the Ways and Means Committee. Always an important appointment, it would prove even more so as the House committee was responsible for allocating the funds to purchase Louisiana. The most exciting business of the session dealt with Louisiana, but other matters also required the attention of the House.<sup>23</sup>

The Senate swiftly ratified the Louisiana Purchase Treaty. Now a battle was waiting in the House for funding. The terms of the treaty set the price for the Louisiana territory at fifteen million dollars, which amounted to approximately four cents per acre. The asking price amounted to the annual national budget, and Albert Gallatin, now Secretary of the Treasury, was given the unenviable task of funding the purchase without raising taxes. Randolph's purpose was to convince Congress to agree to the Gallatin's plan. Under the treaty of cession, part of the Louisiana Purchase Treaty, the United States was to pay France \$11,250,000 in 6% stock certificates redeemable in fifteen years with the remaining \$3,750,000 used to settle claims Americans had against the French government. The actual transaction was to be handled by the largest two European banking concerns, Dutch Hope and Company and the British Banking House of Baring Brothers. Two million dollars of the amount was already available because Congress in the previous session had voted that amount for the possible purchase of New Orleans.

With Gallatin's arrangements made, Randolph's undertaking began. Federalist senators had tried in vain to obstruct the ratification of the Louisiana Purchase Treaty. Now, the job of blocking the Louisiana Purchase fell to the Federalists in the House. Their first tactic, was to claim that the treaty was invalid because a clause in the Franco-Spanish Treaty of San Ildefonso prohibited Bonaparte from selling the former Spanish holding. They also attacked the bill by arguing that it was unconstitutional. Their actions were rather ironic, since while in power they had passed the Alien and Sedition Acts that were unconstitutional. Randolph, whose background and sentiment was clearly Anti-Federalist, had no qualms about throwing his accomplished oratorical skills against the Federalists. Jefferson may have experienced pangs of conscience over the acquisition of Louisiana, but no such misgivings seemed to have burdened Randolph.

John Randolph rose to the occasion in the Louisiana Purchase debates and pushed through the funding measure. He chastised the Federalists for arguing the constitutionality of the purchase and reminded them that measures they passed in previous years had not shown the same concern for upholding the Constitution. He aimed his most pointed remarks at Roger Griswold, as he relentlessly hammered home his message. Where was the concern over crossing constitutional barriers when the Jay Treaty with Great Britain, Alien Acts, and the Sedition Act were passed? Now, that the United States had the opportunity to acquire the whole of the Louisiana Territory for a very small percentage of its value, the Federalists raised constitutional questions. Randolph argued his cause eloquently and the Federalists efforts to thwart the purchase did not succeed.

The Federalists were unable to sway the Republicans and the resolution to make available the necessary funds to conclude the purchase passed with a handsome majority of 84 to 29.<sup>24</sup> On the final vote a number of Federalists broke ranks and supported the resolution. The acquisition of Louisiana, Randolph maintained, was one of the most significant actions of his long political career, and he took pride in his involvement in bringing it to fruition.

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<sup>22</sup> Nathaniel Macon to John Steele, August 7, 1803, Henry McGilbert Wagstaff, *The Papers of John Steele*, vol.1, Raleigh: Publication of the North Carolina Historical Commission, 1924, 403.

<sup>23</sup> *Annals of Congress*, Eighth Congress, First Session, 370.

<sup>24</sup> *Annals of Congress*, Eighth Congress, First Session, 488-9.

In a letter to James Monroe, he wrote that the Treaty of Paris would be recognized as “a monument to the wisdom of those who projected and executed it.”<sup>25</sup> Randolph praised the efforts of the Jefferson administration and ably shepherded the Louisiana Purchase through the House, but he could never be called Jefferson’s man anymore than could his dear friend and colleague, Nathaniel Macon.

Macon supported the Jefferson administration in its efforts to turn back Federalist excesses, but he would not sacrifice his principles for any man. He felt that Jefferson’s determination to have Supreme Court Judge, Samuel Chase impeached was unfounded and ill-advised. In a letter to John Steele, Macon expressed his unfavorable opinion of Chase. He wrote, “Such men as he, no matter to what party they may pretend to belong, are a real injury to the country. Their imprudence and ungovernable temper have no limits. They neither feel charity nor know moderation to those who may honestly differ with them in opinion, if in fact they have any opinion, more than others.”<sup>26</sup> Justice Chase’s actions, both while on and off the bench, had incensed Jefferson leading him to send a letter to Joseph Nicholson, a Republican member of the House from Maryland, strongly suggesting that he take charge of actions to impeach Chase. Jefferson desperately wanted Chase removed from the bench, but he did not want any public connection to the proceedings: therefore, the president turned to his friend Nicholson, an accomplished lawyer, in the House. In his communication to Nicholson, Jefferson complained that the “seditious actions of Chase should not be allowed to go unpunished.”<sup>27</sup> The aging Chase had on several occasions committed political and judicial indiscretions, which resulted in the leveling of eight articles of impeachment. Nicholson confided in Macon concerning the president’s letter and Macon warned his friend to avoid becoming embroiled in this matter. Although Macon deplored Chase’s actions, he did not feel that Chase had committed any impeachable offense. Furthermore, Macon advised Nicholson to look at the situation from another point of view before agreeing to lead the impeachment procedures against Chase. Macon warned, “Change the tune and suppose Chase had stretched as far on the other side and had praised where no praise was deserving, would it be proper to impeach because by such conduct he might lull the people to sleep while their interest was destroyed.”<sup>28</sup>

Macon also found himself at odds with Jefferson over a proposed measure to strengthen the navy. The bill, sponsored by Macon’s close friend Nicholson, called for an appropriation of \$50,000 to build two small vessels and requested that naval officers not on active duty, receive half pay and rations if they agreed not to sign up for duty on commercial ships. Macon was free to join the debate after the House opened the discussion to the committee of the whole and he entered the fray by opposing the measure, relying on his oft-used argument, the cost. He maintained that the measure would put undue pressure on the Treasury, and noted that the purchase of the Louisiana Territory had already placed a strain on the government finances so he could not favor adding another fiscal burden at this time. Macon agreed to table the bill for a week and after its revival, he suggested that he would be willing to compromise if he could do so without increasing the federal debt. Nicholson, then, informed the House that upon further consideration, although two ships were necessary, the House should consider that it was imperative to approve at least one ship. He stated that he would agree to a motion to fund the construction of one vessel at the cost of \$25,000. Jefferson, if he had not already been aware of the fact, learned that Macon would not compromise on an issue if it meant abandoning his principles. Macon politely informed Nicholson that he appreciated his offer but his position remained unchanged and he would continue to oppose the bill. Macon’s firm resolve and Randolph’s support was not enough to defeat the bill and the House approved funds for the building of two ships and the pay for officers.<sup>29</sup>

During the Eighth Congress, Republicans experienced unparalleled success: they had reached their zenith. Even though not evident at the time, by the end of the second session cracks had begun to appear in their armor. The Republicans, with Federalists holding only a small number of seats in the House and Senate, no longer had a real or perceived enemy; therefore, no reason existed to remain united. One matter that came before the Second Session of the Eighth Congress brought these differences to the forefront: the Yazoo land sale scandal. Almost a decade earlier, the Georgia state legislature sold 35 million acres of land to speculators for the paltry price of one and one-half cents per acre, less than half of the price per acre of the Louisiana Purchase.

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<sup>25</sup> John Randolph to James Monroe, July 20, 1804, Monroe Papers, Library of Congress.

<sup>26</sup> Nathaniel Macon to John Steele, August 7, 1803, Wagstaff, vol.1, 403.

<sup>27</sup> Thomas Jefferson to Joseph Nicholson, May 13, 1801, Andrew Lipscomb and Albert Bergh, eds., *The Writings of Thomas Jefferson*, vol. 9 489.

<sup>28</sup> Nathaniel Macon to Joseph H. Nicholson, August 6, 1803, Nicholson Papers, Library of Congress.

<sup>29</sup> *Annals of Congress*, Eighth Congress, First Session, 792-3, 802-4.

Immediately, the fact came to light that all but only one of the Georgia legislators supporting the sale had taken bribes from the land companies. The story of the fraudulent land sales spread rapidly and newspapers all over the country printed the details of the Yazoo land sales. Understandably, the actions of the legislature outraged the citizens of Georgia and in the next election they voted an entirely different group of men into office. The new government, in turn, negated the land sales, and to show their disgust for the previous body's fraudulent action, they publicly burned all official records of the sale.

The land companies who originally had bought the land from Georgia, knowing that government action to nullify the sales was inevitable, hurriedly set about re-selling the land to third parties, particularly in New England and the Middle Atlantic area. While a few of those purchasing the land may have been unaware of the circumstances, many others were apprised of the situation surrounding the sale and still purchased the land in hopes of a profitable settlement. Then the state of Georgia ceded the land to the United States for one and a quarter million dollars, and saddled the federal government with the unenviable task of deciding on an equitable method for settling the claims of those who had bought the land from the original speculators.<sup>30</sup>

Jefferson appointed Secretary of Treasury Albert Gallatin, Secretary of State, James Madison, and Attorney General Levi Lincoln to investigate the claims of the third parties involved in the land scandal. The committee recommended setting aside five million acres of land for use in settling the claims. This proposal was presented to the House in the form of a resolution in the early months of 1804. Many of those involved in the purchase began lobbying for the compromise, which Jefferson and his cabinet had recently endorsed. Randolph, outraged at every aspect of the corrupt Yazoo land deal, resolved to defeat any attempt to compensate those involved. Randolph's opposition resulted in delaying consideration of the matter until the next session of Congress.

In January 1805, the House once again took up the proposal to settle the claims resulting from the Yazoo land deal. Randolph vehemently opposed any plan in which the participants in the scandal would benefit. He saw the land speculators as a type of finance capitalists, who did not earn their living through honest labor, but instead acted as parasites taking profit at the expense of others. These ideals were part and parcel of the Revolutionary-era republican ideals requiring citizens to uphold principles of civic virtue by putting the good of the whole ahead of private gain. Throughout his life, Randolph was never willing to compromise his principles and when he encountered actions, which he deemed corrupt, his words and actions were moralistic. The idea that the federal government upheld a fraudulent and corrupt act violated Randolph's keen sense of honor, and the republican concept of civic virtue. He delivered several long, impassioned speeches aimed at defeating any compensation measure. In one such speech, he compared the Yazoo land sale and subsequent actions to events leading to the American Revolution. Randolph referred to the Georgia state legislature's sale of the Yazoo lands as an "act of stupendous villainy," that would "rob unborn children of their birthright and inheritance." He characterized the speculators who purchased the land as "a band of unprincipled and flagitious men." Randolph claimed that the Yazoo Land Sale caused a violent public reaction resembling the colonial responses to the "passage of the stamp act, or the shutting of the port of Boston." Taking a jibe at the northern speculators involved in the scandal, Randolph contended that "when the port bill of Boston passed, her Southern brethren did not take advantage of the forms of the law, by which a corrupt Legislature attempted to defraud her of the bounty of nature; they did not speculate on the necessities and wrongs of their abused and insulted countrymen." Randolph did not give credence to the statements of many who claimed no knowledge of the questionable nature of the transaction and stated that it was "a matter of public notoriety." He singled out "men of education and intelligence" "who affect to have been ignorant of any such circumstance," and accuses them of being "guilty of gross and willful prevarication." He continued to characterize these men as having become devoid of the ideal of self-denial and civic virtue so important to republican ideals. Randolph declared, "They offer indeed to virtue the only homage which she is ever likely to receive at their hands – the homage of their hypocrisy. They could not make an assertion within the limits of possibility less entitled to credit."<sup>31</sup>

The intense rhetoric used by Randolph reflected a sense of outrage and offended morality that was reminiscent of the oratory of colonists against a corrupt and unjust Parliament.

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<sup>30</sup> C. Peter Magrath, *Yazoo: Law and Politics in the New Republic*, New York: W. W. Norton & Company, 1967, 6-15.

<sup>31</sup> *Annals of Congress*, Eighth Congress, Second Session, 1030.

Randolph also realized that by recognizing the Yazoo claims the federal government would be repudiating the validity of the Georgia Repeal Act, which had passed several years before the land was ceded to the United States, and thereby strengthening the power of the national government at the expense of the state government.<sup>32</sup> This was a concept that went against the republican view concerning the sovereignty of state governments, and one he refused to accept. He contended that any attempt to compensate participants in a fraudulent sale showed a total disregard by the federal government to the act of the Georgia legislature.

The Yazoo Scandal had a divisive effect on the Republicans. Randolph sensed this and alluded to it in his January 5, 1805 speech on the House floor. Randolph warned against the “spirit of federalism,” which he described as “a monster generated by fraud, nursed in corruption, that in grim silence awaits its prey.” He portrayed federalism as the antithesis of republicanism and referred to it as “a spirit which considers the many as made only for the few, which sees in Government nothing but a job, which is never so true to itself as when false to the nation.” After delivering his very unflattering opinion of federalism, he continued by chastising those who he had considered Republicans. Randolph complained, “But when I see associated with them, in firm compact, others [s] who once rallied under the standard of opposite principles, I am filled with apprehension and concern.” He lamented the actions of some who gave lip service to the republican principles, yet failed to uphold them. Randolph admonished, “Of what consequence is it that a man smiles in your face, holds out his hand and declares himself an advocate, when you see him acting with your adversaries upon other principles, which the voice of the nation has put down, which I did hope were buried, never to rise again in this section of the globe?” He challenged his fellow representatives to make their stand on the side of honor and civic virtue. In his closing statement, he reminded them of their duty and warned that the actions of those favoring compensation would define their character. He concluded, “I speak of the plunder of the public property. Say what we will. The marrow and the pith of this business will be found in the character of its friends, who stand, as they have stood before on this floor, the unblushing advocates of unblushing corruption.”<sup>33</sup> Randolph was arriving at the discouraging conclusion that the Republicans once they had ended Federalist dominance no longer remained dedicated to their principles and were willing not only to sacrifice those principles but to adopt Federalist views as well.

Postmaster General Gideon Granger, a Republican from Connecticut, became a target for Randolph’s righteous indignation. Granger’s direct involvement in the Yazoo land speculation was no secret in Washington. He, along with several prominent men, had organized the New England Mississippi Land Company, and on February 13, 1796, they bought 11 million acres of the southwestern section of the Yazoo tract. When Granger began to aggressively lobby members of the House to vote for passage of the compensation bill, Randolph loosed the full force of his wrath upon Granger.

On January 29, 1805, as Randolph stood on the floor addressing the report and recommendation of the Committee on Claims, he noticed Granger in the House chamber. He immediately launched into a tirade against a certain member of the executive branch of government who had come into the House to influence members and peddle patronage. His denunciation of Granger’s actions was emblematic of his republican fears concerning the danger of too much power in the hands of a corrupt man. He saw Granger’s participation in the Yazoo Land scandal and his open lobbying for passage of a compensation bill as what happens when men are governed by self-interest, not civic virtue. Randolph commented that he was alarmed by Granger’s presence on the floor. He stated, that this “agent is at the head of an Executive department of our government, subordinate indeed in rank and dignity, and in the ability required for its superintendence, but inferior to none in the influence attached to it.” Randolph continued to denigrate Granger and bemoan the fact that as Postmaster General he had “many snug appointments and fat contracts to hand out.” Randolph also pointed out that because Granger’s influence was not limited to one particular area but included “every part of the Union.” Randolph expressed his indignation that Granger had the nerve to openly lobby on the House floor for passage of the compensation bill. He asked, “Are heads of Executive departments of the Government to be brought into this House, with all the influence and patronage attached them, to extort from, us, now, what was refused at the last session of Congress.”<sup>34</sup> Randolph exhibited his contempt for the Postmaster General and his actions; and he commented on Granger’s unethical behavior in his speeches and correspondence for years to come.

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<sup>32</sup> MaGrath, 41.

<sup>33</sup> *Annals of Congress*, Eighth Congress, Second Session, 1032.

<sup>34</sup> *Ibid.*, 1031-2.

Although Randolph never called Gideon Granger by name, it was obvious to whom Randolph was referring in his speech on January 19. Both Granger and Congressman Matthew Lyon, who was not specifically mentioned but who held several postal contracts, took exception to Randolph's impassioned speech. Granger immediately called for an investigation of Randolph's allegations to clear his name: however, the House, questioning the propriety of such a request, refused to acknowledge it. Lyon, often described as one of the most outspoken and pugnacious men ever to sit in Congress, reacted with an intensely personal and ill-tempered tirade against Randolph in which he claimed that the charges against Granger had been "fabricated in the disordered imagination of a young man whose pride had been provoked by my refusing to sing encore to all of his political dogmas."<sup>35</sup> Lending credibility to Randolph's claims that Lyon's move from opposition to compensation to support of the bill, were the documented postal contracts he had received from Granger since the end of the last session. By accusing Granger and Lyon of bribery, Randolph had attacked fellow Republicans. In so doing, he indicated that Republicans straying from the pure republican principles of the revolution and the "Principles of '98" were not immune to his reproach.

Randolph was not able to defeat the resolution supporting the Yazoo claimants. He did, however, prevent the appropriation of funds for the claims. The Yazoo claims were to come before the House many times before the monies needed to fund the claims gained the necessary approval. Even after the Supreme Court ruling in *Fletcher v. Peck*, in 1810, which stated that a state grant was a type of contract and could not be unilaterally withdrawn, (making the Georgia State Legislature's repeal of the 1796 sale illegal) the House refused to authorize the funds for compensation payments. Randolph, even though he soon fell from grace with Jefferson and Madison, was always able to muster enough support to block the settling of the claims. Not until he suffered his only re-election defeat in 1813 did the House finally vote the funds necessary to resolve the Yazoo claims.

The Yazoo land matter could be seen as a turning point in Randolph's political career. He followed the only path open to him because of his strong commitment to the republican ideals by which he lived. The supreme insult he could hurl was that of "Yazoo man." To the very end of his life, he felt deeply about the corruption and intrigue surrounding the Georgia land sale and the maneuvering and lobbying for a compensation bill. Soon the term entered into popular usage and to be styled a "Yazoo man" was to be labeled as an unprincipled, corrupt individual.

Macon, as Speaker of the House, had little opportunity to support Randolph in his attempt to block the compensation plan, but he shared his Virginia colleague's disgust with the matter. Macon saw in the Yazoo scandal the Jefferson administration's willingness to compromise its republican principles. Others might turn a blind eye to dishonesty and corruption in the name of unity, but Macon and Randolph would never do so.

Macon had expressed high hopes with Jefferson's election; however, by the beginning of Jefferson's second term Macon saw disturbing signs that the president was in some ways threatening the power of the legislative branch. Macon had fiercely fought, often without success, attempts by Adams to strengthen the executive power at the expense of the legislature. Now, Jefferson's party had firm control of the legislature as well as the presidency, and this caused Macon some concern. Jefferson was taking, according to Macon's standards, too active a role in the affairs of the legislature. The president actively encouraged certain individuals to seek election to the House. When Jefferson identified someone who was sympathetic to his plans or if he wanted to eliminate a political enemy or person he felt was a malcontent, the chief executive was not above persuading his supporters to enter a political race to give him an advantage in the legislative branch.

Macon's dissatisfaction with Jefferson's behavior extended to the president's use of executive patronage. When filling vacancies, Jefferson frequently looked to members of Congress for suggestions. Macon felt that this practice resulted in the president having undue influence over the legislative branch, and he expressed these concerns in a letter to Jefferson. Macon wrote, "I know that the executive is held responsible for appointments, and this may be a reason, for approaching members of Congress, but it is a truth, that people do not like to see so many appointments made from that body." Macon believed that even if Jefferson was not attempting to use the political appointment at his disposal as a way to influence congressmen, his actions might be construed as such. He softened his suggestion by adding, "I mention this, because it may be possible your other friends may not have done so, and because I believe you ought to be informed of it, you will I know place it to its true motive."<sup>36</sup>

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<sup>35</sup> Ibid., 1121-6.

<sup>36</sup> Nathaniel Macon to Thomas Jefferson, September 2, 1804, Thomas Jefferson Papers, Library of Congress.

Macon continued to believe that such a practice was unethical and provided a way for an executive to exert influence on a legislator. Macon on four occasions placed a constitutional amendment before the House making it illegal for congressmen to accept an executive appointment from a president who had held that office while they were members of the Congress. This amendment never passed, and evidently, Jefferson did not heed Macon's advice, because the president on one occasion offered the North Carolinian the position of Post Master General. Macon refused to consider the appointment.<sup>37</sup>

As the Ninth Congress commenced, it was becoming evident to everyone that the previous cohesion of the republicans had all but disappeared. One hundred forty-two Republicans and twenty-seven Federalists made up the House of Representatives, but members of both factions were well aware of a serious rift. The divisions were reflected in Randolph's fear of an attempt to deny Macon the position of Speaker of the House. Randolph wrote Nicholson that something was afoot and warned him to be in the House on opening day.<sup>38</sup> Randolph had correctly gauged the mood of the House. It required three ballots to elect Macon as Speaker. Worse, his challenger was not a Federalist but a Republican, Joseph Varnum of Massachusetts. Varnum represented a more moderate faction of the Republicans, not as firmly dedicated to the old Revolutionary-era republican principles as Macon.

In this changing political atmosphere Jefferson, rather prematurely, announced he would not seek re-election. This, left men like Randolph and Macon and other adherents to the pure republican tenets to fear that their hopes for a government based on their principles would never be realized. Jefferson's disclosure caused concern because Madison's name was the one most mentioned as Jefferson's successor, and Randolph as well as many of the more conservative-minded republicans felt that Madison was not trustworthy. Madison had shown too much flexibility during his years as supporter of ratification of the Constitution and while a member of the House, and this had earned him considerable distrust in some quarters. His actions during Jefferson's last term brought Madison and Randolph into direct and open conflict, but Randolph's satisfaction with Jefferson also faded before the end of the President's second term.

One major factor in the growing schism had to do with the proposed purchase of West Florida. Jefferson considered the territory vital to the United States because several of the major southwest rivers flowed through it. West Florida also included Mobile Bay, which the United States wanted to use as a port and custom district. Since 1803, Madison and Jefferson had taken the somewhat shaky stance that Western Florida had been part of the Louisiana Purchase. Then, in 1804, the French government had laid that claim to rest by insisting that West Florida had never belonged to France and could not have been part of the sale.<sup>39</sup> James Monroe, in his role as Secretary of State, unsuccessfully attempted to convince the Spanish government to sell the land to the United States. John Armstrong, the American minister to France, who replaced Monroe, told Madison that the French intended to intervene in the matter. He wrote of France, "This country has determined to convert the [Florida] negotiations into a job and draw from it advantages merely pecuniary to herself, or in other language, to her agents."<sup>40</sup> Plainly put, the French wanted the United States government to pay a bribe. Armstrong sensed the dishonesty and corruption in the attempt by French agents to profit from any settlement concerning United States acquisition of West Florida. When French Foreign Minister Charles Maurice deTalleyrand made objectionable overtures to Armstrong, he reacted by showing open disdain for the French way of conducting business. He gave further detail of his dealings with the French in a confidential letter to Madison. He explained, "Since his [Monroe's] departure repeated intimations have been given to me that if certain persons could be gratified the negotiations should be transferred hither and brought to a close with which we should have no reason to find fault." Armstrong reported to Madison that, "My answers have uniformly been that it is quite impossible that the measure of a nation like this could ever be influenced, much less determined, by considerations that would equally dishonor them to offer and the United States to hear."<sup>41</sup>

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<sup>37</sup> *Annals of Congress*, Eleventh Congress, First Session, 2028, *Annals of Congress*, Eleventh Congress, Second Session, 2038, *Annals of Congress*, Eleventh Congress, Third Session, 386, *Annals of Congress*, Twelfth Session, First Session, 1411, Nathaniel Macon to Joseph H. Nicholson, February 11, 1806, Joseph H. Nicholson papers, Library of Congress.

<sup>38</sup> John Randolph to Joseph H. Nicholson, April 30 1805, Joseph H. Nicholson Paper, Library of Congress.

<sup>39</sup> Norman K. Risjord, *The Old Republicans: Southern Conservatism in the Age of Jefferson*, New York: Columbia University Press, 1965, 43-4.

<sup>40</sup> John Armstrong, to James Madison, December 24, 1804, National Archives, quoted in Irving Brandt, *James Madison; Secretary of State, 1800-1809*, New York: Bobbs-Merrill Company, 1953, 259-60.

<sup>41</sup> *Ibid.*

Jefferson and Madison both seemed to agree with Armstrong's handling of the delicate situation, and Madison conveyed the President's approval in strong terms. Madison wrote, "I have the pleasure to observe to you that the President entirely approves the just and dignified answer given to the venal suggestions emanating from the French functionaries."<sup>42</sup> Madison added his own words of praise concerning Armstrong's response using terms familiar to the republican tradition. He spoke of the "protest against corruption," maxims of virtue," and "justice of Heaven."<sup>43</sup> It appears that at this time Madison and Jefferson both opposed bribing France to secure a deal with the Spanish government. For some reason, their position soon changed.

Since negotiations with Spain had not led to a purchase of the Florida lands, Jefferson began to consider a military occupation of both Florida and Texas, but his closest advisors dissuaded him from taking this action. On November 14, 1805, his cabinet approved claims made by United States citizens against the Spanish government.<sup>44</sup> Within a few days of this decision, Armstrong sent Madison an unsigned letter in Talleyrand's handwriting offering Florida to the United States for ten million dollars. Far more territory than just West Florida was included in this offer. Under this proposal the Colorado River in middle Texas would be the western boundary of Louisiana. The note assured Madison that the emperor could induce Spain to accept the deal. Jefferson after conferring with his cabinet, decided to accept the proposal, although they agreed to pay only five million dollars.<sup>45</sup> This agreement seemed to contradict the administration's idea of justice and virtue expressed in Madison's correspondence with Armstrong the preceding summer. This arrangement to acquire West Florida had been planned between the adjournment of the Eighth Congress and the opening of the Ninth Congress.

The tone and thrust of Jefferson's annual message to Congress, dated December 3, 1805, was strange in view of the events and decisions made by the president and his cabinet on November 14.<sup>46</sup> Jefferson advised the Ninth Congress to consider what he characterized as the serious situation with Spain and move to prepare the nation for war. He supplied a long list of unsatisfactory actions Spain had taken against the United States. Jefferson claimed that the Spanish government had reneged on an agreement to pay claims for previous Spanish spoliations, and he cited the lack of an amicable settlement concerning the boundaries of the Louisiana Territory. In addition Jefferson reported to Congress that the threat to American citizens and their property on the Mississippi River and in New Orleans had necessitated him sending troops to "that frontier to be in readiness to protect our citizens, and repel by arms any similar aggressions in the future." Also, he asked the legislators to grant funding for gunboats and suggested that necessary arrangements be made to augment the military. Every aspect of this speech seemed to indicate that in the near future Jefferson intended to use military force against Spain. As all such messages, this address was made public; however, on December 6, Jefferson sent another confidential message to Congress. Jefferson's secretary delivered a bulky package to the Speaker's desk. After opening it, Macon had the House cleared of all visitors before reading the documents to the members. In the first of the secret messages, Jefferson once again outlined the breakdown of Spanish-American relations. He noted that Spain refused to honor its commitment to settle the spoliation claims it had previously accepted responsibility for and that it was insisting that "we have no rights eastward of the Iberville, and that our line to the west was one which would have left us but a string of land on that bank of the river Mississippi."<sup>47</sup> Jefferson stated that Spain was not only refusing to give up West Florida, it was attempting to regain territory that undeniably belonged to the United States. The packet also contained documents detailing Spanish incursions into what was unquestionably American territory. The actions, according to Jefferson, convinced him that the only way to stop the Spanish was by force. Jefferson concluded the message with a statement concerning the nature of the country's current relationship with France.

Jefferson reported that the rapport between the French government had improved and it would probably support the Americans "if properly induced" Bonaparte would "effect a settlement" with Spain, acceptable to the United States. Jefferson provided no hint of what would be required to properly induce the French. He informed the House if it followed this course the nation could avoid war.

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<sup>42</sup> James Madison to John Armstrong, June 6, 1805, quoted in Brandt, 261.

<sup>43</sup> Ibid.

<sup>44</sup> Jefferson, Madison, and the Cabinet's Decision on Spain, November 14, 1805, in James Morton Smith, ed., *The Republic of Letters: The Correspondence between Thomas Jefferson and James Madison*, vol.3, New York: W. W. Norton and Company, 1995, 1396.

<sup>45</sup> Brandt, 290; Memorandum of proposed treaty, undated, Jefferson Papers, Library of Congress.

<sup>47</sup> Confidential Message on Spain, in Ford, *The Writings of Thomas Jefferson*, vol. 8, 397-402.

The secret message stressed the possibility of a peaceable solution as strongly as the President's public address had emphasized the very real probability of war. The French proposal was not mentioned in this secret communication. Jefferson informed Congress that, "The present crisis in Europe is favorable for pressing a settlement; & not a moment should be lost in availing ourselves of it. Should it pass unimproved, our situation would become more difficult."<sup>48</sup> Not included in this confidential message was the plan Jefferson and his cabinet had agreed upon in conjunction with Talleyrand by which the United States was to threaten hostilities against Spain, thereby causing Spain to ask France to intervene. Then, France would take on the role of mediator and broker a settlement allowing the United States to buy Florida and part of Texas. The price would be five million dollars, with two million going to France, supposedly to settle a Spanish debt and the United States would retain the remaining three million to pay for Spanish spoliations due to United States citizens. If Jefferson pulled this off, he could claim a diplomatic coup, by avoiding war and acquiring territory from Spain. France would be two million dollars wealthier, and only Spain would be negatively impacted. It would be fair to argue that this attempt to bribe one nation to rob another was unethical, and dishonorable. This, and the fact that the plan would not work if Spain realized what was happening, is why Jefferson was not open with his plan, and wanted it to remain confidential.

Therefore, when Jefferson informed Congress that he was pursuing a peaceable settlement and that France would assist the United States in reaching a pacific resolution his complete reversal amazed Congress. It had been contemplating war, and now Jefferson was offering them an opportunity to broker a peaceful resolution. After reading the secret messages, Macon appointed a committee to consider the President's recommendations. Randolph, as chairman, Nicholson, and Barnabas Bidwell, along with two other Republicans and two Federalists comprised the committee. Bidwell was the only member who Jefferson could rely upon to blindly follow his lead. Macon's choices seem to indicate that he may have disapproved of Jefferson's scheme.

Jefferson and his cabinet had formulated a precise plan for the acquisition of Florida. The President had drawn up a list of six resolutions that he wanted the Congress to pass. He had enlisted the aid of Gallatin to deliver the proposal to Joseph Nicholson. In the correspondence was a request to present the resolutions to the select committee on Spanish affairs dealing with the executive's secret message to Congress. Among these resolutions was the statement that "he [Jefferson] will receive from the legislature the support necessary for carrying them into execution." The President advised that it was within the authority of Congress to determine the course the nation would take.<sup>49</sup>

After reading the secret message of December 6, and prior to the first committee meeting, John Randolph requested an audience with the President. Evidently, Jefferson was somewhat apprehensive about Randolph's reaction to his plan, because on December 7, he wrote the following memorandum to Secretary of Treasury Albert Gallatin, "J. Randolph has just called to ask a conversation with me, for which purpose he will be with me tomorrow morning; everything therefore had better be suspended till that is over."<sup>50</sup> Randolph, after his meeting with Jefferson, promised that he was ready and willing to cooperate "as far as his principles and judgment would permit." When the President informed Randolph that he wanted a two million dollar appropriation to purchase Florida, Randolph acted with surprise and indignation. He refused to agree to support a resolution to appropriate the funds on the ground that Jefferson's message never asked for the money. He also told Jefferson that "even if the money had been explicitly demanded, he should be adverse to granting it; because, after the total failure of every attempt at negotiations, such a step would disgrace us forever."<sup>51</sup> Randolph correctly assumed that the two million dollars would eventually end up in the coffers of France. He also pointedly reminded Jefferson that the British, who were currently at war with France, would not sit idly by while the United States gave money to Napoleon Bonaparte.<sup>52</sup>

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<sup>48</sup> Thomas Jefferson to the Senate and House of Representatives of the U. S., 6 December 1805, in Ford, *The Writings of Thomas Jefferson*, vol. 10, 198-205.

<sup>49</sup> Thomas Jefferson to the Senate and House of Representatives, December 6, 1805, in Ford, *The Writings of Jefferson*, 198-205.

<sup>50</sup> Thomas Jefferson to Albert Gallatin, December 7, 1805, in Ford, *The Writings of Thomas Jefferson*, 201.

<sup>51</sup> Randolph disclosed the events of his meeting with Jefferson in a letter to the editor of the *Richmond Enquirer*. "First Letter of Decius" in *Richmond Enquirer*, August 15, 1806.

<sup>52</sup> *Richmond Enquirer*, 15 August 1806.

Following Randolph's meeting with Jefferson, the committee appointed to consider Jefferson's recommendations convened to review the president's request. Only Barnabas Bidwell interpreted Jefferson's message as a request for money with which to purchase Florida. The remainder of the committee concluded that no such request had been made. Joseph Nicholson, who had been given a copy of the six resolutions Jefferson wanted Congress to pass concerning the Florida matter, realized that the majority of the committee was opposed to the plan and returned the papers to Albert Gallatin with an explanation of the committee's disapproval.<sup>53</sup>

For the next two weeks, Randolph had several private conferences with the president and Secretary of State Madison. These meetings only served to cement Randolph's opposition to the proposal. When Madison told him that the French wanted money, "and that we must give it to her, or have a Spanish and French war," Randolph drew a parallel to the XYZ affair that had caused such an uproar during the Adams administration. On August 5, Randolph disclosed the details of his meeting with Jefferson in a letter to the editor of the *Richmond Enquirer*, which he penned under the name Decius. In the "Decius" letter, Randolph expressed his amazement that the President and Secretary of State planned to take part in a deal that so closely resembled the infamous attempt of Talleyrand to extort funds from the United States commissioners in 1798.<sup>54</sup>

Randolph left the capital on December 14, and remained in Baltimore, Maryland for a week. The administration was extremely anxious to conclude the deal with France and the delay caused by Randolph's absence annoyed them. Immediately, upon his return, the Secretary of the Treasury presented Randolph with a document entitled "provision for the Purchase of Florida." Gallatin, after personally delivering the proposal, said that the administration had instructed him to draw up the plan just in case the committee decided that it was advisable to buy Florida. Again, this secretive political maneuvering by Jefferson and Madison incensed Randolph. Not only had the President and his Secretary of State wanted to obtain the territory of West Florida by unscrupulous means, but they also wanted to place the responsibility for doing so on Congress. Randolph's response to Gallatin, as recorded in the "Decius letter," was, "That he was as sensible to the importance of Florida to the United States and as willing to acquire it honorably as any man, but that he would never consent to proceed in this way: that the most scrupulous care had been taken to cover the reputation of the administration, while Congress was expected to act as if they had no character to lose."<sup>55</sup> Jefferson, who spoke publicly of war with Spain intended to enter into a shady deal with France to gain possession of Florida. The President's public statements were upright and honorable, while he expected Congress to "deliver the public purse to the first cutthroat who demanded it."<sup>56</sup>

Although the deceit and intrigue involved in the scheme to attain West Florida galled Randolph, there was another aspect of this measure that also offended his republican principles. Jefferson, as the executive, was attempting to control the legislative branch. Randolph, who always expressed concern with the corrupting nature of power, feared the balance of the federal government would be upset if presidential authority continued to increase. He was standing firmly on the republican principles he had embraced while in opposition to the Federalist administration of John Adams.

Evidence suggests that Jefferson intended the Republican leadership to come to him for specific instructions. This was a procedure that was becoming routine in his relationship with Congress. In fact, Jefferson worked closely with party leaders in the legislature, communicating his views and occasionally even drafting legislation. The president's involvement in the business of the legislature was obvious enough to rouse the suspicions of men like Macon and Randolph. In a letter to James Monroe, Randolph gave voice to these concerns. He wrote, "It is certainly a melancholy truth that the only question which the major part of the House of Representatives inquires into is 'what is the wish of the Executive?' and an intimation of the pleasure of that branch of government is of equal force with law." Randolph was troubled by the willingness of legislators to bow to the president's wishes and he confided in Monroe that "There is a proneness to seek and favors among us which is truly mortifying and distressing to the true republicans, the number of whom, it is to be feared, diminishes every day."<sup>57</sup>

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<sup>53</sup> Ibid.

<sup>54</sup> Ibid.

<sup>55</sup> Ibid.

<sup>56</sup> Ibid.

<sup>57</sup> John Randolph to James Monroe, December 5, 1806, John Randolph Papers, University of Virginia Library.

The staunch believers in Revolutionary-era republicanism, with Randolph at the forefront, fought the appropriation of the two million dollars to purchase Florida, when the issue came before the closed session of the House. The grounds for their opposition were that Jefferson had not officially requested the money. Confirming the fears of republicans concerning the dangerous executive influence was the statement of James Varnum, that the measure was “consonant to the secret wishes of the Executive.”<sup>58</sup> With this statement Varnum earned from Randolph the appellation of “Sworn Interpreter of Presidential Messages.”<sup>59</sup> Randolph did his best to thwart the administration’s plans to acquire Florida by what he saw as less than honorable means, but in the end Jefferson won the battle. Although the Ways and Means Committee failed to bring forward a request for the money, a resolution came from the floor that two million dollars be authorized to “defray expenses which may be incurred in the intercourse between the United States and foreign nations.”<sup>60</sup> Jefferson signed the Two Million Dollar Act into law on February 13, 1805, leaving the president free to complete his deal with the French government.<sup>61</sup> From Randolph’s point of view, Jefferson had betrayed the “Principles of ’98” and was committing the same offenses against liberty as his predecessor had done. Randolph’s five years of support for the administration ended with the plan to acquire Florida by less than open and honorable measures. Another international issue that confronted Congress was a resolution closing off the importations of British goods pending England’s agreement to stop impressment of American sailors.<sup>62</sup>

Randolph opposed the wishes of Jefferson and Madison on this matter as well.

The problems between the United States and Great Britain dated back to 1793 and were connected to the war between France and England. The British navy had proven very effective in preventing French and Spanish merchant ships from carrying on trade with their West Indian colonies. This allowed American businessmen, mostly in New England and the North Atlantic states, to become heavily involved in the carrying trade. British shipping interests considered this business to be solely theirs, and applied pressure on Parliament to find a means of curbing the Yankee skippers. By reviving and enforcing the “Rule of 1756,” which stated that a trade closed in time of peace was also illegal in time of war, the British, who dominated the seas at this time, accomplished this. Although the United States never recognized the validity of this ruling, the superiority of the British Navy forced the United States to take measures to circumvent the rule. American merchant captains achieved this by using a method referred to as the broken voyage, which resulted in bringing their West Indian cargoes to an American port, paying custom duties, and then shipping them to European markets. This tactic worked until 1805, when Great Britain decreed that even this indirect trade was illegal. Under these criteria, all of the American carrying trade was subject to seizure by British men-of-war.<sup>63</sup>

This problem coupled with the continued impressment of American sailors caused the Jefferson administration to begin contemplating taking some measures against the British. On January 29, 1806, Andrew Gregg of Pennsylvania, presented a list of grievances against Great Britain to the House of Representatives. At the same time, he offered a resolution prohibiting the importation of any goods into the United States from Great Britain or any of its colonies.<sup>64</sup> The idea of using commercial restrictions to pressure Great Britain and avoid open conflict dated back to the mid-eighteenth century, when colonists had used this very tactic against the British rather successfully on several occasions. Randolph opposed this bill and argued that it sacrificed the agricultural interests of the nation for the sake of the carrying trade. England was a major importer of American agricultural products and banning British imports would result in the British halting or reducing import of American goods. Also, southern farmers imported most of their manufactured goods from Britain and would be adversely impacted by the proposed embargo act.

Randolph delivered a lengthy address to the House against the resolution advocating non-importation of British goods. In his two-hour discourse, he highlighted the basic republican principles for a just government and pointed out several instances in which the Jefferson administration had strayed from them.

<sup>58</sup> First “Decius” Letter, *Richmond Enquirer*, 18 August 1806.

<sup>59</sup> Benjamin Tallmadge to Manasseh Cutler, February 19, 1806, in William P. Cutler and Julia Cutler, eds., *Life, Journals and Correspondence of Rev. Manasseh Cutler*, vol.2, Cincinnati: Robert Clarke & Company, 1888, 326.

<sup>60</sup> *Annals of Congress*, Ninth Congress, First Session, 1120-4.

<sup>61</sup> *Ibid.*, 1129.

<sup>62</sup> David Wendelken, “The Rhetoric of John Randolph of Roanoke,” Ph.D. dissertation, University of Ohio, 1984, 74.

<sup>63</sup> Risjord, 51.

<sup>64</sup> *Annals of Congress*, Ninth Congress, First Session, 413.

He attacked the measure on the grounds that it jeopardized the economic interests of the entire nation. When Randolph rose to speak, he first asked the question, “What is the object in this dispute?” He then answered his own question by stating, “The carrying trade. What part of it? The fair, the honest, the useful trade that is engaged in carrying our own productions to foreign markets, and bringing back their productions in exchange? No sir.” Randolph continued his discourse by describing the majority of shipping done by American ships. “It is the carrying trade which covers enemy’s property, and carries the coffee, the sugar, and other West Indies products, to the mother country. No sir if this great agricultural nation is to be governed by Salem and Boston, New York and Philadelphia, and Baltimore, Norfolk, and Charleston, let gentlemen come out and say so: and let a committee of public safety be appointed from those towns to carry on the government.”<sup>65</sup> The Revolutionary-era republican tradition relied on the primacy of agriculture, and in keeping with these beliefs, Randolph argued that the Gregg resolution was an attempt to sacrifice the agrarian interests of the nation to benefit a few mostly northern merchants and shippers.<sup>66</sup>

When proponents of the bill spoke of national honor, Randolph responded by saying, “This is the heroism of truck and traffic – the public spirit of sordid avarice.” He responded to the threats and innuendoes of war against England with a declaration against offensive war. Remaining true to his pure republican beliefs, he abhorred all war except defensive war. Randolph defined offensive war to his fellow members of the House. “I call that offensive war which goes out of our jurisdiction and limits for the attainment of protection of objects, not within the limits of that jurisdiction.” Entering into an offensive war would also result in more government contracts, increasing the evils of patronage. Randolph posed another rhetorical question. “Or do we want to be overrun and devoured by commissaries and all the vermin of contacts?”<sup>67</sup>

Randolph knew that many government leaders were also considering the possibility of gaining Canada. He thought this was a foolish hope considering the size and strength of the British navy, but he also opposed the idea on moral principle. He stated that going to war to defend national honor with an eye toward conquest was repugnant to his ideals. Randolph openly admonished those who viewed a war with England as an opportunity to acquire their northern neighbor. His remarks warned that the risks of their actions were many and the proponents of war should not take them lightly, and he reminded the House that he had been against that “species of warfare” in 1798 and he would continue to oppose it on the same grounds.<sup>68</sup>

The dangers of war, according to Randolph and Macon were not just from the visible enemy. Becoming embroiled in any war increased the threat of executive usurpation of power. Randolph warned, if war came, “That we must give the President power to call forth the resources of the nation – that is to filch the last shilling from our pockets, or drain the last drop of blood from our veins.” Again, Randolph admonished his colleagues to consider carefully the consequences of their actions. Relinquishment of liberties that result from war, he proclaimed were too great a price to pay unless there “was a powerful enemy at our door.”<sup>69</sup>

Randolph warned the members of the House to be cautious and realistic in their evaluation of American strengths. Jacob Crowninshield, a Republican from Massachusetts, asserted that the United States was not only capable of contending with England in a naval war, but was actually superior. Randolph’s response, which reflects a clear assessment of the United States’ naval capabilities, includes the following passage: “What! shall this great mammoth of the American forest leave his native element and plunge into the water in a mad contest with the shark? Let him beware that his proboscis is not bitten off in the engagement. Let him stay on shore, and not be excited by the muscles and periwinkles on the strand, or political bear, in a boat to venture on the perils of the deep.” For those who spoke of defending their freedom, Randolph commented, “Gentlemen say, will you not protect your violated rights? And I say, why take to water, where you can neither fight nor swim.”<sup>70</sup> Randolph reminded his audience of the dominance of the British navy, which forced France’s ships to steal from point to point off its own coastline. The French were the “first military power on earth” and her navy was “second only to England.”

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<sup>65</sup> Ibid., 557.

<sup>66</sup> Ibid., 534.

<sup>67</sup> Ibid., 560.

<sup>68</sup> Ibid.

<sup>69</sup> Ibid.

<sup>70</sup> *Annals of Congress*, Ninth Congress, First Session, 570-1.

Randolph marveled at how anyone could suppose that the United States' military was in any way superior to the British.<sup>71</sup> The debates concerning the Gregg Resolution marked the open schism between Randolph and the Jefferson administration.

When discussion turned to increasing the military strength of the nation, Randolph adamantly spoke out against such plans. He vigorously opposed any attempt to strengthen the navy, which he believed would lead a dangerous threat of aggression and called it "a moth in the public purse." He also argued against any build up of the national army and insisted that a strong militia would be the nation's best defense. With the introduction of a measure to bring the various state militias under the jurisdiction of the nation's military courts, Randolph was on his feet once more. This move, Randolph maintained, "would strengthen the Executive in a most dangerous way."<sup>72</sup>

In a series of speeches on the Gregg Resolution, Randolph strongly denounced Jefferson, Madison and those members of the House who he believed blindly followed the administration's dictates.<sup>73</sup> He remained incensed over what he considered Jefferson and Madison's underhanded attempt to acquire West Florida from Spain, and he warned the House against undue influence from the President and his cabinet.

I have before protested, and again protest against secret, irresponsible, overruling influence. The first question I asked when I saw the gentleman's resolution was: is this a measure of the cabinet. . . I speak of backstairs influence – of men who bring messages to this House, which, although they do not appear on the journals, govern its decisions. Sir, the first question I asked on the subject of British relations was: What is the opinion of the cabinet? What measures will they recommend to Congress? My answer was (and from a cabinet minister too): there is no longer any cabinet. Subsequent circumstances Sir, have given me a personal knowledge of the fact. It needs no commentary.<sup>74</sup>

Randolph did not limit his campaign against non-importation to the floor of the House. The Decius letters added to the scathing remarks in the debates on the Gregg Resolution and following its defeat he also argued against Nicholson's more moderate Non-Importation Act, which was brought before the House as an alternative to the Gregg Resolution. Randolph's scathing criticisms voiced in the public letters insured there would be no mending of fences between him and the Jefferson administration.

Macon also took part in the debate on non-importation, and, although he never attacked the administration, he charged that the resolution put forward by Gregg would, if passed, benefit one section of the country while it harmed another. Macon used import and export data to support his assertions while refusing to condemn Jefferson or Madison directly. He maintained that this attempt to protect the "carrying trade" came at too high a price and believed that the measures could lead to war. Macon advised the House members that they had two choices, "To be happy and contented, without war, and without internal taxes; or to be warlike and glorious, abounding with what is called honor and dignity, or in other words taxes and blood."<sup>75</sup>

Macon did not just criticize the resolution; he presented alternatives. He advised against approving a "measure which we cannot adhere to," and he then explained that the non-importation clause would probably injure the United States more than it would Great Britain. In doing so, he made a point that even those who supported the Gregg resolution could not deny. Negotiation, Macon urged, was the best alternative, and he reminded the House that it had worked with France in 1800 and 1803.<sup>76</sup> Congress, and indeed, the nation, remained incensed over the issue of the impressment of American sailors. Again, in his speech, Macon advised against any hasty and drastic action. He reminded his colleagues that the United States shared some of the responsibility for the problem. He suggested that if both the United States and Great Britain entered into an agreement not to employ the other's sailors a peaceful resolution could result. Macon also contended that the British were not the only nation who were infringing on American maritime rights and asked members to consider recent acts of the French and Spanish before passing resolutions designed to reprimand only the British. His calm and logical arguments seemed to have no more effect than Randolph's more emotional and personal speeches.

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<sup>71</sup> *Ibid.*, 571.

<sup>72</sup> *Ibid.*, 1782.

<sup>73</sup> *Ibid.*, 671-698.

<sup>74</sup> John Randolph Papers. Alderman Library, University of Virginia.

<sup>75</sup> *Annals of Congress*, Ninth Congress, First Session, 686.

<sup>76</sup> *Ibid.*

In the end, Gregg's Resolution failed to pass; however, Nicholson proposed another more moderate measure, which listed the restriction of specific manufactured goods and promised to be less damaging to the nation's economy. This bill eventually passed without the support of Macon or Randolph.<sup>77</sup>

Randolph not only condemned the Gregg Resolution and Nicholson's compromise resolution, he also criticized the nature of politics in the legislative as well as executive branches. Because of some of his harsh comments concerning administration policy, a few of his colleagues referred to him as a Quid. His reply to these statements has often led historians to refer to those who followed the same Revolutionary-era republican path as Randolph as Quids; however, the appellation which arises from the term "tertium quids," meaning a "third something" was frequently used in the early nineteenth century to refer to third party groups in state as well as national politics and to Federalists and Republicans. The term was usually intended as a form of criticism, and seldom did any group refer to itself as Quids. In a speech on March 13, 1806, Randolph made references to the Federalism, Republicanism, quiddism, Burrism, and Yazooism. Referring to quiddism, Randolph stated, "I am willing to meet gentlemen on that ground." He was unwilling to accept membership in any party, but remained committed to standing with those who shared his Revolutionary-era republican ideals.<sup>78</sup>

The first session of the Ninth Congress ended with Randolph and Macon finding themselves once again in the minority. Randolph's open criticism of Jefferson and Madison caused an irreparable breach. Macon never openly broke with Jefferson, but his voting record shows that he opposed most legislation sponsored by Jefferson after the thwarted attempt to purchase West Florida. During the waning days of the first session, the president moved to further isolate Randolph and render him powerless. Politicians of the era saw Jefferson's appointment of Joseph Nicholson, an adherent to Revolutionary-era republicanism and close friend of Randolph, to the position of Chief Judge of Maryland's Sixth Judicial District as one step in the process. Nicholson's family was growing and his financial resources were meager; therefore, he needed the financial security the new appointment provided. So, he tendered his resignation to the House on April 8, 1806 and Randolph and Macon could no longer look to Nicholson for his support.<sup>79</sup> Jefferson then attempted to influence Macon to distance himself from Randolph. The President made his appeal to Macon in the following letter, "Some enemy, whom we know not, is sowing tares among us. Between you and myself nothing but opportunities of explanation can be necessary to defeat those endeavours. At least on my part my confidence is so unqualified that nothing further is necessary for my satisfaction. I must therefore ask a conversation with you." Jefferson appointed a time when they could speak confidentially and not be interrupted.<sup>80</sup> There is no record of the actual meeting, but Macon probably accepted the executive's invitation. He never openly broke with Jefferson; however, neither did he make any move to limit Randolph's power as the Chairman of the important Ways and Means Committee. If Macon had done this he would not only have turned his back on Randolph, he would have been guilty of succumbing to executive pressure and that would have betrayed his republican ideals. So, Macon found himself in the middle of the schism splitting the Republicans. By refusing to bow to the president's wishes, Macon would soon lose his own powerful position and once again find himself relegated to the role of oppositionist.

Macon encountered a challenge to his authority on the last day of the first session of the Ninth Congress, when James Sloan, a moderate Republican from New Jersey, brought before the House a resolution stating, "Hereafter all standing committees of the House of Representatives shall be appointed by ballot, and shall choose their own chairman." Sloan made it clear in his speech that his intention was not meant as a personal challenge to Macon but was specifically aimed at Randolph.<sup>81</sup>

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<sup>77</sup> Ibid., 706.

<sup>78</sup> Noble Cunningham provides an excellent explanation of the term Quid. He maintains that the term was used extensively in the first decade of the nineteenth century. It seems to have first originated in Pennsylvania state politics. Following Madison's election he was called a Quid by the Newark *Centinel of Freedom*. The editor of the New York *Public Advertiser* recognized the confusion over the term and in a brief notice stated, "The Quids, says Cheetam, are all for Madison – What say you, Jack Randolph?" Cunningham made a valid point when he states, "In view of the conflicting usages of 'Quid' in the campaign of 1808, little more need be suggested as to the necessity of historians to define the term whenever it is used." Noble E. Cunningham, Jr., "Who were the Quids," *The Mississippi Historical Review*, Vol. 50, No. 2. (September 1963, 252-263; Newark *Centinel of Freedom*, June 7, 1808; New York *Public Advertiser*, May 31, 1808; *Annals of Congress*, Ninth Congress, First Session, 776.

<sup>79</sup> *Annals*, Ninth Congress, First Session, 996.

<sup>80</sup> Thomas Jefferson to Nathaniel Macon, March 26, 1806, Ford, ed., *The Writings of Thomas Jefferson*, Vol. VIII, 439.

<sup>81</sup> *Annals of Congress*, Ninth Congress, First Session, 1108-9. Many felt that Sloan was acting on behalf of other moderates. His reputation was that of a man who did not mind getting his hands dirty in a fight. A contemporary described him as "the

The House tabled the resolution until the next session. Macon, evidently saw the handwriting on the wall, and he wrote to Nicholson, reporting that Randolph “has been soundly attacked without any cause given.”<sup>82</sup>

The opposition to Randolph did not abate during the recess. When the Second Session of the Ninth Congress reconvened, Sloan immediately asked that his resolution be brought before the House. Another enemy of Randolph, James Elliot of Vermont, realizing that Randolph was not present, moved that the Speaker be allowed to appoint the members of the standing committees. The member from Vermont had noticed that Randolph was not present and knew that Macon would not break tradition by naming someone who was not in attendance. Macon, well known for his adherence to proper parliamentary procedure objected that Elliot’s motion was out of order because there was already a motion on the floor. The first resolution was then considered and defeated. Macon maintained the authority to appoint standing committees. Macon then proceeded to name the committees, but since Randolph had not arrived, according to his custom (not written rule) Macon chose the Ways and Means Committee and named Joseph Clay of Pennsylvania as chair. Randolph, it seems, had not only lost his position as chairman of the Ways and Means Committee, he was not on any of the standing committees.

Macon felt troubled by the actions his conscience forced him to take. He wrote to Joseph Nicholson explaining his feelings. “In the greatest trouble and the most anxious state of mind that I ever felt I write; to communicate my wretched state writing at least lightens an overburdened heart for a few moments and yet to put one on a committee who was not present when the committee was ordered seems to me be wrong.”<sup>83</sup> The following day Macon again confided his thoughts to Nicholson. He wrote, “In the disagreeable seat of the Speaker, I write. I have been obliged to hear the journal read, in which the name of John Randolph was not on the Committee of Ways and Means.”<sup>84</sup> The matter did not end here, and although Sloan and his cohorts may have congratulated themselves on their victory, it was short-lived. Another Virginian, James M. Garnett, asked to be removed from the committee and Macon had his chance to fill the vacancy. Macon’s letters to Nicholson and his obvious angst concerning Randolph’s exclusion from the Ways and Means Committee make it improbable that Macon was any part of a corrupt bargain. He named Randolph and on December 9, the Chairman of the committee asked to relinquish his position as chair and according to the rules of the House, the committee then elected Randolph as Chair.<sup>85</sup> This was a triumph of sorts for Macon and Randolph, but it only delayed the inevitable. Soon enough, both men would see their power and influence dwindle and would have to content themselves with assuming the role of underdog as they attempted to preserve the republican principles of the bygone era.

After the rocky beginning, the second session of the Ninth Congress settled down and was considerably less contentious than the first. Perhaps Randolph’s speeches were less biting since the publication of the Decius letters. The suspension of the Non-importation Act and Jefferson’s announcement that the Treasury was in a position to settle the national debt, which has always been a high priority for adherents of Revolutionary-era republicanism seemed to ease the tensions within republican ranks. Still on several matters Macon and Randolph did take the floor to defend their ideals.

In the early days of the second session, Randolph argued against appropriating funds for gunboats requested by the administration on grounds that the need for them had not been proven. He reminded members of the House of their responsibility to use caution in the approval of so costly a venture and asked “whether they were acting with their accustomed caution and distrust, where the expenditure of public money was concerned”<sup>86</sup> If the gunboats were proven unnecessary, the power of the government would be strengthened to no good purpose and according to Randolph’s principles power was to be jealously limited to avoid too much being held in the hands of too few.

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small end to small things. . . a man who has no qualification that I know to recommend him to any office, party violence excepted. Samuel Taggart to Rev. John Taylor, January 13, 1804. George H. Haynes, ed., “Letters of Samuel Taggart, Representative in Congress, 1803-1814,” *Proceedings of the American Antiquarian Society*, New Ser., 33(1923).

<sup>82</sup> Nathaniel Macon to Joseph Nicholson, April 21, 1806. Joseph Nicholson Papers, Library of Congress.

<sup>83</sup> Nathaniel Macon to Joseph Nicholson, Dec. 1, 1806. Joseph H. Nicholson Papers, Library of Congress.

<sup>84</sup> *Ibid.*, December 2, 1806.

<sup>85</sup> *Annals of Congress*, Ninth Congress, Second Session, 167.

<sup>86</sup> *Ibid.*, 295.

Macon did not oppose the War Department's request for a mere \$20,000 to complete fortifications: however, he did strenuously disapprove the proposal presented from the floor to appropriate \$300,000 more to the War Department. In the end, much to Macon's dismay, the House agreed to provide \$150,000 for the fortifications budget.<sup>87</sup>

Another bill brought before Congress was opposed by both Macon and Randolph, which provided for the prohibition of the slave trade by the end of 1807. Peter Early, a representative from Georgia presented the bill. Macon and Randolph favored the closing of the slave trade but strongly disapproved of a portion of the bill that would not guarantee a slaveholder's right to move his slaves from one state to another. Both men opposed enhancing the power of the federal government by granting it such authority. Randolph and Macon had differing views on the slavery issue. Macon never expressed any aversion to the institution, but Randolph did.

Randolph's personal stand on slavery seemed at odds with his political actions; however, a closer examination reveals his distaste for slavery. He openly condemned South Carolina's reopening of the slave trade in 1803, expressing his disgust in a letter to Littleton Waller Tazewell. He wrote, "To her (South Carolina) indelible disgrace she has legalized this abomination and all her rice and indigo and cotton is to be converted into slaves. The labor of the miserable negro is to procure fresh companions of his wretchedness."<sup>88</sup>

Not only was Randolph repulsed by the idea of increasing the slave population by foreign importation, he also feared the consequence of such actions. He articulated this concern in the aforementioned letter to Tazewell, by stating, "I tremble for the dreadful retribution which this horrid thirst for African blood, which the legislators of that state are base enough to feel and yet more base to avow, may bring upon us." He ended his discourse on slavery with the statement, "It behooves Virginia, in my opinion, to look to the consequences."<sup>89</sup> Randolph maintained that Congress possessed the right to prohibit the importation but not the power to regulate what owners could or could not do with their private property. He feared the consequences of attempts of the federal government to control slavery, He warned, "If ever the time of disunion between the states should arrive, the line of severance would be between slaveholding and non-slaveholding states." Randolph ended this rather prophetic speech with a plea that the northern states "remain neutral: and that they not erect themselves into an abolitionist society."<sup>90</sup>

Macon, never wrestled with the qualms concerning slavery as Randolph did. He supported the part of the bill that sought to end the inhumane foreign commerce; however, he took the floor often and argued tirelessly against several amendments to the bill, which to his way of thinking gave authority to the federal government that rightly belonged in the hands of the state. Macon showed more fire in these speeches than usual and lashed out at those who opposed his position. The bill ended in a compromise, which said that the states in which illegal slaves were confiscated had the authority to determine their disposal. The legislation resulting from this agreement passed by a 113 to 5 vote, satisfying both Macon and Randolph's republican ideals by not strengthening federal authority at the expense of state governments.<sup>91</sup>

The longstanding relationship between Randolph and Macon continued even when they differed on some points. As always, the two often disagreed over details of such issues as the proper parliamentary procedure, but their agreement on the principles of republicanism remained strong. Randolph's actions showed that he bore grudges against the Jefferson administration and was not willing to put them behind him. Macon on the other hand seemed prepared to let bygones be bygones, and forgive past transgressions. Macon wrote to Nicholson, "I shall regret very much to differ with Randolph on any great question during the present situation, but I must follow my own judgment, and I know that course will satisfy him and I hope every friend I have on earth."<sup>92</sup> Macon did not intend to oppose administration measures because of events in the past or to please his dear friend. There is no indication that Randolph ever expected Macon to follow him, nor did Randolph seem upset when Macon disagreed with him

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<sup>87</sup> Ibid., 347.

<sup>88</sup> John Randolph to Littleton Waller Tazewell, January 8, 1804, Randolph Papers. Virginia State Library.

<sup>89</sup> Ibid.

<sup>90</sup> Ibid., 627.

<sup>91</sup> *Annals of Congress*, Ninth Congress, Second Session, 486.

<sup>92</sup> Nathaniel Macon to Joseph H. Nicholson, January 31, 1807, Joseph Nicholson Papers, Library of Congress.

When the second session came to an end, Andrew Gregg proposed the traditional resolution of gratitude to the Speaker. Macon had served in that capacity for three terms, and, once again, the vote was unanimous. His tenure as Speaker was marked with a high degree of impartiality, a stringent insistence on adherence to parliamentary rules, procedures, and precedents, and a reverential observance of the dignity of the House of Representatives. Thus, ended the most influential and powerful years of the Republicans who held fast to the Revolutionary era ideals.