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POLITICS AND FACTIONS, 1789-1801

by

RUDOLPH MARK BELL

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## CHAPTER I

### THE ANALYTICAL FRAMEWORK: THEORY AND METHOD

Historians have found, in the period 1789-1801, America's first two party system. This structure, apparently not foreseen by the Constitution makers of 1787, sprang from a division within the Washington Administration. The Hamilton and Jefferson controversy, fed by the need to win elections, blossomed into the Federalist versus Republican split over the Jay Treaty and the death struggle, for the Federalists at least, of the Presidential election of 1800. Recent historiography has emphasized party structure and machinery rather than broad ideological considerations. Nevertheless, from Bancroft to the present, the analytical framework for discussion of politics in the 1790s has remained the two party system. Several notable contributions have recently been made which, in general, support the two party approach.

William Nesbet Chambers, a political scientist, has cleared away much confusion by offering a coherent theoretical model against which to measure political parties. He notes four basic conditions, all of which existed in some degree in the 1790s, as necessary for party development: (1) complexity and differentiation in society and in the economy, (2) mass styles of conducting politics, (3) the existence of a common political arena, and (4) the need to conduct business in a predictable manner.<sup>1</sup>

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<sup>1</sup>William Nesbet Chambers, Political Parties in a New Nation: The American Experience, 1776-1809 (New York: Oxford University Press, 1963), pp. 7-16.

The difficulty with his approach is that it leads to the treatment of party mechanics as an end in itself without sufficient consideration of the important question of what positions were taken on key issues and why they were taken.

David Hackett Fischer, in a brilliant analysis of the later years of Federalism, distinguishes three types of Federalists. However, he relates the three groups primarily to election tactics and party machinery rather than to positions taken on significant issues.<sup>2</sup>

Manning Dauer, in the Adams Federalists, clearly attempts to relate individuals to issues. In doing so, he divides Republicans and Federalists into two sub-groups or, as he calls them, moderates. The economic bias seen by many critics of Dauer's work does not diminish the importance of his emphasis on the issues. However, his analysis, conducted between 1931 and 1953, does suffer from a necessary lack of the quantitative tools and high speed computing devices that are essential for the type of study he attempted.<sup>3</sup>

Noble Cunningham's work on the rise of the Republican party centers around one key figure, James Madison. Congress is analyzed in terms of "Madison's followers," a designation that the author equates with "Republican party" and Madison's opponents, who must be relegated to the other side, or the Federalists. Those whose voting records cannot be

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<sup>2</sup>David Hackett Fischer, The Revolution of American Conservatism: The Federalist Party in the Era of Jeffersonian Democracy (New York: Harper & Row, 1965), Appendix II.

<sup>3</sup>Manning Dauer, The Adams Federalists (Baltimore: John Hopkins Press, 1953), pp. 267-274.

correlated with Madison's are classified as non-party. When Madison's own voting record is inconsistent, the author assumes that parties do not exist.<sup>4</sup> It is obvious that Cunningham's analysis must run into difficulty whenever delegates do not cohesively vote with or against Madison or, as will be shown, whenever Madison himself is inconsistent.

Paul Goodman recently warned that "early parties were not autonomous institutions, but hastily formed, loose alliances of individuals and groups."<sup>5</sup> He does not, however, pursue the search for these groups and their temporary alliances.

Historical writings on the 1790s have failed to answer two essential questions. Where did political leaders stand on the key issues of the period and why did they stand where they did? Discussion of parties and use of the terms Federalist and Republican attempt, implicitly or explicitly, to answer these two questions. The queries remain unresolved because of the shortcomings of the evidence used and the inadequacy of analysis through a two party structure.

The evidence used by most studies of politics in the 1790s consists of private correspondence, newspapers, and election pamphlets. It is apparent that such evidence, so rich in personal biases, has not led, by itself, to acceptable conclusions. The Presidential election of 1796 has been treated as a party affair. Yet Thomas Jefferson, perceiving the possibility of a tie vote, urged the shifting of votes to Adams because "he

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<sup>4</sup>Noble Cunningham, The Jeffersonian Republicans: The Formation of Party Organization, 1789-1801 (Chapel Hill: University of North Carolina Press, 1957), pp. 9-13.

<sup>5</sup>Paul Goodman, "The First American Party System," in William Chambers and Walter Burnham (eds.), The American Party Systems: Stages of Political Development (New York: Oxford University Press, 1967), p. 86. His earlier work, The Democratic Republicans of Massachusetts: Politics in a Young Republic (Cambridge: Harvard University Press, 1964), reaches somewhat different conclusions.

has always been my Senior."<sup>6</sup> Apparently the nation's leading Republican was not much of a politician. It is of considerable note that most of our information about Federalist politicking comes from Republican sources. Sordid details about Republicans come, more often than not, from their Federalist opponents. The foremost politicians of the period, such as Aaron Burr, De Witt Clinton, and John Beckley, inspired the distrust and contempt of their friends as well as their enemies.<sup>7</sup> If the leaders of the 1790s were engaged in party formation, they were doing so unconsciously and unwillingly. Their own record of their efforts, in terms of private and public correspondence, is sometimes contradictory and seldom impartial. It is essential, therefore, to weigh such evidence against the hard reality of voting on key issues of the day.

A more serious encumbrance in the attempt to find out where men stood, and why, has been the use of a two party framework for analysis. A basic rule of logic has been forgotten: never assume as given what one is setting out to prove. The most recent example of this error is Lisle Rose's Prologue to Democracy. The author assumes that Federalists exist as a meaningful, cohesive group but he never defines them beyond consistent use of the term "friends of government" as the equivalent of Federalist.<sup>8</sup> Every political leader in the 1790s, it is quite certain, considered himself a friend of government (though not of everyone in the government). When the terms Federalist and Republican are applied to individuals they fail, too often, to explain where men stood on key issues. Edward

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<sup>6</sup>Stephen G. Kurtz, The Presidency of John Adams: The Collapse of Federalism, 1795-1800 (New York: A.S. Barnes & Co., 1961), p. 200.

<sup>7</sup>Goodman, "The First American Party System," p. 88.

<sup>8</sup>Lisle A. Rose, Prologue to Democracy: The Federalists in the South, 1789-1800 (Lexington: University of Kentucky Press, 1968), *passim*.

Livingston of New York, for example, was a Republican. Yet, during the Jay Treaty Congress, he consistently voted for the Federalist program of expanding the navy. Samuel Smith of Maryland was that state's leading Republican; he voted for the Jay Treaty. Such examples are not atypical. As will be shown at length, party labels consistently failed to coincide with actual voting positions. Even when party label and voting position did coincide, there was not a cause and result relationship between the two.

This analysis, therefore, quantifies and evaluates a major source of evidence, roll calls recorded in the United States House of Representatives, without assuming the existence or non-existence of political parties. The results of this analysis clearly show that a number of distinct factions, of differing longevity, level of cohesion, and reason for existence, operated throughout the period 1789-1801. When several of them allied on a major issue, or on a string of related questions, the combined result took on the appearance of a party and, in the latter part of the decade, accepted the designation Federalist or Republican. They eventually combined to elect national officers. Even when this occurred, the factions that had allied did not lose their separate identity. They could and did break away, sometimes joining an opposing alliance, sometimes disintegrating in the face of strong countervailing pressures. The purpose of this study is to isolate these factions, trace their strengths and weaknesses, and thereby reach certain conclusions about the politics of the period.

The use of a quantitative approach and primary reliance on roll calls in the House of Representatives inflicts a few limitations on this

study. Factional alignments on local matters are not considered except to the extent that these local groups also operated in national affairs. For example, the complex pressures that manifested themselves in Virginia's state government are not specifically treated unless they spilled over into the realm of national politics. The voice of the little people--the unnamed farmers, artisans, and laborers--is not listened for unless it was heard and magnified by a national representative. The counting of votes, where only three alternatives are possible--yea, nay, and not voting--limits the possibility of portraying the nuances of political attitudes and positions.

This last limitation is native to the quantitative approach. The reduction of ideas to a numeric formula, no matter how complex the mathematics employed, tends to blunt the fine points of discussion. A computer cannot read between the lines of a letter or capture the emotions of heated debate. Added to the limitations of the computer are those natural to the historian: he must be content with the data that exists. No roll calls were recorded on the Tariff Bill of 1789, Funding in 1790, or on taxing stock transfers in 1793. These are only several of the many gaps that exist, and while they do not make conclusions impossible, they do create special problems. Computers can also be used to provide a thin veneer of scientific jargon for purely subjective ruminations. Errors in basic assumptions can invalidate an otherwise well-formulated analysis. Notwithstanding these shortcomings, however, the quantitative approach can add a degree of objectivity to the historian's quest for answers that is not possible using the more traditional methods. The success of quantification is directly related to two factors--the degree to which the subject

matter can be reduced to numbers while maintaining its full meaning and the care with which assumptions are made, controlled, and compensated for.

The laboratory for the present effort to identify national political blocs is the House of Representatives. The data put under the microscope is the vote of each member of the House on every roll call recorded in the years 1789 through 1801, or First Congress First Session through the Sixth Congress Second Session. The House of Representatives was chosen primarily because it was the largest national institution, subject to local interests, that operated throughout the period. The district represented by a particular delegate can be identified and, with some reservations, votes can be taken to represent the position of the district. The smaller size of the Senate and the unavailability of detailed proceedings and roll calls in that body make it less useful as a vehicle for quantitative analysis. Study of the House is also more revealing than analysis of other national institutions because its entire membership was subject to change every two years, and in this election process the "will of the people" was more clearly visible than in other national elections. It provided, more accurately than any other body, the common arena necessary for party development.

The problem of assumptions is especially critical in quantitative analysis because ultimate results are so heavily determined by initial method. The assumptions made in the present effort are justified by the nature of the data and have been rigidly controlled.

The first methodological axiom is that all roll calls are given equal quantitative importance. This assumption need not, however, dissuade the investigator from casting aside certain votes on the basis that they are insignificant or redundant. In the normal course of parliamentary

maneuver the same basic issue may arise several times, though often with interesting minor variations. In the First Congress, for example, the choosing of temporary and permanent sites for the federal government resulted in thirty-seven roll calls, or more than one-third of all those recorded. Therefore, any purely quantitative summary of votes will be dominated by this issue whereas, while these roll calls show an important sectional alignment, there are other questions, voted upon only once, that are of at least equal significance.

Although initial raw data included all votes, the narrative that follows does not devote equal space to each roll call. The possibility of error in interpreting voting behavior cannot be eliminated completely, but it is rigidly controlled by the presence of the raw data. Let us return to the case of locating the capital. If all thirty-seven roll calls reveal identical patterns of divisiveness, the votes are redundant. However, if patterns change on one or more of the thirty-seven roll calls, then location of the capital cannot be considered a single issue; its component parts must be dealt with individually. In fact, there is a break in these thirty-seven roll calls. It occurred as a result of vote trading on assumption and shows Pennsylvania delegates voting against their geographic interest in favor of establishing the capital on the Potomac.

The advantage of allowing the method to prove itself by including all roll calls, even those that appear redundant or inconsequential, is obvious when compared with the alternative of pre-selecting key issues. Noble Cunningham, for example, selected thirty-six roll calls (out of 102 that were recorded) in his analysis of party voting in the Second Congress.<sup>9</sup>

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<sup>9</sup>Cunningham, Jeffersonian Republicans, p. 270.

To highlight these thirty-six may be reasonable, but to eliminate completely the other sixty-six is difficult to justify. Even if a roll call initially appears to be redundant or inconsequential, it is more accurate to prove this contention by including the roll call in the initial quantitative analysis than to begin by making value judgments about the data. The crux of the matter is that selecting and weighing of votes should never be done until after they have been computerized and quantified. The only way to accomplish this is to begin by assigning equal quantitative importance to all votes.

Another major assumption made in this study, related to the first, is that all representatives are of equal importance. It is neither impossible nor undesirable, after letting the numbers project their cold and impersonal results, to look for conclusions about key men—Madison, Gallatin, Ames, Livingston—but the votes of such giants must not be given excess quantitative weight, for they, like their colleagues, were representing one district and all Congressional districts were of equal size and significance. Earlier monographs have concentrated upon the influence of key men. Using votes on selected roll calls, they contend that they have isolated groups such as Madison's followers, Randolph's Quids, and Calhoun and Clay's War Hawks. The difficulties with such an approach are that it may fail to determine whether the group existed before its leader came along, it may exclude roll calls where the group fell apart, and it may not continue to look for the group after the leader is gone. The group's association with the leader, in fact, may be temporary and incidental. In the maze of Congressional votes, it is always possible to find the followers of anyone who is not in a minority of one. The problem is

whether groups vote together primarily because of one man's leadership or because they adhere to the same principles. The principles upheld may have a notable spokesman, but this does not make him the raison d'être of the faction. In this study the intent is, as far as possible, to neutralize the significance of the individual and to view events, instead, in socio-economic terms by emphasizing regional characteristics, economic background, and the district represented rather than the representative.

The third important assumption concerns the significance assigned to a vote. The principle chosen was: affirmative vote equals +1, negative vote equals -1, and an abstention equals zero. The objection to such a technique that can be raised immediately, and has some validity, is that not all opposition is of equal strength of conviction, that supporters range from lukewarm to avid, and that abstention can mean almost anything. Political science and sociology have provided several tools to assist in determining the degree of support for a particular question. One such tool is cluster bloc analysis, which involves relating roll calls to a broad question. For example, votes on separate parts of a tariff bill are clustered together and delegates are assigned positions relative to the entire cluster rather than separately considered in terms of their votes on each particular of the question. Cluster bloc analysis is sometimes modified by Guttman scaling, which arranges specific roll calls according to the degree of commitment reflected in voting upon them.<sup>10</sup> An earlier technique, used in all the quantitative work done on the period 1789-1801, is to select key roll calls, choose which side is Federalist or Republican (Cunningham does this by assigning Republicans to the position of Madison),

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<sup>10</sup>Valdimer O. Key, A Primer of Statistics for Political Scientists (New York: Crowell, 1954) contains a useful summary and appraisal of these and other methods.

and then establish a level of consistency that will indicate party voting. Being on the same side 67 per cent of the time has satisfied some historians; others argue for a figure as high as 80 per cent. All of these analytic tools have serious shortcomings.

The method used in this study has not appeared elsewhere. It is specifically designed to execute two basic principles. The first is that since no two roll calls involve exactly the same circumstances, roll calls should never be clustered before quantification of the votes. After all the results are in, separate votes can be related; the component parts, however, are always visible. The second principle is that the level of cohesion necessary to assert bloc voting varies from roll call to roll call. A party or faction does not exist unless it is more cohesive than the body of which it is a part. Since the cohesiveness (per cent voting the same way) of the House of Representatives was different on nearly every roll call, any blocs within the House must be defined relative to a fluctuating scale. No fixed number, be it 67 per cent or 80 per cent, can be justified on objective grounds. In the present effort, voting blocs are always defined in terms of their relationship to other combinations that vary from issue to issue.

Analysis of factions is to be carried out then, excluding no one, ignoring no roll calls, and counting votes in such a way as to assign them no predetermined differential value or meaning. To a great extent, the votes will speak for themselves and the patterns they form could not have been predicted.

A final assumption, necessary to all studies of representative institutions is that a representative actually "represents" his district. Obviously, this assumption has only partial validity. The views of those

who voted against the winner of an election may not be represented at all. There was also a significant tendency, especially on foreign policy questions, for delegates to ignore the sentiments of their district. Indeed, they often took pride in independent thinking on the elitist principle that election meant only that the voters wished their elected representatives to exercise good judgment, without being a tool of the uneducated masses. Moreover, the exercise even of good judgment, often resulted in the trading of votes. Certain examples, such as the vote of two northern Virginia delegates for assumption in exchange for Pennsylvania votes for establishing the national capital on the Potomac, only highlight a widespread practice. All these factors make it necessary to exercise extreme caution in reaching conclusions based on roll call voting; they do not, however, make it impossible. Over a period of several Congresses, the whims of the individual become less significant, and trading of votes tends to balance out. Deviations and even total breakdowns in patterns do occur, but the patterns exist and they can be isolated.

The semantic difficulties in describing these patterns are substantial and necessitate a brief definition of the terms used in this study. The words "faction," "bloc," and "interest group" are used interchangeably to describe a number of delegates exhibiting a significantly higher level of cohesion than the House of Representatives as a whole. The word "party" and the designations Federalist and Republican are used to indicate a combination of factions. The presence or absence of election machinery, nomination caucuses, and the controls often associated with the term party are neither implied nor denied by use of the word. Party is a meaningful concept only if it is defined in terms of roll call voting.

Let us return, then, to the basic questions raised in this study. Where did men, and the districts they represented, stand? Why did they take these positions? An analysis of voting over the whole period suggests certain broad conclusions. There were, throughout the 1790s, four major sources of divisiveness, apart from particular state interests, within Congress. They were: (1) the extent of the national government's authority and the allocation of responsibility within it, (2) what to do about the West, (3) striking a balance between conflicting individual and state economic interests, and (4) the extent and direction of United States involvement in European affairs. Each of these four large issues interacted with the others and roll calls invariably involved complicating factors. Nevertheless, these basic issues were clear and distinct sources of division.

The extent of the national government and allocation of responsibility within it resulted in the earliest and most cohesive divisions of the First Congress. A substantial minority, interstate in character, advocated severe limitations on federal authority. This group was always cohesive on the question of government size but it was not as cohesive on other issues. Thus, it was an issue oriented faction, not a party. The controversy over apportionment during the Second Congress, the Whiskey Rebellion during the Third, the Livingston Resolution during the Fourth, and the Sedition Act during the Fifth and Sixth, involved similar divisiveness based on issue rather than party. The related question of separation of authority within the national government always attracted greater support for limitations on the executive than was given to proposals for reducing the power of the total government. In both cases, as will be shown, it was the issue, not an individual's party label, that explained the positions taken.

The unresolved problem of the West was another major source of division. Speculator interests clashed with those of settlers. The national government competed against the states. The quest for immediate revenue, in part to help pay the national debt, conflicted with the longer range view of the West as a continuing source of wealth arising out of the productivity of its inhabitants. Proponents of law and order in the West opposed those who favored a vigorous solution of the Indian problem. Westerners, an increasingly important force throughout the decade, were highly cohesive on all matters affecting the frontier. They were not as cohesive on other issues. Non-western delegates seldom followed a consistent policy in dealing with the frontier. The West, therefore, gave rise not to party politics but to an issue oriented faction composed of westerners and a series of inconsistent divisions among easterners.

The balancing of conflicting economic interests resulted in significant factional formations. Creditors vied against non-creditors; farmers opposed merchants with artisans and manufacturers somewhere in the middle. However, any simple association of Federalists with creditors and merchants and Republicans with non-creditors and farmers does not work. Although careful districting gave non-farmers more than the 10 per cent representation to which they were entitled in terms of their numeric strength within the total population, farm districts dominated the House of Representatives. Had all agricultural districts been cohesively Republican, their delegates would have won every contested economic issue resoundingly. Such was, of course, not the case. On most roll calls involving economic interests, conflicting considerations were present. Assumption and funding involved

state interest and national authority. Divisiveness on taxation stemmed not only from the article being taxed but also from the use to which the levies were to be put. Thus, the factions that formed during the controversy over the Hamilton program and in later years on taxation were complex and highly issue oriented. They cannot be explained in terms of party label.

The final and most lasting divisions within the House during the 1790s occurred on foreign policy questions. After 1795, beginning with the Jay Treaty, Europe loomed larger on the American scene. The Treaty and then the quasi-war with France dominated politics and overshadowed other sources of division. However, pro-British cannot be equated arbitrarily with the label Federalist, and all Republicans were not in the arms of the French. Factions did form which favored one side or the other. Because foreign policy so dominated the period after 1795, these factions, motivated by an issue, gave the appearance of parties. That is, they voted cohesively over a lengthy series of roll calls. However, closer examination reveals that most of these votes involved the same issue--England versus France. When conflicting interests were brought to bear, new alignments resulted.

During the period before 1795, all four of the divisive elements noted above were involved in the business of the House. Because of the resulting rapid shifts and realignments, historians have taken the view that parties did not exist. In the years after 1795, when the single issue of foreign policy was dominant, they have seen two cohesive parties. However, this picture of random alliances giving way to parties is inaccurate. Voting before 1795 was not random; parties did not control voting after 1795.

The main difference between the politics of the years before and after the Jay Treaty is a difference in the number of times that the four basic causes of divisiveness appeared. The matter of imposing discriminatory duties on English shipping in 1790 was not decided on the basis of party loyalty; party label is equally inadequate as an explanation of divisions on retaliation against French commerce in 1798. Party did not decide the outcome of the attempt to limit the government by drastic Constitutional amendment in 1789; it also fails to explain votes on the Livingston Resolution in 1795.

When the concept of party is defined in terms of positions actually taken on roll call votes, a different picture of politics in the 1790s emerges. The vague terms Federalist and Republican, which fail to determine where men stood and why, are replaced by issue oriented factions precisely defined by votes. These factions, arising from four basic issues, show that the variety and complexity of American society were clearly evident in its politics.

## CHAPTER II

### FIRST CONGRESS: INCOHERENT RAMBLINGS OR SHARP CLEAVAGES?

As Congress assembled in the Spring of 1789, an experiment was launched. No one predicted the results with certainty because details of the governing structure had yet to be explicitly formulated. Even the presence of the revered George Washington as Chief Executive and the determination of all concerned to insure the success of the new government did not assuage the doubts of many that the problems which plagued the Confederation could be solved within the framework of representative national government. The Legislature of Virginia, in requesting action on amendments proposed by the citizens of that state, reminded Congress that while they had "yielded their assent to the ratification [of the Constitution]...they dreaded its operation under the present form."<sup>1</sup> In such circumstances there was a strong tendency to think and act in terms of the past, and the past meant state sovereignty. The identification of early Congressmen with the interests and attitudes held in their own states was a fact, certainly, that could not be ignored. A substantial number of early roll calls in the House of Representatives revealed the pressure exerted by state loyalty: in over half of all

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<sup>1</sup>Annals of Congress, 1 Cong. 1 sess., p. 249. May 5, 1789.

recorded votes, each state cast its ballots unanimously.<sup>2</sup>

The high degree of cohesion exhibited within the individual states on questions ranging from relations with Great Britain to the establishment of a bank has led historians to three basic conclusions about the First Congress: (1) state interest or attachment was dominant, (2) party was not of great significance,<sup>3</sup> and (3) "the ramblings of individual views and shifting relationships were only occasionally joined into blocs representing particular interests."<sup>4</sup>

Such historical commentary notwithstanding, close scrutiny of voting patterns reveals the existence, from the outset, of interest groups which consistently cut across state lines. To define these groups as a "party" with all the attendant implications of machinery and caucus control would be too much, and there may not always be a direct link between these early factions and what later came to be called Federalists and Republicans. But one characteristic of political groupings, certainly, is a unifying ideology. The terms Federalist and Republican connote adherence to a set of principles, however vague, as clearly as they imply political machines and clubs. Certain representatives tended to vote together on ideologically related issues, rather than along purely geographic lines, before the appearance of formally organized political groups. This tendency is significant. State and regional loyalties did exist but they were not strong enough to totally obscure emerging patterns

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<sup>2</sup>A total of 109 roll calls were recorded in the First Congress with North Carolina present for only 73 of them. For states having more than one representative, the number of occasions on which they voted unanimously is as follows: Connecticut 76, Maryland 30, Georgia 91, Massachusetts 42, New Hampshire 51, New Jersey 53, New York 37, North Carolina 39, Pennsylvania 67, South Carolina 40, and Virginia 53.

<sup>3</sup>Cunningham, Jeffersonian Republicans, p. 7.

<sup>4</sup>Chambers, Parties in A New Nation, p. 39.

of voting on the basis of principles subsequently championed by rising political parties. The four sources of divisiveness--size of government, the West, economic policy, and foreign policy--noted earlier, are all evident in the business before the House.

An examination of roll calls recorded in the First Congress reveals these incipient interstate correlations appearing on numerous occasions. The factions thus isolated were of varied strength and longevity. They generally receded in the face of powerful local interest such as on roll calls related to establishment of the national capital. Their levels of cohesion on relatively inconsequential matters such as payment of an annuity to Baron von Steuben are not significant. Each of these factions tended to give rise to an opposing counterpart. Whenever the total vote in the House was close, with a large faction on one side of an issue, the members in opposition also had a high level of cohesion. Thus, the bloc favoring amendments to the Constitution that limited the scope of the national government was consistently opposed by a group that stood for strong central authority; westerners interested in pushing back the Indians met opposition from easterners who did not wish to expend the required money and manpower. Such pairs of factions had one rather direct and simple relationship to each other; their memberships were mutually exclusive. However, the situation was often much more complex. The same delegate was sometimes a member of several different interest groups whose aims clashed; resulting voting patterns show the difficulty experienced by representatives in resolving such dilemmas. The record of James Madison, which will be discussed at some length, is the result of his attempt to adhere to two conflicting interests--his advocacy of a strong central

government and his opposition to Hamilton's economic policies. The relationship of these factions to the parties of the later 1790s and to the combinations of interest that preceded them is difficult to define with certainty. It can be said, however, that the frequent alignment of the same names, the same districts, and the same principles indicates more than a casual or incidental relationship.

The earliest controversy exhibiting significant correlations that transcended purely local interests occurred over the various Constitutional amendments submitted by the states. The general trend of these proposals was to limit the power of the federal government by including in the Constitution guarantees of individual rights and definitions of state powers. In the end the ten amendments constituting the Bill of Rights emerged from the debate; however, these were only a fraction of the amendments proposed by the states. A committee appointed to consider the merits of all suggested changes in the Constitution had reported only a limited number of amendments for action by the House.<sup>5</sup> This procedure was opposed by a small but determined group of delegates who wished to impose severe restrictions on the federal structure. They viewed the process of Constitutional amendment as one means of achieving their goal.

The hard core of this group, clearly revealed on a vote to restrict the power of the federal government to levy direct taxes, consisted of nine representatives--Aedanus Burke, Thomas Sumter, and Thomas Tucker of South Carolina; Issac Coles of Virginia; William Floyd, John Hathorn, and Jeremiah Van Rensselaer of New York; Jonathan Grout of Massachusetts; and Samuel

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<sup>5</sup>Annals of Congress, 1 Cong. 1 sess., pp. 703-763. Among the amendments dropped were: limiting the President to two terms, a representative to six years in eight, yearly election of U.S. Senators, the prohibition of all foreign titles to U.S. citizens, as well as those discussed above.

Livermore of New Hampshire.<sup>6</sup> Unlike most of the Bill of Rights subsequently incorporated into the Constitution, this proposed amendment was designed to hamstring the exercise of federal power. It was defeated by an overwhelming four to one margin. On other related roll calls, however, hard core supporters of curbing national government recruited enough allies to cause some consternation among their opponents.

Several roll calls reveal the dimensions of the controversy. On August 18, 1789 Elbridge Gerry suggested bringing before the whole House all proposed amendments that were not included in the committee's report. It was defeated 34 to 16. Support for Gerry's motion was as follows: Connecticut 2 of 5, Maryland 1 of 4, Massachusetts 2 of 7, New Hampshire 1 of 3, New York 3 of 6, South Carolina 3 of 4, and Virginia 4 of 8.<sup>7</sup> From the vote it appears that in all regions of the country, support existed for the principle of imposing further limitations on the federal structure. The same interstate pattern existed on the vital question of inserting into what became the Tenth Amendment the word expressly as follows, "The powers not expressly delegated by the Constitution, nor prohibited to the States, are reserved to the States respectively, or to the people."<sup>8</sup> The greatest support for a defeated amendment came on the proposal to prohibit Congress from interfering with the times, places, or manner of holding elections of senators and representatives, and again, adherence was on the issue rather than along geographic borders.<sup>9</sup> The amendment specifying "speedy and public trial by jury" was opposed by many of the same delegates because of fear

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<sup>6</sup>Ibid., p. 777. August 22, 1789.

<sup>7</sup>Ibid., p. 759. August 18, 1789.

<sup>8</sup>Ibid., p. 768. August 21, 1789. Support was as follows: Georgia 1, Maryland 1, Massachusetts 4, New Hampshire 1, New York 3, South Carolina 4, and Virginia 3.

<sup>9</sup>Ibid., p. 772. August 21, 1789. Support was as follows: Georgia 2, Maryland 2, Massachusetts 4, New Hampshire 1, New York 4, Pennsylvania 1, South Carolina 4, and Virginia 4.

that it would impose limitations on state court functions.<sup>10</sup>

On all these roll calls, the vote indicated an interstate alignment and a corresponding lack of intrastate cohesion. The only exception is the state of Pennsylvania, whose entire delegation consistently opposed all limiting amendments. Alternative possibilities in explaining the votes on these issues such as large state versus small, self-sufficient against dependent, or region opposed to region are not supported by the ballots.<sup>11</sup> The most logical tentative conclusion is that a minority faction interested in limiting the power of the national government existed throughout the nation. This bloc was cohesive on every roll call dealing with Constitutional amendments. The hard core of the group, as isolated on the tax question, was consistent throughout and included members from all areas of the country. They were joined, in varying degree, by other representatives whose constituencies were also widely scattered. Even these additional supporters, although not as cohesive as the hard core, were not voting randomly. The same names--Elbridge Gerry of Massachusetts; John Page, Samuel Griffin, and Josiah Parker of Virginia; Michael Stone of Maryland; and James Jackson of Georgia--appeared numerous times. TABLE 1 shows the voting records of members favoring limiting amendments. All five roll calls dealing directly with Constitutional amendments are included.

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<sup>10</sup>Ibid., p. 913. September 24, 1789. Opposition was as follows: Georgia 2, Massachusetts 2, New Hampshire 1, New York 3, South Carolina 3, and Virginia 3.

<sup>11</sup>Large state versus small is eliminated by internal splits in Massachusetts and Virginia. Self-sufficient versus dependent is eliminated by the wide difference in district characteristics among the nine hard core anti-federalists. Region opposed to region is denied by the spread of this hard core from New Hampshire to South Carolina.

TABLE 1

VOTES OF DELEGATES FAVORING LIMITING AMENDMENTS<sup>a</sup>

Hard Core Names	Consider All <sup>b</sup> Amendments	Expressly <sup>c</sup> Delegated Power Only	No Federal <sup>d</sup> Interference In Elections	No Direct <sup>e</sup> Taxes	Against <sup>f</sup> Speedy Trial By Jury
Aedanus Burke	Y	Y	Y	Y	Y
Thomas Sumter	Y	Y	Y	Y	Y
Thomas Tucker	Y	Y	Y	Y	Y
Isaac Coles	Y	Y	Y	Y	Y
William Floyd	Y	Y	Y	Y	Y
John Hathorn	Y	Y	Y	Y	Y
Jeremiah Van Rensselaer	Y	Y	Y	Y	Y
Jonathan Grout	Y	Y	Y	Y	Y
Samuel Livermore	Y	Y	Y	Y	Y
Moderate Names					
Elbridge Gerry	Y	Y	Y	N	Y
John Page	Y	Y	Y	N	Y
Samuel Griffin	Y	A	Y	A	N
Josiah Parker	Y	Y	Y	N	N
Michael Stone	Y	Y	Y	N	N
James Jackson	A	Y	Y	N	Y

<sup>a</sup>Y equals an affirmative vote, N equals a negative vote, and A equals an abstention. All delegates not listed in the table opposed limiting amendments more often than they voted for them.

<sup>b</sup>Additional supporters were Roger Sherman and Jonathan Sturges.

<sup>c</sup>Additional supporters were George Partridge, William L. Smith of South Carolina, and George Thatcher.

<sup>d</sup>Additional supporters were Daniel Hiester, George Matthews, Andrew Moore, George Partridge, Joshua Seney, Peter Silvester, William L. Smith of South Carolina, and George Thatcher.

<sup>e</sup>There were no additional supporters on this roll call.

<sup>f</sup>Additional supporters were Theodoric Bland and George Matthews.

The delegates included in TABLE 1, the hard core of nine plus the six who generally supported their position, were opposed by an equally cohesive and somewhat larger group of representatives who consistently favored expansion of central authority. These twenty-eight "nationalists" also drew support from all areas of the country but they were strongest in Connecticut, New Jersey, and Pennsylvania.<sup>12</sup> They all voted against every defeated amendment and also against Gerry's motion to consider other proposals submitted by the states.<sup>13</sup> They were, therefore, 100 per cent cohesive in their opposition to limiting the government by Constitutional amendment. The internal solidarity of each of these two blocs was extremely high--100 per cent for nationalists, 100 per cent for hard core anti-federalists, and 70 per cent for moderate anti-federalists. Delegates in these three blocs accounted for more than 80 per cent of all votes cast on the question.

The amendment roll calls, then, clearly resulted in a sharp factional division in the House, based on the broad issue of the proper scope of central government authority. The problem that remains is to determine whether these factions were cohesive on other issues as well. Defining the high and low points of their solidarity sheds light on their raison d'etre and tests the validity of the tentative conclusion that they were motivated primarily by attitude toward strong centralized authority.

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<sup>12</sup>The state affiliations of the twenty-eight nationalists are as follows: Connecticut 5, Maryland 3, Massachusetts 3, New Hampshire 2, New Jersey 4, New York 2, Pennsylvania 6, and Virginia 3.

<sup>13</sup>The twenty-eight delegates classified as nationalists are: Fisher Ames, Egbert Benson, Elias Boudinot, John Brown, Lambert Cadwalander, Daniel Carroll, George Clymer, Thomas Fitzsimons, Abiel Foster, George Gale, Benjamin Goodhue, Nicholas Gilman, Thomas Hartley, John Laurance, Richard Lee, James Madison, John Muhlenberg, James Schureman, Thomas Scott, Theodore Sedgwick, Roger Sherman, Thomas Sinnickson, William Smith of Maryland, Jonathan Sturges, Jonathan Trumbull, John Vining, Jeremiah Wadsworth, and Henry Wynkoop.

TABLE 2 summarizes voting on fifteen roll calls. It shows that the factions formed during the amendment controversy were not highly cohesive on other basic issues. The selection of these fifteen roll calls is not intended to be all inclusive. It does, however, include high and low limits of group cohesion and a variety of issues, some of which raised the question of strong government and some of which did not.<sup>14</sup>

TABLE 2 divides each of the two factions that dominated the amendment controversy into two sub-groups. The reason for this, as revealed in the chart, is that the two major factions had conflicting interests on other important issues. This is not surprising; it confirms the premise stated earlier that clear and distinct factions formed on the basis of the issue at hand. The nationalist bloc of twenty-eight has been divided into those who favored assumption and those who opposed it. The reason for choosing this split is that the assumption controversy caused a clear break among supporters of strong central authority.<sup>15</sup> Anti-federalists have been divided into those noted earlier as hard core or moderate.

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<sup>14</sup>None of the other roll calls, excluded for the sake of brevity and clarity, modify the conclusions drawn from these fifteen.

<sup>15</sup>The anti-assumption nationalists are: John Brown, Nicholas Gilman, Thomas Hartley, John Muhlenberg, Thomas Scott, and William Smith of Maryland. TABLE 2, and its division of nationalists on the basis of their position on assumption, illustrates one of the major points on which I must take issue with Cunningham, Dauer, et al. It is true that 75 per cent of the 28 nationalists favored assumption. Presented with this fact alone, one might conclude that a party was in the making because of such a high correlation in voting. The more significant fact, it seems to me, is that 100 per cent of 7 nationalists voted against assumption while 100 per cent of 21 other nationalists voted for it. This may seem unnecessarily obvious but only by treating 75 per cent as two opposing groups of 100 per cent each, can the maze of roll call voting ever be untangled. Summaries and party designations based on a range of roll calls can be very misleading. When cohesion levels are less than 100 per cent, one must conclude that (1) delegates were stupid and illogical or (2) they were motivated by conflicting interests. This study assumes the latter possibility and focuses upon conflicting interests.

TABLE 2

COHESION OF FACTIONS FORMED DURING AMENDMENT CONTROVERSY  
(Difference in Percentage of Affirmative Vote)

1=Whole House  
2=Hard core anti-federalists  
3=Moderate anti-federalists  
4=Nationalists who voted for assumption  
5=Nationalists who voted against assumption

Roll Call Number	Description <sup>a</sup>	Groups									
		lvs2	lvs3	lvs4	lvs5	2vs3	2vs4	2vs5	3vs4	3vs5	4vs5
006	Tariff against England	12	12	10	33	0	22	21	12	21	43
008	Money for Indian treaties	21	13	7	17	34	28	38	6	4	10
018	Capital in Pennsylvania	6	33	11	7	39	5	1	44	40	4
035	Greater executive authority	39	6	21	36	33	60	75	27	42	15
038	Public record of slavery debate	31	3	14	33	28	45	64	17	36	19
045	Payment of interest on indents	30	9	3	9	39	33	39	6	0	6
046	Greater executive authority	32	18	24	15	50	56	17	6	33	39
063	No money for Indian treaties	51	18	14	49	33	65	100	32	67	35
075	Capital at Washington	30	31	9	19	61	21	49	40	12	28
079	Reject assumption	20	36	47	53	16	67	33	83	17	100
087	Lower salt tax	19	31	38	19	50	57	0	7	50	57
089	No whiskey tax	3	45	30	20	42	33	17	75	25	50
090	Weaken central authority	64	44	36	22	20	100	86	80	66	14
093	Excise tax	19	22	38	29	3	57	10	60	7	67
097	Establish national bank	9	41	20	5	32	29	14	41	46	15
009, 010, 011, 012, and 029	Amendment controversy	68	38	32	32	30	100	100	70	70	0

<sup>a</sup>For a more complete description of these roll calls, see the Appendix of Roll Call Descriptions.

The numbers in TABLE 2 shed light upon several questions concerning factions formed during the amendment controversy.<sup>16</sup> Votes on location of the capital, the clearest sectional issue raised during the First Congress, reveal the relationship between sectional interest and amendment voting blocs. Any correlation between amendment groups and those that dominated voting on other issues--the West, economic policy, foreign affairs--are numerically defined. Thus, in broad terms, TABLE 2 shows the motivation of amendment controversy factions--whether they were incipient party formations or issue oriented temporary voting blocs.

Roll calls on the sectional issue of locating the capital (numbers 018 and 075) prove that the nationalist (groups 4 and 5) and anti-federalist (group 2) factions that formed on the question of amendments were not sectional or regional. The exception is the moderate anti-federalist bloc (group 3), of whom 83 per cent opposed establishment of the capital on the Susquehanna and favored the Potomac site. Whenever this group appears in TABLE 2 on the question of capital location, cohesion differences are substantial, usually exceeding 34 per cent.<sup>17</sup> The other three factions divided, as did the House as a whole, in a manner consistent with the wide range of districts they represented. Location of the capital was a sectional issue; the amendment controversy factions clearly were not even coincidentally related to section, as revealed in divisions over location of the capital.

Votes on allocation of money to negotiate with Indians (numbers 008 and 063), a position unanimously supported by frontier representatives,

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<sup>16</sup>The numbers in TABLE 2 are the difference in per cent of affirmative votes for the two groups shown at the top of the column. Use of affirmative vote is not crucial (the results are the same using negative vote). The key point is the difference in percentages between the two groups. A crude, but nevertheless useful, rule of thumb for interpreting the numbers is the following: at least two-thirds of one group must oppose at least two-thirds of another group in order to assert significant cohesion. This rule translates to a minimum difference of 34 per cent (67 minus 33).

<sup>17</sup>If the 80 per cent standard of the Rice Index is used, the minimum figure would be 60 per cent (80 minus 20).

show that hard core anti-federalists (group 2) were strongly opposed to such assistance. At this time, then, no connection appears to have existed between westerners and opponents of strong central authority even though both groups ultimately became part of the combination of interests that referred to itself as Republican. A possible explanation of the position of the hard core anti-federalists is that they opposed a significant federal presence in the West because it meant, once again, strong central government.<sup>18</sup> Westerners ultimately came to the same position, but they had not done so in 1790.

Roll calls (numbers 045, 079, 087, 089, 093, and 097) on economic matters indicate a tendency on the part of the two anti-federalist factions (groups 2 and 3) to oppose the Hamilton plan to a greater extent than did the House as a whole (group 1). However, a substantial number of anti-federalists supported the proposals of the Treasury, and no definite link can be established between opposition to strong central authority and opposition to funding, assumption, and increased taxation. The pro-assumption nationalists, on the other hand, were highly cohesive in their support of all aspects of the Hamilton plan. The early emergence of this group, which adhered to two of the basic tenets of the Federalist program of later years--strong central authority and fiscal integrity--clearly demonstrates the ideological origins of the Federalist party. The plight of the anti-assumption nationalists, a small group that included James Madison, is reflected in their widely fluctuating levels of cohesion on

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<sup>18</sup>This possibility is clearly evident in the debate and roll calls of the Second and Third Congresses.

different economic issues.

The question of amending the Revenue Bill to prevent interference by inspectors in local elections (number 090) reveals the continued adherence of these groups to the positions originally taken on the question of central authority. The measure was voted upon nearly two years after the initial amendment controversy, but the solidarity of all factions remained as high as ever.

The roll call voting summarized in TABLE 2 substantiates several conclusions about the opposing factions that developed during the amendment controversy. They were essentially interstate in composition, and sectional attachment was not their motive for voting on the issue of strong central authority (number 018 and 075). Anti-federalists, those favoring limiting amendments, did not support frontier aims (numbers 008 and 063). They were unwilling to curry favor with western delegates by abandoning their position against strong government. Anti-federalists continued to oppose vehemently any extension of central or executive authority (numbers 035 and 090). Although they exhibited a tendency to oppose Hamiltonian economic policy, there was not a high correlation between opposition to strong government and opposition to Hamilton. Apparently the economic interests brought to the foreground by questions of funding, assumption, the bank, and taxation were stronger than attachment to ideological opposition to central authority.

Nationalists, those who opposed limiting Constitutional amendments, were sharply divided between those who favored or opposed assumption. In subsequent Congresses anti-assumption nationalists joined early anti-federalists in opposing strong central authority, but this did not occur

in the First Congress. Pro-assumption nationalists, on the other hand, were highly cohesive in supporting all aspects of the Hamilton economic program.

The tentative conclusion reached earlier, that the factions which formed during the amendment controversy were motivated primarily by position on strong government, is borne out by the relative lack of cohesion that characterized one or more of the same groups on other issues. The substantial cohesion differences between anti-federalists and nationalists that existed on the amendment controversy were never equalled on the representative roll calls shown in TABLE 2. In future Congresses the proper extent of central authority was explicitly or implicitly voted upon many times. The groups that formed on these early votes continued to exert some influence.

TABLE 2 also reveals an essential characteristic of factional voting in the 1790s: it was substantially modified by the nature of the particular issue at hand. Different types of issues, involving different interests, gave rise to different factions.

Questions involving the assignment of responsibility within the national government resulted in voting patterns closely resembling those that occurred during the amendment controversy. Delegates who wished to limit the scope of federal authority generally asserted the primacy of the legislature, particularly the House, over the executive. The early attention of the Senate to the matter of titles for elected officials had alerted defenders of simple republican virtues to the dangerous schemes of those who desired to increase the power and prestige of the chief executive. One King George had been enough.

A particular question that gave rise to factional formation on the issue of executive authority was a Senate amendment allowing the president to issue a general call to the troops of Pennsylvania, Georgia, and Virginia for defense against Indians. The House had previously proposed allowing the calling of no more than a specified number of men from each of the three state militias. Debate centered on presidential authority. Proponents of the Senate amendment argued that such responsibility could be vested safely in the hands of George Washington. Opponents, without openly attacking the President, maintained that the House ought never to give up its control over the army.<sup>19</sup> The casting of ballots found New England backing the Senate amendment by 7 to 4 whereas the rest of the country refused by more than a 2 to 1 ratio.<sup>20</sup> The amendment was defeated by 25 to 16.

Conflicting motivations were involved in this vote. The issue of imposing law and order in the West affected some delegates and will be discussed subsequently. Nevertheless, a pattern reflecting division over how much authority to give the president also emerged. The interest groups formed during the amendment controversy reappeared. Of the ten voting delegates who had favored amendments limiting federal powers, nine voted against this extension of executive authority. Twelve of the sixteen votes in favor of entrusting the president with calling of necessary troops came from delegates who had opposed all limiting amendments. However, patterns

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<sup>19</sup>Annals of Congress, 1 Cong. 1 sess., p. 927. September 28, 1789.

<sup>20</sup>Ibid., p. 928. September 28, 1789. The states voted as follows: Connecticut 3-0, Georgia 0-3, Maryland 3-2, Massachusetts 2-3, New Hampshire 2-1, New Jersey 0-4, New York 3-2, Pennsylvania 1-3, South Carolina 0-3, and Virginia 2-4.

on executive authority were not exactly the same as those on the larger issue of central government. Limiting amendments were defeated; **but a majority favored restrictions on the executive.** Further investigation reveals the reason for this shift.

In the spring of 1790, during the second session of the First Congress, another measure concerning presidential power came before the House. It involved a Senate amendment to a House appropriation bill that provided for a blanket sum, to be dispensed by the president at his discretion, for the payment of all United States officers serving abroad. The original appropriation bill passed by the House contemplated the individual determination, each year, of the amount to be paid to every individual officer and member of his staff. The time that would be needed to decide such miniscule appropriations did not dissuade the House, which exerted its right to control the purse strings by a vote of 38 to 18.<sup>21</sup> Once again the anti-federalists isolated a year earlier during the amendment controversy sprang to the defense of the people. All nine hard core members of the group voted against the Senate proposition. The substantial total by which the House retained its version of the appropriation bill resulted from a split in the ranks of the nationalists, half of whom voted to fully enforce House prerogatives. Thus, two groups that were mutually exclusive and highly cohesive on the extent of central authority took different paths on the question of how to divide that authority between the executive and the legislature. Proponents of limited central authority

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<sup>21</sup>Annals of Congress, 1 Cong. 2 sess., p. 1620. May 27, 1790. The states voted as follows: Connecticut 2-1, Delaware 1-0, Georgia 0-3, Maryland 2-3, Massachusetts 3-5, New Hampshire 0-3, New Jersey 2-2, New York 1-5, North Carolina 0-3, Pennsylvania 3-3, South Carolina 1-4, and Virginia 3-6.

remained cohesive but their opponents did not. This phenomenon, demonstrated early in the First Congress, was to reappear in later years on such major roll calls as the Livingston Resolution in 1795. Whenever it happened, the friends of strong government appeared weak and divided, but when more significant issues arose, their solidarity returned.

It is apparent that, far from being random or purely state oriented, voting patterns in the First Congress revealed the effective formation of interest groups on roll calls involving the size of the central government and the allocation of responsibility within it. Another major source of political alignment was the West. Several roll calls show factional formations, distinct and different than those occurring on other issues, motivated by the unresolved problems presented by the frontier.

Two roll calls dealing with Indian relations demonstrate the **beginnings of a bloc supporting frontier aims.** It generally has been considered a sectional one but its voting record throughout the 1790s indicates common adherence to certain principles which, although not unrelated to geography, were held by delegates from other areas as well. An appropriation of \$40,000 to be used in the negotiation of Indian treaties, a figure considered exorbitant by its opponents, was passed by a vote of 28 to 23. Massachusetts and New Hampshire were unanimously opposed, and the entire Georgia delegation was favorable. New York, New Jersey, Connecticut, and Maryland were completely split while Pennsylvania, Virginia, and South Carolina were overwhelmingly favorable.<sup>22</sup> Nearly a year later a move was made to do away with "bribe" money in conducting Indian relations. The

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<sup>22</sup>Annals of Congress, 1 Cong. 1 sess., p. 703. August 12, 1789. The states voted as follows: Connecticut 3-2, Georgia 3-0, Maryland 2-3, Massachusetts 0-7, New Hampshire 0-2, New Jersey 2-2, New York 2-3, Pennsylvania 6-1, South Carolina 3-1, and Virginia 6-2.

motion was narrowly defeated by 27 to 26. On this occasion no state was unanimous although New Hampshire, Massachusetts, North Carolina, and South Carolina favored elimination of bribe money by a three to one ratio. Pennsylvania and then Virginia opposed its elimination strongly; the other states were split.<sup>23</sup> The switching of individuals and of entire states on these two roll calls is indicative of the complexity of voting patterns. Nevertheless, cohesive groups emerge in these two votes.

One consists of fourteen delegates who voted against authorizing money for treaty negotiation in the first place, and after being defeated, voted for the amendment a year later that would have done away with the bribe money.<sup>24</sup> Fully half of this group strongly favored amendments to the Constitution limiting federal powers; none came from the frontier. The group did not have any other common characteristic, and it may be tentatively concluded that its votes were governed by lack of interest in Indian affairs combined with a desire to limit the scope of the central government whenever possible. Money for treaties with hostile savages had previously been granted by the state legislatures directly concerned.

Opposing this bloc were nineteen representatives who initially voted for the appropriation and subsequently voted not to eliminate the money.<sup>25</sup> All six delegates to the First Congress who spoke for the West

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<sup>23</sup>Annals of Congress, 1 Cong. 2 sess., p. 1646. June 21, 1790. The states voted as follows: Connecticut 3-2, Georgia 1-2, Maryland 2-3, Massachusetts 4-1, New Hampshire 2-1, New Jersey 1-3, New York 4-2, North Carolina 3-1, Pennsylvania 1-4, South Carolina 3-1, and Virginia 2-7.

<sup>24</sup>The group included: William Floyd, Elbridge Gerry, John Hathorn, Daniel Hiester, George Leonard, Samuel Livermore, Josiah Parker, James Schureman, Theodore Sedgwick, Joshua Seney, Roger Sherman, Jonathan Sturges, Thomas Sumter, and Jeremiah Van Rensselaer.

<sup>25</sup>The group included: Abraham Baldwin, Egbert Benson, John Brown, Lambert Cadwalander, Thomas Fitzsimons, George Gale, Samuel Griffin, Thomas Hartley, John Laurance, Richard Lee, James Madison, George Matthews, John Muhlenberg, John Page, Thomas Scott, William L. Smith of South Carolina, John Steele, Jonathan Trumbull, and Jeremiah Wadsworth.

were part of this group. It is not at all surprising that these men-- Abraham Baldwin, John Brown, George Matthews, John Page, Thomas Scott, and John Steele (not present on the earlier roll call)--voted together, since they had a common interest in establishing peace with the Indians. Two significant pressures accounted for the votes of the remaining proponents of treaty money. Pennsylvania and Virginia had been struggling with hostile Indians for years and their representatives were generally only too glad to get some assistance from the federal government. A second influence, one that is more difficult to isolate, was the desire of nationalists favoring strong central authority to impose law and order in the West. Ten of the thirteen non-westerners voting for bribe money were classified earlier as nationalists on the basis of their opposition to all amendments limiting federal powers.<sup>26</sup> This nationalist position, which became a part of the Federalist party program, in favor of establishing a strong government presence on the frontier, eventually clashed with the aims of westerners who desired a free hand in running their affairs. This clashing of interest was largely responsible for the ultimate alliance of the West with those forces opposed to the Federalists.

Imposition of law and order in the West was a major consideration in a roll call that resulted in the parting of the two blocs that had combined to provide for Indian treaty money. The particular question, discussed earlier, was a Senate amendment allowing the president to call an

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<sup>26</sup>The group consisted of: Egbert Benson, Lambert Cadwalander, Thomas Fitzsimons, George Gale, Thomas Hartley, John Laurance, Richard Lee, James Madison, Jonathan Trumbull, and Jeremiah Wadsworth.

unspecified number of troops for defense against Indians. Although the need to impose law and order upon white settlers was not mentioned in the debate that preceded the roll call, the voting pattern that resulted indicated the relevance of the question. Of the six frontier delegates who had voted for Indian treaty negotiation money, none favored protection by federal militia, even though the possibility of danger was a very real one. The ten nationalists, who had previously voted with frontier delegates on bribe money, on the other hand, overwhelmingly supported the Senate amendment, which had the effect of extending federal authority on the frontier.

Thus, First Congress roll calls gave rise to three distinct factions motivated by attitudes toward the West. Frontier delegates advocated federal assistance but not control of the West. Nationalists (as defined by unanimous opposition to limiting Constitutional amendments) favored federal assistance only to the extent that it served to impose law and order in the West. Anti-federalists opposed increased central authority in the West because it violated their principle of restricting national power and, probably, because of their lack of deep concern with frontier problems. --

The factions discussed thus far were concerned primarily with domestic matters, especially the extent and structure of the national government. However, the source of the most serious and lasting divisions of this period was the controversy over America's relationship with England and with France. Roll call evidence is scarce in the First Congress concerning the formation of interest groups on foreign policy questions. Nevertheless, the later significance of these groups makes it worthwhile

to examine early trends. Any conclusions, however, must be qualified and tentative because of the lack of sufficient evidence.

Passage on June 24, 1789 of a bill establishing a Department of Foreign Affairs did not give rise to any new factions.<sup>27</sup> The probable appointment of the pro-French Thomas Jefferson to the post of Secretary of State was not a factor in debate on the bill, and apparently it did not sway any votes. The roll call clearly reflected interests that formed during the amendment controversy. Twelve of fourteen opponents of strong central authority voted against the bill establishing the Department of Foreign Affairs. Twenty-one of twenty-three nationalists voted for the measure. The vote did not imply a position for or against any particular European nation.

The only other roll call recorded in the First Congress that related to foreign affairs concerned the imposition of higher tonnage duties on the trade on nations not having a commercial treaty with the United States. The Tariff Bill of 1789, as originally passed by the House (without recorded roll calls except on duration of the bill), included discrimination against non-treaty nations, principally Great Britain. James Madison led this effort against England, knowing that it meant commercial warfare and believing that the United States, through its greater austerity and virtue, would emerge as a victorious commercial power. During more difficult economic times under the Articles of Confederation, New England merchants, who stood to gain from such discrimination while southern planters bore the brunt of higher tonnage duties,

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<sup>27</sup>Annals of Congress, 1 Cong. 1 sess., p. 591. June 24, 1789. The states voted as follows: Connecticut 1-3, Delaware 1-0, Georgia 0-2, Maryland 3-2, Massachusetts 3-5, New Hampshire 1-1, New Jersey 4-0, New York 3-2, Pennsylvania 6-0, South Carolina 2-3, and Virginia 5-4.

had advocated the plan Madison was now backing. But prosperity was now returning, and commercial warfare with Great Britain appeared to be a dangerous game. Nevertheless, discrimination initially passed the House. The Senate, however, struck out this clause in its version of the tariff bill, and so the measure returned to the House with the added complication of rivalry between the two legislative bodies. Debate centered primarily on the House's submitting to the will of the Senate, and this may have influenced some votes.<sup>28</sup> However, the crucial underlying question of favoring France against England was also reflected in the voting. Discrimination was defeated by 31 to 19. New England and New York gave the majority its greatest support with only Jonathan Grout of Massachusetts, John Hathorn of New York, and Jonathan Sturges of Connecticut voting to retain the House version of the bill. Georgia and South Carolina, far removed from New England geographically and politically, also contributed to the majority, the lone exception being Thomas Sumter, who often found himself opposed to the rest of South Carolina's delegation. The remaining states favored discrimination by a five to three ratio.<sup>29</sup> With the exception of Georgia, whose vote on this one roll call is totally out of its normal pattern, most future areas of opposition to England are clearly visible.

The tendency of delegates from Pennsylvania and Virginia to vote in the same way and in opposition to the Administration, which has some-

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<sup>28</sup>Ibid., pp. 615-617. July 1, 1789.

<sup>29</sup>Ibid., p. 618. July 1, 1789. The states voted as follows: Connecticut 4-1, Georgia 3-0, Delaware 0-1, Maryland 2-3, Massachusetts 6-1, New Hampshire 2-0, New Jersey 2-1, New York 4-1, Pennsylvania 2-4, South Carolina 3-1, and Virginia 3-6.

times been ascribed to the debate over assumption,<sup>30</sup> may also have gained strength from this even earlier common position on relations with Great Britain. The votes of Sumter and Grout are particularly significant as one link in the chain of minority positions taken by these two representatives in the First Congress. Grout took a much more extreme position than did his better known colleague, Elbridge Gerry, but failed of re-election. Sumter was to become a staunch supporter of the republican principle even as other South Carolinians became more consistent in supporting the administration.

The most significant conclusion that may be drawn from the vote eliminating discrimination is that there was no substantial correlation between opposition to England and opposition to expansion of federal authority. Half the anti-federalists isolated on the question of Constitutional amendments supported discrimination and half were opposed. Therefore, they were more favorable to discrimination than the House as a whole but not to a sufficient degree to fully associate the two positions, even though both were to become important tenets of the Republican party.

The votes of New York's delegation highlight the lack of correlation between foreign policy groupings and positions on size of government. Half of New York's representatives unanimously supported Constitutional amendments that would have weakened federal authority. However, on the issue of discrimination, only one delegate voted to retain restrictions directed against England. This apparent contradiction (in terms of traditional party lines) disappears when the central framework for analysis of voting behavior is issue oriented factionalism rather than party discipline.

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<sup>30</sup>Joseph Charles, The Origins of the American Party System (Williamsburg, Va.: The Institute of Early American History and Culture, 1956), pp. 20-23.

Several tentative conclusions may be reached concerning factions arising out of foreign policy debate, the third major source of divisiveness in the 1790s. The blocs that formed were distinct and different from those which dominated voting on other issues. Frontier delegates were split, the South was divided, and New England did not take a unanimous position. Foreign policy groupings did not correspond with any sectional interest. The pattern on the tariff discrimination roll call also differs substantially from those that were to occur when funding and assumption were voted upon. At this time, then, although the question of discrimination against England gave rise to issue oriented factions, these blocs were apparently quite fluid. Discrimination originally passed (the margin was not recorded) but was subsequently defeated by a three to two ratio. The two characteristics--fluidity and distinctiveness--which appeared in First Congress voting on foreign policy foreshadowed the nature of later votes on the Jay Treaty and on war with France.

Before turning to the remaining work of the First Congress, action on Hamilton's plans to provide for the economic welfare of the new government, a detailed review of James Madison's voting record is in order. His pattern is one of the most inconsistent in the entire First Congress. Except for the debate over assumption and the bank, when he clearly opposed the Hamilton plan, Madison voted for identifiable administration measures more often than he voted against them. He opposed the efforts of the faction trying to protect states rights by amending the Constitution; he favored increasing the power of the chief executive.<sup>31</sup> He played a leading part in the unsuccessful attempt to discriminate against trade with Great Britain but was equally prominent in his support of nearly all proposed ways of

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<sup>31</sup>Annals of Congress, 1 Cong. 1 sess., pp. 703-763, 768, 777, 913, and 928.

obtaining revenue through domestic excise taxes.<sup>32</sup> In order to display Madison's voting record against the factional groupings that existed in Congress, TABLE 3 contrasts his votes with those of Fisher Ames, a future Federalist of note, and with those of Thomas Sumter and Isaac Coles, who are chosen as examples of highly consistent voting with the anti-federalist faction that existed. In the third session of the First Congress, Sumter and Coles were absent more than half the time; therefore, the votes of Thomas Tucker and Timothy Bloodworth, two equally reliable anti-federalists, have been used instead for the third session only. TABLE 3 includes every recorded roll call in the First Congress except those on location of the capital, which are excluded because of their disproportionate number and because the primacy of local interest on that issue made interstate factional voting impossible.

TABLE 3  
MADISON'S VOTING

Pairing	Voted the same way	Voted against each other	One or both abstained
Madison and Ames	31	32	8
Madison and Sumter-Tucker	31	25	15
Madison and Coles-Bloodworth	34	25	12
Ames and Sumter-Tucker	15	45	11
Ames and Coles-Bloodworth	13	49	9
Sumter-Tucker and Coles-Bloodworth	49	7	15

It is hardly surprising that a "Madison following" did not exist. Madison had apparently not yet found his own role and ideology. His lack of consistency, however, is not characteristic of the rest of Congress, although it has misled observers into assuming that unifying ideologies

<sup>32</sup>Ibid., p. 618. Annals of Congress, 1 Cong. 3 sess., p. 1884.

did not exist.<sup>33</sup> Factional behavior stemming from four basic sources of divisiveness, in terms of actual members as well as positions taken and areas represented, came into being without the exercise of effective leadership. A vacuum existed toward which natural leaders gravitated, but the men who came to symbolize the ideals of Hamilton and Jefferson were exactly that--symbols.

The plans of Alexander Hamilton to provide for the economic well-being of the nation occupied a prominent place in the business before the First Congress. Alignments that occurred during debate over the Treasurer's program are of great significance in the politics of the 1790s. Economic interest was one of four major sources of divisiveness. It broke the nationalist versus anti-federalist pattern that had dominated previous roll call voting. However, the same patterns do not exist on every one of Hamilton's policies, and it is essential to consider each of the major phases separately. In terms of recorded roll calls, four separate questions existed: funding, assumption, the national bank, and domestic taxation. Each of these gave rise to different factions, although some delegates adhered to a consistent bloc on all four issues.

No roll call was recorded on funding of the national debt, the first essential part of Hamilton's plan, but several related questions were voted upon. One such measure was the action taken on old Continental money, most of which was in the hands of speculators. Hamilton had advised its redemption at forty to one,<sup>34</sup> which gave a high return to its holders.

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<sup>33</sup>Cunningham, Jeffersonian Republicans, p. 9. Cunningham's emphasis on Madison has led him to certain conclusions about the First Congress which are simply not supported by the votes. Madison's followers were cohesive even without Madison.

<sup>34</sup>E. James Ferguson, The Power of the Purse: A History of American Public Finance, 1776-1790 (Chapel Hill: University of North Carolina Press, 1961), p. 295.

The House finally adopted the Senate's proposed ratio of one hundred to one; the issue was whether even one hundred to one gave too much to the speculators, and so a negative vote on the roll call generally indicated a desire for an even higher ratio or else the position that Continental money should not be redeemed at all. The one hundred to one ratio, supported by 14 of 15 in New England and opposed by 18 of 25 in the South, was decided by New York, New Jersey, and Pennsylvania. These three states collectively favored the one hundred to one ratio by 10 to 6.<sup>35</sup> The Middle Atlantic region may be considered as a deciding factor because, as will be shown, the other areas of the country took fairly consistent positions on all economic matters while the middle states were sharply divided. The earlier blocs of nationalists against anti-federalist were clearly not operating on this vote; support for one hundred to one redemption came from fourteen nationalists, ten anti-federalists, and seven members who had not consistently aligned themselves with either side.

The interests that existed on this roll call were powerful enough to break up previous patterns. These new groups resulted from a complex variety of factors. On the surface state interest appears dominant, as "proven" by the large number of states that voted unanimously. However, two considerations must be raised concerning such a conclusion. The first is that state interest should have been greatest on assumption, whereas, in terms of roll call voting, higher levels of cohesion were reached on other aspects of the Hamilton program, such as establishment of a national bank. A second consideration involves the definition of what constitutes

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<sup>35</sup>Annals of Congress, 1 Cong. 2 sess., p. 1619. The states voted as follows: Connecticut 3-1, Georgia 0-3, Maryland 2-4, Massachusetts 8-0, New Hampshire 3-0, New Jersey 3-1, New York 5-1, North Carolina 0-4, Pennsylvania 2-4, South Carolina 4-1, and Virginia 1-6.

state interest. The term implies an interest primarily related to the state as a geographic entity. Thus, holding of Continental money by the state government of Massachusetts, which entitled the state to credits in the settlement of accounts, represented a clear state interest. Co-existing with this factor was the interest of many private citizens of Massachusetts who were, in one form or another, potential or actual creditors of the federal government. It was more than coincidence that most of the new nation's creditors lived in the area from Philadelphia northeast to Boston, but the primary interest of this group was not to the state in which they resided but, rather, in receiving payments on their security holdings. The separation of state interest from private creditor interest is virtually impossible in terms of roll call voting because the same delegates represented both interests. However, a debtor versus creditor or, more precisely, a non-creditor versus creditor alignment did exist. It encompassed both individual and state economic interest.

An indication of this creditor versus non-creditor pattern came on a subsequent roll call to pay back interest on Continental money after it had been funded at one hundred to one. The date from which interest would be calculated was not specified, but debate implied a starting date of 1781. Such a plan would have resulted in an added windfall for the speculators holding these "worthless" scraps of paper. It was too extreme, however, and was heavily defeated. The Middle Atlantic region was the key as nine of the ten delegates who had voted for the one hundred to one ratio opposed this radical amendment.<sup>36</sup> On the other hand, Massachusetts and New Hampshire, supported by South Carolina, unanimously favored the payment

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<sup>36</sup>Ibid., p. 1620. May 26, 1790. Support for the measure was as follows: Massachusetts 8, New Hampshire 3, New York 1, and South Carolina 3.

of interest. Their votes reflected the economic interests of certain residents of the states as well as of the state governments themselves.

Two other roll calls related to funding show the formulation of somewhat different patterns that more clearly indicate creditor versus non-creditor, have versus have-not, groupings. These votes were occasioned by differences between the House and Senate over rate of interest on indents and the time when interest should commence on those securities to be issued under the funding program upon which payment of interest was to be deferred to a later period. The Senate proposed an interest rate of 3 per cent on indents whereas the House had agreed to 4 per cent.<sup>37</sup> Voting positions of every delegate were identical with those on the question of paying interest on the new deferred stock after seven years, as the House proposed, or after ten years, as the Senate had agreed upon. Eventually the House gave way, according to Theodore Sedgwick, because it would have been unwise to commit the new government to more than it could possibly pay. The members who opposed the lower rate on indents and the longer freeze on payment of interest included ardent Hamilton supporters such as Fisher Ames, Egbert Benson, and Jonathan Trumbull; on the other hand, they included several of the Treasurer's notable opponents. The votes of these opponents--Issac Coles, James Jackson, James Madison, John Page, and Thomas Sumter--against the Senate proposals are not explained in the debate. It is hardly possible that these delegates agreed with Fisher Ames's contention that the 3 per cent figure was "a manifest and glaring violation of the contract between the Government and its creditors."<sup>38</sup> Possibly Madison hoped

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<sup>37</sup>Ibid., pp. 1716, 1717. July 29, 1790. Indents were certificates for interest due on old securities during the Confederation.

<sup>38</sup>Ibid., p. 1715. July 29, 1790.

to make the cost of funding national obligations so high that it would become impossible to assume state debts.<sup>39</sup>

Support for the higher interest rate on indents and the shorter deferral of interest on new stock apparently came from two distinct groups, which were opposed to each other on other economic questions. TABLE 4 shows the two separate groups, as identified by a subsequent vote on assumption.

TABLE 4

CHARACTERISTICS OF THE TWENTY-SEVEN DELEGATES WHO VOTED  
FOR A HIGHER INTEREST RATE ON INDENTS AND A SHORTER  
DEFERRAL OF INTEREST ON NEW STOCK

Characteristic	Against assumption	For assumption
Total number	17	10
Classified as nationalists	2	10
Classified as anti-federalists	7	0
Favored 100 to 1 ratio on Cont. money	5	7
Opposed 100 to 1 ratio on Cont. money	10	3
Favored national bank	7	9
Opposed national bank	7	1
Favored domestic excise taxation	2	10
Opposed domestic excise taxation	10	0
Represented New England	1	5
Represented Middle Atlantic	2	4
Represented the South	14	1

Seventeen delegates, who voted against assumption, favored the higher interest rate on indents and the shorter deferral of interest on

<sup>39</sup>Ferguson, Power of the Purse, p. 301.

new stock.<sup>40</sup> This group, predominantly from the South (14 of 17, see TABLE 4), which had few indents, was generally opposed to strong central government (7 of 9). They opposed funding of Continental money at one hundred to one by a vote of 10 to 5. They were evenly divided on the question of establishing a national bank (7 against 7) but were solidly opposed to the revenue bill imposing domestic excise taxes (10 of 12). This inconsistent position, in favor of increasing government expenses by voting for higher interest rates while opposing plans for obtaining revenue, can only be explained in terms of a desire to burden the national government to the extent that taking on further obligations would become impossible.

For entirely different reasons, a group of ten delegates also supported higher interest rates on indents and earlier payment of interest on new stock.<sup>41</sup> This bloc, all of whom had voted against restrictive Constitutional amendments (10 of 10, see TABLE 4), represented the area from Philadelphia northward (9 of 10) and unanimously favored assumption. They voted for funding of Continental money by a margin of 7 to 3. 90 per cent advocated a national bank and all ten voted for the revenue bill. The group clearly stood for strong central authority and fiscal integrity.

Proponents of a lower interest rate and longer deferral of interest on new stock also came from two groups having different motives. TABLE 5 summarizes some key differences between the two blocs.

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<sup>40</sup>The seventeen are: Timothy Bloodworth, Issac Coles, Benjamin Contee, Nicholas Gilman, John Hathorn, James Jackson, James Madison, George Matthews, Andrew Moore, John Page, Josiah Parker, Joshua Seney, John Sevier, William Smith of Maryland, John Steele, Thomas Sumter, and Jeremiah Van Rensselaer.

<sup>41</sup>The ten are: Fisher Ames, Egbert Benson, Abiel Foster, Elbridge Gerry, John Laurance, James Schureman, Peter Silvester, Jonathan Sturges, Jonathan Trumbull, and Alexander White.

TABLE 5

CHARACTERISTICS OF THE THIRTY-THREE DELEGATES WHO VOTED  
FOR A LOWER INTEREST RATE ON INDENTS AND A LONGER  
DEFERRAL OF INTEREST ON NEW STOCK

Characteristic	Against Assumption	For Assumption
Total number	12	21 <sup>a</sup>
Classified as nationalists	4	12
Classified as anti-federalists	4	3
Favored 100 to 1 ratio on Cont. money	3	15
Opposed 100 to 1 ratio on Cont. money	8	4
Favored national bank	6	14
Opposed national bank	5	6
Favored domestic excise taxation	3	17
Opposed domestic excise taxation	8	2
Represented New England	1	8
Represented Middle Atlantic	5	6
Represented the South	6	6

<sup>a</sup>Daniel Huger did not vote on assumption, but debate clearly indicates that he favored the plan and, therefore, he is included in this category.

Twenty-one delegates voted for assumption and in favor of longer deferral of interest on new stock.<sup>42</sup> They opposed higher interest rates on indents only on the practical ground argued by Theodore Sedgwick--the government simply could not afford to pay any more without risking the defeat of assumption. The group overwhelmingly favored strong central authority (12 of 15, see TABLE 5). They backed the other important aspects

<sup>42</sup>The twenty-one are: Aedanus Burke, Lambert Cadwalander, Daniel Carroll, George Clymer, Thomas Fitzsimons, George Gale, Benjamin Goodhue, Jonathan Grout, Daniel Huger, Benjamin Huntington, Richard Lee, George Leonard, George Partridge, Theodore Sedgwick, Roger Sherman, Thomas Sinnickson, William L. Smith of South Carolina, George Thacher, Thomas Tucker, John Vining, and Henry Wynkoop.

of Hamilton's economic program: funding of Continental money by 15 to 4, establishment of a national bank by 14 to 6, and domestic excise taxation by 17 to 2. The delegates in this bloc came from all areas of the country: 8 from New England, 6 from the Middle Atlantic states, and 6 from the South.

Twelve delegates who favored longer deferral of interest on new stock subsequently voted against assumption.<sup>43</sup> They were divided on the question of drastic Constitutional amendments limiting the scope of the national government (4 against 4, see TABLE 5) and on the establishment of a national bank (6 against 5). They opposed other aspects of the Hamilton program by a vote of 8 to 3. Only one of the twelve delegates in this group came from New England.

A total of four distinct voting blocs result from a combination of the roll call on interest rates on indents with that on assumption: (1) delegates for higher interest rate and for assumption, (2) delegates for higher interest rate and against assumption, (3) delegates for lower interest rate and for assumption, and (4) delegates for lower interest rate and against assumption.

This complex pattern occurred because of the distinctly different economic interests--public and private--involved. Assumption provided the greatest gain to Massachusetts, Connecticut, and South Carolina. Delegates from these states did not wish to risk the defeat of assumption by greedily adding one per cent to the interest rate on indents. The funded federal debt involved in deferral of interest on new stock was

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<sup>43</sup>The twelve are: John Ashe, Abraham Baldwin, John Brown, William Floyd, Samuel Griffin, Thomas Hartley, Daniel Hiester, Samuel Livermore, John Muhlenberg, Thomas Scott, Michael Stone, and Hugh Williamson.

distributed in the Middle Atlantic states and in New England. Pennsylvania, New York, and New Jersey gained more from funding than from assumption. They were more willing than New Englanders to risk the defeat of assumption by voting for a more expensive funding plan (shorter deferral of interest on new stock and a higher interest rate on indents). Patterns were obscured still further by the votes of those delegates who opposed or favored all of the Hamilton plan without consistent regard for the interests of their particular state. Fisher Ames of Massachusetts, for example, surely favored assumption; yet he risked its defeat by voting for the more expensive funding plan. Thomas Scott came from Pennsylvania, a state that gained from funding; yet he opposed both assumption and the more expensive funding plan.

TABLE 6 summarizes by state the four blocs formed by combining votes on assumption and funding (these are the same four groups shown in TABLE 4 and TABLE 5).

TABLE 6

## STATE DISTRIBUTION OF COMBINED FUNDING-ASSUMPTION FACTIONS

State	Pro-assumption & for more expen- sive funding	Anti-assumption & for more expen- sive funding	Pro-assumption & for less expen- sive funding	Anti-assumption & for less expen- sive funding
Connecticut	2		2	
Delaware			1	
Georgia		2		1
Maryland		3	2	1
Massachusetts	2		6	
New Hampshire	1	1		1
New Jersey	1		2	
New York	3	2		1
North Carolina		3		2
Pennsylvania			3	4
South Carolina		1	3	
Virginia	1	5	1	2
Total	10	17	21	12

It is of considerable note that every state delegation was internally divided.<sup>44</sup> The reasons for divisiveness varied from state to state, but certainly a simple state interest conclusion is inadequate as an explanation of voting patterns on funding and assumption. Emerging political parties cannot account for the **common votes of Theodore Sedgwick and Aedanus Burke, or Abraham Baldwin and Thomas Hartley, or Fisher Ames and Alexander White.** One hesitates to conclude that the delegates did not know what they were doing or that they were trying to confuse future historians. What, then, accounts for this four-way pattern?

Several factors are involved. The ten delegates in Group 1 (see TABLE 6) supported the principle that all debts should be fully paid and previous interest commitments honored. They did so even on minor issues (3 or 4 per cent on indents) that endangered major questions (assumption). The twelve delegates in Group 4 (see TABLE 6) supported the principle that old debts should not be paid in full, at least not by the federal government. They opposed all aspects of the Hamilton plan, including those that assisted their own states. The delegates in Groups 2 and 3 acted less from principle than from practical considerations. One per cent more or less on indents and a three year delay in interest payment on new stock were not as important as assumption. Group 2 hoped to prevent assumption by raising the cost of funding. Group 3 hoped to smooth the way for assumption by reducing the cost of funding. Both groups took tactical positions on funding, which was sure to pass anyway, in preparation for the assumption fight which was yet to be resolved.

Assumption was the most controversial aspect of Hamilton's policy

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<sup>44</sup>Delaware, with only one delegate, is a necessary exception.

and also, for many members, the one that involved the hardest decisions. In addition to economic considerations and the implication of strong national government, there was the added difficulty of weighing the plan in relation to prior state action on debts. There was, further, the vexing question of the general settlement of accounts that should have eliminated any possibility of inequities in assumption. However, fear was widespread that this redistribution of debt incurred during the Revolution would never actually take place. The result was that more than half the states had a tangible economic interest in this feature of Hamilton's plan. South Carolina, Massachusetts, and Connecticut were strong backers of assumption while Maryland, Virginia, North Carolina and Georgia were opposed.<sup>45</sup> The remaining states, as their voting pattern reveals, were less deeply concerned.

Despite the great pressure of state interest, the final votes on assumption reveal that in the South ideological patterns were not totally obscured by state interest. Thomas Sumter of South Carolina voted to reject assumption in the crucial 32 to 29 vote of July 24, 1790 thus breaking, once again, with the remainder of his delegation.<sup>46</sup> Apparently his proto-republican principles overruled the interests of his state. Two Marylanders, Daniel Carroll and George Gale, opposed the majority in that state and voted with the Hamiltonians, as did Michael Stone of Maryland on the next occasion that assumption was voted upon.<sup>47</sup> In

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<sup>45</sup>Ferguson, Power of the Purse, pp. 307-322. Ferguson clearly shows the importance of state interest in all but the middle states.

<sup>46</sup>Annals of Congress, 1 Cong. 2 sess., p. 1710. July 24, 1790.

<sup>47</sup>Ibid., p. 1712. July 26, 1790.

fact, the only southern state to vote unanimously on the issue was North Carolina. The situation in Virginia was complicated by the famous bargain between Hamilton, Madison, and Jefferson that traded Pennsylvania votes to locate the capital on the Potomac for the support of Virginia's Richard Lee and Alexander White on assumption. Even excluding the two traded Virginia votes, however, about the same total would have resulted had all southern supporters of assumption been present. Daniel Huger of South Carolina, who was absent, definitely favored the plan, and Theodoric Bland of Virginia, who had passed away, had expressed support.<sup>48</sup>

State interest was stronger in New England than in the South or, at least, unanimous voting was more common. Only New Hampshire divided as two of the state's three delegates voted against assumption. In doing so, Nicholas Gilman and Samuel Livermore thought they were expressing the best interests of their state, but such pressures did not sway Abiel Foster who voted for the Hamilton plan. Foster consistently favored strong central authority, law and order in the West, a powerful chief executive, and full payment of all financial obligations.

The exceptions to state interest voting--Foster in New Hampshire, Sumter in South Carolina, and several delegates in Virginia and Maryland--are not predominant but they are significant. In each case, these "exceptions" voted in accordance with principles and interests that reflected the factional nature of legislative voting behavior. The men involved had consistently supported views which they adhered to even though they ran contrary to state interest.

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<sup>48</sup>Charles, The Origins of the American Party System, p. 21.

The pressure of ideology was more evident in New York and Pennsylvania, states which did not have an important stake in the question of assumption. The three New Yorkers isolated as hard core anti-federalists during voting on amendments all opposed assumption while the remaining three delegates who favored the plan had voted with the nationalist bloc. The same three to three split occurred on the revenue bill and on roll calls related to the imposition of limitations on presidential authority.<sup>49</sup> The division in Pennsylvania was similar to earlier ones such as that on discrimination against British trade, that had shown signs of consistent adherence to principle. Thus, in the midst of the issue on which the highest degree of state cohesion could be expected, there are several signs of the influence of the other basic sources of divisiveness that characterized politics in the 1790s.

The question of establishing a national bank illustrates even more sharply the pivotal position of New York, New Jersey, and Pennsylvania. Noble Cunningham has argued that the vote on the bank, following in the wake of the assumption controversy, is evidence of early straight party voting or following of the Madison lead.<sup>50</sup> Considering, however, the geographic distribution of anti-federalist voting that occurred on earlier roll calls, the breakdown on this issue leads to rather the opposite conclusion: that a high level of state and regional cohesiveness governed the vote rather than ideological divisions suggestive of future party patterns. The economic interest blocs that had formed on funding and assumption (see TABLES 4 and 5 above) were broken.

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<sup>49</sup>Annals of Congress, 1 Cong. 1 sess., pp. 777, 928. August 22, 1789 and September 28, 1789. Annals of Congress, 1 Cong. 3 sess., p. 1884. January 25, 1791.

<sup>50</sup>Cunningham, Jeffersonian Republicans, p. 13.

TABLE 7 shows the total vote of each state for and against establishment of a national bank on all four roll calls dealing with the question.

TABLE 7  
STATE VOTING ON ESTABLISHMENT OF A NATIONAL BANK

State	For Bank	Against Bank	Cohesion Level (%)
Connecticut	20	0	100
Delaware	3	0	100
Georgia	0	12	100
Maryland	7	17	71
Massachusetts	27	4	87
New Hampshire	12	0	100
New Jersey	16	0	100
New York	24	0	100
North Carolina	5	13	72
Pennsylvania	28	0	100
South Carolina	2	10	83
Virginia	2	27	93
Total	146	83	64

Particularly in the critical Middle Atlantic region, any alleged party patterns were stated. On four different roll calls, this area unanimously supported a national bank and even exceeded the cohesiveness of New England.<sup>51</sup> As with other aspects of Hamilton's program, the support of New York and Pennsylvania made the difference between success and failure.

The strength of the new government, and the successful implementation of funding and assumption, required the establishment of a secure source of revenue. Hamilton's decision to press for an excise tax, particularly the levy on domestically distilled spirits, outraged the same

<sup>51</sup>Annals of Congress, 1 Cong. 3 sess., pp. 1894, 1902, and 1960. February 2, 1791; February 3, 1791; and February 8, 1791. Journal of Congress, 1 Cong. 3 sess., p. 240. February 8, 1791.

segment of the population and section of the country that made no gain from assumption.<sup>52</sup> Eastern and foreign speculators had reaped huge profits from the debt, so the argument ran, and now the yeomen farmers of the interior had to pay for it. There were a number of votes taken on the issue of obtaining revenue, but none is more indicative of early opposition to the excise on domestic distillers than the roll call on an amendment to levy duties only on imported spirits. The delegations of Georgia and North Carolina were unanimously for the amendment, while all of New England, New York, and New Jersey were as strongly for keeping the domestic tax as well.<sup>53</sup> Pennsylvania split along intrastate regional lines. George Clymer, Thomas Fitzsimons, and Henry Wynkoop, all from the Philadelphia area, wanted to retain the domestic tax on whiskey. They were opposed by three representatives from the interior. Virginia voted for the domestic tax by five to three, the minority consisting of two western delegates and one from the southeastern part of the state. Thomas Sumter formed his usual minority of one in South Carolina and voted to eliminate the tax on domestic spirits, while Michael Stone was the only one of three Maryland representatives voting who favored keeping the levy. The breakdown on this roll call is not as indicative of divisions along factional or state lines as it is a function of whether or not extensive distilling operations were being carried on. This crass economic motivation is also of prime importance in other votes on revenue; there was a widespread tendency to favor taxing what other districts pro-

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<sup>52</sup>Charles, The Origins of the American Party System, p. 21.

<sup>53</sup>Annals of Congress, 1 Cong. 3 sess., p. 1870. January 17, 1791. The states voted as follows: Connecticut 0-4, Delaware 0-1, Georgia 3-0, Maryland 1-2, Massachusetts 0-7, New Hampshire 1-2, New Jersey 0-4, New York 0-5, North Carolina 4-0, Pennsylvania 3-3, South Carolina 2-1, and Virginia 3-5.

duced or consumed and to oppose levies that might hit close to home. This perfectly natural phenomenon makes voting on revenue bills an unreliable indicator of cohesion on other matters until Congress became so well organized that it was able to form effective compromise packages that could be supported or opposed by large groups of delegates out of loyalty to broader interests.

The final vote on passage of the revenue bill, nevertheless, shows the influence of the creditor versus non-creditor pattern, the anti-federalist versus nationalist groupings, and the state economic interests exhibited on earlier roll calls. The bill was passed by 35 to 21.<sup>54</sup> New England's affirmative vote was unanimous, but all other areas were divided. John Hathorn and Jeremiah Van Rensselaer of New York had voted against assumption, in favor of drastic Constitutional amendments, and against unrestricted executive authority; they voted against the revenue bill. The split in Pennsylvania was exactly the same interior versus coast division that had occurred on Jackson's earlier motion to remove the duty on domestic spirits. The South, except for Virginia, was predictably opposed to the bill; the exceptions were William L. Smith of South Carolina and Daniel Carroll of Maryland, both of whom supported all aspects of the Hamilton program. Virginia divided evenly as Madison, Lee, Griffin, and White voted for the excise bill. Lee and White had been involved in the vote trading on assumption and had opposed limitation of the federal structure by Constitutional amendment. Their records indicate

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<sup>54</sup>Ibid., p. 1884. January 25, 1791. The states voted as follows: Connecticut 5-0, Delaware 1-0, Georgia 0-3, Maryland 1-3, Massachusetts 8-0, New Hampshire 3-0, New Jersey 4-0, New York 4-2, North Carolina 0-4, Pennsylvania 3-3, Rhode Island 1-0, South Carolina 1-2, and Virginia 4-4.

that they may not have found it too difficult to vote for assumption. Madison's inconsistent record has been discussed at some length but it might be noted that this roll call occurred after the assumption controversy and only a week before the bank question was finally resolved.

A survey by state on this roll call shows that local economic interest was not predominant. It gave way to a combination of non-regional groups. Nationalists who consistently favored strong central authority and voted for assumption, unanimously voted for the revenue bill. Anti-federalists, who voted for restrictions of the national government, were predominantly opposed to a domestic excise.<sup>55</sup> Overlapping this division of interests were the state economic interest and the creditor versus non-creditor patterns isolated during voting on funding of Continental money and payment of interest on indents. All twenty-one opponents of the revenue bill had previously voted against significant aspects of Hamilton's plans. Proponents of domestic excise levies came primarily from supporters of the Treasurer.

By the time it adjourned, the First Congress had gone far toward establishing the lines of direction that would be followed in later years. Before the existence of any formal party organization, common voting patterns had developed on key issues. Local and regional differences had not been so overpowering as to totally obscure the emergence of general principles to which members consistently adhered. The limitation of government functions, the supremacy of the legislative branch closest to the electorate, the relationship of the moneyed classes to the yeomen farmers, and America's attitude toward Europe had all been debated and

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<sup>55</sup>See the factions discussed earlier in connection with the amendment controversy and TABLE 2 summarizing voting on fifteen key roll calls.

voted upon. While all agreed that the best interests of the country as a whole had to come first, there was sharp disagreement over how to achieve this end. These differences produced voting blocs that were clearly discernible in the nationalist versus anti-federalist division on amendments, in the solidarity of the West on Indian matters, in the beginnings of sharp cleavage on foreign policy questions, and in the creditor versus non-creditor patterns that appeared during voting on the Hamilton plan. The continuation of these four issue oriented blocs into the Second Congress indicates that, far from being rambling, inconclusive, and inconsistent, the divisions of the First Congress laid the foundations for later political developments.

## CHAPTER III

### SECOND CONGRESS: THE HARDENING OF FACTIONAL LINES

The formation of interest groups in the First Congress was the result of several factors; some were complementary, others contradictory. Individual preferences and peculiarities played a relatively small role, although the beginnings of personal feuds and friendships can be observed. State ties certainly affected voting, as demonstrated on roll calls dealing with assumption and establishment of a national bank. Geographic characteristics were of major consequence on many votes. The clearest example of this factor is the united interest of the West on matters dealing with Indians. Broad ideological and philosophical positions, although difficult to define, serve to explain a wide variety of votes. The anti-federalist position on drastic Constitutional amendments, the high cohesion of Hamilton's supporters on fiscal questions, and the desire of some members to fully enforce the rights and prerogatives of the House all exemplify the importance of ideology. Particular provisions and compromises in individual roll calls, although not usually the sole factor in formation of interest groups, always modified them. The interplay of these different factors explains the voting patterns of a particular Congress. However, in analyzing political developments over a period of years, the election process must be considered.

Election of the entire House of Representatives every two years resulted in substantial modification of voting patterns within Congress.

Each of the factors noted above was affected by election changes. Personal friendships could not be renewed when old allies suffered defeat at the polls. Ties with local government politics were modified by election of opposing factions. For example, the interests of the state of Pennsylvania were interpreted differently by the Philadelphia friends of Robert Morris than they were by representatives from western parts of the state. Conflicting geographic characteristics often existed in the same district with the result that opposite votes from the same area might, nevertheless, both be motivated by the forces of geography. This was particularly true of Maryland, where old planting interests clashed with the commercial needs of Baltimore. Factions held together primarily by adherence to common principles were also modified by the election process. The association between the will of the constituent and the ideologies expressed by his representative was not always one of cause and result, although it was never a casual or incidental relationship.

The problem created for the researcher by the bi-annual procedure of going to the people is to determine the extent to which elections altered the process of group formation in the House. For the purpose of the present study, elections are analyzed only as an extension of the political events that occurred in the House itself. They are not considered in themselves but rather as bridges between Congresses. Relative to the abundance of quantitative data available in analyzing group formation within the House, very little information exists about individual elections even though cumulatively they resulted in substantial modification of voting patterns in the House. Despite a certain lack of evidence, however, elections must be considered in any attempt to postulate conclusions about political groupings extending over several years. Before turning to the particular changes that resulted from the House election of 1790, a few

general trends applicable to the entire period seem worthy of note.

Throughout the decade certain districts showed a remarkable tendency to return the same men to the House again and again. Even when a new name finally appeared, there was often no change from the political affiliations and voting pattern of his predecessor. These "safe" districts existed in every section of the country. Generally, representatives from safe districts were more consistent in their voting than other delegates. They also tended to adhere to more extreme positions--the highest of the high Federalists and the most democratic Jeffersonians came from safe districts in Charleston, most of Massachusetts, western Pennsylvania, and Virginia. The only characteristic common to all these areas was their internal unity of interest among that segment of the population having an effective political voice. Eastern Massachusetts was dominated by men of commerce, Charleston by its merchants, Virginia by well-to-do planters, and western Pennsylvania by yeomen farmers. Other interests existed in these areas, but they were not strong enough to vie successfully for representation.

On the opposite end of the spectrum from the safe districts, there were areas that consistently failed to re-elect their delegates. In these instances, a new name often meant new associations and changed voting patterns. Representatives from these "swing" districts were less cohesive in their attachment to interest groups in Congress. They seldom defended the extreme side of an issue. Among the notable swing areas were New York, New Hampshire, Vermont, much of Maryland, and parts of North Carolina. Shifting populations and clashing interests were common to all these regions. New Hampshire and Vermont, the frontier of New England, were torn between

the stable religious and political values of their neighboring states and the needs of life in a sparsely populated newly developing area. New York was the scene of bitter feuds among ruling families that reflected deeper divisions arising from conflicting commercial and agricultural ties. The northern and western parts of the state added frontier complications to the picture. The clash of the planter aristocracy centered on the eastern shore with the rising commercial interests of Baltimore caused constant changes in the voting pattern of Maryland's representatives and in the composition of the delegation itself.

These general trends are amply demonstrated in the particular changes that resulted from the election of 1790. More than half of the House membership returned, but this rate was not evenly distributed among the states.<sup>1</sup> In New England the only new member whose views differed substantially from his predecessor was Artemus Ward, who replaced Jonathan Grout. The latter had supported Hamilton's economic plans but in all other matters had voted with the anti-federalist faction in the House. Ward consistently voted for administration-sponsored legislation.

Except for Virginia, which returned nine of its ten delegates, and South Carolina, where only Aedanus Burke was not re-elected, the turnover rate in the South was higher than in New England. Two of Georgia's three delegates did not return, but this did not affect the state's voting pattern, which remained anti-federalist. The two new members from North

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<sup>1</sup>For states represented in the First Congress, the number of returning members was as follows: Connecticut 3 of 5, Delaware 1 of 1, Georgia 1 of 3, Maryland 1 of 6, Massachusetts 6 of 8, New Hampshire 2 of 3, New Jersey 1 of 4, New York 3 of 6, North Carolina 3 of 5, Pennsylvania 4 of 8, Rhode Island 1 of 1, South Carolina 4 of 5, and Virginia 9 of 10.

Carolina were to become important leaders of opposing groups in Congress: William Barry Grove tended to vote with administration supporters while Nathaniel Macon became a staunch Republican. Five out of six Marylanders were elected to the House for the first time, and the state's voting pattern remained as confused and contradictory as ever. The conflict of interests within the state was well represented by its delegation.

Turnover rates were highest of all in the Middle Atlantic region. New Jersey, electing on a statewide basis, sent three new members and returned only one, Elias Boudinot. The state had generally supported strong central government and fiscal integrity in the First Congress. However, its new members, especially Abraham Clark and blacksmith Aaron Kitchell, held somewhat different views. The state's third new delegate, Jonathan Dayton, voted with administration forces more often than he voted against them but he never consistently supported any faction in the House. Half of Pennsylvania's delegation was new but no net change occurred as the loss of Philadelphia's George Clymer and Henry Wynkoop was offset by the departure of John Peter Kuhlberg and Thomas Scott. Among the new members, John Kittera staunchly supported the administration and William Findley was equally firm in his opposition to it. The other two, Andrew Gregg and Israel Jacobs, were less cohesive. Gregg, who remained in Congress more than a decade, was nominally a Republican. His voting record, however, is illustrative of the high degree to which voting was primarily a function of the issue at hand rather than of party affiliation. All three New York delegates who had favored limitation of the national government and the president and who had opposed assumption failed to return. One of their replacements was a staunch administration supporter; the

other two tended to waver between factions. The result was that the New York delegation, especially on economic matters, voted consistently with the Massachusetts-Connecticut position.

While it is not possible to ascribe a precise weight to the importance of election changes relative to other factors modifying the nature and strength of interest groups, it is probable that, except for New York, they were not as significant as the differing quality of issues that arose in the Second Congress. The Hamilton plan providing for the economic well-being of the country had been approved, and no major alteration was feasible. The success of the national government in its initial two years and the acceptance by the states of the Bill of Rights made it inadvisable to tamper unnecessarily with the lines along which the system was evolving. Relations with European powers were, for that era, at a remarkably quiet level despite growing concern over the excesses of revolutionaries in France. Thus, several major chances for offering alternative directions had disappeared and disagreement focused upon details of implementation in which general ideologies played a lesser role. Several questions arose that resulted in sharp divisions but, even in these, possible factional considerations were overshadowed by obvious local interests. Despite these factors, which contributed to a breakdown of patterns that had begun in the First Congress, there were discernible continuities.

Four major patterns, as we have seen, arose from the votes of the First Congress. No new ones were added in the Second; however, some modification occurred in each of the four groupings. These changes resulted from a combination of shifting interests at local and regional levels, and the different principles involved in the particular issues voted upon.

Appearing initially during the amendment controversy in 1789, an anti-federalist versus nationalist split had dominated the early action of the First Congress. The essence of that division had been the anti-statism of proponents of limitations on the national structure. Their position had been fairly consistent throughout the 1780s. It involved an unwillingness to delegate power and a certain degree of trust in the political judgment of the people, especially those who owned some land.<sup>2</sup> Nationalists, many of whom ultimately accepted the label Federalist, felt just as strongly that "mobocracy" was the greatest single danger to a free people and that constant restraints were needed to check the will of a capricious and unreliable majority. At the core of these restraints was a strong and remote central authority. Differing degrees of trust in the common man existed on both sides but an essential difference in philosophy remained. A basic division on how much restraint to impose on the central government clearly existed in the Second Congress. The issue changed but the factions that arose, and their reason for existence, were the same in both Congresses. Delegates who desired to enlarge the functions of the House and limit the powers of the chief executive had constituted a related group in the First Congress. This faction had strong ideological ties with, and included many of the same men who, opposed strong central authority in the First Congress and favored increased House representation in the Second. The group united on a variety of roll calls aimed at placing the House above the administration in the minds of the people and in the functions of government.

Another basic grouping in 1789 had resulted from debate on foreign policy. Indications of later division into pro-English and pro-French

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<sup>2</sup>Merrill Jensen, The New Nation: A History of the United States During the Confederation, 1781-1789 (New York: Alfred A. Knopf, 1950), pp. 55 and 399.

factions were present. Again in the Second Congress, relations with Europe did not loom as large as domestic issues, and roll call evidence was not abundant. Nevertheless, the anti-French position of a significant number of hard core supporters of the administration can be observed.

Another group, the frontier delegates, changed considerably in the Second Congress. Their number increased with the admission of Vermont and Kentucky. They continued united in pressing their right to deal with Indians as they saw fit and without restraints from the national government. As a group they did not solidly align themselves with other factions on issues not directly related to the frontier; they were not all democratic Republicans. The opposition of anti-federalists to western aims that was evident in the First Congress diminished considerably. This was indicative of the ultimate espousal of frontier interests by the supporters of Jefferson. On the other side, New Englanders became more consistent in voting to impose strict law and order in the West, a position at odds with the desire of most settlers beyond the mountains.

The last major division in the First Congress had arisen in the debate on Hamilton's economic plans. The inclusion of assumption in those efforts had increased the significance of state ties and obscured, but not eliminated, a more basic creditor versus non-creditor pattern. In the Second Congress, divisiveness stemming from the problem of reconciling a variety of economic interests continued stronger than ever.

In order to weigh the merit of these conclusions about the factions that operated in the House, it is necessary to examine roll call voting in some detail. The continuation of the anti-federalist versus nationalist split under the guise of limiting federal power through increased representation was, perhaps, the most significant division of the Second Congress.

The controversy over apportionment of representatives for the next ten years, based on the census of 1790, began on November 15, 1791. The Senate had proposed the allocation of one representative for each 33,000 inhabitants while the House pressed for a ratio of 1 to 30,000. The effect of the latter version was to increase the size of the House to 120 members from the 105 planned by the Senate with one additional delegate going to Connecticut, Delaware, Maryland, New Hampshire, New Jersey, New York, Pennsylvania, South Carolina, and Vermont. Two additional members were assigned to Massachusetts, North Carolina, and Virginia. Georgia, Kentucky, and Rhode Island were to receive the same number under either plan.<sup>3</sup> On the basis of relative voting strength under the proposals, New Hampshire, Vermont, and Delaware gained the most under the House version while New York, Georgia, Kentucky, Pennsylvania, and Rhode Island should have preferred the Senate plan. This determination is made by dividing the House figure into 120 and the Senate assignment into 105. For example, Delaware's votes would constitute less than 1 per cent (1 of 105) under the Senate plan and nearly 2 per cent (2 of 120) under the House version; Pennsylvania's strength would decrease under the House plan from 12 per cent to 11 per cent. Another consideration, extensively debated, was the degree of disfranchisement that would occur at differing ratios of the House and Senate plans. One might assume that this was a matter of simple arithmetic--dividing 30,000 or 33,000 into the total population of each state. The difficulty was that all suggested ratios left "fractions" of unrepresented citizens.

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<sup>3</sup>Annals of Congress, 2 Cong. 1 sess., pp. 191 and 208. November 15, 1791 and November 23, 1791.

Under the Senate version, districts would range in size from 55,539 to 33,158. Under the House plan, high and low figures were 35,911 and 27,769. TABLE 8 illustrates the effects of the two plans on each state.<sup>4</sup>

TABLE 8  
APPORTIONMENT PLANS

State	Population	Number of Reps		Size of Districts		Unrepresented Fractions	
		House Plan	Senate Plan	House Plan	Senate Plan	House Plan	Senate Plan
Connecticut	273,784	8	7	34,223	39,112	33,984	42,784
Delaware	55,539	2	1	27,769	55,539	-	22,539
Georgia	70,842	2	2	35,421	35,421	10,842	4,842
Kentucky	68,704	2	2	34,352	34,352	8,704	2,704
Maryland	278,514	9	8	30,946	35,502	8,514	20,016
Massachusetts	510,704	16	14	31,919	36,479	31,104	48,706
New Hampshire	177,275	5	4	35,455	44,319	27,275	45,276
New Jersey	215,466	6	5	35,911	43,093	35,466	50,465
New York	331,584	11	10	30,144	33,158	1,584	1,580
North Carolina	385,656	12	10	32,138	38,566	25,656	55,660
Pennsylvania	432,866	14	13	30,919	33,292	12,866	3,861
Rhode Island	68,446	2	2	34,223	34,223	8,446	2,446
South Carolina	-----	(7)	(6)	Census not completed			
Vermont	85,532	3	2	28,506	42,766	-	19,532
Virginia	630,546	21	19	30,026	33,186	546	3,534

An important factor in the controversy, one which counted more than the maze of numbers and percentages, was the expressed desire of several members of the House to increase representation as much as possible and thereby bring the government closer to the people. Virginia's William Giles observed that, "It will only be by increasing the representation that an adequate barrier can be opposed to this moneyed interest." He reasoned, further, that, "The strong Executive of this Government

<sup>4</sup>Ibid., p. 260. December 19, 1791.

ought to be balanced by a full representation in this House."<sup>5</sup> On the opposing side, William L. Smith of South Carolina declared that he had "voted uniformly in favor of a smaller representation than that which was contemplated in the [Senate] bill, and in doing so, he had acted from principles, without any reference to the doctrine of fractions."<sup>6</sup>

That certain members were motivated by adherence to the principle of increased representation, rather than its effect on their particular state, is proved by a review of the votes cast. New Hampshire, Vermont, and Delaware, the states that gained most in terms of the strength of their delegation relative to the whole House from the 120 member plan, consistently voted for the lower Senate figure.<sup>7</sup> New York, Pennsylvania, and Georgia, which would have had greater strength under the Senate plan, initially voted for the House version.<sup>8</sup> In states whose position would have been about the same under either proposal, voting patterns reinforce the significance of the principle of increased popular representation that underlay the controversy. Virginia and Maryland were solidly for the House version whereas Massachusetts always favored the more restrictive Senate amendments. FIGURE 1 gives a state by state summary of voting with and against pro-administration Massachusetts and anti-administration Virginia on all eighteen recorded roll calls on the question of apportionment.<sup>9</sup>

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<sup>5</sup>Ibid., p. 179. November 14, 1791.

<sup>6</sup>Ibid., p. 270. December 19, 1791.

<sup>7</sup>Ibid., pp. 208, 251, 274, and 548. November 23, 1791; December 14, 1791; December 19, 1791; and April 9, 1792.

<sup>8</sup>Ibid., pp. 191 and 208. November 11, 1791 and November 23, 1791.

<sup>9</sup>The roll calls included are numbers 001 through 007, 012, 013, 018 through 021, 023, 033, 035, 047, and 048. For a description of each of these, check the Appendix of Roll Call Descriptions.

FIGURE 1

ROLL CALL VOTES ON APPORTIONMENT

Number of roll calls on which the majority in the particular states listed at the left opposed the majority of the Massachusetts delegation	Number of roll calls on which the majority in the particular states listed at the left voted in the same way as the majority of the Massachusetts delegation
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	1 1 1 1 1		1 1 1 1 1
	8 6 4 2 0 8 6 4 2		2 4 6 8 0 2 4 6 8
Connecticut	X		XXXXXXXXXXXXX
Delaware	XXXX		XXXXXXXXXX
Georgia	XXXXXXXXXXXXXXXXXX		XX
Maryland	XXXXXXXXXXXXXXXXXX		XX
New Hampshire	XXX		XXXXXXXXXXXXXXXXXX
New Jersey	XX		XXXXXXXXXXXXXXXXXX
New York	XXXXXX		XXXXXXXXXX
North Carolina	XXXXXXXXXXXXXXXXXX		XXXX
Pennsylvania	XXXXXXXXXX		XXXXXXXXXX
Rhode Island	XXXX		XXXXXXXXXXXXXXXXXX
South Carolina	XXXXXXXXXXXXXXXXXX		XXXX
Vermont	XX		XXXXXXXXXXXXXXXXXX
Virginia	XXXXXXXXXXXXXXXXXX		XX

Number of roll calls on which the majority in the particular states listed at the left opposed the majority of the Virginia delegation	Number of roll calls on which the majority in the particular states listed at the left voted in the same way as the majority of the Virginia delegation
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	1 1 1 1 1		1 1 1 1 1
	8 6 4 2 0 8 6 4 2		2 4 6 8 0 2 4 6 8
Connecticut	XXXXXXXXXX		XXX
Delaware	XXXXXXXXXX		XXXX
Georgia			XXXXXXXXXXXXXXXXXX
Maryland			XXXXXXXXXXXXXXXXXX
Massachusetts	XXXXXXXXXXXXXXXXXX		XX
New Hampshire	XXXXXXXXXXXXXXXXXX		X
New Jersey	XXXXXXXXXXXXXXXXXX		
New York	XXXXXXXXXX		XXXXXXXXXX
North Carolina	XX		XXXXXXXXXXXXXXXXXX
Pennsylvania	XXXXXXXXXX		XXXXXXXXXX
Rhode Island	XXXXXXXXXXXXXXXXXX		XX
South Carolina	XX		XXXXXXXXXXXXXXXXXX
Vermont	XXXXXXXXXXXXXXXXXX		

The Middle Atlantic region, as it had been so often in the past, was again the critical factor in determining the final resolution of this question. Pennsylvania and New York, at first, were unanimously for the ratio of 1 to 30,000 but when the Senate version came to a vote in the House, half the New York delegation and a majority of Pennsylvanians switched sides and nearly brought about immediate acceptance of the 1 to 33,000 ratio.<sup>10</sup> The result was a compromise whereby the Senate proposal was enacted along with an amendment to reapportion, effective March 3, 1797, in accordance with the House version. However, President Washington, who adamantly opposed the low House ratio, vetoed the bill and the compromise was lost. An attempt to override his veto failed, as numerous representatives refused to continue their earlier support for the bill in the face of its rejection by the President.<sup>11</sup>

The roll call taken on an amendment providing that "Presidential Electors shall be equal to the number of Representatives and Senators at the time when the President shall take office" is significant in isolating factions.<sup>12</sup> There was a general belief that the strength of the existing pro-administration majority in Congress would be diminished by the additional representation afforded under reapportionment. There was no question of opposing Washington, but sentiment against John Adams was widespread. The amendment was clearly aimed at the election of 1792. If there were to be 135 electors, as would result from reapportionment, instead of the existing 99, Adams might be defeated for the Vice Presidency. Although not formally organized, proponents of the amendment included the nucleus of opposition to the administration. From New England came four votes in

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<sup>10</sup>Ibid., pp. 251 and 274. December 14, 1791 and December 19, 1791.

<sup>11</sup>Ibid., pp. 418 and 541. February 21, 1792 and April 6, 1792.

<sup>12</sup>Journal of Congress, 2 Cong. 1 sess., p. 508. February 14, 1792.

favor of the increased number of electors--those of Elbridge Gerry of Massachusetts, Israel Smith of Vermont, and Nicholas Gilman and Jeremiah Smith of New Hampshire. Support of the amendment to the apportionment bill was just one short of unanimous in the South, the exception being William L. Smith of South Carolina. New Jersey opposed the amendment while New York and Pennsylvania delegates split along lines reminiscent of divisions in the First Congress on assumption, trade with Great Britain, and limitation of the executive.<sup>13</sup> The increasing association between factional formation and geographical section that manifested itself on this roll call is indicative of the trend of the entire apportionment controversy. Two sides, one centered in New England, the other in the South, worked to gain the support of the critical Middle Atlantic region. This can be seen by a review of the positions taken by individual delegates on the eighteen roll calls on apportionment. These positions also provide a useful yardstick against which to measure factional behavior on other types of issues.

Six clearly discernible blocs arose out of the apportionment controversy.

(1) Eleven delegates who voted for a high representation ratio on 90 per cent or more of the eighteen roll calls.<sup>14</sup> The group consisted entirely of northeastern delegates.<sup>15</sup>

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<sup>13</sup>John Laurance and Peter Silvester of New York, who favored assumption, opposed the amendment along with newcomer James Gordon. Andrew Gregg and William Findley, joined by Daniel Hiester and Israel Jacobs, opposed Hamilton supporters Thomas Fitzsimons, Thomas Hartley, and John Kittera.

<sup>14</sup>The eleven are: Boudinot 16, Bourn 14, Bourne 16, Clark 14, Gilman 16, Goodhue 16, Livermore 18, Niles 18, Israel Smith 16, Jeremiah Smith 14, and Thatcher 16. The numeric score after each name is calculated as follows: Number of votes for a high ratio of representation minus number of votes for a low ratio of representation. Thus, the maximum score is (18) and the minimum score is (-18).

<sup>15</sup>The state distribution of Group 1 is as follows: New Jersey 2, Rhode Island 1, Massachusetts 3, New Hampshire 3, and Vermont 2.

(2) Nine delegates who voted for a high representation ratio on more than two-thirds (but less than 90 per cent) of the eighteen roll calls.<sup>16</sup> The group consisted of four representatives from Massachusetts, three from Connecticut, and two from New Jersey.

(3) Nine delegates who voted for a high representation ratio on more than half (but less than two-thirds) of the eighteen roll calls.<sup>17</sup> All but one of the delegates in this group came from the Middle Atlantic states.<sup>18</sup>

(4) Six delegates who voted for a low representation ratio on more than half (but less than two-thirds) of the eighteen roll calls.<sup>19</sup> Although this group exists quantitatively, it does not appear to represent a cohesive faction. It is the result of irregular attendance on the part of John Mercer, uncertainty and compromise in Andrew Gregg, Elbridge Gerry, and Cornelius Schoonmaker, and the inconclusiveness of South Carolina's census. However, the group is useful as a control to demonstrate that accidental factions of initially low cohesion quickly break apart.

(5) Twelve delegates who voted for a low ratio of representation on more than two-thirds (but less than 90 per cent) of the eighteen roll calls.<sup>20</sup> Most of this group represented districts south of the Potomac

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<sup>16</sup>The nine are: Ames 10, Dayton 13, Hillhouse 6, Kitchell 12, Learned 9, Sedgwick 10, Sturges 13, Wadsworth 7, and Ward 8.

<sup>17</sup>The nine are: Benson 2, Fitzsimons 4, Gordon 5, Hartley 3, Jacobs 5, Kittera 2, Silvester 5, Steele 2, and Vining 4.

<sup>18</sup>The state distribution of Group 3 is as follows: New York 3, Pennsylvania 4, Delaware 1, and North Carolina 1.

<sup>19</sup>The six are: Barnwell -1 and Smith -4 of South Carolina, Gerry -3 of Massachusetts, Gregg -1 of Pennsylvania, Mercer -5 of Maryland, and Schoonmaker -1 of New York.

<sup>20</sup>The twelve are: Ashe -12, Giles -13, Grove -9, Hiester -6, Huger -11, Key -8, Laurance -8, Page -12, Seney -11, Sheridine -7, Tredwell -8, and Tucker -10.

and none were from the New England states.<sup>21</sup>

(6) Eighteen delegates who voted for a low representation ratio on more than 90 per cent of the eighteen roll calls.<sup>22</sup> The group was predominantly southern and included no one from New England.<sup>23</sup>

TABLE 9 summarizes state divisions into the six blocs described above.

TABLE 9

## STATE DISTRIBUTION OF APPORTIONMENT FACTIONS

State	Number of Representatives					
	Group 1	Group 2	Group 3	Group 4	Group 5	Group 6
Connecticut		3				
Delaware			1			
Georgia						3
Maryland				1	3	2
Massachusetts	3	4		1		
New Hampshire	3					
New Jersey	2	2				
New York			3	1	2	
North Carolina			1		2	2
Pennsylvania			4	1	1	2
Rhode Island	1					
South Carolina				2	2	1
Vermont	2					
Virginia					2	8
Total	11	9	9	6	12	18

<sup>21</sup>The state distribution of Group 5 is as follows: North Carolina 2, South Carolina 2, Virginia 2, Pennsylvania 1, Maryland 3, and New York 2.

<sup>22</sup>The eighteen are: Baldwin -18, Brown -16, Findley -18, Griffin -17, Lee -14, Macon -14, Madison -15, Moore -14, Muhlenberg -15, Murray -16, Parker -16, Sterett -15, Sumter -17, Venable -18, Wayne -14, White -16, Williamson -14, and Willis -16.

<sup>23</sup>The state distribution of Group 6 is as follows: Georgia 3, Virginia 8, Pennsylvania 2, North Carolina 2, Maryland 2, and South Carolina 1.

The six blocs that formed on apportionment reflected a high level of state and regional cohesion. Polarization occurred; none of the states whose representatives fell into categories (1) or (2) had any delegates in categories (5) or (6). Moderate positions, categories (3) and (4) were taken primarily by the middle states. The geographical division indicated here differs from the anti-federalist versus nationalist split of the First Congress, which had been interstate in character. As shown earlier, most states voted against the plan that gave them greatest proportional strength in the House. Debate indicated, instead, the importance of ideology. In order to shed light on this apparent contradiction between the vote distribution, which indicated state interest (at least in New England and the South), and the debate, which centered on principle, the record of these six groups on a variety of issues may be analyzed.

TABLE 10 summarizes nineteen roll calls on a wide variety of issues. As in the First Congress test, the selection is representative but not all inclusive. High and low cohesion points of each group are included. The figures in the table are the differences in percentage of affirmative vote of the two groups indicated at the left. The crude two-thirds rule (34 per cent or higher in the table) is a useful test for a minimal degree of significant divisiveness.

The numbers in TABLE 10 reveal significant factional behavior. An examination of the percentage differences between the whole House and the six blocs that arose during the apportionment controversy (WHvs 1, WHvs2, WHvs3, WHvs4, WHvs5, and WHvs6 in TABLE 10), reveals consistently close divisions. The difference in cohesion of the whole House and any of the six groups exceeds 33 per cent on only 27 of 95 combinations in TABLE 10. Measures were usually approved or defeated by narrow margins.

TABLE 10

COHESION OF FACTIONS FORGED DURING THE APPORTIONMENT CONTROVERSY  
(Difference in Percentage of Affirmative Vote)

Key: WH=Whole House  
 1=Over 90% for high ratio  
 2=67% to 90% for high ratio  
 3=50% to 67% for high ratio  
 4=50% to 67% for low ratio  
 5=67% to 90% for low ratio  
 6=Over 90% for low ratio

Roll Call Number	Issue	WHvs1	WHvs2	WHvs3	WHvs4	WHvs5	WHvs6	1vs2	1vs3	1vs4	1vs5	1vs6	2vs3	2vs4	2vs5	2vs6	3vs4	3vs5	3vs6	4vs5	4vs6	5vs6	
014	More frontier troops	67	49	2	12	13	24	22	1	9	16	16	18	24	32	43	20	17	24	43	20	17	24
015	Early frontier bill	19	11	35	43	37	40	46	8	17	2	2	36	51	43	22	17	24	51	40	43	32	
024	Consider pre-1789 debt	16	3	22	7	7	21	25	23	29	4	4	36	18	7	18	18	13	51	15	32	32	
030	Support French Revolution	33	40	7	8	11	29	18	17	2	48	11	4	26	10	18	18	4	29	19	7	7	
034	Seat James Jackson	22	15	31	21	15	35	32	30	8	2	2	31	33	10	32	1	1	29	26	25	25	
036	No president on coins	2	11	12	32	38	38	42	4	33	2	27	17	18	42	11	42	6	43	35	35	35	
039	Reconsider number 036	86	60	20	31	24	16	24	7	8	14	16	18	27	11	18	18	6	27	3	20	20	
040	Investigate General St. Clair	83	52	20	32	24	3	3	22	20	20	20	22	34	42	11	42	11	43	58	24	5	
043	State debts	100	89	5	4	24	5	4	16	7	64	14	17	57	22	39	38	13	53	69	24	5	
045	Indemnify General Greene	89	64	33	33	28	59	54	31	17	14	14	42	58	33	74	26	12	43	69	37	37	
052	Presidential authority	86	60	33	31	24	16	24	7	8	14	16	18	27	11	18	18	6	27	58	3	20	
054	Late frontier bill	86	60	20	32	24	16	24	7	8	14	16	18	27	11	18	18	6	27	58	3	20	
055	Whiskey tax	86	60	20	32	24	16	24	7	8	14	16	18	27	11	18	18	6	27	58	3	20	
066	Offense against Indians	86	60	20	32	24	16	24	7	8	14	16	18	27	11	18	18	6	27	58	3	20	
070	Reduce military	86	60	20	32	24	16	24	7	8	14	16	18	27	11	18	18	6	27	58	3	20	
085	Fugitive slave recovery	86	60	20	32	24	16	24	7	8	14	16	18	27	11	18	18	6	27	58	3	20	
087	Question debt commission	86	60	20	32	24	16	24	7	8	14	16	18	27	11	18	18	6	27	58	3	20	
092	War Dept. appropriation	86	60	20	32	24	16	24	7	8	14	16	18	27	11	18	18	6	27	58	3	20	
097	Do not censure Hamilton	86	60	20	32	24	16	24	7	8	14	16	18	27	11	18	18	6	27	58	3	20	

G R O U P S T E S T E D

There was not, however, a corresponding lack of cohesion within each of the six blocs that formed during the apportionment controversy. To state the matter positively, high levels of cohesion (usually in the opposite direction) among the six blocs resulted in nearly equal divisions in the House as a whole. Factions that took extreme and opposing positions on apportionment continued to do so on a wide range of issues. The polarization that had begun in the First Congress became more pronounced during the Second Congress. This was often a halting process in which the nature of the particular question at hand resulted in significant shifts in voting patterns. Nevertheless, the high cohesion levels on apparently unrelated issues indicates that a variety of motivations--economic, regional, and ideological--worked to produce fairly consistent factions. This can best be demonstrated by reviewing some of the particulars in TABLE 10.

Factional behavior on frontier issues will be discussed subsequently at some length. It is of note, however, that the most extreme proponents of a high representation ratio (Group 1) unanimously favored more troops in the West (Roll Call 014). Their cohesion differences, as shown in TABLE 10, were extremely high: 67, 86, 83, 100, 89, and 69. They wanted the troops not for the purpose of waging war on Indians (Roll Call 066), which only 11 per cent favored, but for the maintenance of law and order. Extreme proponents of a low representation ratio (Group 6), most of whom came from the South and West, took exactly the opposite position. They wanted to fight Indians (85 per cent affirmative on Roll Call 066), but not with federal troops (only 31 per cent affirmative on Roll Call 014). Other groups were more consistent in opposing additional troops and voting against offensive Indian operations. On an issue unrelated to apportionment, then, there was both continuity and breakdown of voting blocs.

The sectional nature of the six blocs is most apparent on the question of seating James Jackson of Georgia (Roll Call 034). New Englanders, most of whom were in Groups 1, 2, and 3, strongly opposed his accreditation. Southerners, who dominated Groups 5 and 6, overwhelmingly favored his seating. The result was sharp cohesion differences between these groups, ranging as high as 75 per cent.

The correlation between positions on apportionment and sides taken on foreign policy is evident on the issue of congratulating France on its Revolution (Roll Call 030). All of the extreme proponents of a low ratio of representation (Group 6) voted for a congratulatory message as did 89 per cent of Group 5. Other blocs were divided or opposed. As a result, cohesion differences ranged from 21 to 75 per cent depending on the divisiveness of blocs other than Groups 5 and 6 (see TABLE 10).

The unity of interest that characterized Groups 5 and 6 is proven by a series of roll calls on which their percentage of affirmative vote differed substantially from those of other blocs. Of particular note in this regard are votes on coins (Roll Calls 036 and 039), presidential authority over state militia (Roll Call 052), taxation (Roll Call 055), questioning of debt commissioners (Roll Call 087), and censuring of Alexander Hamilton (Roll Call 097).

Group 4, as noted earlier, had taken a position moderately in favor of a low representation ratio. It appeared, however, that the faction was "accidental" and owed its existence to a variety of temporary and personal peculiarities. Such a conclusion is borne out by the inconsistent and shifting pattern of the group on the nineteen roll calls shown in TABLE 10. The members of the group simply did not operate as a cohesive faction.

It is difficult to characterize the voting patterns of these six blocs in a few words to which exceptions do not exist. Perhaps the numbers speak better for themselves. Two contradictory trends appear to have interacted against each other. On the one hand, polarization was greater than in the First Congress. Factions arising out of the apportionment debate in 1792 were more cohesive on matters unrelated to the size of government issue than blocs isolated during the amendment controversy in 1789 had been on roll calls not involving central authority. The coincidence of voting position and section, that is the level of state and regional cohesion, was higher in the Second Congress than in the First. On the other hand, delegates continued to be motivated primarily by the nature of the issue at hand rather than by sectional affiliation. The four basic sources of divisiveness continued to produce distinct factions. The cohesion of the separate factions formed on each of the four central issues--size of government, the West, foreign policy, and economic interest--continued to be greater than that of any regional or party label grouping. Even though certain delegates increasingly ended up on the same side no matter what the issue, the central phenomenon of realignment on the basis of four different issues cannot be overlooked.

Divisiveness on the issue of how much power to give the central government was closely related to the conflict over assignment of responsibility among the three branches. The Supreme Court had not yet assumed a major role, and so the executive branch was the chief target of those representatives who adhered to the principle that the national government should be limited and should express, as extensively as possible, the will of the people through its House of Representatives. Concerning George Washington himself, the only expressed differences were in degree of praise, but about his office there were sharper conflicts.

The apparent insignificance of an amendment proposed on March 22, 1792 to remove the President's name from coins and replace it with the word LIBERTY was of major symbolic importance to many members. John Page of Virginia succinctly expressed the issue.

It had been a practice in Monarchies to exhibit the figures or heads of their kings upon their coins, either to hand down in the ignorant ages in which this practice was introduced, a kind of chronological account of their Kings, or to show to whom the coin belonged... Now as we have no occasion for this aid to history, nor any pretense to call the money of the United States the money of our Presidents, there can be no sort of necessity for adopting this idea of the Senate.<sup>24</sup>

The sectional character of votes cast on the amendment indicates that the increasing affiliation between ideology and region was not necessarily one of cause and result. There was no possible advantage to any section in replacing G WASHINGTON with LIBERTY. All but two New Englanders, Jeremiah Smith of New Hampshire and Nathaniel Niles of Vermont, were opposed while the South voted affirmatively by 16 to 4.<sup>25</sup> It is of note that three of the southern exceptions, South Carolina's Robert Barnwell, Daniel Huger, and William L. Smith, were opposed to the rest of their section on numerous other roll calls as were the two New Englanders to the majority in that region. The other southerner, Robert Brown, had already been elected to serve as a Senator from newly admitted Kentucky at the next session of Congress; he may not have wished to offend his future colleagues. Once again, with no formal organization, the basic geographic characteristics of future parties predated their actual formation. Further evidence of this trend appeared in the middle states, which split eight affirmative

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<sup>24</sup>Annals of Congress, 2 Cong. 1 sess., p. 484. March 24, 1792.

<sup>25</sup>Ibid., p. 485. March 25, 1792. The states voted as follows: Connecticut 0-4, Georgia 2-0, Maryland 3-0, Massachusetts 0-5, New Hampshire 1-2, New Jersey 2-1, New York 2-3, North Carolina 2-0, Pennsylvania 4-2, Rhode Island 0-1, South Carolina 2-3, Vermont 1-0, and Virginia 7-1.

and six negative, along lines indicative of the interest groups that formed on apportionment and on economic issues.<sup>26</sup> Senate refusal of this amendment by the House necessitated a second roll call and again the same pattern developed except for Pennsylvania, where Thomas Fitzsimons and John Kittera, who supported the administration on a variety of other matters, switched sides and voted to put Washington back on the coins.<sup>27</sup> For the time being, however, LIBERTY won and replaced Washington on the coins.

Division on the question of allowing the president to call out the militia without the express consent of the House and during its recess was similar to that over coins and also to the breakdown which occurred when the militia issue had been debated in the First Congress.<sup>28</sup> Western sentiment on the proposal was expressed by John Steele of North Carolina who opposed allowing one state's militia to enter another sovereign state,<sup>29</sup> and by representatives from outlying districts--Georgia, the Yadkin Division of North Carolina, Vermont, Kentucky, and western Virginia--who united against allowing this authority.<sup>30</sup> Once again, New York and Pennsylvania split on the issue; the coast in favor, the

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<sup>26</sup>Voting affirmatively were John Laurance and Thomas Tredwell of New York and Thomas Fitzsimons, Andrew Gregg, Daniel Hiester, and John Kittera of Pennsylvania. Voting negatively were Egbert Benson, Cornelius Schoonmaker, and Peter Silvester of New York and Thomas Hartley and Israel Jacobs of Pennsylvania. Abraham Clark and Aaron Kitchell of New Jersey voted affirmatively while Elias Boudinot voted in the negative.

<sup>27</sup>Annals of Congress, 2 Cong. 1 sess., p. 489. March 26, 1792. The states voted as follows: Connecticut 4-0, Delaware 0-1, Georgia 0-1, Maryland 0-4, Massachusetts 7-0, New Hampshire 2-1, New Jersey 1-2, New York 2-2, North Carolina 0-5, Pennsylvania 4-2, South Carolina 3-2, Vermont 0-2, and Virginia 0-10.

<sup>28</sup>See Roll Call 035 in the First Congress. New England favored the measure by 7 to 4 while the rest of the country was opposed by a ratio of more than two to one.

<sup>29</sup>Annals of Congress, 2 Cong. 1 sess., p. 552. April 12, 1792.

interior opposed.<sup>31</sup> Opponents such as Elbridge Gerry warned against "vesting a dangerous power in the Supreme Executive" and this argument won the support of a majority of the House as the amendment was defeated by 37 to 24.<sup>32</sup> Not all pro-administration delegates voted for the measure but its support did come from that group. New England, except for Vermont, favored giving the president authority to call out the militia by 11 to 3 but the other states were opposed by more than a two to one ratio.

Apportionment, coins, and calling the militia all involved the issue of size of government and division of responsibility within it. Highly cohesive factions formed which were only incidentally related to regional affiliation. Another basic cause of divisiveness in the 1790s was the frontier. In this instance, factional formation was more closely related to geographic characteristics, especially among westerners.

The changing role of the West in the Second Congress was exhibited on a variety of roll calls. Early in its first session, on February 1, 1792, the House passed an act for making more effectual defense of the frontier. The vote was 29 to 19. In the First Congress, the controversy over the militia bill had turned primarily on the question of executive authority; in this instance the deciding factor was the effect on the frontier. Several members voted against the bill because it did not go

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<sup>30</sup>Negative votes were cast by Abraham Baldwin and Francis Willis of Georgia, John Steele of North Carolina, Nathaniel Niles and Israel Smith of Vermont, and John Brown, Andrew Moore, John Page, and Josiah Parker of Virginia.

<sup>31</sup>The notable exception is William Findley of western Pennsylvania, who voted affirmatively thereby breaking his normal pattern.

<sup>32</sup>Annals of Congress, 2 Cong. 1 sess., p. 555. April 12, 1792. The states voted as follows: Connecticut 3-1, Delaware 1-0, Georgia 0-2, Maryland 1-5, Massachusetts 5-1, New Hampshire 2-1, New Jersey 0-3, New York 4-2, North Carolina 0-5, Pennsylvania 5-2, Rhode Island 1-0, South Carolina 2-3, Vermont 0-2, and Virginia 0-10.

far enough in providing extra military forces.<sup>33</sup> With the exceptions of Israel Jacobs of Pennsylvania and James Gordon of New York, all other votes against the measure came from New England.<sup>34</sup> The bill was subsequently amended so extensively that, when it came up for final action on April 21, 1792, John Page of Virginia, in urging rejection, declared:

If the bill were what its title says it is, I should be the last man in the House to vote against it...Sir, it is not a bill for the protection of frontiers, but for the encouragement of fisheries, and for the increase of the Sinking Fund. It is about to pass...as a compromise for the assumption of State debts, and an encouragement to the manufacturers and fisheries.<sup>35</sup>

As the breakdown of the vote clearly shows, Page's analysis was essentially correct.<sup>36</sup> Southerners who had opposed the bill earlier as not being strong enough continued to do so but, except for them, the original supporters and opponents changed sides. Abraham Baldwin of Georgia, Thomas Tucker of South Carolina, and Joshua Seney of Maryland had originally voted for passage, but now opposed the bill as did a majority of the Virginia delegation. New England, which had previously opposed defense of frontiers by a three to one ratio, now strongly supported the "defense of Frontiers" bill which aided Cape Cod fisheries. The sole opposition in that area now came from the Smiths of New Hampshire and Vermont. The margin by which the bill passed was supplied by the Middle

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<sup>33</sup>Ibid., p. 354. January 30, 1792. The votes of North Carolina and of Josiah Parker, Thomas Sumter, and Francis Willis of Virginia, South Carolina, and Georgia respectively on Roll Call 014 show this position clearly.

<sup>34</sup>Ibid., p. 355. February 1, 1792. Against the bill were: Connecticut 1 of 3, New Hampshire 2 of 2, Massachusetts 4 of 5, Rhode Island 1 of 1, and Vermont 2 of 2.

<sup>35</sup>Ibid., p. 569. April 21, 1792.

<sup>36</sup>Ibid., p. 572. April 21, 1792. The states voted as follows: Connecticut 4-0, Delaware 1-0, Georgia 0-2, Maryland 3-3, Massachusetts 6-0, New Hampshire 2-1, New Jersey 3-0, New York 4-2, Pennsylvania 5-0, Rhode Island 1-0, South Carolina 3-2, Vermont 1-1, and Virginia 3-5.

Atlantic states, as only Cornelius Schoonmaker and Thomas Tredwell of New York opposed it. The two roll calls serve to delineate eastern attitudes toward the West; they do not, however, clarify the position of the frontier. Several western representatives clouded the picture by voting for the final bill. These included John Steele of North Carolina, who often voted with administration supporters, but the votes of William Findley of Pennsylvania and of Robert Brown and Andrew Moore of Virginia represented a definite break in their normal pattern. Either they did not agree with Page's contention that the frontier bill was in reality a bill to aid fisheries or else they felt that a bad bill was better than none. Unfortunately, they have left no record of their thoughts on the matter. Other delegates from outlying areas opposed the measure and one can only surmise that some westerners were not so strongly against eastern fisheries and manufactures as to prevent them from voting for a bill that was also in their interest.

Frontier solidarity was more in evidence on a motion introduced on December 18, 1792 to carry on offensive operations against the Cherokee Indians. On this measure the western districts outside of New England united while the rest of the nation was split.<sup>37</sup> Most administration supporters opposed the amendment but, more significantly, so did a number of members from the Carolinas and Pennsylvania who often voted with anti-administration forces. In opposition were John Ashe and Hugh Williamson of North Carolina, Andrew Gregg and Daniel Hiester of Pennsylvania, and

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<sup>37</sup>Annals of Congress, 2 Cong. 2 sess., p. 749. December 18, 1792. Western proponents of the measure were the entire Georgia delegation, Christopher Greenup of Kentucky, William Findley of Pennsylvania, and Andrew Moore, John Page, and Abraham Venable of Virginia.

Thomas Sumter of South Carolina. Unable to gain the support of eastern anti-federalists, the frontier went down to defeat by a vote of 27 to 21.<sup>38</sup> The unanimous opposition of New England to the amendment indicates their desire to impose law and order in the West and to prevent local militia from starting wars with the Indians.

The sectional motivation involved in voting on frontier questions resulted in patterns distinctly different from those that arose on other roll calls. Coexisting with the major domestic issues that resulted in divisiveness was the problem of maintaining relations with Europe.

Foreign policy was closely interwoven with national and local considerations but the interest groups favoring France or England did not exactly coincide with those that formed on domestic issues. It is extremely misleading to assume arbitrarily that all administration supporters were pro-English and that all its opponents were pro-French. The Second Congress included enough supporters of Hamilton to assure easy passage of measures needed to implement his economic policy and yet, by more than two to one, it approved informing the French King of its hope that "the wisdom...displayed in...acceptance of the Constitution may be rewarded by the most perfect attainment of its objective, the permanent happiness of so great a people."<sup>39</sup> On the other hand, absence of the same consistent groups on both domestic and foreign policy does not lead to the contention that cohesive blocs did not exist. What it does demonstrate is the variety of

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<sup>38</sup>Ibid. The states voted as follows: Connecticut 0-4, Georgia 3-0, Kentucky 1-0, Maryland 1-1, Massachusetts 0-6, New Hampshire 0-2, New Jersey 1-2, New York 0-3, North Carolina 0-3, Pennsylvania 4-2, Rhode Island 0-1, South Carolina 3-1, Vermont 0-2, and Virginia 8-0.

<sup>39</sup>Annals of Congress, 2 Cong. 1 sess., p. 457. March 10, 1792.

factions that formed what in future often appeared to be only two major parties. Most votes against corresponding with the King of France as described above were cast by men who adhered to principles that had been set forth by nationalists as early as 1787 and were now, in practice, alienating an increasing number of the American citizenry. But not all delegates who ultimately accepted the label Federalist joined them.<sup>40</sup>

The final major source of division in the Second Congress was the reconciliation of economic interests. The patterns established on questions of foreign policy, the frontier, and the size of government were not totally unrelated to those which now arose on economic issues. However, realignments did occur and distinctly different factions came to the foreground.

A total of twenty-three roll calls were recorded in the Second Congress on issues that were primarily economic in character. In FIGURE 2 they are summarized by state.<sup>41</sup> Even without relating to the specific subject matter of each vote, cohesive groups are visible. On one side is Massachusetts, with consistent support from Connecticut and Rhode Island. New Hampshire, which had opposed the New England bloc on assumption now, with the exception of Jeremiah Smith, followed the Massachusetts lead on taxation and the establishment of loan offices. Vermont, a state that

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<sup>40</sup>Ibid., pp. 456 and 457. March 10, 1792. Opponents were: Massachusetts--Fisher Ames, Benjamin Goodhue, Theodore Sedgwick, and Artemus Ward; Connecticut--James Hillhouse, Amasa Learned, and Jeremiah Wadsworth; Vermont--Israel Smith; New Hampshire--Samuel Livermore and Jeremiah Smith; New York--James Gordon and John Laurance; and South Carolina--William L. Smith.

<sup>41</sup>The roll calls summarized in FIGURE 2 are numbers 042, 043, 044, 053, 055, 059, 067, 068, 073, 074, 078, 079, 080, 081, 082, 083, 084, 087, 088, 089, 090, 093, and 094. For a description of the particulars of each of these roll calls, check the Appendix of Roll Call Descriptions.

FIGURE 2

ROLL CALL VOTES ON A VARIETY OF ECONOMIC ISSUES

Number of roll calls on which the majority in the particular states listed at the left opposed the majority of the Massachusetts delegation

Number of roll calls on which the majority in the particular states listed at the left voted in the same way as the majority of the Massachusetts delegation

	2 2 1 1 1 1 1		1 1 1 1 1 2 2
	3 1 9 7 5 3 1 9 7 5 3 1		1 3 5 7 9 1 3 5 7 9 1 3
Connecticut		X	XXXXXXXXXXXXXXXXXXXX
Delaware			XX
Georgia	XXXXXXXXXXXXXXXXXXXX		XX
Kentucky	XXXXXXXXXXXXXXXX		XX
New Hampshire	XXXXXX		XXXXXXXXXXXXXXXXXXXX
New Jersey	XXXXXX		XXXXXXXXXXXX
New York	XXXX		XXXXXXXXXXXXXXXXXXXX
North Carolina	XXXXXXXXXXXXXXXX		XXXXX
Pennsylvania	XXXXXXXXXX		XXXXXXXXXX
Rhode Island	XXXX		XXXXXXXXXXXXXXXXXXXX
South Carolina	XXXXXX		XXXXXXXXXXXXXXXX
Vermont	XXXXXXXXXXXXXXXX		XXXXXXX
Virginia	XXXXXXXXXXXXXXXXXXXX		XX

Number of roll calls on which the majority in the particular states listed at the left opposed the majority of the Virginia delegation

Number of roll calls on which the majority in the particular states listed at the left voted in the same way as the majority of the Virginia delegation

	2 2 1 1 1 1 1		1 1 1 1 1 2 2
	3 1 9 7 5 3 1 9 7 3 3 1		1 3 5 7 9 1 3 5 7 9 1 3
Connecticut	XXXXXXXXXXXXXXXXXXXX		XX
Delaware		XX	
Georgia		X	XXXXXXXXXXXXXXXXXXXX
Kentucky			XXXXXXXXXXXXXXXX
Maryland		XXX	XXXXXXXXXXXXXXXX
Massachusetts	XXXXXXXXXXXXXXXXXXXX		XX
New Hampshire	XXXXXXXXXXXXXXXXXXXX		XXXX
New Jersey	XXXXXXXXXXXX		XXXXXX
New York	XXXXXXXXXXXXXXXXXXXX		XXXXXX
North Carolina	XXXX		XXXXXXXXXXXXXXXXXXXX
Pennsylvania	XXXXXXXXXX		XXXXXXXXXXXX
Rhode Island	XXXXXXXXXXXXXXXXXXXX		XX
South Carolina	XXXXXXXXXXXXXXXXXXXX		XXXX
Vermont		XXX	XXXXXXXXXXXXXXXXXXXX

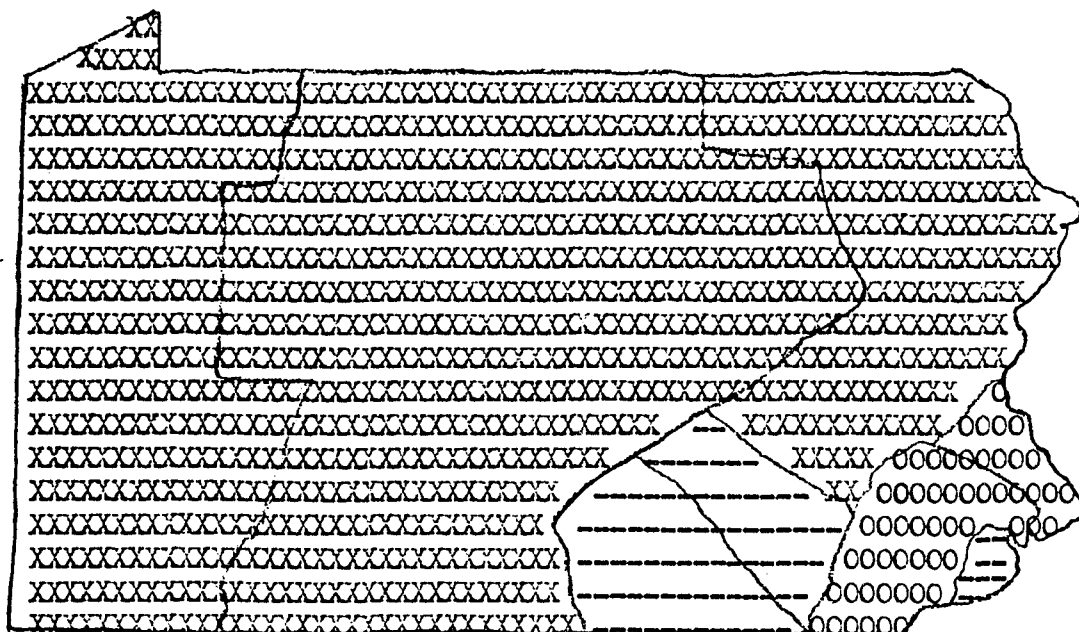
stood solidly with New England on apportionment, reversed itself sharply. On these twenty-three roll calls, the state voted with Virginia five times as often as it did with Massachusetts. These pockets of opposition in New England, which existed in the First Congress as well, prove that section and faction cannot be assumed arbitrarily or assigned a simple cause to result relationship. Voting blocs often had a dominant geographic base, but it was economic interest and philosophical ideology, not section, that bound these interest groups together.

A majority of southern representatives consistently opposed New England, with Virginia, supported by Kentucky and Georgia, taking the lead. In North Carolina and, more extensively in Maryland, internal division existed but the majority tended to vote with Virginia. Opposition in North Carolina came principally from John Ashe and Hugh Williamson while in Maryland William Hindman and Samuel Sterett often voted with New England. These four representatives joined administration forces on other issues as well. South Carolina's relationship to Virginia was similar to that of Vermont with Massachusetts. Thus, the nucleus of opposition to the administration, including its limitations, had developed a cohesive voting pattern over two Congresses.

While New England and the South exhibited similar, though opposing voting patterns throughout Washington's first term, the Middle Atlantic, holding the balance of power, remained an uncertain area. Pennsylvania was sharply divided along lines reminiscent of its party battles at the state level. FIGURE 3, a map of Pennsylvania, shows the constantly re-appearing split in terms of the districts represented by each member of the delegation. Self-professed proponents of "republican" principles were already becoming invincible in western Pennsylvania, and by capturing

FIGURE 3

## Votes of Pennsylvania on Economic Issues



--- With majority of Massachusetts delegation (Fitzsimons, Hartley, and Kittera)  
 XXX With majority of Virginia delegation (Findley, Gregg, and Hiester)  
 OOO No definite pattern (Jacobs and Muhlenberg)

swing districts in the east, they eventually gained control of the state's delegation. At this time, however, supporters of Hamilton still controlled half the votes.

Intrastate regional differences were not as significant in New York, primarily because all six representatives came from a narrow area extending from New York City north only as far as Albany. The western part of the state was sparsely populated and totally unrepresented. While the consistent four against two split in New York is proof of adherence to opposing ideologies, it cannot be related to geographic factors. Throughout

this period there were no safe districts in New York and so the state's allegiance to one of the major factions in the House was always a temporary one, subject to change at each election. The defeat in 1790 of all three New Yorkers with anti-federalist tendencies and the replacement of one of them by the fiercely pro-Hamilton James Gordon, resulted in the pattern that now existed.

New Jersey was less pro-administration on economic issues than its votes on other matters would indicate. Elections in the state were held at large, and intrastate patterns, if any existed, are not readily discernible. Elias Boudinot, the only member of the delegation who had served in the First Congress, was a consistent supporter of Hamilton's measures, and Jonathan Dayton already exhibited his talent for being on the winning side. Aaron Kitchell, irregularly supported by Abraham Clark, often took the opposing side. The state had not clearly associated itself with any faction.

On the issues discussed so far, there was a genuine desire on the part of all members of the House to arrive at solutions that would most benefit the nation as a whole and, to an extent, this common objective tended to confuse voting patterns. Differences of opinion were moderated by willingness to compromise and accept something less than all out victory. No such noble sentiments interfered, however, with the effort by a small band of Hamilton's opponents to force his removal from the Treasury Department. Undertaken only after all other business was completed and the elections of 1792 had been concluded, the very attempt indicated the depth of opposition to the financier. Roll calls were taken on six different resolutions accusing Hamilton of violating the law, deviating from Washington's instructions, failing to consult the public interest, and

acting in a manner that made him guilty of indecorum to the House.<sup>42</sup> There was never any chance of approval for the charges, but they did cause the Secretary some embarrassment.<sup>43</sup> Voting at least five of six times to find the Treasurer guilty were William Findley of Pennsylvania, John Mercer of Maryland, Abraham Baldwin of Georgia, Josiah Parker, William Giles, and James Madison of Virginia, and John Ashe and Nathaniel Macon of North Carolina. Scattered votes also came from three other Virginians, Alexander Orr of Kentucky, Andrew Gregg of Pennsylvania, and on one occasion, both members from Vermont.

The effort to censure Hamilton was, in part, a personal vendetta and, at the same time, an early indication of party politicking. Adverse publicity about the Treasurer cast doubt on the entire Washington administration and signalled the partisan tone of some aspects of the election of 1792. Nevertheless, delegates voting to censure Hamilton, who may therefore be considered more party oriented than the House as a whole, were not more consistent in their voting than those representatives who failed to see the political significance of the attack on Hamilton. In each of the four broad sources of divisiveness noted at the outset, the voting of the Second Congress reflected positions for or against those taken by the administration, which stood for expanded central authority (high apportionment ratio), law and order in the West (no locally controlled offensive operations against the Indians), a neutral foreign policy, and economic policy emphasizing stability and creditor interests. The delegates who voted to censure Hamilton might be expected to have opposed the administration on these four basic issues more consistently than any

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<sup>42</sup>Annals of Congress, 2 Cong. 2 sess., pp. 955-963. March 1, 1793.

<sup>43</sup>The six motions against Hamilton were defeated as follows: 40-12, 39-12, 33-15, 33-8, 33-8, and 34-7.

other group in the House. Such was not the case. Half the delegates voting to censure Hamilton failed to support the frontier in its desire to avoid the control of the administration.<sup>44</sup> At various times during the apportionment debate, all but William Findley and William Giles had voted to compromise and accept the high representation ratio desired by Washington and the Senate. All of the eight delegates voting to censure the **Secretary** on at least five of six counts had voted for one or more of Hamilton's tax, land office, funding, or assumption proposals. This lack of complete consistency characterized other delegates as well. The point is that the eight "politicos" voting against Hamilton were not more cohesive on the issues of the day than those delegates who were less willing to engage in party politicking. Whatever the extent of party affiliation in the Second Congress, it did not measurably affect the outcome of voting on key issues.

Over the nation's first four years under the Constitution, highly cohesive issue oriented factions had formed. These groupings varied considerably with the specific content of a bill but, throughout more than two hundred roll calls in five sessions of Congress, coherent patterns emerged. Four sources of divisiveness gave rise to eight distinct factions. A consistent bloc voted for limiting amendments in 1789 and for a low apportionment ratio in 1791. They were opposed by pro-administration delegates who sought to expand central powers and strengthen the executive branch. A separate group, mostly frontier delegates, made clear their desire for a free hand in the West. They were generally unsuccessful

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<sup>44</sup>These specific issues have all been discussed earlier in this chapter.

because of the cohesive opposition of easterners who were simply not interested in western problems or who sought to impose law and order on the frontier. Foreign policy questions, although not often voted upon, gave rise to early pro-English and pro-French factions. The balancing of economic interests, the farmer and the merchant, the creditor and the non-creditor, resulted in violently expressed cleavages. These four issues, and the factions that arose out of them, bear a clear relationship to the programs espoused in later years by organized political parties. Yet this divisiveness occurred before the appearance of party labels and continued, throughout the decade, as the primary explanation of voting behavior.

## CHAPTER IV

### THIRD CONGRESS: THE TRANSITION FROM DOMESTIC CONCERNS TO FOREIGN POLICY

Before turning to the voting patterns that existed in the Third Congress, it is necessary to review the consequences of the Congressional election of 1792. There was a marked increase in party organization and action, from the Vice-Presidential race down to the contesting of local offices. Past voting records, real and imaginary friendships, and even a few genuine issues were debated during the campaign. It lasted, in one state or another, from early Spring until December of 1792.<sup>1</sup> In so far as the House of Representatives was concerned, all this politicking, by parties and individuals, produced few tangible results. Forty-four of the sixty-nine delegates who had served in the Second Congress returned to speak for their constituents in the new House.<sup>2</sup> In the other twenty-five cases, changes of name did not always result in alteration of factional alignments.

Each of the significant voting blocs of the Second Congress suffered similar percentage losses. Proponents of strong central authority

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<sup>1</sup>Cunningham, Jeffersonian Republicans, pp. 39-47.

<sup>2</sup>The rate of return for each state was as follows: Connecticut 4 of 5, Delaware 0 of 1, Georgia 1 of 3, Kentucky 2 of 3, Maryland 3 of 6, Massachusetts 6 of 8, New Hampshire 2 of 3, New Jersey 3 of 4, New York 2 of 6, North Carolina 2 of 5, Pennsylvania 7 of 8, Rhode Island 1 of 1, South Carolina 4 of 5, Vermont 2 of 2, and Virginia 8 of 9.

lost eleven members;<sup>3</sup> fourteen delegates favoring limitations on central authority and on the executive branch were not re-elected.<sup>4</sup> Fifteen representatives who had voted for the imposition of law and order in the West did not return; the remaining ten non-returnees had favored giving the West a free hand in dealing with Indians.<sup>5</sup> Only ten delegates who had exhibited anti-French tendencies were defeated compared with fifteen pro-French representatives.<sup>6</sup> However, these last two figures are not reliable since the Second Congress did not take any consequential action on foreign policy questions. Sixteen delegates who had consistently backed Hamiltonian financial policy were not re-elected;<sup>7</sup> only six of the Treasurer's opponents did not return.<sup>8</sup>

From this survey of the election of 1792, in terms of the four basic sources of divisiveness, it is clear that factions were not signi-

<sup>3</sup>The eleven are: Robert Barnwell, Egbert Benson, Daniel Huger, Israel Jacobs, Aaron Kitchell, John Laurance, George Leonard, Samuel Livermore, Peter Silvester, Jonathan Sturges, and John Vining.

<sup>4</sup>The fourteen are: John Ashe, John Brown, Elbridge Gerry, Philip Key, John Milledge, Cornelius Schoonmaker, Upton Sheridine, John Steele, Samuel Sterett, Thomas Sumter, Alexander White, Hugh Williamson, and Francis Willis, and Thomas Tucker.

<sup>5</sup>The fifteen are: Barnwell, Benson, Gerry, Huger, Jacobs, Key, Kitchell, Laurance, Leonard, Livermore, Sheridine, Silvester, Sterett, Sturges, and Vining.

The ten are: Ashe, Brown, Milledge, Schoonmaker, Steele, Sumter, Tucker, White, Williamson, and Willis.

<sup>6</sup>The ten are: Barnwell, Benson, Huger, Jacobs, Laurance, Leonard, Livermore, Silvester, Sturges, and Vining.

The fifteen are: Ashe, Brown, Gerry, Key, Kitchell, Milledge, Schoonmaker, Sheridine, Steele, Sterett, Sumter, Tucker, White, Williamson, and Willis.

<sup>7</sup>The sixteen are: Ashe, Barnwell, Benson, Gerry, Huger, Jacobs, Laurance, Leonard, Schoonmaker, Sheridine, Silvester, Steele, Sterett, Sturges, Vining, and Williamson.

<sup>8</sup>The six are: Brown, Key, Milledge, Sumter, Tucker, and Willis. Livermore, Kitchell, and White did not consistently vote for or against Hamiltonian economic policy.

ificantly modified by the departure of twenty-five delegates. The other element to be considered is the voting behavior of new members elected in 1792. In most years it is possible to make a direct comparison between the factional affiliations of the defeated representative and the new alignments of the victor. In this election, however, reapportionment increased the size of the House more than fifty per cent and necessitated substantial revision of district lines. The old constituencies were revised in such a variety of ways that comparisons of individual districts are impossible. However, a significant general trend is clear.

The westward shift of population in the 1780s was demonstrated in the new districts formed by the several states. Total representation increased from 69 to 105 members with fully one-third of the addition going to interior and remote areas even though no increases were awarded to Kentucky or Vermont, and Georgia lost one representative. Connecticut, Delaware, New Jersey, and Rhode Island had no frontier element and New Hampshire's at large elections made it impossible to assign a representative to its northern counties even though they might properly be considered part of the frontier.

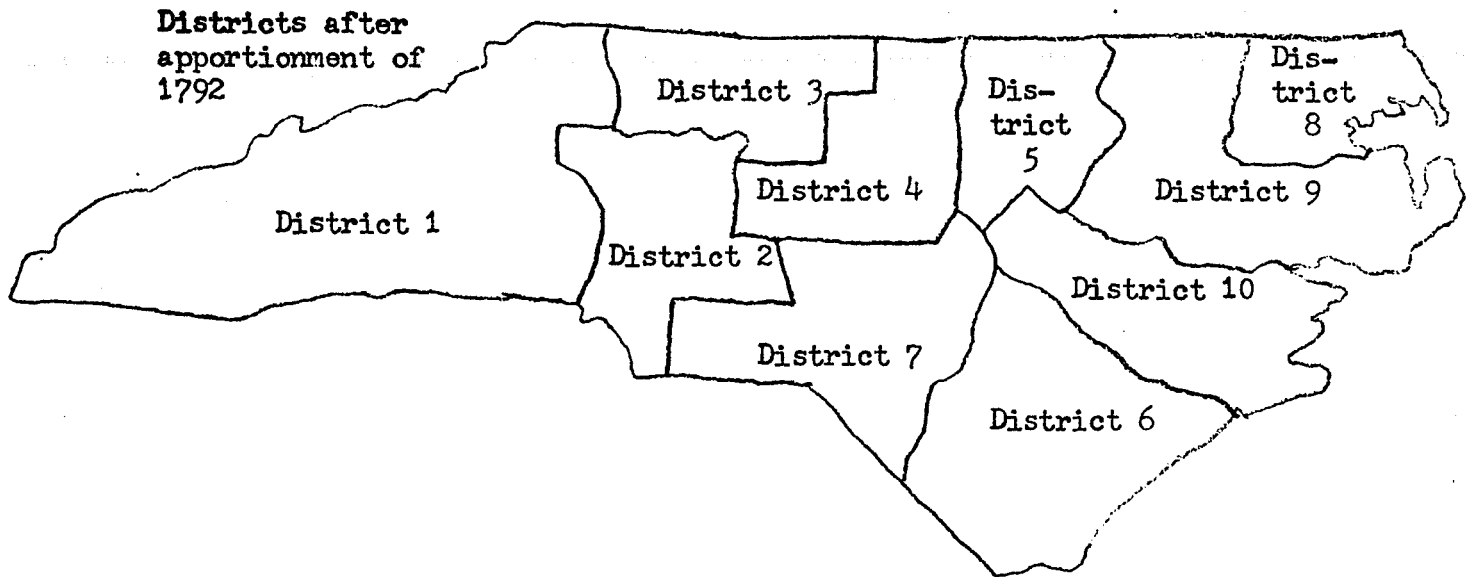
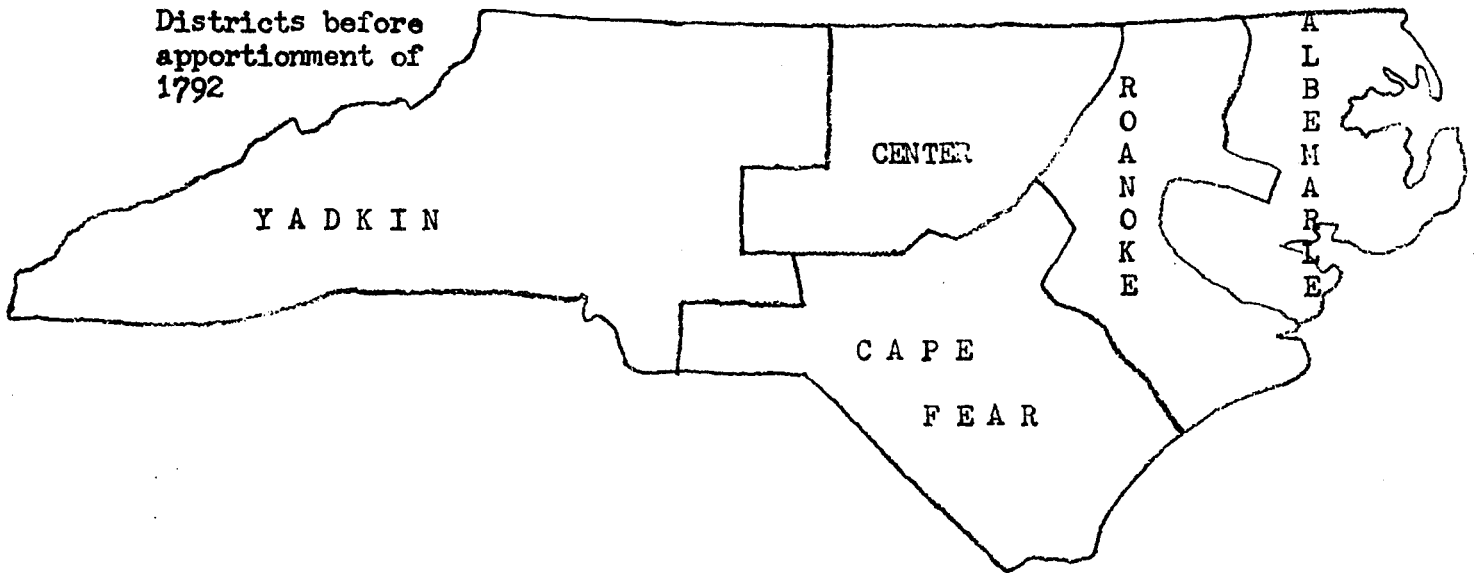
In the remaining states a more precise analysis of county lines and local characteristics is revealing. North Carolina suffered from poor west to east transportation facilities and almost the entire area beyond the fall line was remote and isolated. FIGURE 4, a map of North Carolina, shows the ten districts of 1792 and the five they replaced.<sup>9</sup>

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<sup>9</sup>A Congressional Vote Analysis study was undertaken during the 1930s but was never completed. However, massive amounts of data, in various stages of completion, were packaged and numbered. The material belongs to the Columbia University Library but is currently on loan to the University of Michigan at Ann Arbor. The collection is hereinafter cited as Cong. Vote Analysis. Data on North Carolina was found in Part 1 of Box 928.

FIGURE 4

North Carolina District Changes



The result was that the three eastern districts of Albemarle, Roanoke, and Cape Fear were divided into four constituencies while the area west of the fall line now had six representatives instead of two.

The growth of population in Virginia was more evenly divided and the western parts of the state did no more than keep pace with increased strength in the east.<sup>10</sup> The excellent river transport system in parts of the state and the trade connection between the Shenandoah Valley and the coast make any lines of internal demarcation subject to question and the cohesiveness of their delegates renders it unnecessary.<sup>11</sup> Except in the northeastern counties, Virginia's intrastate differences were not reflected on the national scene at this time.

South Carolina gained only one seat in the apportionment, with the addition entirely in the northwestern upcountry beyond Camden and Orangeburg.<sup>12</sup> However, the state law allowing representatives to be chosen from any part of the state often worked against the outlying areas. As many as half of the state's delegation resided in Charleston.

Maryland, which gained two representatives, was dominated by its eastern shore and Baltimore's commerce, but a sliver of land extending westward did show some independence from the rest of the state. This became more apparent after apportionment when the area west of the Monocacy River in Frederick County received its own representative while the rest of the state divided the other additional delegate.<sup>13</sup>

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<sup>10</sup>Virginia Statutes at Large, 1785-1788, p. 653. Virginia Laws, 1792, pp. 331-332.

<sup>11</sup>Jackson Turner Main, The Antifederalists: Critics of the Constitution, 1781-1788 (Chapel Hill: University of North Carolina Press, 1961), p. 28.

<sup>12</sup>Cong. Vote Analysis, Box 929.

<sup>13</sup>Ibid., Box 926.

In the Middle Atlantic the increased role of the frontier was even more pronounced. Pennsylvania was unable to agree on new districts for the 1792 election which, consequently, was held at large. The results showed the strength of the interior as three members were chosen from the southeastern corner of the state, four from the Lancaster-York area, and six from the northern and western counties.<sup>14</sup> In the prece these three geographic areas had elected three, two, and three representatives respectively. The state legislature finally agreed on the more balanced result that is shown in FIGURE 5, a map of the state's district law effective 1794. The interior still gained a majority of the delegation but lines were drawn so that administration supporters could realistically contend for the tier of counties from Northhampton to York.<sup>15</sup>

Frontier representation in New York increased from zero to two. The entire area west of the Hudson River and north of Ulster County formerly had one representative, who had been elected by Albany. Under the apportionment of 1792 the western counties, excluding Albany, were assigned a district of their own. The northeastern area bordering Vermont also achieved effective representation for the first time. The Hudson Valley area, New York City, and Long Island, which had formerly controlled the entire state delegation, increased only from six to eight representatives. FIGURE 6, a map of New York, shows this trend in terms of actual districts.<sup>16</sup>

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<sup>14</sup>From the southeast were Frederick Muhlenberg, John Muhlenberg, and Thomas Fitzsimons; from Lancaster and York were Thomas Hartley, James Armstrong, and William Irvine; from the interior were Daniel Hiester, William Montgomery, Thomas Scott, John Smilie, William Findley, and Andrew Gregg.

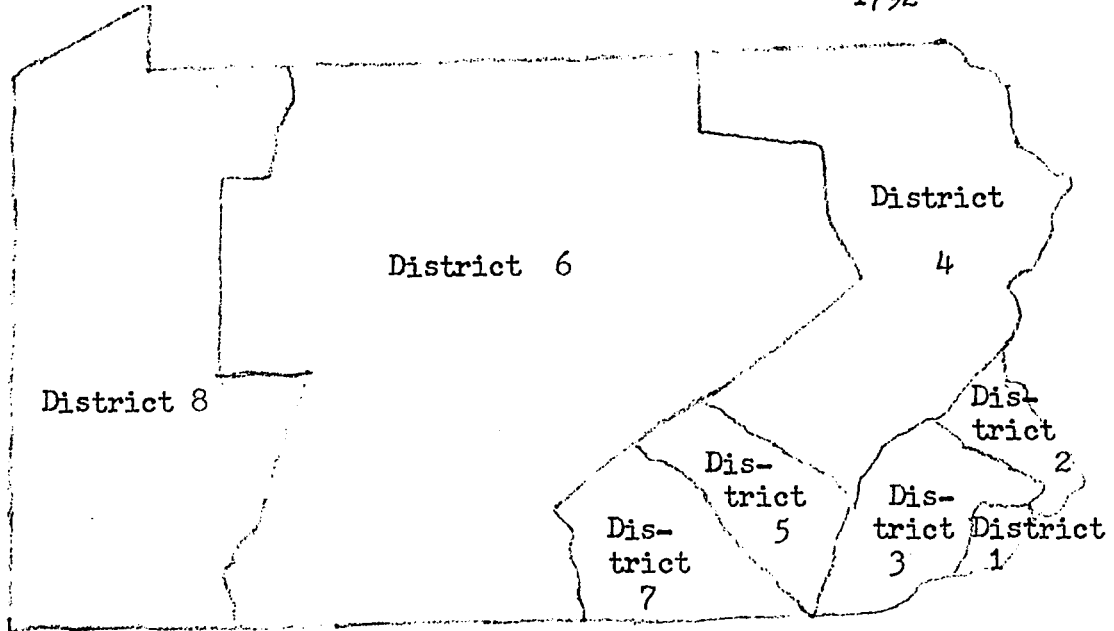
<sup>15</sup>Pennsylvania Laws, 1791, p. 15. Pennsylvania Laws, 1794, p. 596.

<sup>16</sup>Cong. Vote Analysis, Box 927.

FIGURE 5

Pennsylvania District Changes

Districts before  
apportionment of  
1792



Districts after  
apportionment (1794)

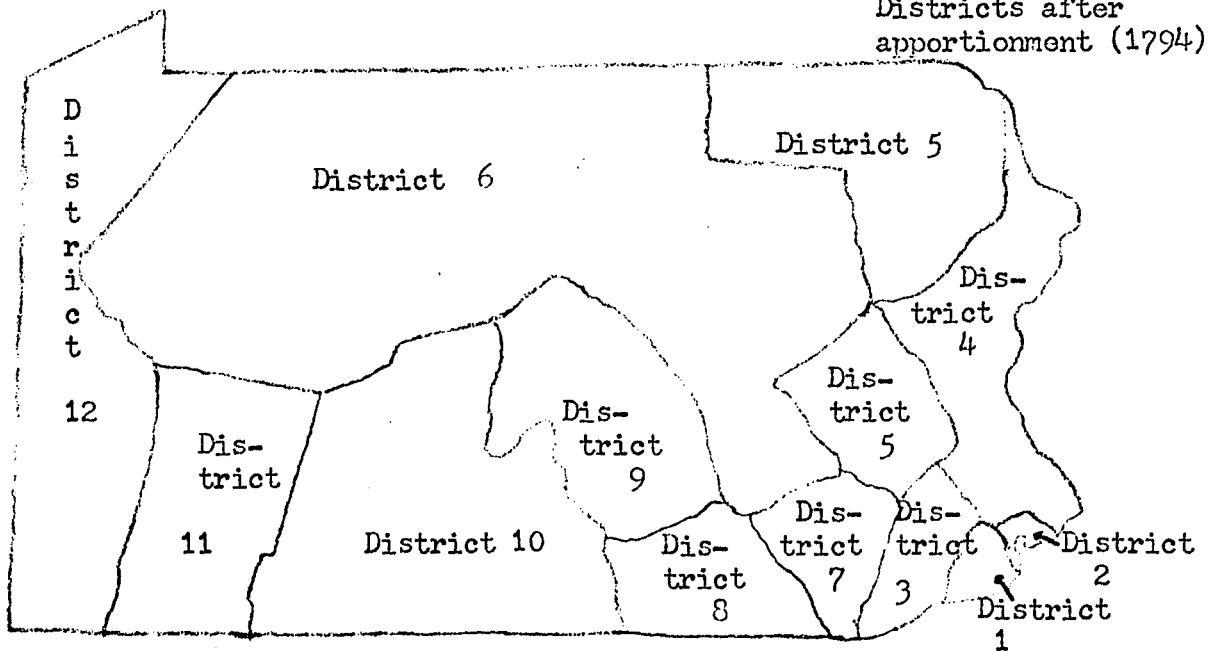
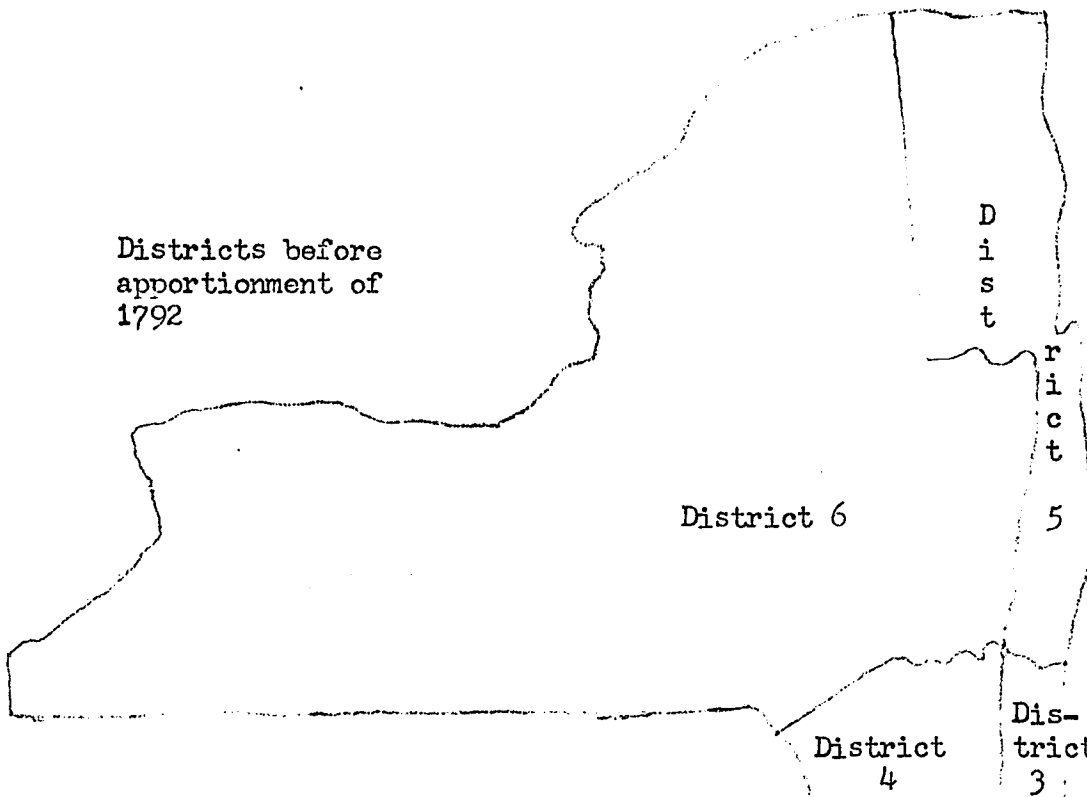


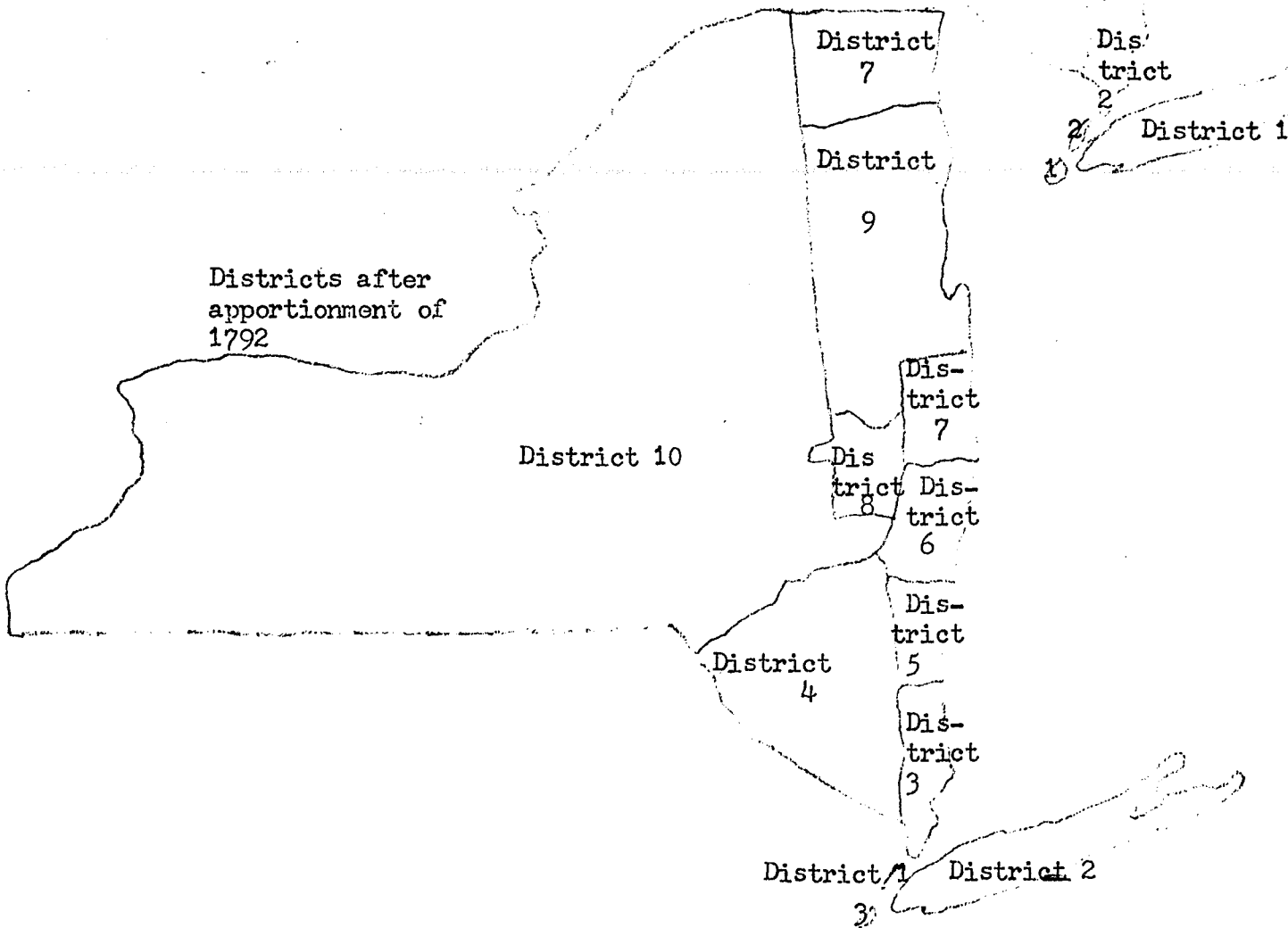
FIGURE 6

New York District Changes

Districts before  
apportionment of  
1792



Districts after  
apportionment of  
1792



Even in Massachusetts the remote areas of the state gained faster than the older and more commercially oriented towns. With arch-Federalist Theodore Sedgwick representing Berkshire County in western Massachusetts, it might be argued that increased representation for this area could only hinder the cause of Jefferson and, to an extent, frontier was not synonymous with Republican. Nevertheless, whatever the party affiliations of particular delegates, newly settled areas gained faster than older towns. The eastern and southern parts of Massachusetts, including Boston, gained only one and two-thirds representatives while the west gained two and one-third and Maine went from one to three districts.<sup>17</sup>

The increased number of frontier delegates that took their seats in the Third Congress was in large measure responsible for the shifting alignments that occurred. Freshmen representatives constituted a majority of the House (61 of 105). A substantial proportion of these new members were from western and remote interior districts. Their voting patterns were not predictable; their factional alignments were uncertain. Supporters of the administration quickly realized that their overwhelming majorities of the preceding years had disappeared. Factions which previously had been hopeless minorities now foresaw the possibility of victory. This set of circumstances, combined with the changing nature of issues before Congress, led to increased politicking and the organization of pressure groups. Party labels came into use. The small "r" in republican was capitalized and administration supporters were now called Federalists.

However, party labels did not motivate voting. They began as epithets hurled against opponents; they continued as a convenient way of

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<sup>17</sup>Ibid., Box 926.

classifying the large number of freshmen delegates who appeared in 1793. They were useful in presenting a simple, easily remembered message for the masses. They made good newspaper captions and rhymed effectively in the political humor of the day. But they did not motivate voting.

Four basic sources of divisiveness--size of government, the West, foreign policy, and economic interest--continued to dominate voting behavior. The labels Federalist and Republican are meaningful only when defined in terms of these basic issues. There were, for example, proponents of increased taxation, a Federalist position, who also favored restrictions on trade with England, a Republican position. An examination of the voting patterns that existed on the roll calls recorded in the Third Congress reveals the continued interplay of issue oriented factions arising from the four major causes of divisiveness in the 1790s.

The problem of reconciling and balancing competing economic interests was one of the four causes of factionalism. To finance rising costs in servicing the debt and meeting other government obligations, Congress had to find additional revenues. In such circumstances, the effect of any proposed tax on a particular district weighed heavily in the casting of votes and, to this extent, party blocs were not a primary factor. Nevertheless, the influences of regional and personal interest did not entirely eliminate broader economic considerations. In 1794, Congress considered at length a multitude of sources of revenue and voted upon a carriage tax, a stamp tax, a tobacco tax, increased tonnage duties, a retail liquor license tax, and an auction tax. Each of these taxes would place a burden on particular elements of the general population and on certain areas of the country; it is therefore impossible to generalize about positions on increasing taxes from the roll call on any particular

proposal. In every instance certain representatives aligned themselves on the basis of how hard the tax would hit their constituencies. A proposal that never came to a vote--to tax stock transfers at five cents per hundred dollars--gave rise to debate that exemplified the degree of personal interest that could be involved. Fisher Ames, who favored taxing almost everything, argued that the purpose of taxes was to support Public Credit but that,

This tax on the transference of the Public Funds tended to injure it, by sinking their value...taxation of the Public Funds is nothing more or less than the debtor taxing the creditor...the progress of this measure would degrade the Public Debt into a paper rag.<sup>18</sup>

Richard Winn of North Carolina, who opposed most taxes, responded by asking who the holders of public funds were and how they had acquired such wealth.<sup>19</sup> He concluded that they deserved to be heavily taxed. Such logic characterized debate on other proposals as well.

The tax on carriages that the House debated in May of 1794 was to be an annual levy ranging from \$10 for a coach to \$2 for a two wheeled vehicle. If one could judge by the arguments, a sectional issue was involved: the more substantial citizenry in the older areas with good roads, it was said, would pay the tax while large portions of the frontier would escape entirely. Another argument against the tax, which probably did not sway any votes, came from Samuel Smith of Maryland, a state with many carriages. He reasoned that,

This was a tax on population. A young man gets a wife and a carriage to drive her to church in. You tax him. In due time, he has a number of children, and must have a second carriage

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<sup>18</sup>Annals of Congress, 3 Cong. 1 sess., p. 620. May 1, 1794.

<sup>19</sup>Ibid., p. 617. May 1, 1794.

for giving them an airing. You tax him. Thus, sir, you tax a person for doing you the greatest service that can be done you--peopling your country.<sup>20</sup>

New England favored the tax by 23 to 2 and Virginia, though not for the reasons given by Smith, opposed it in about the same ratio. Other states were less cohesive.<sup>21</sup> Areas that probably had a small number of carriages were not strong proponents of the tax and the breakdown on this vote closely reflected divisions that occurred on non-economic matters.

Voting on two other taxes, on retail liquor licenses and on property sold at auction, did not occasion any significant change from the pattern that developed on the carriage tax vote.<sup>22</sup> New England delegates voted for both taxes and Virginia opposed them. Other states were divided. There was no significant debate on these two levies.

The tobacco and snuff tax, on the other hand, was the subject of extensive debate. Madison and Giles spoke at length of the unfair burden that would be placed on Virginia. Nathaniel Macon of North Carolina, in opposing the \$4 per hundred weight tax on snuff, pointed out that "this was the first instance in history where a raw material was taxed more than its value." Proponents of the levy, such as Samuel Dexter of Massa-

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<sup>20</sup>Ibid., p. 648. May 3, 1794.

<sup>21</sup>Ibid., p. 656. May 7, 1794. The states voted as follows: Connecticut 0-6, Delaware 0-1, Georgia 0-1, Kentucky 1-1, Maryland 4-1, Massachusetts 1-11, New Hampshire 0-3, New Jersey 1-4, New York 2-8, North Carolina 4-6, Pennsylvania 5-4, Rhode Island 0-2, South Carolina 2-3, Vermont 1-1, and Virginia 13-1.

<sup>22</sup>Ibid., pp. 740 and 741. May 31, 1794. On liquor licenses and property sold at auction, the respective votes of the states were: Connecticut 5-1, 7-0; Delaware 0-0, 1-0; Georgia 1-0, 2-0; Kentucky 1-0, 1-0; Maryland 1-4, 3-2; Massachusetts 10-1, 10-1; New Hampshire 2-0, 2-0; New Jersey 2-0, 2-0; New York 7-3, 8-2; North Carolina 8-2, 3-6; Pennsylvania 5-3, 6-3; Rhode Island 0-2, 2-0; South Carolina 3-2, 3-2; Vermont 0-2, 0-1; and Virginia 8-3, 5-10.

chusetts, argued that the use of tobacco "is certainly a mere luxury, or, rather folly; and all who use, and of course, pay the duty, are volunteers."<sup>23</sup> A motion to eliminate the tax was strongly supported by Virginia and Maryland but other states did not shift significantly from the positions they had taken on levies on carriages, liquor licenses, and goods sold at auction.<sup>24</sup>

The proposed stamp tax would have affected almost all legal actions, including mortgage deeds, at both the national and state level. On May 8, 1794 the measure was approved in a preliminary vote of 58 to 35 as the pattern established on other tax proposals held firm. New Englanders favored the measure by 24 to 3 and were joined by the delegations of Maryland, New Jersey, New York, and South Carolina. Virginia and North Carolina opposed the tax by a three to one ratio and Pennsylvania repeated the five to five split that was characteristic of the state on the entire question of raising revenues.<sup>25</sup> When the bill came up for final approval on May 27, 1794, however, the stamp tax was eliminated by a vote of 50 to 32. Sufficient income could be derived from other proposed levies and, therefore, a significant number of New Englanders switched sides and voted to eliminate the tax. Connecticut and Massachusetts, which had favored the stamp duties by 19 to 1 earlier, now opposed them by 11 to 7. Similar

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<sup>23</sup>Ibid., pp. 621 and 628. May 1, 1794 and May 2, 1794.

<sup>24</sup>Ibid., p. 667. May 8, 1794. The states voted as follows: Connecticut 0-7, Delaware 0-1, Georgia 0-1, Kentucky 2-0, Maryland 3-2, Massachusetts 2-10, New Hampshire 0-3, New Jersey 1-3, New York 4-5, North Carolina 5-5, Pennsylvania 7-2, Rhode Island 0-2, South Carolina 1-3, and Virginia 16-1.

<sup>25</sup>Ibid., p. 666. May 8, 1794. The states voted as follows: Connecticut 0-7, Delaware 0-1, Georgia 0-1, Kentucky 1-1, Maryland 4-1, Massachusetts 1-11, New Hampshire 0-3, New Jersey 0-4, New York 2-8, North Carolina 7-3, Pennsylvania 5-5, Rhode Island 0-2, South Carolina 0-5, Vermont 2-0, and Virginia 14-4.

shifts occurred in Maryland, New Jersey, and South Carolina. Pennsylvania remained at five to five but states which initially had opposed the tax did so even more forcefully on this occasion.<sup>26</sup>

Opposition to the stamp tax by delegates generally in favor of increased taxation appeared belatedly and was not unanimous. The question of raising tonnage duties resulted in a clearer division. Members who had favored all other proposed taxes were violently against this proposition and representatives who had spoken at length on the evils of taxation were quick to exempt this one from their arguments. New England, excluding Vermont, voted to eliminate a duty of six cents per ton on United States ships employed in foreign trade by 22 to 1. Other states seemed torn between their opposition to any taxes and the chance to vote for a levy that would hit hard at commercial interests. North Carolina, Pennsylvania, and Virginia favored the increased duty while Maryland, New Jersey, and New York opposed it. In all these states, however, the votes were divided.<sup>27</sup> The roll call on a related levy on American tonnage was also defeated with state alignments similar to those that existed on the defeat of the foreign tonnage duty.<sup>28</sup>

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<sup>26</sup>Ibid., p. 726. May 27, 1794. The states voted as follows: Connecticut 3-4, Delaware 1-0, Georgia 0-2, Kentucky 0-1, Maryland 3-2, Massachusetts 8-3, New Hampshire 0-2, New Jersey 3-1, New York 3-5, North Carolina 3-6, Pennsylvania 5-5, Rhode Island 0-2, South Carolina 3-1, Vermont 0-2, and Virginia 0-14.

<sup>27</sup>Ibid., p. 670. May 9, 1794. The states voted as follows: Connecticut 5-1, Delaware 1-0, Georgia 0-1, Kentucky 0-2, Maryland 2-1, Massachusetts 12-0, New Hampshire 3-0, New Jersey 3-2, New York 7-2, North Carolina 3-7, Pennsylvania 3-6, Rhode Island 2-0, South Carolina 2-3, Vermont 0-2, and Virginia 7-10.

<sup>28</sup>Ibid., p. 699. May 16, 1794. The states voted as follows: Connecticut 1-6, Georgia 2-0, Kentucky 1-1, Maryland 1-2, Massachusetts 1-10, New Hampshire 0-3, New Jersey 2-2, New York 5-3, North Carolina 8-1, Pennsylvania 4-4, Rhode Island 0-2, South Carolina 3-2, Vermont 2-0, and Virginia 9-9.

The patterns that existed on revenue votes and the trend of most of the House debate over the issue reflected local interests and, at first glance, the absence of broad ideological considerations. A closer examination of the actual votes, however, reveals two major groups opposing each other. A large bloc of delegates strongly favored taxation, even when it affected their constituents adversely. A smaller group consistently opposed additional levies whether or not their districts would be called upon to pay the taxes. There was a major ideological issue that motivated the two groups: the power of the central government. The result of increased revenue was the strengthening of national authority. For a variety of reasons, a bloc of delegates consistently favored expanding central power. Some represented creditor interests, others looked for the protection of commerce. A few were motivated by a desire to impose law and order, especially in the West by also at home if the need arose. This bloc, as it had done in the First Congress, swept **across state and regional boundaries**. Its aims, symbolized in Alexander Hamilton, constitute what may be termed the Federalist program.

Federalists were opposed by a cohesive interstate faction that had also been evident during the First Congress. This anti-federalist, or Republican, interest had several ideological and economic components. The group was dominated by representatives of agriculture who had a long standing aversion to big government. These Republicans opposed increased taxation which, to them, meant more power for a national government dominated by eastern speculators, friends of England, and men of commerce who made money without really earning it.<sup>29</sup> Thus, several distinct elements combined

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<sup>29</sup>Ibid., p. 663. May 7, 1794.

to form the two blocs which dominated voting on revenue.

At one extreme there were five delegates--John Beatty of New Jersey, Thomas Fitzsimons of Philadelphia, James Gillespie of North Carolina, John Hunter of South Carolina, and James Gordon of New York--who voted in favor of all six proposed taxes. Strongly supporting this nucleus were eighteen members who voted for all but one of the levies, the exception being the duty on tonnage which, because it adversely affected commercial interests, was scarcely an exception. The nature of that proposal was such that voting against it was a good indication of Federalist leanings; moreover, this group of eighteen clearly supported the administration on a wide range of issues.<sup>30</sup> To these twenty-three may properly be added twenty-two delegates who favored all levies but voted against the stamp tax only after it became clear that the revenue was not needed.<sup>31</sup> This group of twenty-two also includes members who were occasionally absent but who, when voting, consistently favored increased taxation. Altogether, there was a group of forty-five highly cohesive delegates who voted for taxation. Its members came from diverse areas of the country; they took a common position on taxes for a variety of reasons, which are revealed by their votes on other issues to be discussed shortly.

Further evidence of the presence of two cohesive factions was the nature of the opposition: four members--Isaac Coles and Abraham Venable

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<sup>30</sup>The eighteen are: David Cobb, Peleg Coffin, Dwight Foster, Ezekiel Gilbert, Benjamin Goodhue, William Barry Grove, James Hillhouse, William Vans Murray, Andrew Pickens, Theodore Sedgwick, William L. Smith, Zephaniah Swift, Silas Talbot, George Thatcher, Uriah Tracy, John Van Alen, Peter Van Gaasbeck, and Peleg Wadsworth.

<sup>31</sup>The twenty-two are: Fisher Ames, Abraham Baldwin, Lambert Cadwalander, Joshua Coit, William Dawson, Jonathan Dayton, Nicholas Gilman, Henry Glen, John Kittera, Henry Latimer, Amasa Learned, Richard Lee, Matthew Locke, Francis Malbone, Alexander Mebane, William Montgomery, Jeremiah Smith, Jonathan Trumbull, Jeremiah Wadsworth, Artemus Ward, John Watts, and Benjamin Williams.

of Virginia, John Smilie of Pennsylvania, and Thomas Tredwell of New York--voted against every proposed tax. Coles and Venable had opposed Hamiltonian policy for years but Smilie and Tredwell were equally firm in their adherence to that interest. Supporting these four, by opposing five of the six proposed taxes, was a group of eleven members, most of whom could not resist voting for increased tonnage duties but who were, nevertheless, solid opponents of the expanding national government.<sup>32</sup> A less consistent group, favoring not only tonnage duty but one of the other taxes as well, included much of the Virginia delegation. The nine members in this category tended to vote against the administration sponsored domestic proposals that came before the House.<sup>33</sup>

From an analysis of these groups, it appears that there were forty-five cohesive proponents of taxation and twenty-four cohesive oppositionists. The average total by which particular taxes were passed ran from 53 to 58 in favor and 32 to 36 opposed; factional voting, therefore, accounted for 67 to 80 per cent of all votes and represented the most important single factor in determining action taken on revenue measures. Despite all the speeches and complaints about local hardships, the deciding influence was an ideological one. The significance of interest group is even more evident when viewed on a state by state basis. TABLE 11 summarizes the categories discussed above.

The large number of pro-tax delegates shown in New York and North Carolina illustrates a basic characteristic of factional development and

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<sup>32</sup>The eleven are: Gabriel Christie, William Findley, Alexander Gillon, Daniel Hiester, William Lyman, Nathaniel Macon, James Madison, Joseph McDowell, Anthony New, John Nicholas, and Francis Walker.

<sup>33</sup>The nine are: Thomas Blount, Thomas Claiborne, Andrew Moore, Nathaniel Niles, Francis Preston, Robert Rutherford, Israel Smith, Thomas Sprigg, and Philip Van Cortlandt.

TABLE 11

## STATE DISTRIBUTION OF TAX FACTIONS

State	Pro-tax (Federalist)	Anti-tax (Republican)	No Consistent Position	Not Enough Votes To Classify
Connecticut	7	-	-	-
Delaware	1	-	-	1
Georgia	1	-	1	-
Kentucky	-	-	1	1
Maryland	1	2	2	5
Massachusetts	9	1	1	3
New Hampshire	2	-	-	2
New Jersey	3	-	2	1
New York	7	2	1	-
North Carolina	6	3	1	-
Pennsylvania	3	3	3	3
Rhode Island	1	-	1	1
South Carolina	3	1	1	2
Vermont	-	2	-	-
Virginia	1	10	4	4
Total <sup>a</sup>	45	24	18	23

<sup>a</sup>The total exceeds 105 because 5 representatives were replaced during the session.

its relationship to party. Hard core factions, and the party labels associated with them, could only achieve a majority in the House by forming alliances with blocs that did not always share similar views. The hard cores and the alliances they recruited on the question of taxation were not exactly the same as those that formed when foreign policy was debated or when efforts to limit the executive were underway. To an extent, then, one can properly speak of certain delegates as being, at the same time, economic Federalists, foreign policy Jeffersonians, and independent westerners. Such representatives cannot be classified as non-party or inconsistent; rather, they were members of three different factions, which in action on the House floor resulted in constantly shifting majorities.

Having disposed of the question of taxation, Congress began consideration of other issues. A number of representatives urged upon the House the need to raise a standing army or some other suitable means of defense. Debate hinted at possible trouble with Great Britain but more particularly on the need to rid the frontier of menacing Indians. The question of executive authority was, once again, a source of opposition to strengthening the army. Fisher Ames, recognizing the problem, asked, "Why were we afraid to entrust the President with the power of raising ten thousand men? Can any body of men to be raised in this country tread down the substantial yeomanry?" The answer was that many members thought so.<sup>34</sup> The entire question of the army involved a number of possible motivations for voting--distrust of standing armies, dislike of any federal force, fear of an executive with too much power, desire to avoid serving in the army, and unwillingness to pay the cost of maintaining a military establishment. The extent to which each of these factors operated is difficult to determine; the debates cannot be trusted and the roll calls taken usually involved overlapping considerations. For purposes of identifying bloc voting, however, it is not essential to ascertain precise motivation since the main point is that opposing cohesive factions existed. These groups, it can be seen, were significantly related to the economic interest groups defined by roll call voting on taxation.

A vote taken on May 19, 1794 on a motion to consider raising of an additional provisional military force shows political groupings clearly. Only thirty votes were cast affirmatively and, of these, eight came from Massachusetts, six from Connecticut, and six from New York. The position of these thirty members on taxation was clearly Federalist: three had voted for all six taxes, sixteen had favored all but tonnage duties, seven

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<sup>34</sup>Annals of Congress, 3 Cong. 1 sess., pp. 735 and 736. May 30, 1794.

ultimately voted against the stamp tax only after it became clear that the revenue was not needed, three had taken an equivocal position, and one had not voted often enough to be classified. No opponents of taxation supported the motion to increase the size of the army. The Federalists were defeated in this instance because they lost support, previously given to the tax bills, from New Hampshire, North Carolina, Pennsylvania, and most of South Carolina.<sup>35</sup> A subsequent vote resulting in rejection of a Senate bill to increase the size of the military establishment showed essentially the same pattern: Federalists (as defined on taxation roll calls) from New York and New England in favor of the bill with scattered support elsewhere, against a majority consisting of opponents of taxation supported by non-Jeffersonians who opposed a large standing army.<sup>36</sup>

The Senate, however, did not give up easily. A House bill authorizing the president to call out local militia, if the need arose, was amended by the Senate with a provision to establish a standing army of 1140 men to defend the southwestern frontier. In the House, William Giles protested that, "Proteus never assumed a greater number of shapes than this attempt had done. The people of the United States did not wish to be trodden down by a Continental army." John Nicholas added that "a bill had been wanted to protect the frontiers, but, by this amendment, the bill would scourge them." Two western representatives reminded the House of their own frontier experience and pointed out that a standing army was useless;

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<sup>35</sup>*Ibid.*, p. 709. May 19, 1794. The states voted as follows: Connecticut 6-1, Georgia 0-2, Kentucky 0-2, Maryland 3-1, Massachusetts 8-2, New Hampshire 0-2, New Jersey 2-1, New York 6-4, North Carolina 0-10, Pennsylvania 1-8, Rhode Island 2-0, South Carolina 1-3, Vermont 0-1, and Virginia 1-13.

<sup>36</sup>*Ibid.*, p. 738. May 30, 1794. The states voted as follows: Connecticut 1-5, Georgia 2-0, Kentucky 1-0, Maryland 2-3, Massachusetts 2-9, New Hampshire 1-1, New Jersey 2-1, New York 3-6, North Carolina 9-0, Pennsylvania 7-3, Rhode Island 0-2, South Carolina 4-1, Vermont 2-0, and Virginia 14-0.

only the local militia could handle Indian defense. Thomas Carnes of Georgia asserted that a federal force would do more mischief than service and that they "always lose to the Indians who slip between their forts."<sup>37</sup> The Senate amendment was defeated by 42 to 26 as, once again, support came only from proponents of increased taxation, mostly from Connecticut, Massachusetts, and New York.<sup>38</sup>

The degree to which groupings changed from issue to issue is amply demonstrated by comparing votes on strengthening the army with roll calls on taxation. The Federalist position in favor of increasing revenues won the support of about sixty percent of the House and "economic Federalists" outnumbered "economic Republicans" by nearly a two to one ratio. Establishment of a standing army, also a Federalist position, was consistently defeated. It is obvious that alignments on the two issues were different, but they were related. Not even one proponent of a bigger army had opposed new taxes; no opponents of increased taxation supported expansion of the military establishment. All twenty-four Republican opponents of tax levies and about half the Federalists who wanted additional revenues remained in opposing factions on the army question. On the other hand, half the "economic Federalists" and most of the waverers on taxes joined the "military Republicans" in opposing expansion of the army. It is impossible to speak of large numbers of Republicans or Federalists on a variety of issues without keeping these shifts in mind. Alliances and individual connections were constantly being modified and even hard core members

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<sup>37</sup>Ibid., pp. 775-777. June 6, 1794.

<sup>38</sup>Ibid., p. 779. June 6, 1794. The states voted as follows: Connecticut 6-0, Delaware 1-0, Georgia 0-2, Kentucky 0-1, Maryland 3-1, Massachusetts 6-2, New Hampshire 0-2, New Jersey 1-1, New York 6-3, North Carolina 0-9, Pennsylvania 1-6, Rhode Island 1-0, South Carolina 1-2, and Virginia 0-13.

changed sides. The resulting patterns were complex but they were not incoherent or meaningless. The twenty "economic Federalists" who were "military Republicans" all came from the West, where a standing army was considered dangerous or useless, or from the South, where the rights of the state militia were paramount. The role of the frontier delegates is of particular note. Many tended to support the Federalist position on issues not affecting the West. However, New England, where the Federalists were strongest, seldom supported the West on matters of immediate concern among frontiersmen such as the standing army question. Ultimately, the frontier became a major source of strength to the Republican party; it is possible that Federalist failure to support the western interest even though the West, when its own interests were not directly concerned, often voted for Federalist measures, may partially account for this transfer of allegiance.

The desire of westerners to run **local Indian affairs without** the aid or interference of the national government came to light on two separate roll calls. Although the votes resulted in a substantial degree of crossover, consistency between issue oriented factions was evident. The first instance was on rejection of a bill originating in the Senate to "prevent depredations on the Indians south of the Ohio River." Forty-three members favored rejection while thirty-seven voted for the bill.<sup>39</sup> Georgia, Kentucky, North Carolina, and Virginia were unanimous in their opposition, casting a total of twenty-five ballots. This was the area most directly affected by the proposed legislation. Twenty of twenty-three New

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<sup>39</sup>Annals of Congress, 3 Cong. 2 sess., p. 1256. February 27, 1795. The states voted as follows: Connecticut 1-4, Delaware 0-1, Georgia 2-0, Kentucky 2-0, Maryland 4-2, Massachusetts 1-11, New Hampshire 1-3, New Jersey 3-1, New York 3-5, North Carolina 7-0, Pennsylvania 4-6, Rhode Island 0-2, South Carolina 1-2, and Virginia 14-0.

Englanders voted for the protection of Indians, while the middle states were split. Using party designations from voting on taxes, twenty-five of thirty-seven votes in favor of the bill were cast by Federalists, five by members who voted against some taxes and for others, and seven by delegates who were absent too often to be classified. No affirmative votes were cast by any opponents of increased taxation.

Another portion of the same bill made it a crime for unauthorized persons to bear arms while in Indian lands. On February 28, 1795 an amendment to this provision was proposed making an exception of persons "immediately in pursuit of Indians who shall have recently committed hostilities." This attempt to effectively circumvent the purpose of the bill was defeated by 46 to 40. Maryland, Georgia, Kentucky, North Carolina, Pennsylvania, and Virginia supported the limiting amendment by thirty-four to six but all other states were heavily opposed.<sup>40</sup> Again using tax designations, thirty-three of forty-six votes to protect the Indians and not allow frontiersmen a free hand were cast by Federalists who voted for additional tax levies. Four votes came from delegates who took a mixed stand on taxes, and six votes were cast by members who could not be classified. Three votes against the amendment were cast by opponents of increased taxation: two from Vermont and James Madison. Vermont often stood with New England Federalists on questions affecting primarily the southwestern frontier. Madison placed the principle of protecting Indians above party considerations but this was by no means the first occasion on which he voted against the majority of the Republican interest. The vote in favor of the amendment reflected the geographic interest of those states most directly involved but the support

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<sup>40</sup>Ibid., p. 1269. February 28, 1795. The states voted as follows: Connecticut 0-7, Georgia 2-0, Kentucky 2-0, Maryland 5-2, Massachusetts 2-11, New Hampshire 0-4, New Jersey 0-4, New York 3-6, North Carolina 8-1, Pennsylvania 7-2, Rhode Island 0-2, South Carolina 1-4, Vermont 0-2, and Virginia 10-1.

of twenty-one out of twenty-four opponents of increased taxation indicates that broader ideological blocs also existed.

On the related issues of the military and the frontier, a clear pattern emerges. Support for a standing army and for bringing law and order to the frontier came exclusively from the bloc of delegates that supported the administration. Opposition was strongest in the areas directly affected, regardless of party label or tendency on other issues, but also existed among a substantial percentage of the Republican interest as defined by opposition to taxation.

A broad test of the Republican versus Federalist split occurred during debate over response to the Whiskey Rebellion. During Washington's first term, pro-administration forces in the House had been achieving two to one majorities on most issues that were not primarily local in character. The Federalist-supported tax plan had, more recently, been approved by a five to three ratio. On the issue of the Whiskey Rebellion, however, the forces of law and order were barely a majority, and on one occasion found themselves in the minority. The key role of ideology is apparent both from the debate and the roll calls that followed. Local considerations were of no consequence. Controversy centered on the role that "self-created societies" mentioned in President Washington's address had played in the uprising. Robert Rutherford of Virginia thought that the whole affair had been exaggerated. "This alarm is owing to an overgrown moneyed system, with which the people are not entirely satisfied," he declared, "but the moneyholders need not be afraid. The people will pay the public debt." Another Virginian, Josiah Parker, argued that since disturbances had begun long before the Democratic societies came into existence, it was absurd to relate them to the western insurrection. In his opinion the uprising originated as a reaction to an unfair excise tax to finance unjust funding. On the other side,

Theodore Sedgwick, a hard line Federalist, bitterly attacked "illicit combinations" and expressed the hope that House action would "plunge these societies into contempt, and sink them still farther into abhorrence and detestation."<sup>41</sup>

It was a Pennsylvanian, Thomas Fitzsimons, who moved that a resolution expressing alarm at the Whiskey Rebellion be amended to note that self-created societies were involved in fomenting strife. His amendment, a severe condemnation of Democratic societies throughout the nation, was narrowly approved, 47 to 45.<sup>42</sup> Factional lines were sharply drawn on the vote. Only four New Englanders opposed the added words. The four included Nathaniel Niles and Israel Smith of Vermont, who voted with the Republican interest more often than not. The other two came from Massachusetts; Henry Dearborn from Kennebeck, Maine and William Lyman from Northampton, Worcester County, Massachusetts. Lyman had consistently voted against all forms of taxation and Dearborn, while taking an equivocal position at that time, had supported other Republican causes such as reduction of the military. At this time, Massachusetts was divided into only four districts each of which elected several representatives so that it is impossible to associate a delegate with a precise area of the state. However, there was sufficient Republican sentiment in the western counties and in Maine to elect one man in each district who represented that interest. All of Connecticut, Rhode Island, New Hampshire, and the other twelve members from Massachusetts voted for the amendment.

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<sup>41</sup>Ibid., pp. 909-913. November 25, 1794.

<sup>42</sup>Ibid., p. 943. November 27, 1794. The states voted as follows: Connecticut 6-0, Delaware 1-0, Georgia 0-2, Kentucky 0-2, Maryland 3-3, Massachusetts 12-2, New Hampshire 4-0, New Jersey 4-0, New York 6-3, North Carolina 2-7, Pennsylvania 5-6, Rhode Island 2-0, South Carolina 0-2, Vermont 0-2, and Virginia 2-16.

The South was as cohesive as New England. Twenty-nine of thirty-three voting members from Georgia, Kentucky, North Carolina, South Carolina, and Virginia opposed the condemnation of self-created societies. The four who voted for condemnation were William Dawson and William Barry Grove of North Carolina and Richard Lee and Samuel Griffin of Virginia. Dawson and Grove, representing northeastern and southcentral North Carolina respectively, had voted for most proposed taxes and, except on issues involving the frontier, supported the cause of law and order in all domestic matters. Griffin, representing Culpepper and Stafford counties in northern Virginia, had always been an unreliable Republican at best. Lee, representing the three counties adjacent to the District of Columbia, had a long record of voting against the Jeffersonian interest that extended back to the earliest roll calls of the First Congress. All the areas spoken for by these four men were heavily Federalist throughout the decade.

In the Middle Atlantic the situation was more complex. New Jersey cast all its votes in favor of the amendment but other states were split. Maryland divided evenly at three to three as no votes were cast by the two districts from Montgomery County westward. Samuel Smith, supposed Republican merchant from Baltimore, was joined by Federalists William Vans Murray and William Hindman in voting for the amendment. On taxation only Gabriel Christie on the Republican side and Vans Murray on the other had taken clear positions. Maryland's representatives had charted an uneven course from the very first recorded roll calls and although this breakdown is a fair indication of basic divisions in the state, the delegation never voted consistently. Perhaps this was due to the unique position of the state with its old agricultural ties to the South and, at the same time, its rapidly increasing commercial interest in the North.

Three of nine New Yorkers, representing Long Island and the lower Hudson Valley, voted against censure of Democratic societies. Two of the three had opposed most taxes and all of them had voted against a standing army and in favor of giving frontiersmen a free hand in dealing with Indians. The six to three margin by which New York proponents of censure outnumbered their opponents on this issue accurately reflected the division within the state's delegation as it had existed throughout the Second and Third Congresses.

Pennsylvania, scene of the Rebellion, was sharply divided. The state had elected its representatives on a general ticket, but reference to place of residence and districts formerly or subsequently represented is revealing. Five of six delegates from the interior regions to the north and west opposed condemnation. Of these William Findley, John Smilie, and Daniel Hiester were strong adherents of the Republican cause. William Montgomery was not counted on by either side, while Andrew Gregg, whom John Beckley referred to as a "trimmer," although sometimes going astray, was at least a lukewarm Republican. The other interior delegate, Thomas Scott, was a notable exception. Nominally a Republican, during debate on the western insurrection, he clearly joined its severest critics. He declared that "he knew that there were self-created societies in that part of the country, and he likewise knew that they had inflamed the insurrection... The speech of the President and the letter from the Secretary of the Treasury were, in every particular, strictly true." He added that "these deluded people were objects of real pity."<sup>43</sup> The "deluded" people of Scott's

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<sup>43</sup>Ibid., p. 920. November 26, 1794.

district defeated his bid for re-election; it is reasonable to assume that Scott's position on the Rebellion was a personal one not widely held by his constituents. James Armstrong, Thomas Hartley, and John Kittera, all from the York-Lancaster area, and Thomas Fitzsimons from Philadelphia apparently agreed with Scott.

In terms of region, then, as indicated by this vote--largely ideological--Republicans controlled Georgia, Kentucky, the upcountry of South Carolina, most of North Carolina, all of Virginia except the northern counties, half of Maryland, interior Pennsylvania, lower New York except New York City, Vermont, and small pockets in Massachusetts. Federalists were in command in New Hampshire, Rhode Island, Connecticut, most of Massachusetts, New York City, upper and western New York, New Jersey, Delaware, the older parts of Pennsylvania, half of Maryland, northern Virginia, a few counties in North Carolina, and the lowlands of South Carolina, especially around Charleston. These groupings, although not identical with those that existed on economic issues, show substantial similarity. Of forty-one members voting on this issue who have been identified earlier as Federalists by their votes on taxes, thirty-four favored condemnation of secret societies. No opponents of taxation joined them; the seven "economic Federalists" who did not now support the party majority came from Georgia and the Carolinas.

A subsequent amendment specifying that the self-created societies condemnation applied only to the four western counties of Pennsylvania passed by the closest of margins, 47 to 46. To ardent Federalists such as Theodore Sedgwick, this represented a stunning defeat. The geographic breakdown on this vote is essentially the same as on the original motion

condemning all self-created societies.<sup>44</sup> Another clause, proposed by William L. Smith of Charleston, specifying that the insurrection was countenanced by self-created societies elsewhere was similarly defeated.<sup>45</sup>

The blocs that formed during debate on the Whiskey Rebellion represented the highwater mark of factional formation during the Third Congress. Most issues were not as clearcut and often involved local interests or considerations other than party. A major example of a controversy that consisted of numerous, and often conflicting, cross-currents was the debate over commerce and foreign policy. Such questions had abated considerably in preceding years as European events had not loomed so large on the American scene that they interfered with the formation of local institutions and the solution of national problems. But just as the direction of domestic policy was becoming fairly well established, difficulties with Great Britain and France threatened the delicate and as yet untested structure that was evolving. FIGURE 7, including all eighteen roll calls that dealt with foreign policy or commerce, shows that, in general, alignments remained what they had been on other issues.<sup>46</sup> Except when both Virginia and Massachusetts agreed to discontinue the embargo on trade with the West Indies, these states always opposed each other and their positions may properly be viewed as indicative of the Federalist and Republican factions respectively.

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<sup>44</sup>Ibid., p. 944. November 27, 1794. Changes were: Smith of Maryland who had voted to condemn, abstained; Dawson of North Carolina who had voted to condemn, voted to limit; F. Muhlenberg of Pennsylvania who had abstained, voted to limit; and Smith of South Carolina who had abstained, voted to condemn all societies.

<sup>45</sup>Ibid. Changes were: Gilman and Sherburne of New Hampshire who had voted to condemn all societies, voted against this amendment; F. Muhlenberg who had voted to limit, abstained; Grove of North Carolina who had voted to condemn all societies, voted against this amendment as did Griffin of Virginia.

<sup>46</sup>The roll calls included are numbers 001, 005, 007, 010, 012 through 016, 023, 025, 026, 032, 040, 046, 048, 049, and 051. For a description of each of these, check the Appendix of Roll Call Descriptions.

FIGURE 7

ROLL CALL VOTES ON COMMERCE AND FOREIGN POLICY

Number of roll calls on which the majority in the particular states listed at the left opposed the majority of the Massachusetts delegation

Number of roll calls on which the majority in the particular states listed at the left voted in the same way as the majority of the Massachusetts delegation

	1 1 1 1 1 8 6 4 2 0 8 6 4 2	1 1 1 1 1 2 4 6 8 0 2 4 6 8
Connecticut		XXXXXXXXXXXXXXXXXXXX
Delaware	XX	XXXXXXXXXX
Georgia	XXXXXXXXXXXXXXXXXXXX	XXX
Kentucky	XXXXXXXXXXXXXXXXXXXX	X
Maryland	XXXXXXXXXX	XXXXXXXXXX
New Hampshire	XXX	XXXXXXX
New Jersey	XXXXXXXXXX	XXXXXXXXXX
New York		XXXXXXXXXXXXXXXXXXXX
North Carolina	XXXXXXXXXXXXXXXXXXXX	XXX
Pennsylvania	XXXXXXXXXXXX	XXXXX
Rhode Island	X	XXXXXXXXXXXXXXXX
South Carolina	XXXXXXXXXXXX	XXX
Vermont	XXXXXXXXXXXX	XX
Virginia	XXXXXXXXXXXXXXXXXXXX	X

Number of roll calls on which the majority in the particular states listed at the left opposed the majority of the Virginia delegation

Number of roll calls on which the majority in the particular states listed at the left voted in the same way as the majority of the Virginia delegation

	1 1 1 1 1 8 6 4 2 0 8 6 4 2	1 1 1 1 1 2 4 6 8 0 2 4 6 8
Connecticut	XXXXXXXXXXXXXXXXXXXX	X
Delaware	XXXXXXXXXXXX	XX
Georgia	XX	XXXXXXXXXXXXXXXX
Kentucky		XXXXXXXXXXXXXXXXXXXX
Maryland	XXXXXXXXXX	XXXXXXXXXX
Massachusetts	XXXXXXXXXXXXXXXXXXXX	X
New Hampshire	XXXXXX	XXXXX
New Jersey	XXXXXXXXXX	XXXXXX
New York	XXXXXXXXXXXXXXXXXXXX	X
North Carolina	XX	XXXXXXXXXXXXXXXX
Pennsylvania	XXXXXX	XXXXXXXXXXXX
Rhode Island	XXXXXXXXXXXXXXXXXXXX	X
South Carolina	XXXXX	XXXXXXXXXXXX
Vermont	X	XXXXXXXXXXXX

FIGURE 7

ROLL CALL VOTES ON COMMERCE AND FOREIGN POLICY

Number of roll calls on which the majority in the particular states listed at the left opposed the majority of the Massachusetts delegation

Number of roll calls on which the majority in the particular states listed at the left voted in the same way as the majority of the Massachusetts delegation

	1 1 1 1 1		1 1 1 1 1
	8 6 4 2 0 8 6 4 2		2 4 6 8 0 2 4 6 8
Connecticut			XXXXXXXXXXXXXXXXXXXXX
Delaware		XX	XXXXXXXXXXXX
Georgia	XXXXXXXXXXXXXXXXXXXXX	XXX	
Kentucky	XXXXXXXXXXXXXXXXXXXXX	X	
Maryland	XXXXXXXXXX	XXXXXXXXXX	
New Hampshire		XXX	XXXXXXX
New Jersey	XXXXXXX	XXXXXXXXXX	
New York			XXXXXXXXXXXXXXXXXXXXX
North Carolina	XXXXXXXXXXXXXXXXXXXXX	XXX	
Pennsylvania	XXXXXXXXXXXX	XXXXX	
Rhode Island		X	XXXXXXXXXXXXXXXXXXXXX
South Carolina	XXXXXXXXXXXXXXXXXXXXX	XXX	
Vermont	XXXXXXXXXXXXXXXXXXXXX	XX	
Virginia	XXXXXXXXXXXXXXXXXXXXX	X	

Number of roll calls on which the majority in the particular states listed at the left opposed the majority of the Virginia delegation

Number of roll calls on which the majority in the particular states listed at the left voted in the same way as the majority of the Virginia delegation

	1 1 1 1 1		1 1 1 1 1
	8 6 4 2 0 8 6 4 2		2 4 6 8 0 2 4 6 8
Connecticut	XXXXXXXXXXXXXXXXXXXXX	X	
Delaware	XXXXXXXXXXXX	XX	
Georgia		XX	XXXXXXXXXXXXXXXXXXXXX
Kentucky			XXXXXXXXXXXXXXXXXXXXX
Maryland	XXXXXXXXXX	XXXXXXXXXX	
Massachusetts	XXXXXXXXXXXXXXXXXXXXX	X	
New Hampshire	XXXXXX	XXXXX	
New Jersey	XXXXXXXXXX	XXXXXXXXXX	
New York	XXXXXXXXXXXXXXXXXXXXX	X	
North Carolina		XX	XXXXXXXXXXXXXXXXXXXXX
Pennsylvania	XXXXXX	XXXXXXXXXXXX	
Rhode Island	XXXXXXXXXXXXXXXXXXXXX	X	
South Carolina		XXXX	XXXXXXXXXXXX
Vermont		X	XXXXXXXXXXXXXXXXXXXXX

The consistency with which Connecticut and Rhode Island supported the position of Massachusetts is not surprising and the voting of Delaware reflected the sympathies of the state's only representative, Henry Latimer. New York, where the majority voted Federalist on every roll call, is a different matter. Whether because of Hamilton's careful attention to state politics, or on account of the commercial interests of New York City and the Hudson Valley, Republican strength in the state was declining rapidly. In the First Congress, half of New York's six delegates had clearly opposed the administration; in the Second Congress, Hamilton supporters held a four to two advantage; by 1794 they achieved a commanding seven to three majority. However, the party's statewide strength was not nearly this great and a small shift in votes subsequently resulted in overwhelming victories for the forces opposed to Hamilton. Before 1800, however, it is inaccurate to speak of a Virginia-New York alliance in terms of strength in the House of Representatives.

In the South, three states--Georgia, Kentucky, and North Carolina--consistently opposed Massachusetts and supported Virginia in advocacy of the Republican position. Previous analysis of voting on the question of taxation showed a Federalist majority in North Carolina. When foreign policy was the issue, however, support of the Republican bloc was often unanimous and always significant. Once again, shifting on different issues is clear. Economic Federalists became Republicans on foreign policy.

In the mid 1790s, the importance of economic issues diminished as foreign policy and western affairs came to the foreground. The solidarity of New England, combined with substantial support in the South, had given Federalists a wide majority on all economic issues. On other questions, however, the party was unable to achieve the same result. To a great extent it was a basic change in the problems facing the country that weakened the

Federalists by depriving them of the issue on which they had greatest support and, incidentally, were the most successful. The six North Carolinians who favored taxation, wanted unrestricted expansion of the West, and opposed commercial policy favoring England, were not inconsistent and they did not switch from one party to another. They stood firm while the issues changed about them.

The remaining states--Maryland, New Hampshire, New Jersey, Pennsylvania, and South Carolina--were not as consistent. New Hampshire, which had consistently voted with Massachusetts on other matters, was sharply divided and voted with the Republican interest on four of the ten occasions when the state was not evenly divided. New Jersey, which had strongly supported taxation, now voted against Massachusetts nearly half the time. Maryland, torn between developing commerce and established agriculture, was hopelessly divided, reflecting the party split made clear during debate on the Whiskey Rebellion. Pennsylvania and South Carolina supported Virginia more often than not.

The eighteen roll calls in FIGURE 7 include all votes recorded on foreign policy questions and they give a fair indication of general blocs that existed on the issue. However, there were representatives in several states who consistently opposed the majority of their delegation, and among the majority there were differences in degree of commitment to various positions. For example, the majority in Massachusetts was Federalist but two of its delegates consistently voted Republican and several of the Federalists seemed to have reservations about the extent to which commerce with England should be encouraged. Thus, it is essential to examine conflict within state delegations, which are not reflected in FIGURE 7, in order to determine the component parts of the blocs that formed on foreign policy.

Delaware, with only one representative, need not be considered. Four other state delegations had no substantial minorities. Georgia, Kentucky, and Rhode Island, with two members each, were internally cohesive and clearly demonstrated commitment to one faction. Connecticut, despite its large number of representatives, showed no signs of intrastate divisiveness. Joshua Coit's single vote against authorizing the President to build ten galleys was the only opposition vote within the state in a total of 120 that were cast on the eighteen roll calls.<sup>47</sup>

Vermont's Nathaniel Niles and Israel Smith voted against each other on four occasions, one of which was a procedural matter. The other three specifically involved relations with Great Britain. Niles opposed the attempt to prohibit all commercial intercourse with England, especially after John Jay had been sent to deal with the problem, and he favored a proposed bill making it a crime to outfit privateers to attack British commerce.<sup>48</sup> Smith, who consistently voted with the Republican interest, favored modification of commercial ties with Great Britain. Both delegates opposed the Massachusetts position on foreign policy; Smith did so to an even greater extent than Niles did.

Even the state of Massachusetts was internally divided. The extreme side of the majority position was expressed clearly by Benjamin Goodhue, who favored a guarantee by the United States government of indemnification to all citizens "whose property may have been captured and confiscated, under the authority of Great Britain." This should be done, he felt, "with-

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<sup>47</sup>Annals of Congress, 3 Cong. 1 sess., p. 765. June 4, 1794.

<sup>48</sup>Ibid., pp. 596, 600, 744. April 15, 1794; April 18, 1794 and May 31, 1794.

out regard to the honoring of such claims by our adversaries,"<sup>49</sup> Effectively, Goodhue wanted a guarantee against depredations upon American commerce by warring nations. Goodhue made no attempt to disguise his partiality toward the merchant class, but other members of the Massachusetts delegation claimed to be acting from the highest motives. On the question of doubling the duty on British tonnage, Samuel Dexter observed that New England, which stood to gain from increased duties, opposed them while the South, which favored them, was expected to suffer the resulting price increases. He concluded that "there could not be a more striking evidence that the opposition of the Eastern members originated in the purest and most honorable motives."<sup>50</sup> A somewhat different facet of the majority position is shown in the remarks of Fisher Ames; they indicate an early tendency to oppose government meddling in business. "Let every nation that is really disposed to extend the liberty of commerce," he declared, "beware of rash and hasty schemes of prohibition. In the affairs of trade, as in most others, we make too many laws."<sup>51</sup> These remarks, all taken from leading Federalist spokesmen, show that the Massachusetts majority was not united in philosophy even when its voting was highly cohesive. These differences came to the foreground in later years.

Two representatives from Massachusetts, although they did not participate extensively in debate, consistently voted against the rest of the state's delegation. The two, Henry Dearborn and William Lyman, were solidly Republican on a wide range of issues and they both opposed condem-

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<sup>49</sup>Ibid., p. 689. May 15, 1794.

<sup>50</sup>Ibid., p. 272. January 23, 1794.

<sup>51</sup>Ibid., p. 330. January 27, 1794.

nation of self-created societies.

Lack of unanimity also existed in Virginia. Robert Rutherford spoke for the majority, which favored restricting trade with Great Britain, when he reasoned that:

The husbandman who attends with unremitting care to his fruit trees or vines, when he discovers a branch or shoot drawing too much nourishment, he crops the luxuriant growth. And if the farmer discovers a disposition in his neighbor to divert the attention of his family from the common interest, and to pocket the fruits of their toil, he narrows the ground of future intercourse as far as possible with such neighbor.<sup>52</sup>

Rutherford's homely metaphor was hardly germane to the topic but it did typify the level at which much of the debate was carried on. Complex trade statistics were brushed aside as the issue of American relations with Europe was cast in the light of a dispute between two farmers, one virtuous the other greedy. Richard Lee, however, argued that "the wisest policy is to leave things in their present course, which has seen the prodigious increase in our manufacture and navigation." Lee always voted with the Federalist interest and was occasionally joined by Samuel Griffin. These same two members actively opposed the Republican bloc on taxation and response to the Whiskey Rebellion.

South Carolina's delegation was sharply divided. William L. Smith began early by attacking Jefferson's report on the state of commerce. "The tendency of that report (whatever may have been the design of the reporter)," he declared, "appears to be to induce a false estimate of the comparative condition of our commerce with certain foreign nations, and to urge the Legislature to adopt a scheme of retaliating regulations, restrictions, and exclusions."<sup>53</sup> Smith opposed such schemes. The other

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<sup>52</sup>Ibid., p. 352. January 28, 1794.

<sup>53</sup>Ibid., p. 175. January 13, 1794.

representatives from South Carolina voted with the Republican interest more consistently on foreign policy and commerce than on any other major issue.

North Carolina was sharply divided on the proposal to double the duty on British tonnage. Injected into the debate on revenue, the move was an obvious attempt to take major discriminatory action against England. Even Nathaniel Macon opposed the effort and he was joined by four fellow delegates. On the other hand, Federalists William Dawson and Benjamin Williams and western Republicans Thomas Blount and Joseph McDowell voted for the doubled duty. This split and breakdown of normal factional affiliation was, however, an exception. On eleven of eighteen roll calls the state unanimously supported the Republican interest and on the others opposition was scattered.

New Hampshire was the scene of major internal divisions. All four representatives never voted the same way on the eighteen foreign policy roll calls and on eight of them exactly half voted with Massachusetts and half with Virginia. On other types of issues unanimity had been characteristic. All four delegates favored condemnation of self-created societies, opposed the west on its desire for a free hand in dealing with Indians, and voted for increased taxes. On foreign policy, however, Nicholas Gilman and John Sherburne joined the Republican interest and even voted affirmatively on prohibiting all trade with Great Britain and Ireland. Weakness in New Hampshire was to be a continuing problem for the Federalists on questions related to dealings with Europe.

Part of the New Jersey delegation also supported the Republican position on trade with England. As in the case of New Hampshire, the state was internally divided as normally Federalist members wavered. Jonathan Dayton, when he voted, favored restrictions, as did John Beatty, who had

been a strong advocate of every proposed tax increase. Abraham Clark supported the Republican interest on most issues, while Elias Boudinot and Lambert Cadwalander remained firmly in the Federalist camp.

Three New Yorkers formed a consistent Republican minority in that state. Theodore Bailey, Thomas Tredwell, and Philip Van Cortlandt had also voted for the Republican position against increased taxation, in favor of giving westerners a free hand in dealing with Indians, and against increasing the military establishment. All ten members of the state's delegation had clear and consistent factional affiliations that appeared on nearly every roll call, regardless of content.

The conflicting pressures of agriculture and commerce made Maryland's position a complex one. Samuel Smith, the state's leading Republican, took a Federalist position on commerce as he summed up the problem this way:

Representing a district which includes an important commercial city [Baltimore] and a territory producing a staple valuable and bulky, many of whose proprietors have not yet emerged from the debts incurred by a ravaging war, and whose welfare depends on a ready vent for their productions, as well as a cheap supply of the indispensable articles of foreign manufacturers, I feel a weighty responsibility on my mind on this occasion, and a peculiar solicitude to protect them against those embarrassments and distresses which appear, to my judgment, inseparable from the propositions, and which will operate against my constituents like a two-edged sword, by obstructing the export of their produce, and rendering more unattainable their necessary supplies.<sup>54</sup>

Smith voted with the Federalist bloc about half the time. Thomas Sprigg, who opposed most taxes, and George Dent, who refused to condemn self-created societies, voted with the Republican interest (as defined by the vote of Virginia) on nearly two-thirds of the eighteen roll calls recorded on

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<sup>54</sup>Ibid., p. 410. January 29, 1794.

foreign policy. Gabriel Christie also supported restrictions against Great Britain but Uriah Forrest, William Hindman and William Vans Murray were committed to the Federalist position reflected in the vote of Massachusetts. The affiliations of these four members did not change with the nature of the issue being voted upon.

Pennsylvania's voting reflected the basic interior versus coastal division that existed in the state, although there were some exceptions. Thomas Fitzsimons of Philadelphia always voted against restrictions (the Federalist position) along with Thomas Hartley of York County and John Kittera of Lancaster. The strongest proponents of retaliation against England were John Smilie, William Findley, and William Montgomery, all of whom came from outlying areas. The rest of the delegation did not clearly align itself with either major bloc.

The general trend of voting on foreign policy and commerce was toward some modification of existing connections with England. A prohibition of all trade with Great Britain passed by 53 to 34, although it never went into effect. However, any action that seemed to impose severe hardships at home or carry with it the risk of major retaliatory action by England, was defeated. The effort to double the duty on British tonnage was beaten by more than two to one. The unwillingness that existed in the Third Congress of a majority of the House to take decisive and consequential steps is a clear forerunner of later action on the Jay Treaty.

The Third Congress was transitional in several important ways.

Old alliances on assumption, heavily involving local interests, disappeared. They were replaced by new and different alignments on the question of taxation. These new blocs were motivated less by pure and local economic interest than by the use to which revenue would be put. Economic matters, narrowly defined, became less significant.

Another significant transition evident in the Third Congress was the rise of the western interest. The most obvious reason for this was that **its** numbers were tripled by the apportionment of 1792, while the size of the whole House less than doubled. A second factor was that as the nation's strength grew, its ability to take command in the West increased. This raised a host of problems that Congress had to grapple with. Frontier delegates were keenly interested in such matters and they became a more effective and cohesive force because of this increasing attention to their particular interests.

The Third Congress was also transitional in that it marked the end of the dominance of the issue of big government. The power of the national structure had never been the sole issue before the House but it had been the only broad question to attract consistent support or opposition over a series of roll calls. It appeared first during the amendment controversy. The factions that **had** then formed were modified and sometimes broken by the pressures of localism, economic interest, and clashing ideology. Nevertheless, no other combination of interests had been as cohesive on a range of issues. In the Second Congress, the question of big government took the form of a fight over apportionment. Once again, the alignment of factions on the basis of the issue at hand modified, but did not eliminate, the essential nationalist versus anti-federalist split. In the Third Congress, voting on the question of increased taxation had been motivated, in large measure, by positions for or against the stronger central authority that was a corollary of increased revenue. The two blocs that arose from the taxation controversy continued to exhibit a high level of cohesion on other issues--the frontier, the military, executive authority, and foreign policy. However, serious, and in the end permanent, shifts eroded the strength of the factions concerned primarily with the

question of central authority.

The reason for these permanent shifts is not obscure. Beginning with the Jay Treaty and continuing until after the War of 1812, foreign policy, together with the domestic consequences that flowed from the same source, dominated the work of the national government. The Livingston Resolution was overshadowed by the Jay Treaty. The Alien and Sedition Acts were an adjunct of the war with France. Thus, a shift in issues was primarily responsible for a shift in factional behavior. In the first three Congresses domestic issues were paramount; the question of limiting the power of the state was central. Reconciling of economic interests and establishment of a frontier policy were sources of two additional and distinct patterns of division. How long these factional formations might have continued is one of the "ifs" of history that cannot be answered with certainty. The fact is that events forced these groups to the background. After 1795, the House had to face a new set of circumstances dominated by foreign policy considerations; the result was a basic shift in voting patterns.

## CHAPTER V

### FOURTH CONGRESS: FACTIONALISM AND THE JAY TREATY

Contests for seats in the Fourth Congress generated fierce partisan conflict. Alexander Hamilton, recently resigned from the cabinet, took up his pen as "Camillus" to defend Jay's Treaty. Jefferson broke his self-imposed political exile at Monticello to urge Madison to expose the errors of the "colossus" of the anti-Republican party. "For God's sake take up your pen and give a fundamental reply," pleaded Jefferson. On a more practical level, a variety of nominating conventions assembled in highly partisan fashion to choose sympathetic candidates, and John Beckley industriously spread Republican propaganda and election slates throughout Pennsylvania.<sup>1</sup> To a greater extent than ever before, the results of the election reflected the will of the people; individual personalities were largely swept aside by the surging tide of party politicking. Increasingly, representatives and their constituents clearly associated themselves with the administration, the Jay Treaty, and suppression of the whiskey rebels, or they openly opposed all three. The middle ground that had once been comfortably large and nebulous was shrinking and, even in areas where party machinery did not exist, ideological groupings were crystallizing.

Administration opponents were jubilant about the outcome of the election. Estimates of their gain in the House ran as high as twenty seats. They had come within one vote of defeating the administration on the whiskey

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<sup>1</sup>Cunningham, Jeffersonian Republicans, pp. 70-76.

Rebellion and it now seemed likely that they could successfully oppose the Jay Treaty. However, party labels were deceptive. They glossed over a fundamental characteristic of roll call voting: factions were issue oriented. Majorities were achieved through coalitions of interest that operated with little regard to the labels used as a means of getting elected.

A more accurate way of assessing the results of the election is in terms of actual roll call voting. Three key issues--taxation, foreign policy, and the Whiskey Rebellion--indicated voting behavior in the Third Congress. The crucial test of the Fourth Congress came on the question of the Jay Treaty. TABLES 12 and 13 summarize the election of 1794 in these terms. In TABLE 12 the designations Republican or Federalist have meaning only as defined by actual voting. They are, in effect, shorthand

TABLE 12

## THE ELECTION OF 1794--CHANGES

Position	Served in both 3rd & 4th Cong		Not re-elected to 4th Cong		New member in 4th Cong	
	Number	Pct.	Number	Pct.	Number	Pct.
Increase taxes (Cong 3)						
Yes (Federalist)	25	39 $\frac{1}{2}$	20	50 $\frac{1}{2}$	-	
No (Republican)	19	29 $\frac{1}{2}$	5	13 $\frac{1}{2}$	-	
No clear position	21	32 $\frac{1}{2}$	15	37 $\frac{1}{2}$	-	
Punish whiskey rebels (Cong 3)						
Yes (Federalist)	25	39 $\frac{1}{2}$	22	55 $\frac{1}{2}$	-	
No (Republican)	32	49 $\frac{1}{2}$	13	32 $\frac{1}{2}$	-	
No vote	8	12 $\frac{1}{2}$	5	13 $\frac{1}{2}$	-	
Limit trade with G.B. (Cong 3)						
No (Federalist)	24	37 $\frac{1}{2}$	18	45 $\frac{1}{2}$	-	
Yes (Republican)	32	49 $\frac{1}{2}$	15	37 $\frac{1}{2}$	-	
No clear position	9	14 $\frac{1}{2}$	7	18 $\frac{1}{2}$	-	
Livingston Resolution (Cong 4)						
No (Federalist)	22	34 $\frac{1}{2}$	-		15	37 $\frac{1}{2}$
Yes (Republican)	40	61 $\frac{1}{2}$	-		22	55 $\frac{1}{2}$
No vote	3	5 $\frac{1}{2}$	-		3	8 $\frac{1}{2}$
Implement Jay Treaty						
Yes (Federalist)	33	51 $\frac{1}{2}$	-		18	45 $\frac{1}{2}$
No (Republican)	28	43 $\frac{1}{2}$	-		20	50 $\frac{1}{2}$
No vote	4	6 $\frac{1}{2}$	-		2	5 $\frac{1}{2}$

phrases used to indicate roll call voting positions. For the sake of analysis, the word Federalist may be associated with positions in favor of increased taxation, against discrimination in trade with Great Britain, in favor of suppressing the whiskey rebels, and in favor of implementing the Jay Treaty. The word Republican may be assigned to the opposite side of each of these issues. TABLE 13 highlights the raw data shown in TABLE 12. Several conclusions may be drawn from the percentages in TABLE 13.

TABLE 13

## THE ELECTION OF 1794--SIGNIFICANCE

Position Changes <sup>a</sup>		Percentage Change in Strength	
From (Cong 3)	To (Cong 4)	The 65 districts represented by the same delegate in 3rd & 4th Cong	The 40 districts represented by a different delegate in 3rd & 4th Cong
Taxation	Livingston Res.		
	Federalist	- 5%	-13%
	Republican	+32%	+42%
	No position	-27%	-29%
Taxation	Jay Treaty		
	Federalist	+12%	- 5%
	Republican	+14%	+37%
	No position	-26%	-32%
Whiskey rebels	Livingston Res.		
	Federalist	- 5%	-18%
	Republican	+12%	+23%
	No position	- 7%	- 5%
Whiskey rebels	Jay Treaty		
	Federalist	+12%	-10%
	Republican	- 6%	+18%
	No position	- 6%	- 8%
Foreign policy	Livingston Res.		
	Federalist	- 3%	- 8%
	Republican	+12%	+18%
	No position	- 9%	-10%
Foreign policy	Jay Treaty		
	Federalist	+14%	--
	Republican	- 6%	+13%
	No position	- 8%	-13%

<sup>a</sup>These positions represent a summary of the material analyzed earlier in connection with the Third Congress and roll calls recorded in the Fourth Congress which will be discussed subsequently in some detail.

The most obvious conclusion is that the size of the Republican victory in the election of 1794 is dependent upon the criteria used to determine who belonged to which party. The percentage increase in Republican strength in the forty districts electing new representatives ranged from a low of 13 per cent (from foreign policy to Jay Treaty in TABLE 13) to a high of 42 per cent (from taxation to Livingston Resolution in TABLE 13). No matter what standard is used, Republicans gained from the election, but the extent of victory is subject to qualification. The extent of Federalist losses in the forty changeover districts also depends upon the criteria used. The party may have lost nothing (from foreign policy to Jay Treaty in TABLE 13) according to one test of strength. On the other hand, they may have lost as much as 18 per cent (from whiskey rebels to Livingston Resolution in TABLE 13). Republican gains without corresponding Federalist losses occurred because of a reduction in the number of delegates taking no clear position. It is not necessary to determine which of several tests provides the best measure of the Republican victory in 1794. It is more important to realize that the consequences of the election, in terms of roll call voting, varied sharply with the nature of the issue at hand.

Percentage changes among delegates serving in both Congresses are highly significant. The shift among re-elected representatives from foreign policy positions in the Third Congress to Jay Treaty votes in the Fourth Congress was greater than the shift in changeover districts on the same issue (see TABLE 13). Switches among returning delegates negated the effect of shifts in the forty changeover districts. The election of 1794, it may therefore be said, was less significant in determining the outcome of the Jay Treaty controversy than the realignment of individuals who served in both Congresses. The Republican election victory was offset by the Federalist victory in the maze of factional behavior that existed within

the House.

This shifting of individuals and of small voting blocs, on a scale that made its consequences greater than those of bi-annual election, necessitates a careful definition of parties and a greater emphasis on issue-oriented factions. Party labels existed, but they indicated neither voting patterns nor motivations for roll call positions. Factions, arising from four basic sources of division, and characterized by shifting temporary alliances, dominated voting.

Republicans had won the election of 1794, though not in the sweeping terms that party labels implied. As defined by voting positions in the Third Congress, more Federalists than Republicans either failed of re-election or did not run for the Fourth Congress. A majority of those who replaced them were Republican on the relatively easy issue presented by the Livingston Resolution, but only a minority of the new delegates stood firm on the critical test of implementing the Jay Treaty itself. A similar failure to oppose the administration to the bitter end characterized many delegates who were re-elected in 1794. In all, Republicans scored a net gain of about twelve seats. This was enough to give them an overwhelming majority on the Livingston Resolution but not enough to overcome defections on the issue of the Jay Treaty.

Federalists gained only one new seat at Republican expense as Daniel Buck replaced Nathaniel Niles from Vermont. The thirteen seats they lost to the Republicans included that of Artemus Ward of Massachusetts, who gave way to Joseph B. Varnum, a staunch Jeffersonian. Both northern Virginia Federalists, Samuel Griffin and Richard Henry Lee, were replaced by opponents of the Jay Treaty. Lee's defeat came in a fiercely contested battle against Richard Brent. In Pennsylvania and New York, the stature of incoming Republicans was at least as significant as their number. New

members included such notables as Edward Livingston, David Bard, Samuel Maclay, and Albert Gallatin.

Given the even strength of the two parties as demonstrated on the Whiskey Rebellion votes in the Third Congress, the election of 1794 should have given the Republicans a clear majority and, indeed, the roll call on the Livingston Resolution shows that this was the case. After a fortnight of extensive debate, sixty-two of ninety-nine voting members agreed to ask the President to "lay before this House a copy of the instructions to the Minister of the United States, who negotiated the Treaty with the King of Great Britain...together with the correspondence and the documents relative to the said Treaty."<sup>2</sup> The more moderate James Madison lessened the audacity of Livingston's motion by amending it to exempt the release of any papers that might injure existing negotiations. Nevertheless, the resolution contained several radical concepts which, in more moderate form, had long been cherished by House Republicans. Administration interpretation of the Constitution viewed the request for papers as an encroachment by the House upon the business of the Senate and the executive. As early as the First Congress, an interest group including some of the same men and many of the same districts that now stood with Livingston had consistently tried to impose curbs on the president and to hold their own against the pretensions of the Senate. The resolution also implied a strong anti-British bias and this, too, had become associated with the Republican party. Thus, the large majority on the Livingston Resolution was the direct result of the coalescing of two distinct interests, anti-statism and anti-British sentiment.

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<sup>2</sup>Annals of Congress, 4 Cong. 1 sess., p. 759. March 24, 1796.

The area south of the Potomac cast all but two of its votes in favor of the Livingston Resolution. The exceptions were Robert Goodloe Harper and William L. Smith of South Carolina. Maryland, Pennsylvania, and Delaware supported the Republican position by a two to one ratio as anti-administration votes came from western and northern Pennsylvania, Philadelphia, Delaware, and all of Maryland except the Eastern Shore. New York split evenly at five to five but New Jersey opposed the Resolution. Although New England formed the nucleus of the pro-Treaty bloc, there were five defectors to the Republican side.<sup>3</sup> Israel Smith of Vermont and representatives Henry Dearborn, William Lyman, and Joseph Varnum of Massachusetts were to vote consistently against the Treaty. Israel Smith's tendency to join the Republican interest had been exhibited on a variety of roll calls extending back to the Second Congress.

In Massachusetts, the redistricting of 1794 makes it possible to determine precisely the areas of Republican strength in the state (the 1792 election had been on the basis of four large districts, each of which elected several delegates). Lyman represented the second western district which included most of Hampshire County; Varnum spoke for the second middle district which incorporated central Middlesex County plus nine towns in Worcester County; and Dearborn represented the second eastern district in Maine. These areas were the least commercially oriented in the state and they were the most isolated in terms of lack of river transportation and good road connection with trading centers. The towns

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<sup>3</sup>Ibid. The states voted as follows: Connecticut 0-7, Delaware 1-0, Georgia 2-0, Kentucky 2-0, Maryland 5-2, Massachusetts 3-9, New Hampshire 1-3, New Jersey 1-2, New York 5-5, North Carolina 10-0, Pennsylvania 8-4, Rhode Island 0-2, South Carolina 4-2, Vermont 1-1, and Virginia 19-0.

had generally been founded somewhat later than those in other districts, and Lyman's district included the centers of the Shaysite troubles of the previous decade.

The sizable anti-administration majority on the Livingston Resolution disappeared within the six weeks that elapsed before the Treaty itself was voted upon. During the interval, Alexander Hamilton, who was without portfolio but by no means without influence, advised the President to refuse to furnish the requested documents to the House. Washington followed this advice, whereupon the Treaty opponents met in caucus to determine an appropriate course of action. Apparently at the lead of **James Madison, this caucus** decided to take a firm stand against the Treaty but to "avoid as much as possible an overt rencontre with the Executive."<sup>4</sup> To this end, a resolution was passed by 57 to 36 stating that the House had a right to deliberate on the expediency of any treaty that included regulations on subjects within the power of the House. The vote indicated no increase in the strength of the pro-Treaty faction as demonstrated by opposition to the Livingston Resolution. The small drop in Republican numbers was more the result of irregular attendance than lack of party zeal.<sup>5</sup> The same pattern held on passage of a resolve, in reply to Washington's refusal to furnish papers, that "it is not necessary to the propriety of any application from the House to the Executive for information desired by them, and which may relate to any Constitutional functions of the House that the purpose for which such information may be wanted or to which the same may be applied, should be stated in the application."<sup>6</sup>

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<sup>4</sup>Cunningham, Jeffersonian Republicans, p. 83.

<sup>5</sup>Annals of Congress, 4 Cong. 1 sess., p. 782. April 7, 1796. The states voted as follows: Connecticut 0-7, Delaware 1-0, Georgia 2-0, Kentucky 1-0, Maryland 5-2, Massachusetts 3-9, New Hampshire 2-2, New Jersey 0-2, New York 5-5, North Carolina 8-0, Pennsylvania 9-3, Rhode Island 0-2, South Carolina 4-2, Vermont 1-1, and Virginia 16-0.

<sup>6</sup>Ibid., p. 783. April 7, 1796.

In fact, on seven different roll calls from the Livingston Resolution until the actual Jay Treaty vote, Republicans outnumbered Federalists by nearly five to three. In order to achieve a majority, the administration had to hold all its own support and gain that of one of every five of its opponents. But victory, as events showed, was easily achieved. There was no gradual melting away of Republican votes;<sup>7</sup> 20 per cent disappeared almost overnight when the Treaty itself was voted upon.

The role of James Madison, who complained to Jefferson of a "melting away" of Treaty opponents, went beyond the mere casting of votes. His earlier record was not one of total adherence to the Republican interest. Contrary to Noble Cunningham's analysis of Madison's party, a designation taken almost exclusively from Federalist sources, the roll calls of the First Congress showed that the formation of an anti-administration bloc preceded Madison's joining of the group. Even after he took a more consistent stand, use of the future President as a Republican yardstick leads to erroneous conclusions. Cunningham's statement that nearly half the members of the Third Congress did not regularly vote with one party or the other is based on an unfortunate acceptance of Madison's voting record as an infallible guide to party designation.<sup>8</sup> Analysis of all roll calls recorded in the Third Congress showed the existence of several issue oriented factions, each of which exhibited a highly cohesive voting pattern. It is true that half the representatives did not associate themselves with the parties defined by Cunningham, but nearly all of them were voting with consistent interest groups. In the Fourth Congress, all the Republican

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<sup>7</sup>Cunningham, Jeffersonian Republicans, p. 83. The author accepts Madison's excuse for failure that the votes melted away.

<sup>8</sup>Ibid., p. 70.

defectors, including James Madison, on the Jay Treaty who had been present in earlier Congresses had shown an unwillingness to oppose the administration on crucial questions.

If Madison was the leader of opposition to the Treaty, there are several questions left unanswered by Cunningham's analysis, which portrays him as an astute party manager sabotaged by several of his loyal followers. One issue that must be raised is just how far Madison was willing to go in blocking the Treaty. Was he merely trying to make political mileage, or did he favor outright rejection and possible war with England? Was he willing to force an open confrontation and possibly total break with the administration? The record of debate shows a clear answer to these questions. Madison moderated the Livingston Resolution by exempting certain delicate papers from the request. Subsequently, he advocated a firm stand but undercut that very possibility by urging the avoidance of a direct confrontation with the President. The same technique of avoiding a showdown, yet using an issue for propaganda purposes is evident in Madison's sponsorship of a motion to implement the Treaty and at the same time declare it highly objectionable.<sup>9</sup> The attempt lost by one vote and Madison afterward bemoaned his defeat on this motion more than on the Treaty roll call itself. The motion was intended to express opposition to the administration, but in such a way as to guarantee that the Treaty would be implemented. This political gesture implied acceptance of the Treaty by Madison, and made subsequent votes on Jay's work meaningless. Its defeat ensured that

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<sup>9</sup>Annals of Congress, 4 Cong., 1 sess., p. 1289. April 30, 1796. The states voted as follows: Connecticut 0-7, Georgia 2-0, Kentucky 2-0, Maryland 1-6, Massachusetts 3-10, New Hampshire 0-3, New Jersey 0-4, New York 5-5, North Carolina 9-1, Pennsylvania 7-5, Rhode Island 0-2, South Carolina 4-2, Vermont 1-1, and Virginia 15-4.

the Treaty would be approved, and a later vote against the Treaty, by Madison and others, became a safe protest that could not involve any consequences at home or abroad. Whether Madison's role in approving the Treaty by only half-hearted opposition indicates his placing the good of the country above party concerns is beside the point. The crux of the matter is that, once again, while appearing to lead, Madison was actually exerting a constraining influence upon the spearheads of the Republican interest.

Another possible explanation of Madison's role in the Treaty question is that he was quite inept at managing a party. At several points he misjudged the situation rather badly. Madison himself wrote that Livingston's Resolution was ill-timed and that the House might only barely approve it. Yet it received the greatest support of any significant foreign policy question in the entire session. After Washington's refusal to furnish the requested papers, Madison gave a lengthy speech because he expected a "long and obstinate discussion" on a resolution asserting the rights of the House. The resolution immediately passed by a wide margin and with no oratorical displays from the Federalists. One might wonder why Madison did nothing to bring the question of implementation to a vote earlier in the session, before Hamilton's pressure and spreading war scares eroded Republican strength. Seven roll calls related to the Treaty had all received comfortable anti-administration majorities but a month elapsed before the crucial test. Inept management, however, can only partially account for the sudden defection of one in five Treaty opponents. More significant is the characteristic which Madison apparently shared with a good many other Republicans: an unwillingness to pursue opposition to the point of a total break with the administration on a question of national consequence.

The Republican defection that allowed passage of the Jay Treaty had its roots in earlier Congresses; it now became strikingly evident. Republican strength, as defined by roll call voting, dropped from a high of sixty-two on the Livingston Resolution to a low of forty-eight on implementation of the Treaty itself. Federalist strength, using the same roll calls, rose from thirty-seven to fifty-one. This total change of fourteen votes resulted from a variety of circumstances.

The easiest to explain is attendance. Four delegates--Gabriel Duvall of Maryland, William Findley of Pennsylvania, John Patten of Delaware, and John Sherburne of New Hampshire--voted for the Livingston Resolution but were absent on the Treaty vote. Had all four been present for the latter roll call, the scales could conceivably have tipped the other way, although only Findley's vote can be hypothesized with any certainty. Administration forces lost only one vote due to absence on the Treaty roll call, that of Nathaniel Freeman of Massachusetts. When these five absences are subtracted from the sixty-two Livingston Resolution Republican votes and the thirty-seven Livingston Resolution votes, the new total is: Republicans fifty-eight, Federalists thirty-six. Five members were present for the Treaty roll call but absent earlier; of these only Daniel Hiester of Pennsylvania opposed the Treaty. Fisher Ames and George Leonard of Massachusetts, Jeremiah Crabb of Maryland, and Thomas Henderson of New Jersey voted for the Treaty; they had been absent on the Livingston Resolution. When these five votes are added to the hypothetical total above (fifty-eight to thirty-six), the new total is: Republicans fifty-nine, Federalists forty. The proponents of the Treaty, therefore, gained three votes between the two roll calls--exactly the number by which they won--due to attendance changes.

No one who opposed the Livingston Resolution subsequently voted

against the Treaty, and so the remaining gain of eleven for the Federalists had to come from Republican crossovers. These eleven are significant not only as individuals but also as representatives of particular areas.

Two crossovers came from the South. William Barry Grove of North Carolina had strong Federalist leanings before and after this Congress; his vote can hardly have been a surprise. The other southern defector, George Hancock of Botetourt County in southwestern Virginia, had established a successful law practice in Fincastle. He never voted consistently with any faction in the House. Hancock represented the lower Shenandoah Valley, which had significant trade connections with Baltimore and Alexandria. Another factor in Hancock's vote for the Treaty was its provision for clearing the northwest of British fortifications which, in turn, paved the way for settlement by the more adventurous westerners of his district. These two were the only supporters of the Livingston Resolution south of the Potomac who crossed over and voted for the Jay Treaty. When the hypothetical total arrived at above (fifty-nine to forty) is further revised to include the votes of Grove and Hancock, the new total is: Republicans fifty-seven, Federalists forty-two.

The other nine defectors came from the Middle Atlantic region. Aaron Kitchell of New Jersey, a former blacksmith, accepted the label Republican when running for office; nevertheless, he voted with the administration as often as not. In earlier Congresses he had supported the nationalist majority on the coin controversy, taxation, and on imposition of law and order in the West. His state was strongly for the Treaty, and his vote represented the will of his constituents. The resulting new total is: Republicans fifty-six, Federalists forty-three.

Theodore Bailey and Philip Van Cortlandt, from Westchester and

Dutchess Counties respectively, represented the well-to-do of the lower Hudson Valley estates of New York. Their general adherence to the Republican party reflected local considerations in New York politics, where great families chose sides more because of personal feuds or desire for power than for reasons of lofty principle. Local ties often held at the national level; Van Cortlandt was a highly consistent supporter of anti-administration interests in the House. In a matter of such grave consequence as a Treaty that could prevent war with England, however, party took second place. The lower Hudson Valley had close connections with the merchants of New York City who formed the base of Hamilton's strength in the state, and both groups had much to gain from peace with England. The resulting new total is: Republicans fifty-four, Federalists forty-five.

Three Pennsylvanians--John Richards, Frederick Muhlenberg, and Andrew Gregg--who had voted for the Livingston Resolution turned around and favored the Treaty itself. Richards was a Federalist; possibly his Treaty vote needs less explanation than his earlier support of the Livingston Resolution, which indicated the depth of dissatisfaction with Jay's work. This dissatisfaction, however, did not extend to completely upsetting the administration's applecart. Muhlenberg, an itinerant minister, had been Speaker of the House and therefore did not often vote. His acceptance as Speaker by the pro-administration majorities of the First and Third Congresses, as well as his judiciously impartial handling of the duties of his office, indicate that he was never an ardent Republican. He understood the value of compromise. The defection of Andrew Gregg, on the other hand, was a severe blow to Treaty opponents; John Beckley never forgave the transgression and always afterwards referred to the Pennsylvanian as "trimmer Gregg." Gregg's vote, however, was clearly forecast a year

earlier when he opposed the extreme Republican bloc in its effort to impose severe restrictions on British trade. During his stay in the House, lasting more than a decade, Gregg consistently refused to oppose the administration on critical questions when opposition seemed to have a chance of success. The resulting new total is: Republicans fifty-one, Federalists forty-eight.

The crossover of three delegates from Maryland--Gabriel Christie, George Dent, and Samuel Smith--was the result of economic pressures in the state. Representing the areas of Maryland most affected by the rapidly expanding commercial activity centered around Baltimore, all three gave in to the forces described so clearly by Smith in the Third Congress when he explained his position against restrictions on trade with England. In addition to the economic factors cited at that time, Smith now stressed that he would give his consent to the Treaty because "it would tend to restore harmony and unanimity to our public measures; a House so nearly divided against itself could never thrive."<sup>10</sup> The resulting final total is: Republicans forty-eight, Federalists fifty-one. The Treaty won.

The loss of the Republicans on the Jay Treaty resulted from a variety of factors. A change in any one of them could have brought about an opposite decision. Attendance differences provided the Federalists with a net gain of three votes. They got two more from delegates who voted with the administration more often than not and whose support of the Livingston Resolution never meant a willingness to oppose the Treaty itself. New York's habit of choosing party labels, at least among the elite, on the basis of personal relationships rather than principle, added

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<sup>10</sup>Ibid., p. 1157. April 22, 1796.

another two to the Federalist side. For the remaining seven delegates who switched sides, the pressure of local economic considerations and a deep-rooted tendency to support the administration on crucial matters were too great, and they defected.

The Jay Treaty roll calls clearly show that each of the two parties was in reality a combination of interests, heavily issue oriented, that needed the support of key delegates in the Middle Atlantic states in order to achieve control of the House. While these "trimmers" may be considered as not belonging to a particular interest, a closer analysis shows that they followed a fairly consistent and predictable course: their presence tended to mitigate the positions of more extreme interest groups because they made moderation the price of their support. They were the necessary bridge that brought about a consensus on the major issues of the day. Although several of them were active in party machinery, they did not allow such involvement to seriously affect their voting, which was consistently based on a principle of moderation.

Although the Jay Treaty controversy dominated the Fourth Congress, there were other issues that vitally affected the nation. All of them were influenced in some measure by the pressure of interest bloc affiliation, but the nature of the issues that arose modified the structure and relationship of these interest blocs.

The outfitting of frigates for defense against Algerine pirates and for the general purpose of protecting commerce occasioned extensive debate and a number of significant roll calls. Taken together, the votes isolate commercial interests in the House and show their relationship to the pattern established by the Jay Treaty controversy.

The first roll call on the frigates was taken in the Spring of 1796

and the issue was still being voted upon as late as March, 1797. During this time the threat of war with England had abated and hostilities with France had reached alarming proportions. While it was generally agreed that the proposed frigates would be no match for European powers and would be used only against pirates, no one could be sure of the result should one of the ships encounter a French or British enemy vessel. In addition to these uncertainties, questions were raised concerning the propriety of building such large ships rather than expending the same effort to arm existing merchant ships. Joshua Coit of Connecticut always opposed the frigates, not because he opposed commerce, but purely on the ground that frigates were not the best means of defense. Another question raised in debate was the cost of building and manning the ships; new taxes would surely be needed.

In every roll call on frigates, however, the dominant influence was the pressure of commercial ties. Every district in the entire country that had a significant interest in commerce favored building the frigates. Interior areas, especially those not engaged in agricultural production for export, overwhelmingly opposed outfitting the ships. This pattern, reflecting the divisiveness that invariably occurred in attempting to balance conflicting economic groups, reflected issue oriented factionalism rather than party.

Seventeen delegates opposed the frigates on all ten roll calls related to their authorization and building.<sup>11</sup> After an unsuccessful

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<sup>11</sup>The seventeen are: Theodore Bailey of Dutchess County New York, Nathan Bryan of Jones County North Carolina, Gabriel Christie of Baltimore County Maryland, John Clopton of New Kent County Virginia, Joshua Coit of New London Connecticut, Issac Coles of Halifax County Virginia, Albert Gallatin of Fayette County Pennsylvania, William Giles of Amelia County Virginia, Wade Hampton of Richland County South Carolina, Jonathan Havens of Suffolk County New York, James Holland of Rutherford County North Carolina, George Jackson of Wood County Virginia, William Lyman of Worcester County Massachusetts, Samuel Maclay of Franklin County Pennsylvania, Anthony New of Gloucester County Virginia, Israel Smith of Rutland Vermont, and John Williams of Washington County New York.

attempt to reduce the proposal from three ships to two, all seventeen voted against building any frigates at all. When this failed, they voted against appropriations to buy timber with which to build the vessels and against provision to provide crews for the ships.<sup>12</sup> Any search for consistencies within this group of seventeen must exclude Joshua Coit for reasons noted earlier. Of the remaining sixteen, all but one had voted for the Livingston Resolution and all but three had opposed the Jay Treaty to the bitter end.<sup>13</sup> Ten of the group were farmers and none came from areas where commerce was the dominant local interest. Half of the group represented interior districts in New York and Virginia, but delegates from six other states, as far north as Vermont and as far south as South Carolina, were equally firm in their opposition to frigates.<sup>14</sup> This group, in terms of individuals and also in terms of the districts they represented, formed the backbone of opposition to commercial interests throughout the 1790s. They formed an important interest bloc residing more often than not within the vague coalition that called itself Republican. However, their primary commitment on questions of trade and shipping was neither to party nor to state or section. They were dedicated to protecting the interests of agriculture against unwarranted encroachments from merchants, bankers, and manufacturers.

Men of commerce, however, were not lacking in supporters in the House. A group of twenty-nine representatives backed the proposal to build

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<sup>12</sup>Annals of Congress, 4 Cong. 1 sess., pp. 886, 891, 893, 2149, and 2150. April 8, 1796; April 9, 1796; and February 11, 1797.

<sup>13</sup>John Williams voted against the Livingston Resolution and the Jay Treaty. Theodore Bailey and Gabriel Christie voted against the Jay Treaty.

<sup>14</sup>The state totals are: Maryland 1, Massachusetts 1, New York 3, North Carolina 2, Pennsylvania 2, South Carolina 1, Vermont 1, and Virginia 5.

frigates throughout the Fourth Congress.<sup>15</sup> They voted to authorize six frigates instead of three and, when this failed, they succeeded in having three ships instead of two. They voted to use the very best live oak and red cedar timber for construction of the vessels and favored an authorization to provide crews for the frigates even before they were actually put to sea.<sup>16</sup> The majority of this group of twenty-nine were generally associated with the designation Federalist, but there were significant exceptions. Six of the group had voted for the Livingston Resolution and four--Dempsey Burges, Edward Livingston, Josiah Parker, and John Swanwick--had opposed the Jay Treaty. Members of the group came from all parts of the country: three from Connecticut, five from Maryland, four from Massachusetts, two from New Hampshire, one from New Jersey, five from New York, one from North Carolina, two from South Carolina, four from Pennsylvania, one from Rhode Island, and one from Virginia. All of these hard core proponents of frigates can be directly associated with important commercial interests.

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<sup>15</sup>The twenty-nine are: Theodore Bradbury of Essex County Massachusetts, Dempsey Burges of Camden County North Carolina, William Cooper of Otsego County New York, William Craik of Frederick County Maryland, Samuel Dana of Middlesex County Connecticut, James Davenport of Fairfield County Connecticut, George Dent of Charles County Maryland, Abiel Foster of Rockingham County New Hampshire, Dwight Foster of Worcester County Massachusetts, Ezekiel Gilbert of Columbia County New York, Nicholas Gilman of Rockingham County New Hampshire, Henry Glen of Albany New York, Chauncey Goodrich of Hartford Connecticut, Robert Goodloe Harper of Charleston South Carolina, Thomas Martley of York County Pennsylvania, William Hindman of Talbot County Maryland, Edward Livingston of New York City, Francis Malbone of Providence Rhode Island, William Vans Murray of Dorchester County Maryland, Josiah Parker of Isle of Wight County Virginia, Samuel Sewall of Suffolk County Massachusetts, Samuel Sitereaves of Northampton County Pennsylvania, Samuel Smith of Baltimore Maryland, William L. Smith of Charleston South Carolina, John Swanwick of Philadelphia, George Thacher of Maine, Richard Thomas of Chester County Pennsylvania, Mark Thomson of Sussex County New Jersey, and John Van Alen of Renselaer County New York.

<sup>16</sup>Annals of Congress, 4 Cong. 1 sess., 2 sess., pp. 886, 891, 893, 2148, 2149, 2150, 2208, and 2351. April 8, 1796; April 9, 1796; February 11, 1797; February 18, 1797; and March 2, 1797.

Every center of commerce stood solidly for the frigates--Samuel Sewall of Boston, Francis Malbone of Providence, Edward Livingston of New York City, John Swanwick of Philadelphia, Samuel Smith of Baltimore, Josiah Parker of Norfolk, and William L. Smith of Charleston. It is noteworthy that four of these seven "urban" representatives--Livingston, Swanwick, Samuel Smith, and Parker--were generally associated with the Republican interest. All four favored the Livingston Resolution (Livingston, of course, was its author) and all but Smith voted against the Jay Treaty. The other members of this group favoring commercial interests, although not from port cities, represented areas significantly dependent upon trade such as the Hudson Valley of New York, coastal counties of Massachusetts, Connecticut River Valley towns in New Hampshire, Massachusetts, and Connecticut, and wheat exporting counties in Pennsylvania. These same men, and the districts they represented, stood for the interests of commerce throughout the 1790s. They did so without regard to party label.

The groups that formed on the question of building frigates are typical of the relationship of interest group to party. In purely quantitative terms, most opponents of frigates were Republican (they voted for the Livingston Resolution and against the Jay Treaty) and most proponents were Federalist (they voted against the Livingston Resolution and for the Jay Treaty). However, the motivation for their voting on commercial questions was not party but the extent of commercial interest in their particular district.

Edward Livingston's votes provide a useful example of the inadequacy of party label as a conceptual framework. There can be no question that Livingston was a Republican; he accepted the label; he participated in partisan politicking; he was an important cog in the party machine. Yet his party label did not always correspond with his voting positions. Analysis

based on factional divisiveness is the only way to explain Livingston's votes for building frigates and against the Jay Treaty. The more significant shortcoming in the two party approach is the implicit or explicit conclusion that party association is a motivation for voting. Livingston, it is assumed, voted against the Jay Treaty because he was a Republican. Such a conclusion obscures more than it reveals. A variety of factors contributed to Livingston's stand on the Treaty: he was feuding with John Jay; he objected to the high-handed secretive way in which the Treaty had been approved by the Senate; he wished to embarrass the administration; he favored France over England. Still other motivating factors may have been involved. In this case, then, party explains neither positions taken nor reasons for taking them. Livingston's inconsistency (in terms of party label) is characteristic of roll call voting in the 1790s. The patterns of voting only become logical and cohesive when analyzed in terms of issue oriented factions motivated by the four basic sources of divisiveness noted at the outset of this study.

The key role of interest groups is further exemplified by the controversy over reduction of the military establishment. The factions that formed were not exactly the same as those that existed on the question of building frigates but the causative factors behind the two formations were similar as was the relationship of the resultant groups to the larger blocs isolated by the Jay Treaty roll calls.

Reduction of the military became a possibility as a result of the Treaty with Spain negotiated by Pinckney. It was generally assumed that the Treaty would help reduce the level of hostilities with the Creek Indians on the southwestern frontier. Once again, opponents of a federal army argued that a strong military force was expensive, unnecessary, and dangerous, and that reliance should be placed on the local militia.

Those delegates who favored reduction of the army were in the majority on all eight recorded roll calls dealing with the question, but they lacked sufficient strength to override the Presidential veto that ultimately put an end to their efforts.<sup>17</sup> The reductions voted upon were as follows: to reduce the light cavalry by 80 per cent, to reduce the standing army by 25 per cent, and to eliminate completely the post of Major General currently held by Anthony Wayne.<sup>18</sup> A bill incorporating all three proposals was vetoed by Washington and on March 1, 1796 the House failed to override as thirty-six of ninety-one members voted to support the President. The core voting blocs consisted of twenty-three delegates who opposed any reduction of the military establishment and, on the other hand, twenty-six who favored all three proposed reductions and who also voted to override Washington's veto. The remaining half of the House took a mixed position favoring some reduction but not the full amount advocated by extreme opponents of the military establishment. An analysis of the two groups that took a consistent position for or against all reductions reveals the relationship of party to interest bloc. It also indicates that the real issue was not defense of the West but, rather, federal control over the frontier.

The twenty-three opponents of reduction came from areas that had not been troubled by Indians for nearly one hundred years and where very few federal troops had ever been stationed: six were from Massachusetts, five from Connecticut, two from Rhode Island, three from New York, three from Pennsylvania, two from Maryland, one from South Carolina, and one from

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<sup>17</sup>Ibid., pp. 1410-1420. May 21, 1796.

<sup>18</sup>Ibid., pp. 1422, 2094, 1981, 1982, and 2332. May 21, 1796; February 7, 1797; January 24, 1797; and March 1, 1797. Journal of Congress, 4 Cong. 1 sess., pp. 572 and 573. May 23, 1796.

New Jersey.<sup>19</sup> The one exception to this was William Cooper from western New York whose support of the Jay Treaty, frigates to protect commerce, large standing armies, great tracts of western lands, and new furnishings for John Adams can only be ascribed to a personal preference for principles that did not necessarily reflect the wishes of all his constituents. Through a complex series of deals, Cooper had acquired huge holdings in western New York. All other strong supporters of the army represented districts that had seldom seen a federal soldier but were certain that law and order must be imposed on the West. Using votes against the Livingston Resolution and for the Jay Treaty as the criteria, all twenty-three were Federalists. Thirteen of the twenty-three, or 57 per cent, were members of the hard core group in favor of frigates, a remarkable high percentage considering that hard core frigate supporters constituted only 28 per cent of the House as a whole. Only one supporter of the army, Joshua Coit, had opposed the frigates, and he had not done so because of any aversion to commercial interests. The twenty-three supporters of the army, then, formed a part of the larger and more nebulous group in the House called Federalists, as defined by positions on the Jay Treaty. However, less than half of the Jay Treaty Federalists opposed all reductions in the army. Therefore, the motivation of the twenty-three who did so must be ascribed to some force other than party. In this case the motivating factor was the long standing desire of older areas, particularly in New England, to impose law and order in the West.

There was, however, an even larger group of representatives dedi-

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<sup>19</sup>The twenty-three are: Fisher Ames, Benjamin Bourn, Theodore Bradbury, Joshua Coit, William Cooper, Dwight Foster, Ezekiel Gilbert, Henry Glen, Chauncey Goodrich, Roger Griswold, Thomas Hartley, William Hindman, John Kittera, Samuel Lyman, Francis Malbone, William Vans Murray, John Reed, Samuel Sitgreaves, Nathaniel Smith, William L. Smith, Mark Thomson, Uriah Tracy, and Peleg Wadsworth.

cated to reducing the federal army whenever possible.<sup>20</sup> This group of twenty-six, more than half of which came from Virginia or North Carolina, included delegates from every frontier area except western New York and Georgia. Certain factors other than geographical location influenced the delegates from these two areas. William Cooper of New York has already been mentioned; Georgia's representatives opposed the elimination of the post of Major General out of loyalty to Anthony Wayne but otherwise favored army reductions. Of the twenty-six consistent opponents of the military establishment, sixteen can probably be explained by the fact that the delegates were from frontier areas, which had always opposed federal troops. Debate indicates that the remaining ten were motivated by opposition to any enlargement of central government authority which might threaten the liberty of the states and of the people.<sup>21</sup> Most of the twenty-six were opponents of the administration. Only one of the group had opposed the Livingston Resolution and only three had voted for the Jay Treaty.

The high level of correlation between interest groups that existed between proponents of army reduction and the Jay Treaty Republicans on the one hand, and opponents of reduction and Jay Treaty Federalists on the other, indicates the relationship of party labels to voting patterns. Not all Republicans opposed the army but nearly all opponents of the military had voted against the Jay Treaty; not all Federalists voted for law and order in the West but all proponents of a federal presence on the frontier

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<sup>20</sup>The twenty-six are: Theodore Bailey, Thomas Blount, Nathan Bryan, Dempsey Burges, Samuel Cabell, Thomas Claiborne, Issac Coles, Jesse Franklin, Albert Gallatin, Christopher Greenup, William Grove, Wade Hampton, Carter Harrison, John Hathorn, James Holland, Andrew Jackson, George Jackson, Samuel Maclay, Nathaniel Macon, Andrew Moore, Anthony New, Israel Smith, Richard Sprigg, Zephaniah Swift, Abraham Venable, and Richard Winn.

<sup>21</sup>Annals of Congress, 4 Cong. 2 sess., p. 1979. February 27, 1797.

were administration supporters. The existence of these factions, which can be quantitatively associated with larger party groupings but were not motivated primarily by their connection with a party, is the key to explaining the politics of the 1790s as manifested in the House of Representatives. Nearly every major roll call can be understood most accurately in terms of these shifting factions which combined in various ways to give the appearance of parties.

The question of the army raised the issue of law and order on the frontier but it might be argued that other factors, not related to the West, were also involved. In order to further isolate positions concerning the frontier, two roll calls dealing with the size of lots to be sold by the federal government may be considered. They were recorded during debate over the land act of 1796. James Holland of North Carolina gave the most exhaustive treatment of the case for dividing the land into 160 acre tracts as opposed to lots of at least double that size. He wished to see the land sold to genuine settlers who did not intend to hold only for resale. He believed that the increased number of potential buyers of small lots would increase their price, thereby yielding greater revenue. Large tracts, he maintained, gave rise to monopoly and increased the danger to free government. He concluded his remarks with a plea that, perhaps, has too often been ignored. The small tracts "would accomodate the poorer class of citizens. To live as tenants of others had a tendency to vitiate and debase their minds, instead of making them free, enlightened, and independent. By this amendment, this class of citizens would be enabled to become possessed of real property--a situation incident to freedom, and desired by all."<sup>22</sup>

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<sup>22</sup>Annals of Congress, 4 Cong. 1 sess., p. 858. April 5, 1796.

No one chose seriously to dispute Holland's argument, and the issue voted upon was quite clear--should lots be 160 acres, thereby allowing the poorer classes a better chance to acquire them.

Two roll calls were recorded. A vote to survey 320 acre tracts was defeated by 45 to 40 and immediately thereafter 160 acre lots were approved by 45 to 42.<sup>23</sup> Forty delegates opposed 320 acres and voted for 160 acre lots; thirty-six representatives favored 320 acres and voted against 160 acre lots. The remainder abstained, voted for both proposals, or voted against both measures; in any event, their position cannot be determined with certainty.

The forty delegates who voted for the smaller tracts were mostly Republican.<sup>24</sup> Thirty-five of them had voted for the Livingston Resolution and only three had opposed it. Twenty-eight had voted against the Jay Treaty and only ten in favor of it. On the question of frigates, ten had been hard core opponents while four had voted in favor of building the ships on all ten roll calls dealing with that question. The pattern, however, was even clearer on the question of reducing the size of the military establishment. Sixteen of the group favoring 160 acre lots voted for every army reduction while none had consistently opposed reduction. The Republican

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<sup>23</sup>Journal of Congress, 4 Cong. 1 sess., pp. 495 and 496. April 5, 1796.

<sup>24</sup>The forty are: Theodore Bailey, Lemuel Benton, Nathan Bryan, Dempsey Burges, Samuel Cabell, Thomas Claiborne, John Clopton, Jeremiah Crabb, Samuel Earle, William Findley, Jesse Franklin, William Giles, James Gillespie, Christopher Greenup, Andrew Gregg, William Grove, Wade Hampton, George Hancock, Carter Harrison, John Hathorn, Jonathan Havens, Daniel Hiester, James Holland, George Jackson, Matthew Locke, Andrew Moore, Anthony New, Alexander Orr, John Page, John Patten, Francis Preston, John Richards, Robert Rutherford, John Swanwick, Richard Thomas, John Van Alen, Philip Van Cortlandt, Abraham Venable, John Williams, and Richard Winn.

tendencies of the majority of the group are clear. A sizable minority, it is true, favored the Jay Treaty, and the group included a number of delegates generally associated with the label Federalist--William Barry Grove of North Carolina, Richard Thomas of Pennsylvania, and John Van Alen of New York. However, the geographic distribution of the forty proponents of smaller lots is significant. None came from New England, New Jersey, or Georgia, and only one was from Maryland. New England was not interested in promoting frontier settlement; Georgia was more concerned with its own western lands. Support for 160 acres was substantial in the other states: thirteen in Virginia, seven in North Carolina, six in New York, six in Pennsylvania, four in South Carolina, two in Kentucky, and one in Delaware. Frontier delegates from New York to North Carolina were only one short of unanimous in their support of the small lots. Victory was achieved, however, only because of added votes from easterners who were willing to pay the added cost of surveying 160 acre tracts in order to make western lands more easily available to the poorer classes.

Analysis of the thirty-six opponents of small tracts, sarcastically referred to as "garden plots" by William Cooper of New York, sheds further light on the interests that formed on this issue.<sup>25</sup> Based on Jay Treaty voting, a majority were Federalists: twenty-two had opposed the Livingston Resolution, and twenty-five ultimately voted for the Treaty itself. Eleven

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<sup>25</sup>The thirty-six are: Abraham Baldwin, Thomas Blount, Benjamin Bourn, Theodore Bradbury, Gabriel Christie, William Cooper, Henry Dearborn, Abiel Foster, Dwight Foster, Benjamin Goodhue, Chauncey Goodrich, Roger Griswold, Thomas Hartley, Thomas Henderson, James Hillhouse, William Hindman, Aaron Kitchell, Edward Livingston, Samuel Lyman, Nathaniel Macon, Francis Malbone, John Milledge, William Vans Murray, John Nicholas, John Reed, Theodore Sedgwick, John Sherburne, Israel Smith, Jeremiah Smith, Nathaniel Smith, William L. Smith, Thomas Sprigg, Absalom Tatom, George Thacher, Uriah Tracy, and Peleg Wadsworth.

had always supported frigates to protect commerce, and sixteen had opposed any reduction in the size of the military. On the other hand, a sizable Republican minority was among the thirty-six opponents of garden plots. Thirteen of the thirty-six had voted for the Livingston Resolution, and ten voted against the Jay Treaty until the bitter end. Two had always opposed the frigates, and three favored every proposed army reduction. The geographic distribution of the thirty-six opponents of 160 acre lots shows a heavy proportion in New England, New Jersey, and Maryland with scattered support from coastal areas in other states. The group divided among the states as follows: one in Vermont, three in New Hampshire, nine in Massachusetts, two in Rhode Island, five in Connecticut, two in New York, two in New Jersey, one in Pennsylvania, four in Maryland, one in Virginia, three in North Carolina, one in South Carolina, and two in Georgia. Only one westerner, William Cooper, opposed the small tracts. Outside of New England, where every delegate who took a consistent position opposed the 160 acre tracts, votes against the small lots came from coastal areas and from delegates who feared that the increased desirability of western land would reduce the land values in their own districts. Members falling into this last category included some Republicans of considerable note-- Edward Livingston, Gabriel Christie, Aaron Kitchell, Nathaniel Macon, and John Nicholas.

The roll calls on size of western lots demonstrate, once again, the relationship of interest group to party. There is no doubt that most supporters of the small lots wore the label Republican and most opponents considered themselves Federalists. However, any implication that party connection motivated voting on the issue is simply not true. When men as important as those Republican leaders mentioned above are on the "wrong" side and when other leaders such as Albert Gallatin and James Madison

take equivocal positions in favor of both 320 or 160 acre tracts, it is hardly possible to use the roll call to show party voting. Yet this is precisely what happens when an arbitrary scale or percentage is applied to a series of roll calls.<sup>26</sup> The fact of the matter is that two groups existed, motivated by the extent to which they desired to see the frontier opened to settlement. Large tracts meant continued holding by speculators; smaller lots encouraged the possibility of settlement by the poorer classes.<sup>27</sup> The West was nearly unanimous in its support of 160 acre tracts. The rest of the country was divided, not according to party, but on the basis of their attitude toward encouraging western migration.

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<sup>26</sup>Traditional historians often draw general conclusions from specific cases. This procedure is contrary to accepted philosophic rules of logic, even though the conclusions reached may be valid. Quantification, with its translation of all available hard facts into numeric formulas, strives to establish conclusions which apply to the general case. Thus, it might be shown that Republicans voted against Federalist measures more often than they voted for them. However, quantitatively proved norms often cannot be applied to particular cases. Although Republicans opposed the Jay Treaty, eleven specific Republicans did not; although Edward Livingston was a Republican, he consistently supported certain aspects of the Federalist program. This study attempts to broaden the validity of quantitatively derived norms of legislative behavior by seeking conclusions that are applicable to a greater variety of specific cases than is possible using a two party framework for analysis.

<sup>27</sup>The issue, in certain of its facets, appeared to be more complicated than rich versus poor, speculator versus settler. It was argued that large tracts might be surveyed rapidly; the sooner the land was sold, the sooner the national debt might be discharged. This reasoning, however, does not alter the fact that discharge of the debt was never supported by non-creditors. Most westerners and anyone buying only 160 acres was not likely to be a creditor. It was also argued that the small man needed the credit assistance that might be given by speculators but could not be expected from the government. However, a counter-argument existed. Speculators bought land in order to make a profit; they lent money in order to make a profit. They preferred to have the profit from both sources but they were able to separate the two when necessary. If the investment was a good one, speculators were as willing to lend money for the purchase of someone else's land as for their own. The only exception was when the speculator gave up a small profit on money lending in order to make an even larger one on the land sale. The inevitable result of passing land through the hands of the speculator was to raise its price. The cogency of James Holland's remarks, noted earlier, and the cohesive vote of the westerners most directly concerned prove that the issue was, in essence, one of speculator versus settler; rich versus poor.

This attitude may have been based on economic interest--protecting eastern land values or large western holdings--or it may have been based on the principle of assisting the poor. The relationship of party affiliation to this attitude or interest was more than incidental but it was not causal.

Several roll calls recorded in the Fourth Congress dealt with matters which had no lasting significance but add to an understanding of legislative voting behavior. Among these was the vote on an amendment to a bill establishing new postroads that required newsprint to be sufficiently dried before delivery by mail. Opponents of this seemingly harmless amendment argued that it gave too much power to local postmasters.<sup>28</sup> The print of papers not to the liking of the postmaster might take days, or even months, to be sufficiently dry. The amendment passed by a vote of 39 to 31 on March 2, 1797, and there are no recorded complaints of abuses of the law's intent. Although the fears of opponents of the amendment proved groundless, they were genuine enough at the time and apparently motivated their votes. Their vocal concern over freedom of the press is particularly significant in view of the Sedition Act which was passed two years later. Although it was not mentioned in debate, the issue probably involved the underlying anti-statism of many delegates.

Most opponents of the amendment accepted the label Republican, although this may mean nothing more than that most postmasters were Federalist. On the other hand, the possibility of genuine concern over arbitrary government and freedom of the press cannot be denied. Defenders of freedom cut across party labels. Twenty-eight voted for the Livingston Resolution, only three against it; but six voted to implement the Jay Treaty. On the question of western lands, sixteen had voted for 160 acre lots, but eight

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<sup>28</sup>Journal of Congress, 4 Cong. 2 sess., p. 736. March 2, 1797.

had pressed for 320 acre tracts. Conversely, a majority of the thirty-nine proponents of this dry ink amendment had voted for the Jay Treaty and against the Livingston Resolution. Thus, once again, the pattern that develops on a specific roll call is one of small interest groups formed on the basis of the issue at hand. Party discipline, whether defined in terms of election label, the Livingston Resolution, the Jay Treaty, or any of the other issues of this Congress, does not explain the vote in any particular case.

Another example of the formation of interests within the larger party framework provided by the Jay Treaty vote was the response of the House to the President's State of the Union address of December 15, 1796. This was Washington's last address to Congress and its last reply to a President who had successfully led the nation through eight difficult years. Washington's popularity among Republicans had declined rapidly during his second term of office and his most vociferous opponents did not forgive his espousal of the Federalist program until after his death. Therefore, there was bitter opposition to a proposal to add to the House's reply to the President's message the words, "it is our earnest wish that your example may be the guide to your successors; and thus, after being the ornament and safeguard of the present age, become the patrimony of your descendents."<sup>29</sup> This kind of symbolic issue can be expressive of general attitude, perhaps of political party identification, because it has no material consequences. Twenty-four delegates, who voted to strike out the words, apparently were not entirely happy with the example Washington had set.<sup>30</sup> All twenty-four

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<sup>29</sup>Annals of Congress, 4 Cong. 2 sess., p. 666. December 15, 1796.

<sup>30</sup>The twenty-four are: David Bard, Theodore Bailey, Thomas Blount, Gabriel Christie, John Clopton, Issac Coles, Albert Gallatin, William Giles, Christopher Greenup, John Heath, James Holland, Andrew Jackson, George Jackson, Edward Livingston, Matthew Locke, William Lyman, Samuel Maclay, Nathaniel Macon, Andrew Moore, Josiah Parker, John Patten, John Swanwick, Joseph Varnum, and Abraham Venable.

voted against the Jay Treaty. Eight were from the President's home state, with other votes scattered from New York in the north to North Carolina in the south. The twenty-four were not more consistently "Republican" than other Jay Treaty opponents; they did not oppose frigates more strongly or favor army reductions more strenuously or back 160 acre lots more fully. In other words, Republicans willing to go to the political extreme of voting against President Washington himself, were not more consistent in adhering to ideological positions associated with the party than those Republicans who refused to join in the purely political move against the President. The absence of extensive support by "political" Republicans for ideologically Republican positions on a variety of issues gives further indication of the structure of the party, which was essentially a loosely joined shifting combination of interests.

The pressure of grave national and international problems facing the Fourth Congress did not prevent its members from considering, at some length, the question of appropriating money so that incoming President Adams could buy new furnishings. Even Adams' most ardent supporters agreed that the mahogany pieces purchased in 1789 were as good as ever and should not be replaced. However, the carpets were threadbare, the linens were worn, and the dishes were chipped. Opponents of an appropriation spoke at length. They asked if such a practice would be indulged in every four years; they questioned the constitutionality of such a gift by the House to the President. Robert Rutherford warned that, "It is necessary that Republicans should be consistent. If we thus give away the people's money, shall we not be charged with rapaciously putting our hands into their pockets." John Heath, unable to let Adams' reputation for frugality pass unnoticed, added that "such a large sum [\$14,000] was unnecessary except

it were to put our President in the style of a potentate or Prince. And this he was sure the President of the United States would not wish, as he was a gentleman of great economy and would spurn at anything like tinsel or expense."<sup>31</sup> An appropriation of \$14,000 was passed on February 27, 1797 by a vote of 63 to 27.<sup>32</sup> The whole issue was rather silly and inconsequential except that it so clearly demonstrated the formation of political groupings. All twenty-seven opponents of the appropriation to buy carpets, linens, and dishes were associated with the Republican party. Five had defected on the Jay Treaty but none voted against the Livingston Resolution and most had opposed adding words of praise to the reply to Washington. However, on matters such as protecting commerce or easing western settlement, they were no more cohesive than those Republicans who voted to give Adams the refurnishing money. Consistency on purely political matters did not mean a consistency of interest on issues involving social or economic principles.

Voting patterns in the Fourth Congress reveal the existence of a variety of groups. The Jay Treaty controversy forced delegates to take a clear position on a major issue and, quite properly, has long been considered indicative of party affiliation. Even within the Jay Treaty roll calls, however, the key role of factions within the two parties is evident. The very approval of the appropriation to carry out the Treaty turned on the particular interests of a dozen Republicans who came from commercial areas or had previously exhibited a tendency to discontinue opposition to the administration on critical matters. On other roll calls, ranging from

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<sup>31</sup>Annals of Congress, 4 Cong. 2 sess., p. 2311. February 27, 1797.

<sup>32</sup>Ibid., p. 2319. February 27, 1797.

building frigates to dividing western lands, the same pattern of issue oriented interest groups was even clearer. When added together, these factions took on the appearance of a party and many delegates referred to themselves as Federalists or Republicans. However, the appearance was deceptive; it did not explain reasons for voting in a particular way. Cohesive voting within either party actually declined in the Fourth Congress even though party machinery was increasing. In every major roll call of the Congress, the outcome was determined either in the absence of party discipline or because of a breakdown of that discipline. This is not to say that voting was random or disorganized; rather, it leads to the conclusion that a variety of factions came to the foreground during discussion of any matter with which they were vitally concerned. Historians are in the business of explaining votes rather than predicting them, but the method of successfully doing either one is the same. A representative must be defined in terms of the degree to which he is responsive to various interests or factions. Once this has been done correctly, his voting will generally follow these associations very closely. However, a general designation such as moderate Federalist or extreme Republican cannot explain a variety of roll calls on differing issues. The record of the Fourth Congress clearly illustrates the significance of interest oriented factions within the House of Representatives.

## CHAPTER VI

### FIFTH CONGRESS: CRUCIBLE POLITICS

#### Setting the Scene

The increasing degree to which narrowly circumscribed interest groups dominated the Fourth Congress makes it difficult to assess the results of the election of 1796. For example, opposition to frigates was a Republican position, and yet many opponents of the Jay Treaty consistently voted to build the ships. Anyone who saw agriculture as the backbone of the nation and the possession of land as the safeguard of freedom should have favored small western tracts, but many Republicans did not. The Federalists were also divided into numerous and sometimes conflicting factions. The confusion is increased by the voting patterns that developed in the Fifth Congress; they showed even further fragmentation than had occurred in the Fourth Congress. Despite these limitations, some general trends, which are not always valid when applied to a particular roll call, can be observed.

TABLE 14 summarizes the results of the election of 1796. Republican strength declined by twelve delegates with half the loss coming in Virginia and Maryland. The Federalist victory was substantially wider than the narrow margin by which Adams defeated Jefferson for the Presidency. This was due, primarily, to the tendency of nearly all states to cast all their electoral ballots for one candidate. The result was that minorities within each state were not reflected in voting for the chief executive. Since the Federalists were a more substantial minority in those states

TABLE 14  
ELECTION OF 1796

State	Return	New	Republicans		Federalists		Presidential Electors	
			Defeated <sup>a</sup>	New <sup>b</sup>	Defeated <sup>a</sup>	New <sup>b</sup>	Adams	Jefferson
Connecticut	6	1	-	-	1	1	9	-
Delaware	-	1	1	-	-	1	3	-
Georgia	2	-	-	-	-	-	-	4
Kentucky	-	2	2	2	-	-	-	4
Maryland	5	3	2	-	1	3	7	4
Massachusetts	10	4	2	1	2	3	16	-
New Hampshire	2	2	1	-	1	2	6	-
New Jersey	2	3	1	-	2	3	7	-
New York	6	4	2	1	2	3	12	-
North Carolina	7	3	3	2	-	1	1	11
Pennsylvania	10	3	1	2	2	1	1	14
Rhode Island	1	1	-	-	1	1	4	-
South Carolina	3	3	3	2	-	1	-	8
Tennessee	-	1	1	1	-	-	-	3
Vermont	-	2	1	1	1	1	4	-
Virginia	10	9	9	5	-	4	1	20
Total	64	42	29	17	13	25	71	68

<sup>a</sup>These party designations are based on voting on the Livingston Resolution. Using the Jay Treaty vote, there would be five less Republicans and five more Federalists.

<sup>b</sup>These party designations of new members are extremely general and based on secondary sources. As will be shown, parties were fragmented almost beyond recognition throughout most of the Fifth Congress.

having a Republican majority than Republicans were in those states with a Federalist majority, the casting of unanimous ballots by each state worked against John Adams.

In New England the Republicans lost two seats, or about half their strength in the region, during the Fourth Congress. Henry Dearborn and William Lyman, both of Massachusetts, John Sherburne of New Hampshire and Israel Smith of Vermont all failed to return. All four had voted for the Livingston Resolution and three had opposed the Jay Treaty. The adherence of Smith and Lyman to a variety of Republican positions extended back as far as the Second Congress and included defense of Democratic Societies

during the Whiskey Rebellion controversy. Smith's defeat probably cost the Republicans more than one vote; his replacement was the fiery Matthew Lyon who was no more a consistent Republican in his vote than Smith and whose intemperance was something of a burden to his party. Dearborn was replaced by Issac Parker who, when he finally got to Congress, always voted for administration policies. Lyman and Sherburne were dislodged by solid Adams supporters.

The Republicans suffered somewhat less of a defeat in the Middle Atlantic states. They lost Delaware to the level headed but nonetheless Federalist James Bayard. In Maryland, Gabriel Christie and Thomas Sprigg, two moderate Republicans, were replaced by William Matthews and George Baer Jr., both of whom fully supported President Adams. In New York the Federalist gain meant little in terms of voting patterns since the Republican losers, Theodore Bailey and John Hathorn, had not adhered to party with a high degree of consistency. The most notable change in Pennsylvania was the election of Blair McClenachan, a staunch opponent of war preparations against France.

Republican losses in the South were greater than party designations tend to indicate. Robert Williams replaced Jesse Franklin in North Carolina's Third District. Although both were nominally Republican, Williams was to display distinct tendencies to support the administration. In South Carolina, John Rutledge Jr., a representative of the most conservative interests in the state, was elected over Wade Hampton, an enormously wealthy planter who had consistently voted for Republican positions during the Fourth Congress. High turnover in Virginia and Kentucky resulted in a windfall for the Federalists. Although both states had a strong tendency to re-elect the same men again and again, due mostly to resignations rather than defeats, both Kentucky delegates and nine of nineteen Virginians were

not returned. Some of the new men, such as Thomas Evans and James Machir, were outright Federalists but even the nominal Republicans were inconsistent in their party attachments.

The general trend, then, was a reversal of the pattern of the two previous House elections and a swing toward Federalism. If, during the Fourth Congress, the two parties had been approximately equal, as the Jay Treaty vote implied, the Federalists now had a clear majority. If the vote on the Livingston Resolution is the more accurate yardstick, then the election of 1796 gave the Federalists a position of parity with their opponents.

However, election changes were not an important factor in group formation during the Fifth Congress; they showed a general trend, but that is all.

The pressure of events, particularly the question of war with France, was of far greater significance. The voting patterns of this Congress present a valuable case study in the shifting reactions of a legislative body attempting to deal with a major problem which it knows is dangerous but for which it cannot agree on a solution. During the years of the Fifth Congress, from the Spring of 1797 until the Spring of 1799, war was the overriding issue. At the beginning, the mere possibility was critical in the extreme; the political result was a sharp increase in the number of factions operating in the House of Representatives on any given roll call. As the possibility of war with France drew nearer to reality after disclosure of the XYZ affair, factional behavior attested to the variety of reactions among individual delegates. Some were hardened in their resolve to fight, others were paralyzed by a sense of shock and disbelief at the apparent enmity of an old ally. The result was a sharp break

in certain voting patterns and a reaffirmation of others. By 1799, the threat of war was fading and further changes in voting behavior occurred. The rise of these groups, and their continuing metamorphoses, show, within a short span of time, political shifts that might otherwise have taken years to develop. These shifts were not random; they can be directly traced to the associations of an individual delegate, or more often, to characteristics of the district he represented.

The first step in analyzing group formation in the Fifth Congress is to define those factions that arose during the special session called by the President in May, 1797. Adams called the session in order to confirm his intention to try again to negotiate with France while, at the same time, taking those steps necessary to show France that the United States was prepared for all contingencies including, if necessary, war itself. In terms of matters that came before the House, there were four separate requests in the Adams program.

The most widely accepted part of his plan involved coastal defensive operations. This included the outfitting of galleys and the building of port and harbor fortifications.

A second part of the plan implied the possible use of the navy as an offensive weapon. The key test on this measure came on an amendment to prohibit the use of frigates as merchant convoys.

Adams also recommended reorganization of the militia, the effect of which would have been to make it a standing army. The House rejected all such attempts until after publication of the XYZ dispatches.

The last part of the program involved the need to raise additional revenue. The President, in his opening speech, did not specify the particular levies he wished but four were ultimately voted upon. Retail liquor licensing, the stamp tax, and raising the salt tax were straight economic questions.

The proposed tax on certificates of naturalization involved more than mere revenue.

Twelve of the thirty-four roll calls recorded during the first session of the Fifth Congress dealt directly with these four aspects of the Adams program.<sup>1</sup> They are most useful in determining factional groupings because they involve votes on explicit actions. Other roll calls such as those on replying to the President's address are also significant but they involved words rather than deeds, and it is more accurate to begin with a determination of what action delegates were willing to take rather than what they were willing to say. A total of ten factions can be discerned in these roll calls.<sup>2</sup> Similarities existed in the motivations and behavior of several of these ten and, for analytical purposes, they can be hypothetically combined. However, in terms of isolating those blocs showing the highest possible level of internal cohesion, all ten operated as separate entities. The distinctions are even more consequential and useful in analyzing the changes in voting behavior that resulted from subsequent changes in the pressure of imminent war. In the votes on these twelve roll calls, the following factions are evident.

(1) Delegates who supported all aspects of the Adams program.

This group of twenty-seven representatives voted for all phases of the program including defensive and offensive naval operations, reorganization of

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<sup>1</sup>Annals of Congress, 5 Cong. 1 sess., pp. 267, 297, 324, 347, 374, 385, 391, 392, 430, 443, and 446. June 8, 1797; June 10, 1797; June 16, 1797; June 20, 1797; June 24, 1797; June 27, 1797; July 1, 1797; July 4, 1797; and July 5, 1797.

<sup>2</sup>The ten groups are the result of applying the highest possible test of cohesiveness. That is, each of the groups voted in the same way more often than any other combination of delegates. If one delegate were to be added or dropped from any group, cohesion levels would be lower. The ten groups used herein ranked highest in cohesion (percentage voting the same way) among a total of 2,048 combinations of delegates that were tested.

the army, and all four tax levies.<sup>3</sup> Some members of the group were occasionally absent but none voted against any part of the program on any of the twelve roll calls involved. The delegates of Connecticut, New Jersey, and New Hampshire were most firmly committed to this position, which was held by 72 per cent, 80 per cent, and 75 per cent of the respective delegations. What particular interests these delegates represented is somewhat uncertain. All three states held elections on a statewide at large basis, and precise electoral districts cannot be determined. It seems clear, however, that commercial or other economic factors, while contributory in part, do not solely account for the solidarity of these three states.<sup>4</sup> Perhaps their position resulted from their deep-rooted Calvinist background that included detestation of an ungodly nation such as France, a strong belief in the sanctity of the American experiment as carried out in New England, and a remarkable willingness to endure sacrifice and hardship in the defense of their cause. As to the Massachusetts delegates who were part of this group, it is apparent that naval preparations favorably affected commercial interests in the state. However, they may also have been motivated by a belief that America had to defend itself immediately against the imminent threats of infidel France. Support of this position also came from two representatives of South Carolina's wealthy class, all three delegates from Maryland's Eastern Shore counties, Rhode Island,

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<sup>3</sup>The twenty-seven are: John Allen, James Bayard, Theodore Bradbury, Christopher Champlin, Samuel Dana, James Davenport, John Dennis, Abiel Foster, Dwight Foster, Chauncey Goodrich, William Gordon, William Hindman, Hezekiel Hosmer, James Inlay, William Matthews, John Rutledge Jr., James Schureman, Samuel Sewall, William Shepard, Thomas Sinnickson, Samuel Sitgreaves, Jeremiah Smith, Nathaniel Smith, William L. Smith of Charleston, George Thacher, Mark Thomson, and Peleg Wadsworth.

<sup>4</sup>Two types of evidence lead to this conclusion. One is that there are obvious differences in the economic characteristics of these three states. The second, and more significant, is that these states had not exhibited cohesive voting patterns in earlier Congresses (see, in particular, votes on taxation in the Third Congress).

Delaware, aristocratic Rensselaer County in New York, and rich Bucks County in Pennsylvania. Motivated by both ideological and economic considerations, the districts represented by these twenty-seven dedicated proponents of military preparedness had been the bulwark of administration support since the earliest days of the First Congress.

(2) Delegates who supported all aspects of the program except the tax levies.<sup>5</sup> The eight delegates in this category held the same basic position as the group described in (1) above, and they are separated only because their unwillingness to vote for all taxes indicates that they were not strict party men who always supported the administration. In this case they dissented for a variety of reasons. John Reed of Plymouth County Massachusetts, Harrison Gray Otis of Boston, and George Baer Jr. and William Craik of the four westernmost counties of Maryland all opposed additional taxation of retail wine and liquor sellers. Robert Goodloe Harper, representing the South Carolina upcountry but tied by marriage and sentiment to Maryland planter interests, opposed the \$5 tax on naturalization certificates because he felt that the tax should have been at least \$20. The other three members of this group voted to eliminate or limit the duration of the salt tax, which they believed unfairly burdened their constituents. Two of the three, James Machir and Thomas Evans, were from Virginia. Evans represented the tidewater counties of the lower Chesapeake Bay whose interests were similar to those of Maryland's solidly Federalist Eastern Shore planters. Machir represented three of Virginia's northern counties that had always shown strong tendencies to support the administration. The reasons for the particular departures of these delegates from support

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<sup>5</sup>The eight are: Robert Goodloe Harper, George Baer Jr., William Craik, Thomas Evans, Thomas Hartley, James Machir, Harrison Gray Otis, and John Reed.

of the administration are obscure but the general pattern leads to the conclusion that they were responsive to interests other than those of the administration. During the course of the two years that followed, the voting behavior of these eight independent supporters of Adams was somewhat different than that of the twenty-seven delegates who always voted for the President's proposals.

(3) Delegates who supported all aspects of the program except the Defense of Ports and Harbors Bill. This group of five delegates--David Brooks, James Cochran, Jonathan Freeman, Henry Glen, and John Van Alen--four of whom came from New York, voted against the Defense of Ports and Harbors Bill because they felt it was inadequate. It included only \$115,000 for military fortifications, an amount that could hardly provide substantial defense for New York City alone. On all other matters, however, the five supported every effort at preparing for war with France. Their separation from Group 1 was not highly significant during the special session, but it is important in terms of subsequent developments.

(4) Delegates who opposed all aspects of the Adams program. There were ten members in this group, which unanimously opposed every part of the President's plan as reflected on all twelve roll calls under consideration.<sup>6</sup> These men simply did not believe that France wanted war. They maintained that the whole scare was a Federalist scheme designed to gain support for their party. Under no circumstances were they willing to irritate an old ally by making provocative military gestures. All ten members of the group had previously served in the House and had generally adhered to the Republican positions on issues such as opposition to the Jay Treaty, refusal

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<sup>6</sup>The ten are: David Bard, Richard Brent, Thomas Claiborne, William Giles, Jonathan Havens, Matthew Locke, Nathaniel Macon, Joseph McDowell, Anthony New, and Abraham Venable.

to condemn Democratic Societies in connection with the Whiskey Rebellion, and opposition to increasing the military establishment.<sup>7</sup> The group represented sparsely populated areas having insignificant commercial interests and carrying on farming for subsistence rather than export. Their districts included the south-central region of Virginia, the westernmost two districts of North Carolina, and the remote districts of Pennsylvania west of York County and east of Pittsburgh. They had no use for the navy and had always viewed a federal army as an instrument of domestic tyranny rather than as a shield against enemies. They saw no justification for burdening the farmers with even higher taxes.

(5) Delegates who opposed all aspects of the program except the tax levies.<sup>8</sup> This group includes seven delegates of whom two, Joshua Coit and John Chapman, voted for all four tax levies. Coit's position against all naval preparations and against increasing the army is surprising. He had previously been counted as an orthodox Federalist; he had explained away his opposition to frigates during the Fourth Congress on purely practical grounds. A noted historian of this period has classified Coit as a moderate Federalist but he classifies John Adams, also, as a moderate Federalist.<sup>9</sup> Coit voted against every proposal by the President to increase military preparedness. Some of Adams' supporters de-emphasized the navy on the assumption that the English navy could be relied upon to hold off the French,

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<sup>7</sup>The vote of the ten on key roll calls in earlier Congresses was as follows: Livingston Resolution, 9 yes 0 no; implementing the Jay Treaty, 0 yes 9 no; surveying 160 acre tracts in the West, 7 yes 1 no; reducing the military, 7 yes 0 no; condemning Democratic Societies on the Whiskey Rebellion, 0 yes 7 no.

<sup>8</sup>The seven men are: Thomas Blount, John Chapman, Joshua Coit, John Dawson, Andrew Gregg, Thomas Sumter, and Joseph B. Varnum.

<sup>9</sup>Dauer, The Adams Federalists, pp. 132, 268.

but these men were all proponents of building up the army, a position that Coit opposed. Rather than attempting to find a convenient label for Coit, it is best to note simply that at this time he, along with a number of other delegates, opposed all attempts to prepare for war with France. Five of the members of this group voted for only certain taxes. They probably did so in the hope of avoiding the imposition of even more odious levies. The relationship of this group of seven delegates to the two who opposed the entire Adams program is similar to that which existed between unanimous supporters of the President (Group 1) and the eight independents who nearly always voted for his program (Group 2).

(6) Delegates substantially opposed to the Adams program.<sup>10</sup> Each of the seven members of this group voted on one occasion for some aspect of naval preparations but otherwise voted against the administration. This tendency to stray occasionally, especially after it became certain that a bill would pass, separates these seven from die-hard opponents of the administration. However, the single break in each of their patterns indicates that they were ideologically opposed to Adams, but for the sake of political expediency sometimes voted for his measures. All seven came from areas where opposition to France and dependence upon commerce were widespread. They usually voted against the wishes of a substantial segment of their constituency but occasionally confused the record by voting for a bill that they knew would pass anyhow. On the basis of district characteristics, all seven might have been in the Adams camp, but their personal political philosophy caused them to join the President's opponents. The districts involved were western Vermont, upcountry South Carolina, the

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<sup>10</sup>The seven are: Nathan Bryan, Nathaniel Freeman, William Jones, Matthew Lyon, William Smith of Pinckney District South Carolina, Richard Sprigg, and Richard Stanford.

western Chesapeake counties of Maryland, the Pamlico Sound area of North Carolina, parts of tidewater Virginia, and the Cape Cod-Nantucket area of Massachusetts. These were all areas of shifting political views and sharp conflict between diametrically opposed interests. All seven districts elected men who called themselves Federalists at some time during the decade. In viewing the movement of this faction in the next two sessions of the Fifth Congress, it must be remembered that their position was based on personal convictions that conflicted with much of the sentiment in the districts they represented.

(7) Delegates favorable toward authorization of galleys for naval defense but opposed to the remainder of the Adams program.<sup>11</sup> This group was not numerically large; it consisted of only four members. Its position is important, however, as an early indication of the trend toward acceptance of purely defensive preparations against France. The resolution that these four accepted authorized the President to provide galleys, or other vessels, "to defend the seacoast of the United States, and to repel any hostility to their vessels and commerce within their jurisdiction." The group opposed any increase in the army, further increase in the navy, fortification of harbors, and requests for new taxes. However, it differed from staunch opponents of the administration in that it was willing to consider defensive measures.

(8) Delegates favorable toward all coastal operations but opposed to army revision and offensive naval preparations. If moderate is defined as taking a position midway between two extremes, this was the only moderate faction in the House. It consisted of two members, Albert Gallatin and Abraham Baldwin. They were the only delegates to vote for galleys and

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<sup>11</sup>The four are: Samuel Cabell, John Clopton, Blair McClenachan, and Thomas Skinner.

defense of ports and harbors and against increasing the army and the Protection of Trade Bill. Although he ran in Georgia as a Federalist, Baldwin had been voting for Republican positions ever since the first roll call of the First Congress. With the departure of Madison, Gallatin was presumably the leader of the Republican party in the House.

(9) Delegates favoring full naval preparedness but opposed to any increase in the army.<sup>12</sup> This group of six representatives included a diverse range of districts from commercial Rhode Island to the mountains of western Virginia. There are no important geographic characteristics common to all six districts: two were in frontier regions, three raised agricultural produce for export, and one was a trading center. Nevertheless, all six had strong Federalist tendencies throughout the decade. The six delegates believed in naval preparation so strongly that they even voted to allow use of frigates as merchant marine convoys.

(10) Delegates favoring partial naval buildup and limited offensive operations but opposed to army revision.<sup>13</sup> The only difference between this group of seventeen representatives and the group discussed in (9) above was their vote on merchant convoys. This faction unanimously rejected the use of frigates to protect commercial shipping as a provocative measure equivalent to open warfare. It also opposed any buildup of the army. However, all its members favored the use of galleys, the Defense of Ports and Harbors Bill, and the Protection of Trade Bill. Delegates holding this

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<sup>12</sup>The six are: Samuel Lyman, John Kittera, Daniel Morgan, Elisha Potter, Richard Thomas, and John Williams.

<sup>13</sup>The seventeen are: Dempsey Burges, Thomas Davis, George Dent, Lucas Elmendorf, John Fowler, James Gillespie, William Barry Grove, John Hanna, Carter Harrison, David Holmes, John Milledge, John Nicholas, Josiah Parker, Samuel Smith, John Swanwick, John Trigg, and Robert Williams.

position came primarily from Maryland, Virginia, North Carolina, and Kentucky with scattered additions in Georgia, New York, and Pennsylvania. The group favored a moderate response to France but it was easily swayed by the pressure of events. Many of the same men and the districts represented in this bloc in previous Congresses had exhibited a tendency to float from faction to faction depending on the issue at hand. This had been particularly true of Dempsey Burges, James Gillespie, William Barry Grove, Josiah Parker, and Samuel Smith but would become equally applicable to the remainder of the group.

(11) Members not classified as belonging to any faction. Eleven delegates who served in the second or third sessions of the Fifth Congress were mid-term replacements not present at the first session and therefore not classified. Seven representatives elected to the Congress did not vote often enough during the first session to make an accurate judgment about their positions. Six delegates voted in such a way that they do not fall into any of the above ten categories.<sup>14</sup>

TABLE 15 summarizes by state the factions that arose during voting on the twelve roll calls dealing directly with the Adams program for military preparedness.

From TABLE 15 it can be seen that intrastate divisiveness was widespread. Virginia and Massachusetts, the two states that had been used as yardsticks of cohesive voting in the Second and Third Congresses, now had delegates in more than half of the factional groups shown. Pennsylvania, New York, Maryland, and South Carolina were also sharply divided. The tendency toward polarization and regional unity that had characterized voting in the period 1792-1795 gave way to new patterns based primarily on foreign policy positions that were not even incidentally sectional.

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<sup>14</sup>The six are: Matthew Clay, George Ege, Roger Griswold, Edward Livingston, Abraham Trigg, and Philip Van Cortlandt.

TABLE 15

## GEOGRAPHIC DISTRIBUTION OF FACTIONS IN THE FIFTH CONGRESS

State	Faction <sup>a</sup>											Total
	1	2	3	4	5	6	7	8	9	10	11	
Connecticut	5				1						3	9
Delaware	1											1
Georgia								1		1		2
Kentucky										2		2
Maryland	3	2				1				2		8
Massachusetts	6	2			1	1	1		1		3	15
New Hampshire	3		1								1	5
New Jersey	4										1	5
New York	1		4	1					1	1	2	10
North Carolina				3	1	2				4	1	11
Pennsylvania	1	1		1	2		1	1	2	2	5	16
Rhode Island	1								1		1	3
South Carolina	2	1			1	1					2	7
Tennessee											1	1
Vermont						1					1	2
Virginia		2		5	1	1	2		1	5	3	20
Total <sup>b</sup>	27	8	5	10	7	7	4	2	6	17	24	117

<sup>a</sup>The numbers at the top of each column refer to the numbered groups in the text.

<sup>b</sup>The total exceeds the 106 seats in the House because of the eleven Mid-term replacements that occurred.

A total of thirty-four roll calls were recorded during this session. Twelve of these, which dealt directly with the Adams program, were used to isolate interest blocs. The next step in defining these ten factions is to examine their voting on the other twenty-two roll calls recorded during the session. In order to do so, the vote of the majority of the twenty-seven delegates who unanimously supported the Adams program, Group 1, is assumed to be the pro-administration position. All groups are ranked according to the percentage of the group that voted in the same way as the majority of Group 1. For example, on passage of the House's reply to the President (Roll Call 007), 24 of the 27 delegates in Group 1 voted affirmatively, 1 voted negatively, and 2 were not present. Thus, 96 per cent of those voting voted in the same way; the cohesion level of Group 1 on Roll Call 007 is 96. On the same roll call, 9 of the 10 delegates in the faction that always opposed the Adams program, Group 4, voted against passage and only 1 voted affirmatively. Thus, 10 per cent voted in the same way as the majority of Group 1; the cohesion level of Group 4 on Roll Call 007 is 10.

FIGURES 8, 9, 10, 11, 12, and 13 exhibit the voting patterns of all ten factions isolated on twelve key roll calls. The graphs include every roll call recorded in the session that was not previously used to establish the factions. The roll calls are arranged in chronological order.

The faction unanimously supporting the Adams program (Group 1, FIGURE 8) had a cohesion level of ninety or higher on all but five roll calls. It is apparent therefore that this faction was highly consistent throughout the session. The five breaks in pattern reveal more information about the group. A minor break occurred on an amendment to the House's reply to the President that expressed "utmost satisfaction" at the fresh attempt to negotiate peacefully with France (Roll Call 005). On this

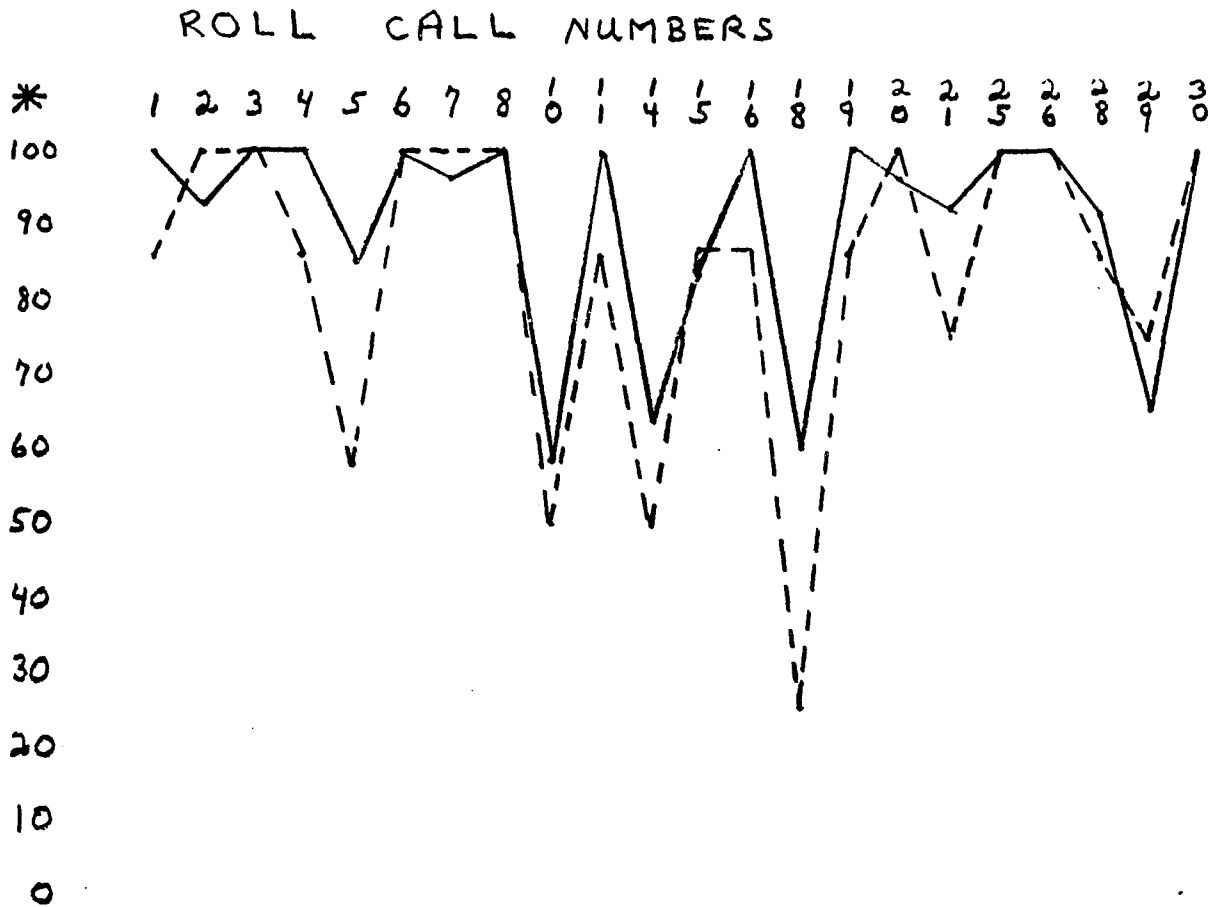
— GROUP 1

185

FIGURE 8

- - - GROUP 2

CONG 5 SESS 1



\* PERCENTAGE VOTING IN THE SAME WAY  
AS THE MAJORITY OF GROUP 1

occasion four delegates--Christopher Champlin, Samuel Dana, John Rutledge Jr., and James Schureman--voted for the amendment but the other twenty-three members of the group were opposed. Considering that negotiation was, at this time, as much a part of Adams's approach as military preparations, the objection of so large a portion of the President's supporters to this harmless amendment is significant. It reflects the extent to which administration support came from representatives who favored a more aggressive stance than the President had taken. The differing extent to which members of the group were prepared for sharp action against France accounted for two other breaks in the cohesion of the group. The first occasion was on the vote to eliminate from the Expatriation Bill the section prohibiting anyone who renounced American citizenship to join a foreign army or navy for a period of one year (Roll Call 014). Nine extremists in Group 1 voted for removal of the clause so as to make the bill so objectionable that it could not pass at all.<sup>15</sup> They opposed any measure that gave legal sanction to the right of expatriation. A segment of the group that was slightly less committed to naval armament is shown by the break on providing for the building of nine new twenty-gun vessels (Roll Call 018). Eleven delegates joined the overwhelming majority against such provision.<sup>16</sup> The sharp drop in cohesion on Roll Call 029 shows the influence of a "moneyed interest" within the group. Eight of its members favored an exemption from the stamp tax for all bank notes.<sup>17</sup> It is of note that the proposed exemption was defeated by a resounding 76 to 11. The only other substantial break occurred

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<sup>15</sup>The nine were: Bayard, Bradbury, D. Foster, Goodrich, Gordon, Schureman, Sewall, N. Smith, and Thomson.

<sup>16</sup>The eleven are: Dennis, D. Foster, Matthews, Rutledge, Schureman, Sewall, Shepard, Sinnickson, J. Smith, N. Smith, and Thomson.

<sup>17</sup>The eight were: Bayard, Champlin, A. Foster, D. Foster, Hosmer, Sitgreaves, N. Smith, and W. L. Smith.

on a matter of purely local interest involving money owed by New York to the federal government (Roll Call 010). The lack of cohesion on this matter shows that the raison d'etre of this group was its attitude toward France rather than any local or sectional interest.

The faction that generally supported the Adams program but showed some independence by voting against certain taxes (Group 2, FIGURE 8) had a slightly less cohesive voting pattern than the unanimous Adams supporters in Group 1. Nevertheless, there is a substantial similarity between the records of the two groups. The breaks among the independent Adams supporters were sharper but they occurred on the same roll calls and for the same reasons that brought about significant cohesion changes among the unanimous Adams supporters.

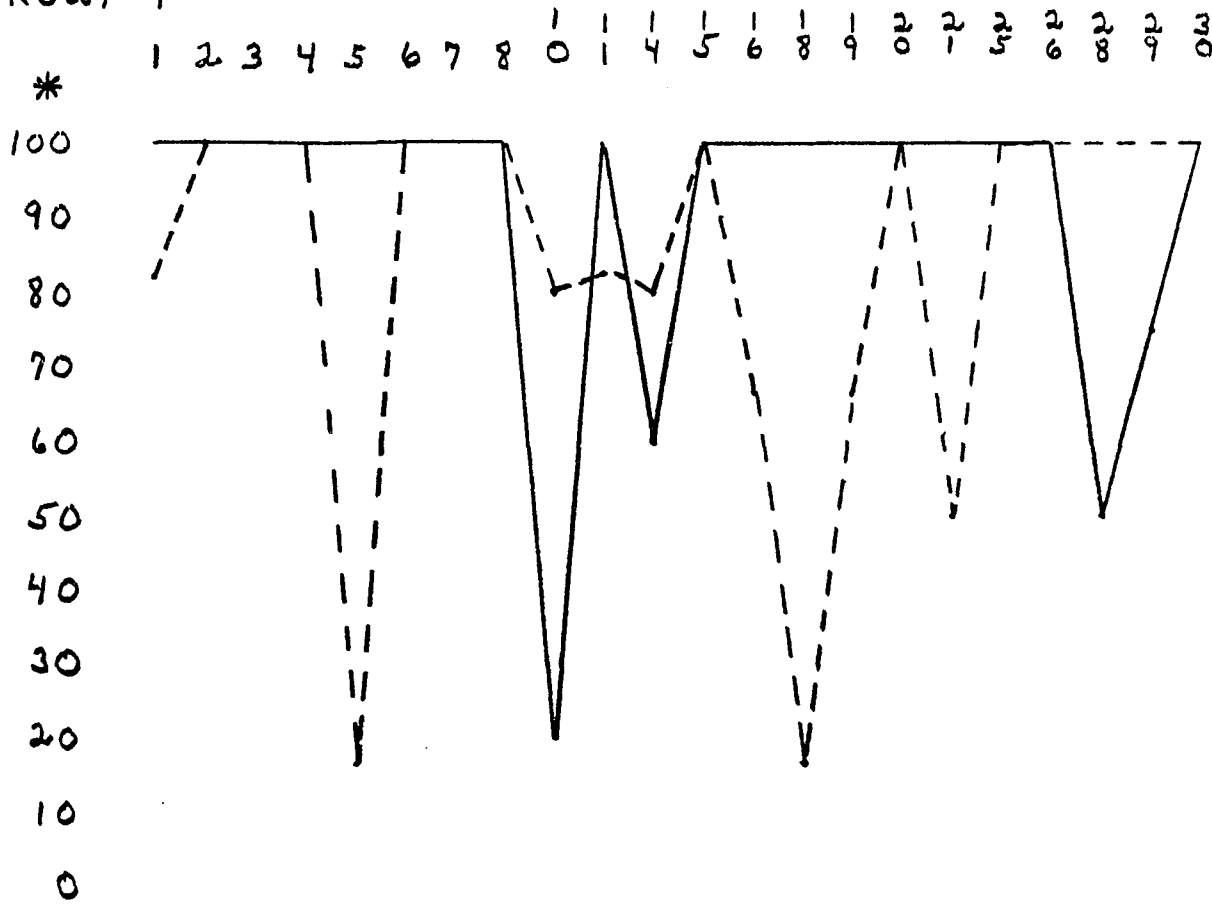
The small interest group that voted for all aspects of the administration program except the Defense of Ports and Harbors Bill (Group 3, FIGURE 9) was the most cohesive of all factions that supported Adams. It split only on the Expatriation Bill, exemptions from the stamp tax, and the matter relating to New York's debt. This division on New York's debt (Roll Call 010) reflected local considerations; the split on expatriation (Roll Call 014) occurred because of the differing degree of opposition to France among the five members of the faction. The lack of cohesion on stamp tax exemptions (Roll Calls 028 and 029) shows, once again, the presence of moneyed interests among Adams's supporters. At this time Groups 1, 2, and 3 acted in unison, but the minor differences noted earlier foreshadowed major changes that occurred in subsequent sessions of Congress.

Delegates favoring full naval preparedness but opposed to additions to the army (Group 9, FIGURE 9) had the most inconsistent voting pattern of any of the ten factions isolated. The districts represented by the six delegates in the group all exhibited Federalist tendencies but they did not have significant socio-economic characteristics in common. In sharp

FIGURE 9  
CONG 5 SESS 1

— GROUP 3  
- - - GROUP 9

ROLL CALL NUMBERS



\* PERCENTAGE VOTING IN THE SAME WAY  
AS THE MAJORITY OF GROUP 1

contrast to other groups supporting the administration, over 80 per cent voted for the amendment expressing satisfaction at the President's attempt to negotiate with France (Roll Call 005). One-third of the group favored adjournment at a time when much important business remained (Roll Call 016) and opposed authorizing the President to use cutters wherever he deemed necessary (Roll Call 019). Half voted to limit the duration of the Protection of Trade Bill to one year (Roll Call 021) and over 80 per cent opposed the building of new twenty-gun vessels. In general, the group consisted of lukewarm supporters of the administration whose votes could not always be counted upon with certainty.

Representatives opposed to all aspects of the Adams program (Group 4, FIGURE 10) have a **pattern which is virtually opposite from any of the factions** discussed thus far. Their percentage generally falls below ten, as contrasted with earlier groups whose percentages were usually ninety or more. This visually observable difference between the graph of unanimous supporters (Group 1, FIGURE 8) and that of unanimous opponents (Group 4, FIGURE 10) on twelve key roll calls indicates that the two factions remained opposed throughout most of the session. There were only five breaks in Group 4's voting on the twenty-two roll calls shown in FIGURE 10.<sup>18</sup> One occurred on

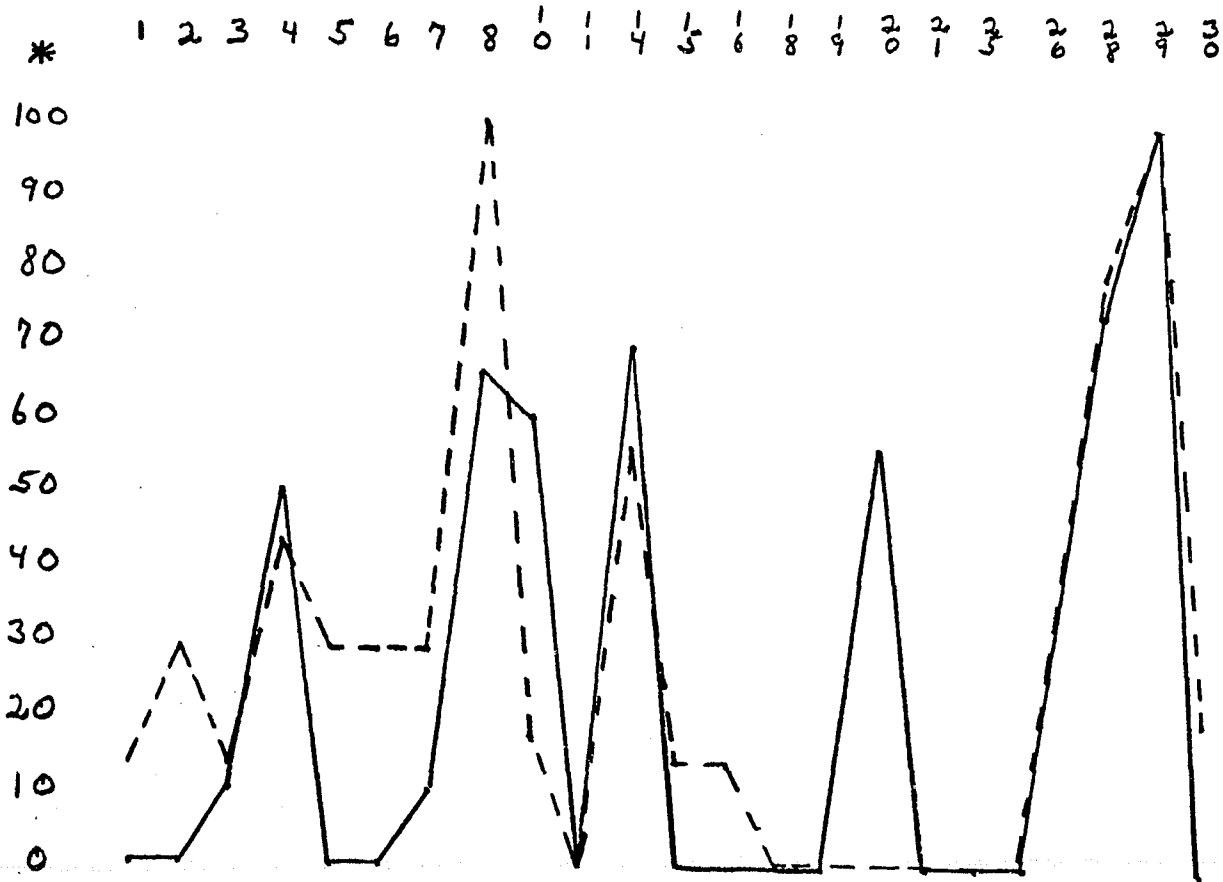
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<sup>18</sup>The apparent breaks on Roll Calls 028 and 029 are caused by the assumption made at the outset that the majority of Group 1 represented the administration position. In fact, on these two roll calls eliminating exemptions from the stamp tax, the position of the majority of Group 4 and the majority of Group 1 was the same. That is, there should be no exemptions for bank notes or military lands. The factions that operated on Roll Calls 028 and 029 were motivated by their commitment to banking and to speculation in western lands and they are, therefore, totally out of the framework of this entire analysis, which is based on positions with regard to war with France. These are the only two roll calls recorded during the session that brought monetary interests to the foreground and they are insignificant compared with the main issue of the session. It is of note, however, that factions which appear indestructible on certain issues seem to melt away on others.

—— GROUP 4

---- GROUP 5

ROLL CALL NUMBERS



\* PERCENTAGE VOTING IN THE SAMEWAY AS THE MAJORITY OF GROUP 2

New York debt (Roll Call 014) proving, once again, that factions are cohesive only on issues on which they have a substantial interest. The restriction on joining foreign armies in the Expatriation Bill (Roll Call 014) was another source of division within the group. Nearly one-third of the faction voted to eliminate the restriction because they opposed any limitation on the right to renounce citizenship. Thus, the extreme wing of this group joined the extreme element of the unanimous Adams supporters, though for opposite reasons. The other three breaks did not occur on the same roll calls that resulted in divisiveness among their opponents. Half the group voted against the amendment to the reply to the President that requested France to compensate for "injuries done to our neutral rights" (Roll Call 004). Thus, the handful of Adams supporters who had opposed any attempt to negotiate with France were counterbalanced by a small band who refused even to concede that the French had violated America's neutral rights.<sup>19</sup> The other two sharp drops in cohesion also resulted from the action of extreme opponents of the administration who voted against a ban on shipping arms and ammunition (Roll Call 008)<sup>20</sup> and against authorization of the use of existing cutters for coastal defense (Roll Call 020).<sup>21</sup>

Delegates who opposed all aspects of the Adams program except the tax levies (Group 5, FIGURE 10) had a somewhat less cohesive, but nonetheless similar, voting pattern as the all out opponents of the administration. One of the major differences between the two factions occurred over the reply to the President's address (Roll Calls 001 through 007) during which the Group 5 delegates were substantially more moderate than those in Group 4.

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<sup>19</sup>The five are: Bard, Giles, Macon, McDowell, and Venable.

<sup>20</sup>The three are: Locke, Macon, and Venable.

<sup>21</sup>The four are: Giles, Locke, Macon, and McDowell.

Their divisiveness on roll calls involving words disappeared, however, on questions of real substance. They unanimously opposed any authorization for using cutters for coastal defense (Roll Call 020), whereas less than half the unanimous opponents of the administration had taken such a radical position.

Delegates substantially opposed to the Adams program (Group 6, FIGURE 11) and delegates favoring only limited use of galleys (Group 7, FIGURE 11) had substantially similar voting patterns. Representatives in Group 6, it will be recalled, appeared to be voting from personal convictions that conflicted with substantial interests in their home districts. Members of Group 7, on the other hand, came from districts having strong Republican tendencies. While this distinction became important later on, it did not affect voting patterns during this session.

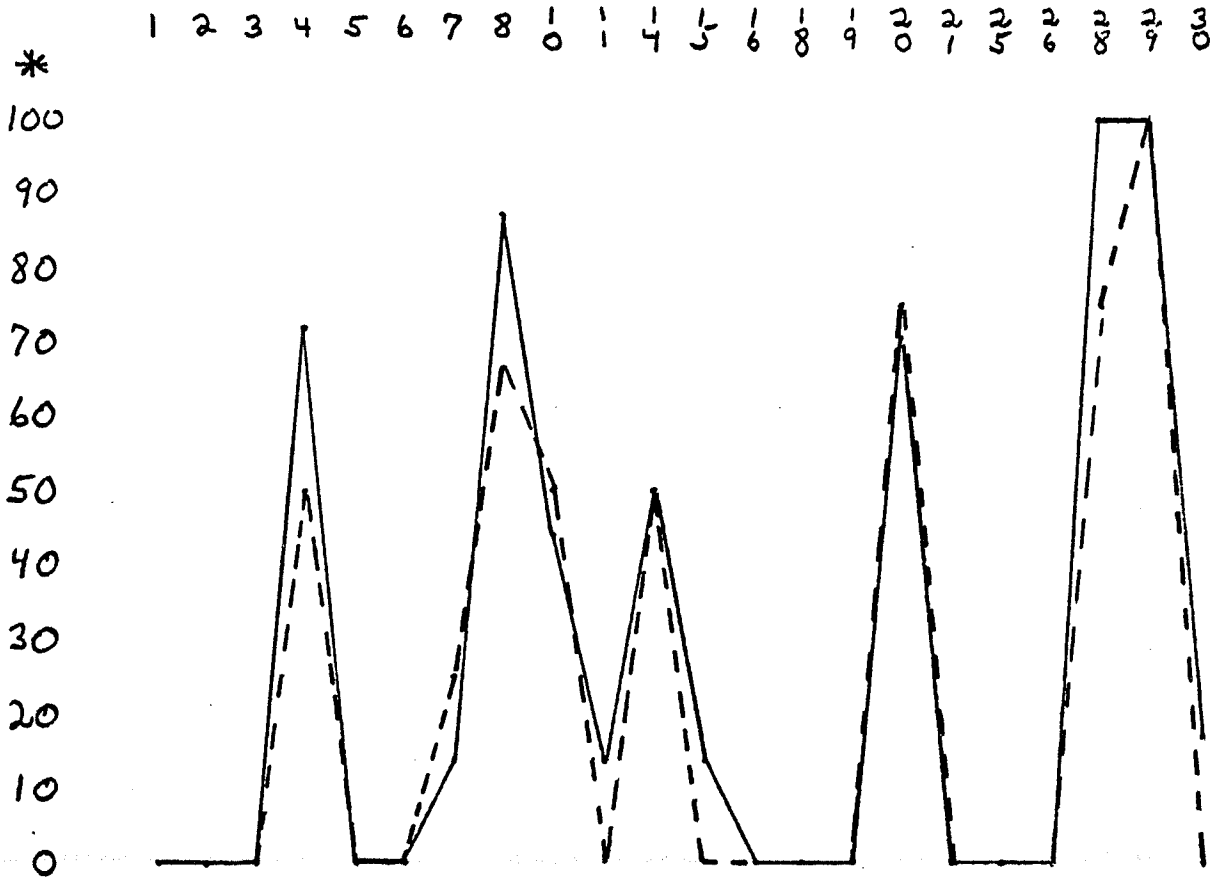
The two groups favoring moderate naval preparations but opposed to buildup of the army (Group 8, FIGURE 12 and Group 10, FIGURE 12) had voting patterns that resembled those of other opponents of the administration. Generally, they were moderate on response to the President's address and they were unanimously in favor of using cutters for coastal defense. On other matters they did not differ substantially from the positions taken by other factions opposed to the administration. In subsequent sessions of the Fifth Congress, these two groups followed widely differing paths.

FIGURE 13 shows the result of combining the ten factions isolated on key roll calls into two large groups. Combining Groups 1, 2, 3, and 9 places all the substantial supporters of the Adams program together. Its opponents, both moderate and extreme, are in Groups 4, 5, 6, 7, 8, and 10. When these two large groups, the first of which may be designated Federalist and the second Republican, are contrasted, cohesive parties appear. Both

— GROUP 6

- - - GROUP 7

ROLL CALL NUMBERS



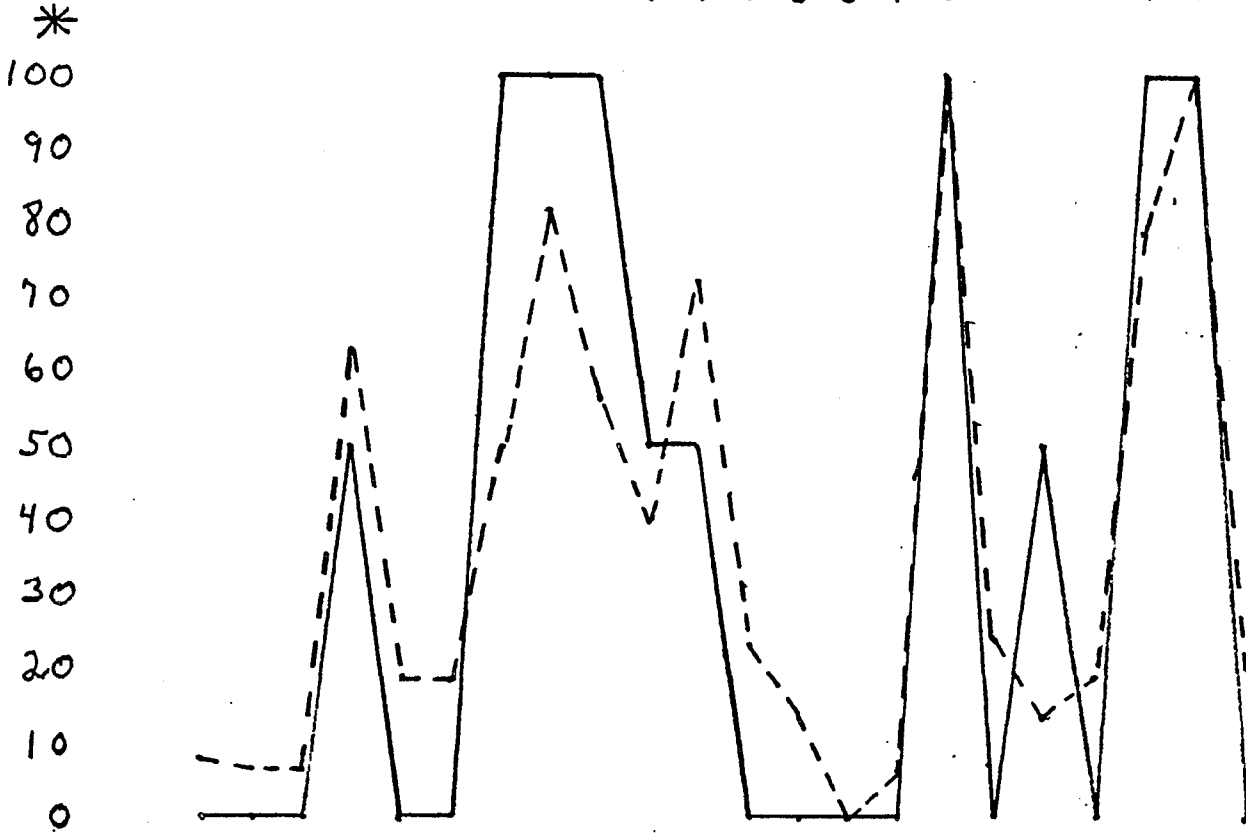
\* PERCENTAGE VOTING IN THE SAME WAY  
AS THE MAJORITY OF GROUP 1

— GROUP 8

--- GROUP 10

ROLL CALL NUMBERS

1 2 3 4 5 6 7 8 0 1 4 5 6 8 9 2 2 2 2 2 2 3

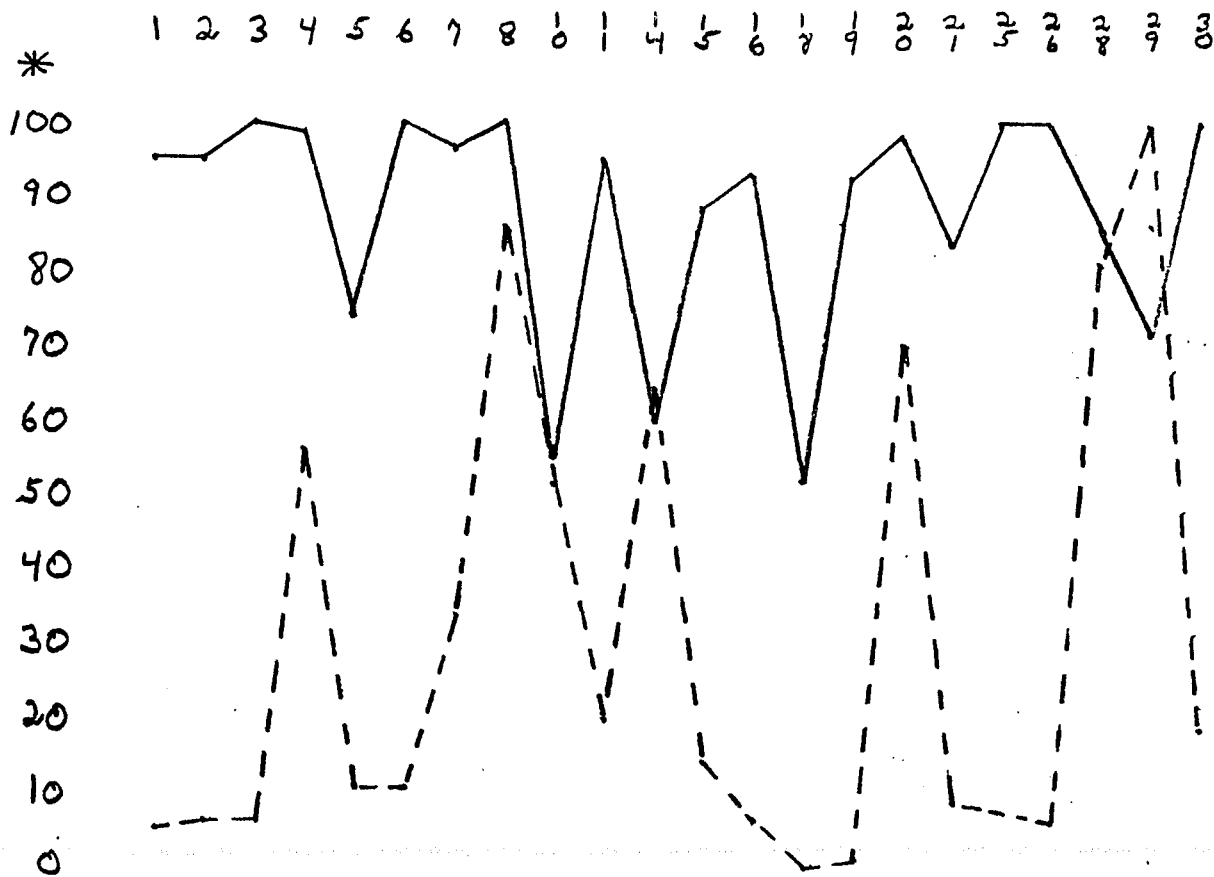


\* PERCENTAGE VOTING IN THE SAME WAY AS THE MAJORITY OF GROUP 1

—— GROUPS 1,2,3,9

---- GROUPS 4,5,6,7,8,10

ROLL CALL NUMBERS



\* PERCENTAGE VOTING IN THE SAME WAY  
AS THE MAJORITY OF GROUP 1

parties were internally divided on the New York debt amendment (Roll Call 010) because it was a purely local matter and on the Expatriation Bill (Roll Calls 014 and 015) because extremists in each party opposed it. The pressure of certain economic interests within the Federalist party resulted in divisiveness on Roll Calls 028 and 029. Lack of cohesion on Roll Calls 005, 018, and 021 resulted from differing degrees of opposition to France among Federalists. The same lack of unanimity about France caused Republicans to break on Roll Calls 004, 007, and 011. The tendency of many Republicans to support purely defensive coastal operations accounts for the break on Roll Call 020. In all other instances, both parties were highly cohesive and nearly always on opposing sides.

Voting patterns in the first session of the Fifth Congress present, in miniature, several significant general characteristics of factions and parties. The first is that parties, even when voting cohesively, are composed of numerous smaller factions that are discernible on key roll calls and that coalesce without losing their separate identity. The falling away of one or more of these factions is often responsible for what appears to be lack of party unity. A second characteristic is that factions are heavily influenced by the nature of the issue at hand. They disintegrate entirely on matters of purely local concern or when conflicting pressures are brought to bear. This phenomenon leads to the conclusion that voting is motivated not by party attachment but by adherence to interests. Parties, which develop from complex interests, represent a compromise; the "party line" is an average from which deviance is normal. The parts of which any party is composed are interest blocs, from which deviance is not normal but, rather, is indicative of conflicting interests. Although a particular

interest is usually more fully represented in one party than another, it is the interest rather than the party that is the key to explaining voting patterns. Because it lasted only a month, during which time the possibility of war with France neither increased nor decreased, the effects of the pressure of external events on factional groupings is not apparent from analysis of this session. However, the changes that occurred in the next two sessions of the Fifth Congress are highly illuminating in this regard.

### To The Brink of War

When John Adams delivered his opening address to the second session of the Fifth Congress on November 23, 1797, the danger of war with France seemed no nearer than it had five months earlier when the House had refused all but the most moderate measures for building up the country's defenses. Accounts of depredations by the French upon United States shipping continued to fill the newspapers but, as long as the negotiators were in Paris, hopes for peace remained high. Adams's message asked for essentially the same preparation that he had requested at the beginning of the special session of the preceding May: a naval force sufficient to protect the nation's commerce, an increase in the standing army, legislation to establish a provisional army, and new tax revenues to pay for these defensive needs.

Despite the similarities between the circumstances of May and November, a certain change had taken place among some members of the House. In May they had taken a wait-and-see attitude in the hope that the situation would just go away or that France would see the error in her treatment of an old ally. In May they had argued that momentous decisions possibly leading to war ought not to be taken in haste. By November, however, the delegates had sufficient time to consider all the consequences of a military buildup. The continuing French policy of attacking and confiscating American shipping made it clear that the danger of war would not pass away

by itself and that France's unfriendly policy was not the result of a passing whim. Negotiation might ultimately be successful but pragmatic wisdom dictated military preparedness for the other possibilities that lay ahead. This change in attitude, from opposition to support of the Adams program, resulted from the pressure exerted by the months during which commercial depredations continued and hopes for peace faded. A much greater shift of delegates occurred when negotiations collapsed completely in the aftermath of the XYZ affair.

The objective of the following analysis is to measure the effects of these pressures on the factions that appeared during the first session of the Fifth Congress. However, any such effects must exclude changes that resulted from mid-session replacements. William Edmond replaced James Davenport of Connecticut and Bailey Bartlett succeeded Theophilus Bradbury of Massachusetts. All four were consistent supporters of the Adams program and, therefore, no change in voting patterns resulted. In the case of two other replacements, that of Jeremiah Smith by Peleg Sprague in New Hampshire and that of William L. Smith by Thomas Pinckney in Charleston, South Carolina, voting patterns were affected. All four were Adams supporters but the two Smiths had been very regular in their attendance and voting, whereas Sprague and Pinckney were absent more often than not. Pro-administration forces lost the votes of two moderates, George Ege of Pennsylvania and Elisha Potter of Rhode Island. In normal times Potter's replacement, Thomas Tillinghast, might have been classified as a Republican but the pressure of the French war scare made this an impossibility in 1798. He ultimately joined the Adams forces wholeheartedly, but during the second session he voted against the pro-Adams position on about 35 per cent of all recorded roll calls; he cannot be assigned to any of the ten factions isolated during the special session. Joseph Hiester, who succeeded Ege, voted with the faction that

avored defensive naval preparations but opposed the administration on all other matters (Group 10).

Several members had been absent too often or voted too inconsistently to be assigned to any of the factions that arose during the first session. Based on voting during the second session, some of them can be assigned to particular factions although they might not have been part of the same groups during the first session. Issac Parker of Massachusetts and Roger Griswold of Connecticut consistently voted with the faction that unanimously supported the Adams program. Lemuel Benton of South Carolina and Philip Van Cortlandt of New York were equally cohesive in joining the group opposed to every administration proposal. William Claiborne of Tennessee voted most nearly in accord with the faction that supported defensive naval operations but opposed any other war preparations. Stephen Bullock of Massachusetts, who opposed the administration but represented a district with substantial commercial interests, voted in the same unclassifiable way as Tillinghast of Rhode Island. Both were in the predicament of effectively misrepresenting the wishes of their districts. They have been described as "Moderates," however, such a label inadequately explains the peculiar position of these two delegates.<sup>22</sup> Both ultimately became highly cohesive administration supporters. Eight representatives not previously classified continued to be absent so often that they cannot be assigned properly to any faction.<sup>23</sup>

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<sup>22</sup>Dauer, The Adams Federalists, pp. 171 and 269.

<sup>23</sup>Matthew Clay, William Findley, Edward Livingston, and Abraham Trigg generally opposed the administration. Jonathan Dayton, who did not vote because of his position as Speaker, Lewis Morris, Thomas Pinckney, and Peleg Sprague all supported the Adams program.

With the exceptions noted above, all factions isolated during the first session have been continued into the second for analytical purposes. As will be shown, however, members of some factions shifted their allegiances substantially. The graphs that follow use the same methodology employed in demonstrating factional behavior during the first session: the position of the majority of the unanimous Adams supporters (Group 1) is assumed to be the pro-Adams position and the graphs show the percentage of each faction voting for the pro-Adams position. Even a cursory glance at the voting patterns reveals the disparity between different factions. Conclusions about the effects of pressure on previously established voting patterns require a more detailed examination of each faction. The roll calls included in the graph are representative of the matters that came before the House and the delegates' response to them.<sup>24</sup>

The cohesiveness of the faction that had unanimously supported the Adams program remained extremely high during the 1797-98 session (Group 1, FIGURE 14). The group's cohesion exceeded 90 per cent on more than three-fourths of all roll calls and fell below 80 per cent on only four occasions. Moderates within Group 1, the largest in the House, were revealed early in the session on the question of placing Matthew Lyon in the custody of the Sergeant-at-Arms until the House decided on an appropriate discipline in response to his spitting at Roger Griswold (Roll Call 041). The attempt to "arrest" Lyon received the support of less than 30 per cent of the whole House but of 79 per cent of Group 1.<sup>27</sup> The five

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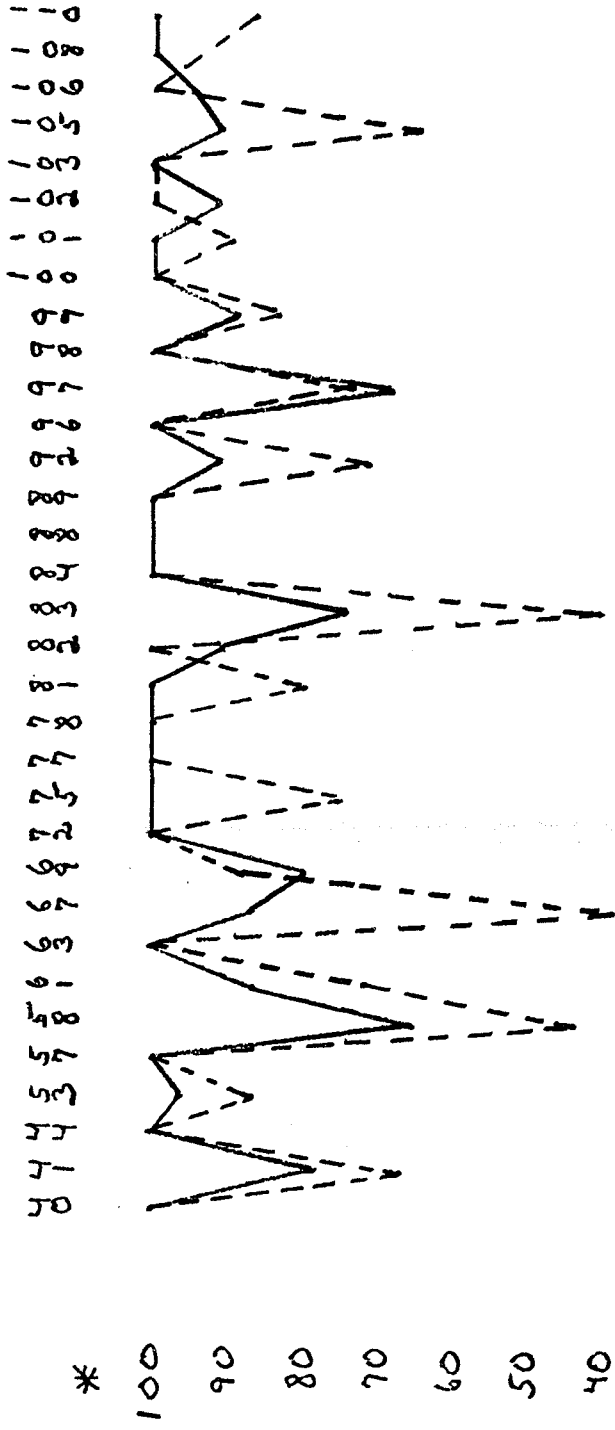
<sup>24</sup>A list of all roll calls is included in the Appendix of Roll Call Descriptions.

<sup>25</sup>Annals of Congress, 5 Cong. 2 sess., p. 956. January 30, 1798.

— GROUP 1  
 --- GROUP 2

FIGURE 14  
 CONG 5 SESS 2

ROLL CALL NUMBERS



\* PERCENTAGE VOTING IN THE SAME WAY  
 AS THE MAJORITY OF GROUP 1

delegates who did not support the attempt showed moderate tendencies on certain other roll calls as well.<sup>26</sup> George Matthews of Maryland, however, was the only one of the five who took a consistently moderate line. He voted against the Sedition Act (Roll Call 106), against raising the standing army by 12,000 instead of 8,000 (Roll Calls 099 and 102), for outfitting of twelve ships instead of sixteen (Roll Call 061), for reducing the provisional army from 20,000 to 10,000 (Roll Call 069), and against unrestricted reprisals upon French shipping (Roll Call 097).

Two other roll calls also tend to isolate moderates within Group 1. Six members of the faction opposed Harper's radical amendment allowing merchant vessels to "attack, take, or destroy" any vessel that had captured an American ship (Roll Call 083) and seven voted against Sprague's proposal to authorize the capture of unarmed French vessels (Roll Call 097). A total of eleven different delegates opposed one or both of these attempts to put the country on a full war footing with France.<sup>27</sup> It is not surprising that an attempt to declare war was never brought to a vote. Forty per cent of the President's most consistent supporters recoiled at amendments that led in the direction of a full scale war.

The only other major division within Group 1 occurred on the question of calling for the papers related to the XYZ affair (Roll Call 058). eight members of this faction joined the call, led by the President's opponents, for the papers. They are all included in the group designated by historian Manning Dauer as High Federalists. Their motivation, **supposedly,**

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<sup>26</sup>The five are: Champlin, Hosmer, Matthews, Sinnickson, and Thomson.

<sup>27</sup>The eleven are: Dana, Inlay, Hosmer, Matthews, Rutledge, Sewall, Schureman, Shepard, Sinnickson, N. Smith, and Bartlett.

was to stir up public sentiment in favor of war. In terms of cohesive roll call voting, however, the category High Federalists does not exist, although certain Adams supporters were more willing to go to war than others. At least six of the eight members of Group 1 who called for papers were definitely not extreme proponents of war preparations. More than half of them--Hezekiel Hosmer, William Matthews, Bailey Bartlett, John Rutledge, and John Dennis--voted against unrestricted naval combat (Roll Calls 083 and 097) or in favor of reducing the size of the Provisional Army (Roll Call 069). One of the others, James Bayard of Delaware, was a moderate in debate and was not part of the Hamilton circle of associates generally implied by the term High Federalist. Eliminating these six, there are only two delegates, John Allen and Peleg Wadsworth, who probably did vote for the call for papers for the sole purpose of stirring up the flames of war. The other six appear to have acted from a desire to examine all facets of such an important question before taking any decisive action.

In general, the increasing pressure of war that marked the Spring of 1798 did not affect the voting pattern of Group 1, the unanimous Adams supporters. A possible reason for the lack of change in the faction's voting behavior over the two sessions is that events were leading toward the policy they had been advocating all along. Therefore, the same pressure that caused other interests to surrender, served to fortify the cohesiveness of this group.

The faction previously characterized by independent support of the

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<sup>28</sup>Manning Dauer, The Adams Federalists, pp. 141-142. Alexander De Conde, The Quasi War: The Politics and Diplomacy of the Undeclared War with France, 1797-1801 (New York: Charles Scribner's Sons, 1966), pp. 71-72. De Conde's appraisal is partially based upon, and agrees with, Dauer.

administration (Group 2, FIGURE 14) changed considerably under the increased pressure of war. The faction's voting had been remarkably similar to that of the unanimous Adams supporters (see FIGURE 8). After the call for the XYZ dispatches on April 2, 1798, however, the two groups diverged. The cohesion of the independent Adams supporters dropped sharply on a number of significant roll calls. Some of them opposed all out war with France and others voted against repressive policies at home but in no case did they do so as a cohesive group. Under the pressure of domestic opposition to the Alien and Sedition Acts and fear of a disastrous involvement in Europe's war, the faction simply failed to operate as a faction. The individual members went their separate ways. Harrison Gray Otis of Boston, William Craik of western Maryland, and Thomas Hartley of York County in Pennsylvania, all supported the President without exception. On the other hand, George Baer Jr. turned against the Adams group on taxation (Roll Calls 053 and 092), on unrestricted naval warfare (Roll Calls 083 and 097), on arresting Matthew Lyon (Roll Call 041), and on warlike resolutions against France (Roll Call 081). He supported the administration, however, on army buildup and on the Alien and Sedition Acts. Robert Goodloe Harper was as ready for war as any man in the House, but he voted to moderate the most odious and repressive features of the Sedition Act (Roll Call 105). James Machir of western Virginia was absent a great deal but an indication of his opposition to the domestic policy of Adams's supporters was his vote to recommit the Alien Enemies Bill (Roll Call 075). Thomas Evans, representing parts of tidewater Virginia, voted against the direct land tax (Roll Call 092), against nullification of the Treaty with France (Roll Call 101), and with Harper to moderate the Sedition Act. He also opposed unrestricted naval warfare. John Reed of Plymouth, Massachusetts voted to cut the provisional army in half (Roll Call 069), to recommit the

Alien Enemies Bill, to restrict naval warfare, and against increasing the standing army. No general statement can encompass the effects of pressure on the eight delegates in this faction except that they were completely scattered.

During the special May session, a small group of delegates had supported the administration on everything but the Defense of Ports and Harbors Bill which they opposed because they wanted an even stronger measure. This group had been the most cohesive of all factions supporting Adams and it continued to be so during this session (Group 3, FIGURE 15). The faction voted unanimously on all but four occasions; on the four split votes only one delegate differed from the rest of the group. The effect of increased danger of war on this faction was to solidify the members even further in their support for preparedness.

A dramatic increase in cohesiveness occurred in the faction that had favored full naval preparedness but had opposed additions to the army. They had been highly independent in their voting (Group 9, FIGURE 9) during the special session. Lack of cohesion continued to characterize the faction during the early roll calls of the second session until the full impact of the XYZ papers brought about a complete change in the group (Group 9, FIGURE 15). Yielding to the pressure of impending war, they voted to increase the standing army by 12,000 men instead of 8,000 (Roll Calls 099 and 102), thereby reversing unanimously their earlier position against any increase in the army. They were equally firm in their support of naval preparations and suppression of dissent at home. The voting pattern of this group reveals one of the most important effects of pressure upon a faction: the elimination of independent thinking and contrary voting.

Groups that had generally opposed the administration during the special session were also affected by the increasing danger of war. This

— GROUP 3

--- GROUP 9

207

FIGURE 15

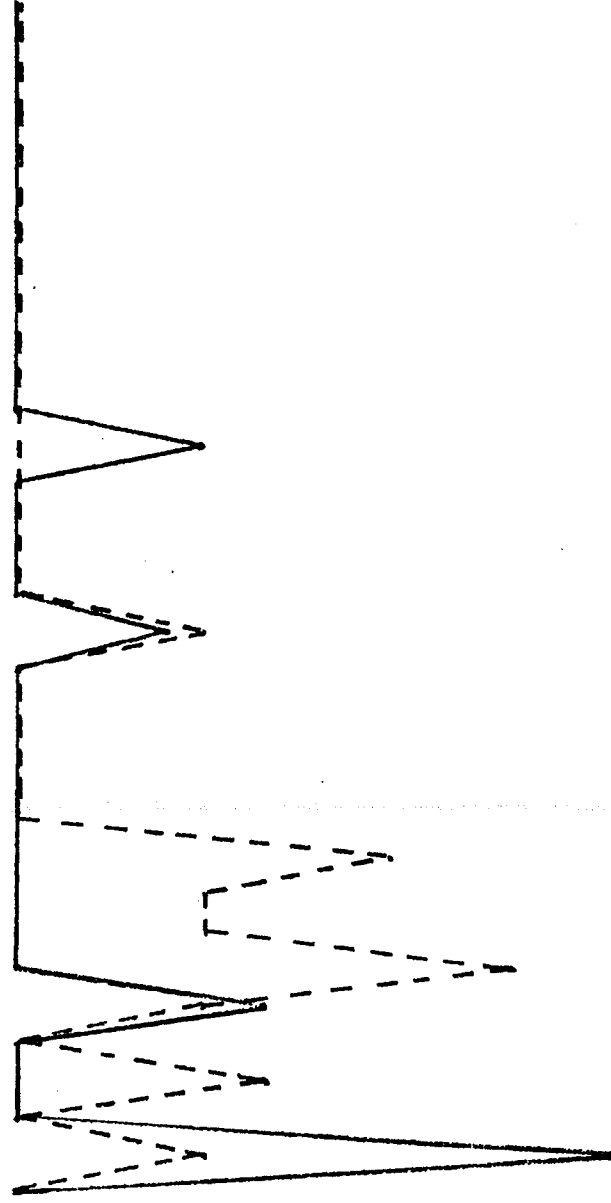
CONGRESS 2

ROLL CALL NUMBERS

44	45	55	66	77	88	99	101	111	121	131	141	151	161	171	181	191	201	211	221	231	241	251	261	271	281	291	301	311	321	331	341	351	361	371	381	391	401	411	421	431	441	451	461	471	481	491	501	511	521	531	541	551	561	571	581	591	601	611	621	631	641	651	661	671	681	691	701	711	721	731	741	751	761	771	781	791	801	811	821	831	841	851	861	871	881	891	901	911	921	931	941	951	961	971	981	991	1001	1011	1021	1031	1041	1051	1061	1071	1081	1091	1101	1111	1121	1131	1141	1151	1161	1171	1181	1191	1201	1211	1221	1231	1241	1251	1261	1271	1281	1291	1301	1311	1321	1331	1341	1351	1361	1371	1381	1391	1401	1411	1421	1431	1441	1451	1461	1471	1481	1491	1501	1511	1521	1531	1541	1551	1561	1571	1581	1591	1601	1611	1621	1631	1641	1651	1661	1671	1681	1691	1701	1711	1721	1731	1741	1751	1761	1771	1781	1791	1801	1811	1821	1831	1841	1851	1861	1871	1881	1891	1901	1911	1921	1931	1941	1951	1961	1971	1981	1991	2001
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100  
90  
80  
70  
60  
50  
40  
30  
20  
10  
0



\* PERCENTAGE VOTING IN THE SAME WAY AS THE MAJORITY OF GROUP 1

is abundantly clear in the graph of the faction that had opposed all aspects of the Adams program (Group 4, FIGURE 16). Until about halfway through the session they unanimously opposed the pro-Adams faction on all roll calls. However, disclosure of the XYZ papers dashed all hopes among the group for an early and peaceful resolution of the conflict. Disheartened and somewhat disgraced by the apparent proof of France's malice and their own misjudgment, the faction bowed to pressure for war preparation on a number of occasions. Thomas Claiborne of Virginia voted to suspend all trade with France (Roll Call 078), David Bard of Pennsylvania favored Sprague's amendment allowing the capture of unarmed French vessels (Roll Call 097), and Abraham Venable opposed Edward Livingston's suggestion that Elbridge Gerry continue negotiations in Paris on his own (Roll Call 098). Three delegates voted for final passage of the bill increasing the standing army (Roll Call 103) and nearly half favored imposition of a federal land tax (Roll Call 084). This tax had been defeated during the Fourth Congress when Republicans generally had supported it. At that time one representative of the landed interest had argued in favor of the tax because it was "calculated to inspire industry and economy--to place the agriculturist and farmer above dependence on the merchant--to excite that spirit of vigilance and jealousy which is so essential to the Republican character, and to the preservation of his freedom...when he pays directly, he learns his own consequence in society, and he finds it a part of his duty to inquire how the public money is disposed of by the Government."<sup>29</sup> Leading opponents of the administration had adhered to this position. However, both the debate and the votes indicated that, during the Fifth Congress, the immediate use of the proposed tax revenue to help finance war against France

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<sup>29</sup>Annals of Congress, 4 Cong. 2 sess., p. 1915. January 19, 1797.

made the roll call a matter of foreign policy rather than a purely economic question. Therefore, the votes of five delegates in this faction in favor of the tax indicate their support of war preparations. Another effect of pressure, then, was the breaking up of even the strongest opposition.

When the firmest opponents broke, it is hardly surprising that less cohesive opposition factions also disintegrated under the pressure of war. The group that had opposed all aspects of the Adams plan except the tax levies during the special session ceased to operate as a cohesive faction (Group 5, FIGURE 16). Joshua Coit of Connecticut and John Chapman of Philadelphia broke with the faction at the very outset of the session and never returned. Both came from heavily Federalist districts which must have exerted great pressure on them during the months between the two sessions. Coit, in particular, was bitterly attacked by the Federalist press and, which may have hurt more, gleefully praised by Republican propagandists for his opposition to the administration during the May session. Five months of bombardment at home plus continued depredations by the French convinced both delegates that their earlier caution had been a mistake; they turned about and wholeheartedly supported the war effort. The other five members of Group 5 held firm until disclosure of the XYZ affair, at which point they broke apart and failed to operate as a faction.

The action of the group of delegates generally opposed to Adams is hard to assess with certainty (Group 6, FIGURE 17). All the delegates in the group represented districts that had substantial Federalist tendencies and therefore, they were subjected to pressure from their constituents as well as from the increasing danger of war. Nathaniel Freeman of Nantucket, Massachusetts yielded early; his votes account for all the breaks in cohesion through Roll Call 061, after which time he stopped voting. Two delegates in the group voted to suspend trade with France (Roll Call 078), and one

— GROUP 4

--- GROUP 5

210

FIGURE 16

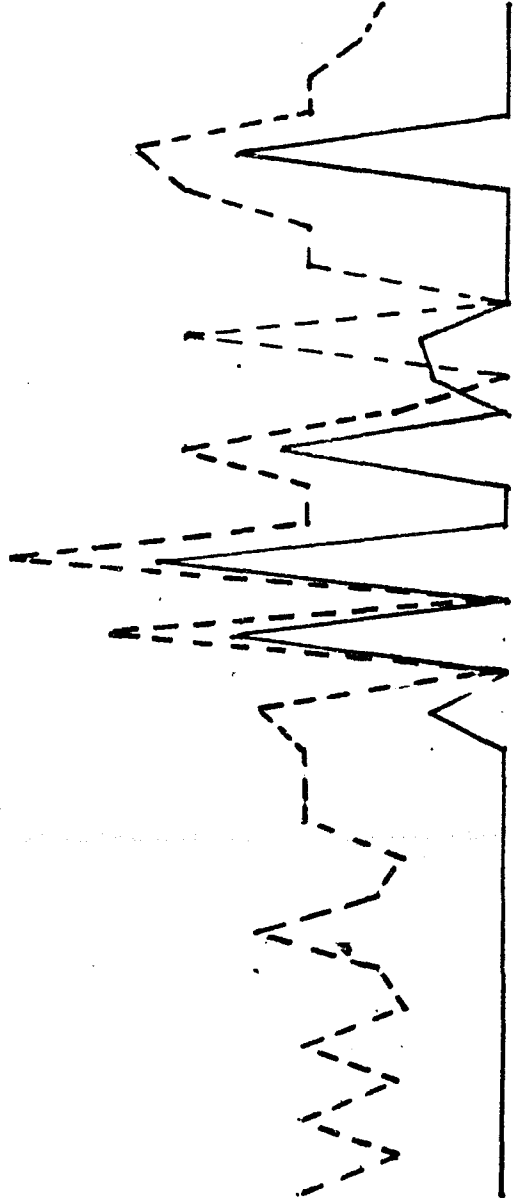
CONG 5 SESS 2

ROLL CALL NUMBERS

444555666777888999	1111111111
01445566778899	223355880

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100  
90  
80  
70  
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50  
40  
30  
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10  
0



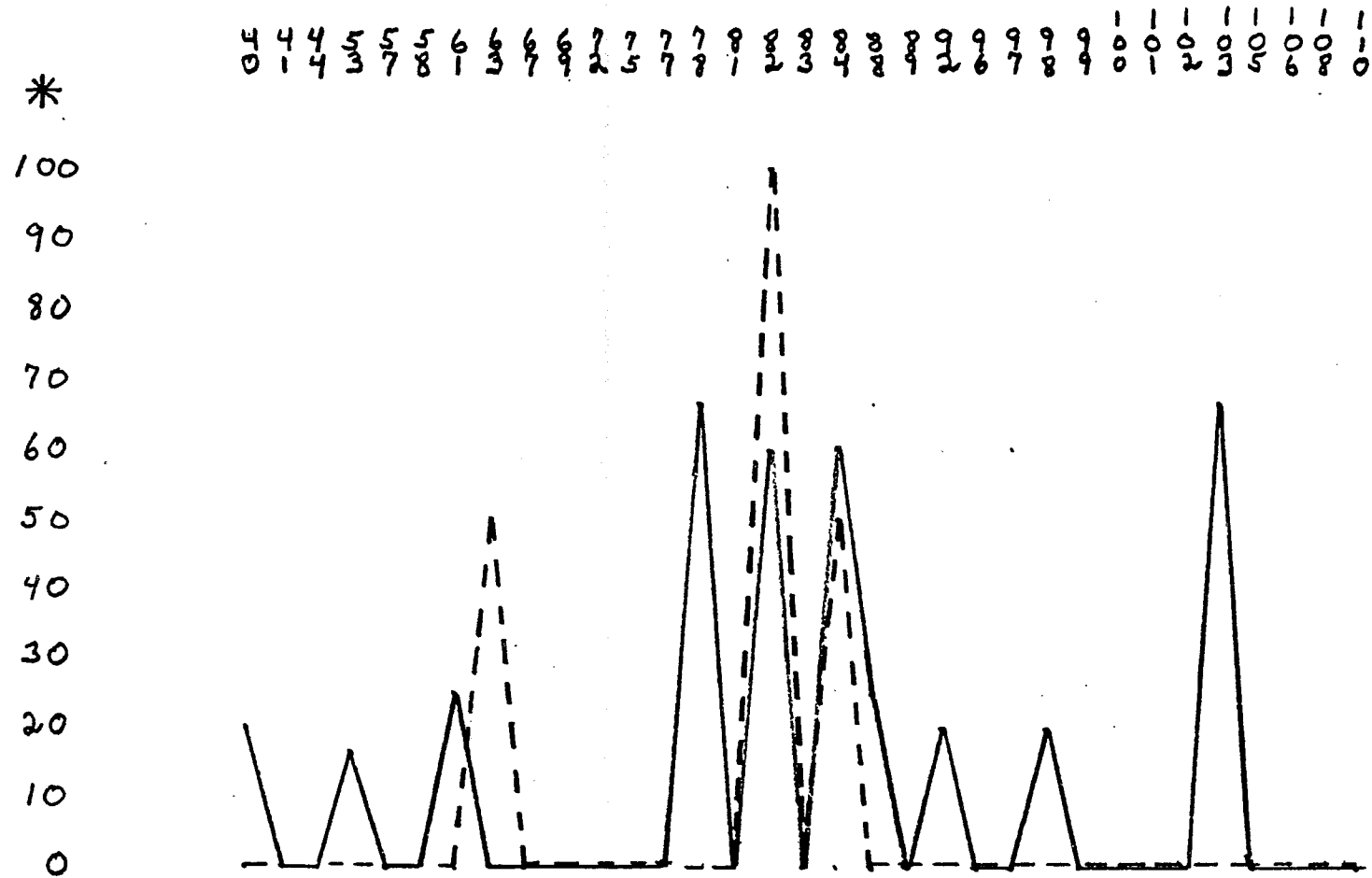
\* PERCENTAGE VOTING IN THE SAME WAY AS THE MAJORITY OF GROUP 1

— GROUP 6  
 --- GROUP 7

211

FIGURE 17  
 CONG 5 SESS 2

ROLL CALL NUMBERS



\* PERCENTAGE VOTING IN THE SAME WAY  
 AS THE MAJORITY OF GROUP 1

opposed letting Gerry continue to negotiate in Paris (Roll Call 098). A majority of the group ultimately voted for passage of the bill increasing the size of the standing army (Roll Call 103), and other breaks occurred on the imposition of a land tax. Although the pattern of the group does not appear to differ radically from the graphs of other opposition factions, that is, in yielding to pressure about midway through the session, closer analysis reveals that the group resisted the movement toward war to a greater extent than most other factions. Allowing Freeman as an exception and the three tax votes as comprising a break on a single issue, the voting pattern of Group 6 was about the same during this session as it had been during the special session; the delegates generally opposed the war but occasionally voted for a bill that was sure to pass anyway. The ability of the faction to resist the movement toward war may have resulted from their long experience at resisting the pressure of the constituents against whose wishes they so often voted.

Two groups had taken a moderate stand during the special session. Both had been unwilling to adopt all of Adams's proposals but had voted for galleys or for coastal defenses. Both groups were extremely small and so any breaks in voting loom large in the graphs (Group 7, FIGURE 17 and Group 8, FIGURE 18). With the exceptions of the tax bill (Roll Calls 082 and 084), final passage of the army bill (Roll Call 103), establishment of a Department of the Navy (Roll Call 063), both groups unanimously opposed the pro-Adams forces on all questions. As the danger of war drew nearer, the two factions became stronger in their resistance to pressure. Whereas extremists had yielded, these moderates solidified and shifted from a middle position to one at the extreme opposite end from the pressure that faced them.

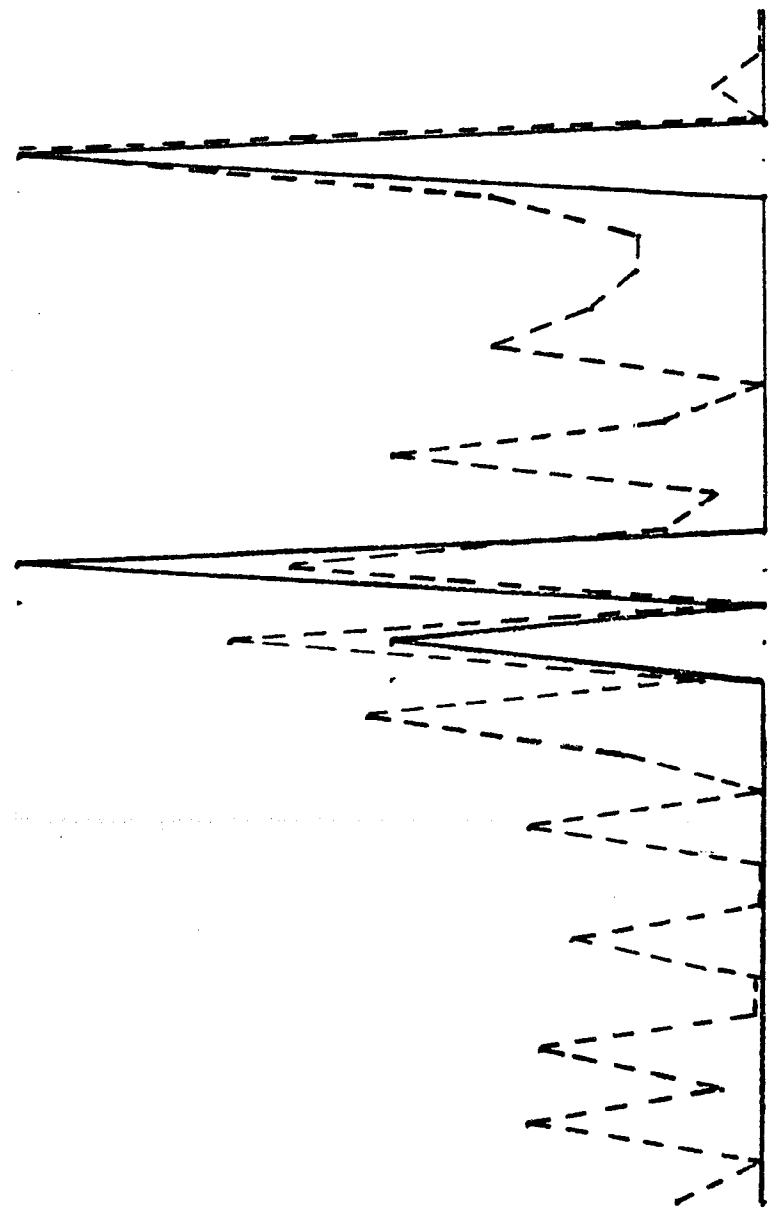
The reaction to pressure of Group 10, which had supported a sub-

— GROUP 8  
 --- GROUP 10

ROLL CALL NUMBERS

40 41 44 53 57 58 59 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111

\*  
 100  
 90  
 80  
 70  
 60  
 50  
 40  
 30  
 20  
 10  
 0



\* PERCENTAGE VOTING IN THE SAME WAY AS THE MAJORITY OF GROUP 1

stantial but not total naval buildup was mixed (Group 10, FIGURE 18). This faction now consisted of nineteen delegates, mostly from Virginia, Maryland, Kentucky, and North Carolina and generally calling themselves Republicans. The faction opposed the administration unanimously on the Alien and Sedition Acts but on the question of preparation for war it was usually divided. Four of the group voted for establishment of a Department of the Navy (Roll Call 063), five for the Provisional Army Bill (Roll Call 088), three favored increased defense of harbors, and more than half voted for suspension of all trade with France (Roll Call 078). Several favored increasing the army by twelve regiments instead of eight (Roll Calls 099 and 102) and all ultimately voted for the bill increasing the size of the standing army (Roll Call 103). Although the group had little interest in protecting commerce, the members were fully prepared to defend the nation against the encroachments of any European nation, including France. Western representatives in the group such as Claiborne of Tennessee and Davis and Fowler of Kentucky may also have been motivated by the possibility that war would lead to further expansion in the West and securing of trade connections with New Orleans. It is more than coincidental that the delegates in this group, which favored a warlike policy toward France while opposing the administration on domestic matters, represented the same areas that most strongly advocated war with England in 1812. The districts involved were the only areas of the country to favor both war preparation in 1798 and war itself fourteen years later. The particular enemy involved was not of great consequence to this group, nor was the surface reason for going to war, protection of commerce, a primary consideration. The pressure of war seemed to bring out the instinct to fight that was cultivated by the recent frontier experience of most of the group. When faced with a dangerous enemy, be it nature or Indians or Frenchmen, their reaction was in the direction

of a frontal assault.

A very generalized picture of the effect of pressure on a combination of factions is shown in FIGURE 19. The parties thus constructed contrast sharply with the voting pattern of the same combinations during the special May session (see FIGURE 13). The cohesiveness of each of the two parties increased substantially; pressure caused the two parties to polarize in opposite directions. The pro-administration party voted unanimously fourteen times, were 90 to 99 per cent cohesive on twelve occasions, were 80 to 89 per cent cohesive on four roll calls, and on the five occasions when they dropped below 80 per cent, they never reached lower than 62 per cent cohesion. The opponents of the administration, against whom the pressure of war operated, were somewhat less cohesive. They voted unanimously only once and on two occasions more than half of them supported the administration. On five occasions 21 to 40 per cent of them supported Adams, on seven roll calls their cohesion was between 11 and 20 per cent and on the remaining twenty voted only 10 per cent or less failed to oppose the administration. These generalities, however, cannot be carried too far since they obscure the variety of shifts that occurred among the factions of which these parties were composed. It seems probable, however, that pressure tended to polarize large groups against each other.

Within this large framework, however, contradictory developments took place. Group 1, which had unanimously supported the administration remained at about the same level of cohesion. The pressure of war represented no more than the fulfillment of their expectations, or possibly their hopes, and it did not modify their voting. Independents who had usually supported war efforts (Group 2) disintegrated under pressure. Their earlier independence indicated a tendency to consider matters on the basis of their individual merits and, faced with the very real possibility

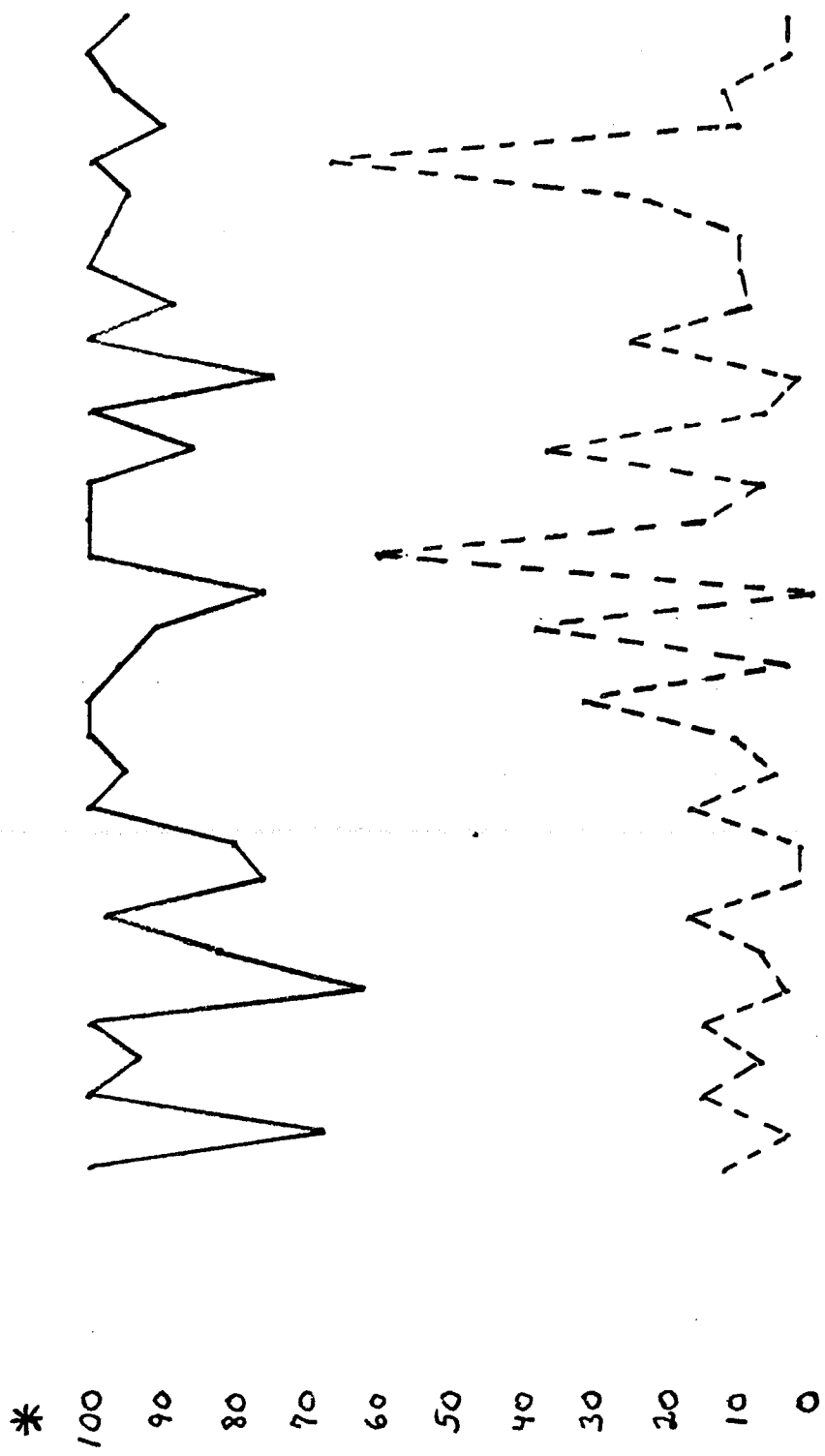
— GROUPS 1,2,3,9  
 --- GROUPS 4,5,6,7,8,10

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FIGURE 19  
 CONG 5 SESS 2

ROLL CALL NUMBERS

44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111



\* PERCENTAGE VOTING IN THE SAME WAY AS THE MAJORITY OF GROUP 1

of war, some reassessed the situation and adjusted their positions. All-out supporters of war (Group 3) felt no adverse pressures in 1798 as events moved in the direction they had predicted and their cohesiveness increased. Unanimous opponents of the administration (Group 4) broke apart as war became imminent, as did opponents of Adams who had voted for taxes (Group 5). Moderates (Groups 7 and 8) and delegates generally opposed to war (Group 6) reacted to pressure by shifting in an opposite direction. While other factions broke up or moved with the pressure, the delegates who had occupied a middle position took a firm stand against nearly all preparations for war.<sup>30</sup> It may be that earlier experience at resisting pressure from two sides enabled moderates to resist the push of events toward war. In much the same way that immunity to disease is obtained by vaccination with a safe amount of the disease, resistance to pressure appears greatest among those delegates who had faced it before. This phenomenon is, in itself, neither good nor bad; the direction of the pressure is the controlling factor.

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<sup>30</sup>In terms of actual voting, the factions that operated during the second session of the Fifth Congress came to be different than those which existed during the first session. Nevertheless, I have continued the original factions and not attempted reformulations except for mid-session replacements. I have done so for the following reasons. (1) The effects of pressure can best be illustrated by reference to a fixed base, in this case voting positions during the first session on the Adams program. (2) The nature of the war pressure of 1798 was such that fixed groups did not form. As the graphs indicate, breakdowns in cohesion varied greatly among the ten groups. The essential characteristic of voting behavior in 1798 was not the formation of new factions but, rather, the shifting and disintegration of old ones due to pressure. (3) There is no clear set of roll calls in the second session upon which to base factional voting. In the first session, on the other hand, voting on the particulars of the Adams plan presented a unified program and forced delegates to take a relatively consistent position. (4) As will be shown subsequently, most groups ultimately returned to positions taken in the first session.

### The Denouement

Congress had moved to the very brink of declaring war upon its old ally only to be held back by the moderation of a number of Adams supporters. Even without formal declaration, engagements with the enemy took place on the high seas and full scale war seemed only to await France's next move. With matters in this precarious state, Congress adjourned and hurriedly abandoned Philadelphia to the heat and to the yellow fever. As President Adams journeyed back to Quincy, tumultuous crowds greeted him everywhere. The country was ready for war, even if some Congressmen were not. In the five months before the House reconvened for its third session, however, a basic change in attitude occurred.

Adams began receiving reports from his son, John Quincy Adams, and from William Vans Murray at the Hague, indicating that Talleyrand and the Directory did not want war and still sought a peaceful negotiation of differences with the United States. Quaker George Logan, acting as a private citizen, assisted in easing tensions by securing the release of American prisoners in France. Those who clamored for war denounced Logan as a traitor, but their disbelief and horror at his success could not hide the fact that the French Directory was changing its attitude and that a fresh attempt at peaceful settlement might possibly work. Elbridge Gerry finally returned in October and convinced Adams that war was not inevitable. News of these peaceful overtures did not reduce the fever pitch of war cries that filled the Federalist press. The prospect of French invasion appeared imminent, and recruits were drummed up for the Provisional Army. However,

this brink of disaster propaganda worked in some measure against the war hawks. Some people were already reaching the total exhaustion and disbelief that comes from waiting too long for an expected catastrophe that does not happen.

When Congress assembled in December of 1798, therefore, pressures were not the same as they had been six months earlier. Although no definite peace feelers could be cited, negotiation again seemed a possibility. The mere fact that France had not declared war during the preceding summer and fall cast doubt upon the dire predictions of certain Federalists. As the threat of war subsided, opposition to repressive measures at home, particularly the Sedition Act, increased. For the most part, the third session of the Fifth Congress spent its time filling in or defending its earlier legislative record, but it did not move in any new directions except, perhaps, in passing the Logan Act.

Logan's decision to go to Paris, without any authorization, alarmed many Americans who believed that France, through the Republican party, was trying to subvert the country from within. In this view, Logan was the agent for a traitorous deal to ally the United States with France. Whatever Logan's real intentions--and they were probably quite innocent--the government simply could not allow private citizens, groups, or states to go around negotiating with foreign powers. Logan had usurped executive authority, and a bill was needed specifically making such action a crime. Because of Logan's association with Republicanism, the debate over the Usurpation of Executive Authority Bill, or Logan Act as it came to be called, took on a partisan tone. Federalists feared that Logan would return with false French promises that Republicans could applaud. The unity of the country against French duplicity would be undermined. Continued opposition

to France might expose Federalists to charges that they did not want peace. On the other side, Albert Gallatin defended Logan's action, arguing that if private citizens could take action that led to war, such as trading with belligerents, they might also attempt to bring peace. Supporters of Adams, who had requested the bill in his message to Congress, made maximum mileage out of Logan's party affiliation and unanimously voted for passage of the bill.<sup>31</sup> Staunch opponents of the administration and first session moderates who turned completely against the war during the second session united to oppose the bill. Other delegates were divided.<sup>32</sup>

All other consequential matters that came before the House related

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<sup>31</sup>Annals of Congress, 5 Cong. 3 sess., pp. 2545 and 2721. December 28, 1798 and January 17, 1799.

<sup>32</sup>For purposes of analysis, the ten groups isolated during the special session of 1797 are continued. The following additions have been made, based on analysis of voting during the third session and the assignment of delegates not previously categorized to the faction with which they voted most often.

Delegate	Added To	Prior Classification or Reason not Classified
Jonathan Brace	Group 1	Replaced Joshua Coit
Robert Brown	Group 10	Replaced Samuel Sitgreaves
Stephen Bullock	Group 1	Unclassifiable--half pro-Adams, half against
Matthew Clay	Group 10	Absent too often--tended to be against Adams
Joseph Eggleston	Group 4	Replaced William Giles
William Findley	Group 4	Absent too often--tended to be against Adams
Edward Livingston	Group 4	Absent too often--tended to be against Adams
Lewis Morris	Group 1	Absent too often--tended to be pro-Adams
Thomas Pinckney	Group 1	Absent too often--tended to be pro-Adams
Richard Spaight	Group 2	Replaced Nathaniel Bryan
Peleg Sprague	Group 2	Absent too often--tended to be pro-Adams
Thomas Tillinghast	Group 1	Unclassifiable--half pro-Adams, half against
Abraham Trigg	Group 4	Absent too often--tended to be against Adams
Robert Waln	Group 1	Replaced John Swanwick

On final passage of the Logan Act, the groups voted as follows:  
 Group 1, 32-0; Group 2, 9-0; Group 3, 5-0; Group 4, 0-13; Group 5, 1-4;  
 Group 6, 1-4; Group 7, 0-3; Group 8, 0-2; Group 9, 5-0; and Group 10, 5-10.

directly to legislation that had previously been passed. It is possible, therefore, to compare voting patterns between sessions rather closely. Any differences can be attributed primarily to diminution of the threat of war and increasing resistance to repressive legislation at home.

Hard core opponents of the administration stand out on a proposal to print 20,000 copies of those portions of the Constitution related to the Alien and Sedition Laws. This partisan move, to show that the laws violated the guarantees of the Bill of Rights, did not spring from a desire to educate the masses. The main purpose of the proposal was to embarrass the administration. It never had a chance of being adopted, and after some debate, was defeated by a vote of 47 to 29.<sup>33</sup> The margin would have been larger had more members been present. Groups that had been moderate or had consistently opposed the administration voted overwhelmingly in favor of the proposal; proponents of war preparations were equally cohesive in voting against the printing. The only significant split occurred in Group 10, which consisted of nominally Republican delegates from Tennessee, Virginia, Kentucky, Maryland, and North Carolina who had voted for naval defenses during the first session and, under the pressure of impending war, for army increases during the second session. On domestic matters, it drifted cautiously away from the Administration. However, the delegates in Group 10 were permanently affected by the scare of 1798 and continued to support war preparations. All other factions, as illustrated on this vote, were returning to positions taken in 1797, before war appeared imminent.

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<sup>33</sup>Journal of Congress, 5 Cong. 3 sess., p. 412. December 14, 1798. The ten factions voted as follows: Group 1, 0-27; Group 2, 1-8; Group 3, 0-5; Group 4, 8-0; Group 5, 4-1; Group 6, 4-0; Group 7, 20-; Group 8, 2-0; Group 9, 0-2; and Group 10, 8-4.

Of particular significance, the opponents of the President who had yielded to the pressure exerted by the XYZ affair returned to stubborn and total opposition.

The House was continually bombarded by memorials and petitions against the Alien and Sedition laws. By differing vote margins, they were pigeon-holed by assignment to a variety of committees.<sup>34</sup> Ultimately, a crucial test did come when the whole House voted on a committee recommendation that it was inexpedient to repeal (1) the act concerning aliens or (2) the act for the punishment of certain crimes (Sedition) or (3) any of the laws respecting the navy, military establishment, or revenue of the United States. The resolutions were voted upon separately, but in all three cases the vote of every delegate in the House was the same.<sup>35</sup> In this clear test of administration strength, Adams supporters managed a narrow victory of 52 against 48. The closeness of the vote resulted from the return of delegates to positions taken in 1797, before the fear of war had caused some factions to disintegrate. This movement came from early opponents of the President who, in 1798, had given in under pressure to support restrictions on dissent at home, unpopular revenue measures, and sharp increases in the military. With only two exceptions, William Barry Grove in Group 10 and John Chapman in Group 5, all factions voted unanimously. It was apparent that lopsided victories for war proponents were over. The opposition closed ranks and prepared for an assault on the legislation which its own earlier divisiveness had formerly made impossible. It did not have

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<sup>34</sup>Annals of Congress, 5 Cong. 3 sess., pp. 2802, 2905. January 30, 1799 and February 12, 1799.

<sup>35</sup>Ibid., p. 3016. February 25, 1799. Journal of Congress, 5 Cong. 3 sess., pp. 493 and 494. On all three roll calls the ten factions voted as follows: Group 1, 32-0; Group 2, 9-0; Group 3, 5-0; Group 4, 0-14; Group 5, 1-5; Group 6, 0-6; Group 7, 0-4; Group 8, 0-2; Group 9, 4-0; and Group 10, 1-17.

the strength to reverse actions already taken, but it did prevent any more movement along the same lines. Thus the strength of the opposition returned to what it had been during the special session of May, 1797; it could stalemate all but the most moderate administration measures.

Voting on foreign policy issues and further military escalation followed a similar pattern. Temporary administration victories were offset by successful obstructing tactics on the part of the opposition. For example, a bill to add twenty-four regiments to the Provisional Army was passed by 54 to 41. It received no support from five of the six opposition factions in the House.<sup>36</sup> Group 10 split, casting four votes for the bill, but this represented a drop from 100 per cent to 27 per cent in its support for army increases. However, the renewed strength of Adams's opponents was quickly demonstrated by their success in adding two crippling amendments to the bill. The first specified that recruiting for the new regiments could begin only if war with some European power actually broke out. It passed by 52 to 45.<sup>37</sup> The second stipulated that volunteers for the new regiments could not be compelled to serve out of their state of residence.<sup>38</sup> Passed by 51 to 44, this amendment could have produced a military disaster in the event of an invasion that did not occur simultaneously and equally in all the states. It was, in reality, a warning by

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<sup>36</sup>Annals of Congress, 5 Cong. 3 sess., p. 3044. March 1, 1799. The ten factions voted as follows: Group 1, 31-0; Group 2, 10-0; Group 3, 5-0; Group 4, 0-14; Group 5, 0-5; Group 6, 0-5; Group 7, 0-4; Group 8, 0-2; Group 9, 4-0; and Group 10, 4-11.

<sup>37</sup>Ibid., p. 3018. February 26, 1799. The ten factions voted as follows: Group 1, 1-29; Group 2, 2-7; Group 3, 0-5; Group 4, 14-0; Group 5, 5-0; Group 6, 6-0; Group 7, 4-0; Group 8, 2-0; Group 9, 0-3; and Group 10, 17-1.

<sup>38</sup>Ibid., p. 3042. March 1, 1799. This amendment applied only to the twenty-four new regiments currently under consideration. The ten factions voted as follows: Group 1, 4-27; Group 2, 3-7; Group 3, 0-5; Group 4, 14-0; Group 5, 5-0; Group 6, 5-0; Group 7, 4-0; Group 8, 2-0; Group 9, 0-4; and Group 10, 14-1.

opponents of the administration not to use the enlarged army to infringe upon the rights of citizens in the states. In both these amendments opposition factions united and achieved a majority with the assistance of defectors from the ranks of the administration supporters.

A majority of the House continued to support Adams's policy of building up a strong navy and placing an embargo on trade with hostile ports. A measure allowing the President to suspend commercial intercourse with ports that allowed France to bring in captured American vessels carried by a margin of 53 to 36.<sup>39</sup> Supporters of the administration were unanimous in voting for retention of the clause; factions opposed to Adams were equally cohesive in the opposite direction. Group 10, comprised of upper South and western Republicans, favored the clause by 12 to 4, demonstrating, once again, the permanence of the changes wrought by the war pressures of 1798 upon this faction.

Before this suspension of commerce bill ultimately passed on January 28, 1799, a significant sectional exclusion was made. By a vote of 55 to 34, the House specifically denied to the President the power to suspend trade on the Mississippi River headed for New Orleans.<sup>40</sup> Opponents of giving Adams any power to suspend trade understandably voted for this restriction whether or not they had an interest in western trade. Among the President's supporters voting was mixed. All delegates whose districts had any trade connections with New Orleans voted for the amendment as did a substantial minority of those from New England, New York, Maryland, and

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<sup>39</sup>Ibid., p. 2789. January 25, 1799. The ten factions voted as follows: Group 1, 0-28; Group 2, 0-10; Group 3, 0-4; Group 4, 14-0; Group 5, 4-1; Group 6, 3-1; Group 7, 3-0; Group 8, 2-0; Group 9, 0-5; and Group 10, 12-4.

<sup>40</sup>Ibid., p. 2790. January 25, 1799. The ten factions voted as follows: Group 1, 9-20; Group 2, 5-5; Group 3, 1-4; Group 4, 11-0; Group 5, 5-0; Group 6, 3-0; Group 7, 3-0; Group 8, 2-0; Group 9, 2-3; and Group 10, 14-2.

eastern Pennsylvania who were involved in mercantile pursuits. This breakdown of cohesion among the pro-Adams blocs highlights a central aspect of all factional groupings; when conflicting interests are presented, factions disintegrate. In this case, the unifying force of commitment to war preparations against France was not sufficient to overcome the economic interests that would have been adversely affected by closing New Orleans to United States trade.

The moderate tone of the House is also evident in passage of that part of Adams's policy in which he himself believed most strongly: building up the navy. Failure to increase the navy meant dependence upon England, a prospect that alarmed all but the most ardent Federalists. Therefore, provision to build six ships of seventy-four guns each, and the resulting bill to augment the navy, were both approved by nearly sixty per cent of the House.<sup>41</sup> The success of this bill was dependent upon two factors. One was the abstention of some moderates who, although they would not vote affirmatively, refrained from obstructing the measure. The second factor was the positive support of about one-fourth of Group 10. This bloc of upper South Republicans favored a strong and independent America able to fight any European power. It had been permanently affected by the war scare of 1798; its partial support for augmenting the navy in 1799 demonstrates the depth of this shift.

TABLE 16 summarizes key roll calls in the third session of the Fifth Congress. For the most part, factions were highly cohesive. The New Orleans question (Roll Call 130) has been discussed above as a significant

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<sup>41</sup>Ibid., pp. 2856 and 2883. February 8, 1799 and February 11, 1799. Groups 1, 2, 3, and 9 unanimously favored both. Groups 4, 5, 6, 7, and 8 unanimously opposed both. Group 10 divided, as 12-4 and 13-4 majorities supported the opponents of the administration.

exception. The continued split of Group 10 shows that pressure changes are sometimes permanent. All other groups returned to the patterns that they had exhibited before the explosive forces exerted by the XYZ failure. The numbers in TABLE 16 represent the percentage of each faction voting pro-Adams (that is, in the same way as the majority of Group 1).

TABLE 16

## COHESION OF FACTIONS--FIFTH CONGRESS, THIRD SESSION

Roll Call Number	Description <sup>a</sup>	Factions									
		1	2	3	4	5	6	7	8	9	10
112	Print Alien and Sedition Acts	100	89	100	0	20	0	0	0	100	33
116	Consider Logan Act	100	100	100	0	75	25	33	50	100	60
125	Passage of Logan Act	100	100	100	0	20	20	0	0	100	33
127	Allow Adams to suspend commerce	100	100	100	0	20	25	0	0	100	25
130	Exclude Miss. R. from Roll Call 127	68	50	80	0	0	0	0	0	60	13
138	Build six seventy-four gun ships	100	100	100	0	0	0	0	0	100	25
139	Augment the navy	100	100	100	0	0	0	0	0	100	23
142	Give bounties on captured Fr. ships	100	70	100	0	0	0	0	0	100	0
143	Expel Matthew Lyon	100	87	100	0	20	0	0	0	100	11
145	Repeal Alien Enemies Act	100	100	100	0	17	0	0	0	100	5
146	Repeal Sedition Act	100	100	100	0	17	0	0	0	100	5
148	No army recruits unless war	98	78	100	0	0	0	0	0	100	5
151	No out-of-state army service	87	70	100	0	0	0	0	0	100	6
153	Add 24 regiments to the army	100	100	100	0	0	0	0	0	100	27

<sup>a</sup>For a detailed description of these roll calls, use the Roll Call Numbers at the left to find them in the Appendix of Roll Call Descriptions.

When the Fifth Congress adjourned for the last time on March 3, 1799, it looked back on a mixed record. Passed during the crucible of seemingly imminent invasion and fear of treachery at home, the Alien and Sedition Acts remained as a testament to the danger that liberty faces in time of crisis. Such legislation would have been an impossibility in 1797, and it was nearly repealed by the same men who initially voted for it. Only the pressure of war accounted for these changes in the behavior of the House. Yet it would be unjust to base an appraisal of the Fifth Congress solely

on those laws. One must also give this Congress partial credit for keeping the country from a senseless war against France in the critical Spring of 1798. Provision for a defensive quasi-war was made, as several factions in the House were unable to resist further the push of events. However, at a time when President Adams considered asking for a formal declaration of war, and the people clamored their readiness, the House stubbornly refused to take the final step. Historians have heeded Adams's request that he be remembered for bringing peace with France, but his actions did not come until the Fall of 1798 and then only in response to favorable gestures by Talleyrand. The House, on the other hand, had stood, albeit with some wavering, against war in the critical months following the insult of X, Y, and Z.

## CHAPTER VII

### SIXTH CONGRESS: JEFFERSON OR BURR

Elections for the Sixth Congress began in the Summer of 1798 at the height of the "Black cockade fever" and continued for several months after the first signs that negotiations might be renewed. The war with France, along with its domestic repercussions, were the focal points of the campaign. Administration supporters anticipated sweeping victories as the party whose patriotism and strength had saved the country from treason at home and invasion from abroad. In terms of party labels, the Federalists gained overwhelming control of the House of Representatives: they captured sixty-three seats, leaving the Republicans only forty-three places. In the Fifth Congress, the figures had been fifty-six Federalists, forty-nine Republicans, and one unknown.

Historians have accepted this picture of a substantial Federalist victory.<sup>1</sup> However, it does not agree with actual voting patterns. The returns in this election indicate clearly one of the basic characteristics of this entire period: party labels cannot be trusted. What is of consequence is not whether a delegate called himself Federalist or Republican but how he actually voted on the issues of the day.

In the Sixth Congress the key roll calls were to be those deciding the election of the President of the United States. The electoral college

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<sup>1</sup>Dauer, The Adams Federalists, pp. 271-273. De Conde, The Quasi-War, pp. 211 and 212.

vote had resulted in a tie. In accordance with the Constitution, therefore, the House was to vote for Thomas Jefferson or Aaron Burr. There was no practical precedent for the situation; a variety of opinions existed on what action ought to be taken. There was not, by any means, unanimous agreement that Jefferson was the choice of the people. His ascendancy, some delegates believed, would be fatal to the American nation. The masses might have selected Jefferson, others reasoned, but fortunately for the country, God and the Constitution provided a way to correct the error. Most of the delegates were certain that a more momentous decision had never faced the House. Representatives had to cast their lot with Jefferson or with Burr; their choices reflected party much more accurately than the labels they used in campaigning.

Party labels indicate that the Federalists won the election of 1798. Actual voting positions reveal a Republican victory in 1798, making possible the triumph of 1800. The Republican victory of 1798 stemmed from two sources: election of new delegates and re-election of pro-Jefferson representatives. Let us look first at the men who came to the House for the first time.

New members ultimately voted for Jefferson or Burr. The non-returning delegates whom new members replaced had charted a course in the Fifth Congress which may be summarized as for or against John Adams. The two matters, of course, are not identical, but they do provide a useful yardstick against which to measure broad party alignments. TABLE 17 shows that a bare majority of freshmen delegates favored Jefferson over Burr. A larger majority of non-returnees had opposed Adams. Therefore, in terms of a numerical total, Federalist strength increased by 12 per cent. However, this apparent Federalist victory was denied by the state distribution of party changes, a key point to be considered subsequently. Republican strength declined, but the party maintained its majority.

TABLE 17  
ELECTION OF 1798

State	Returned	Freshmen		Failing to Return	
		Burr	Jefferson	Pro-admin	Against Admin <sup>a</sup>
Connecticut	6	1		1	
Delaware	1				
Georgia	-		2		2
Kentucky	2				
Maryland	5	1	2	2	1
Massachusetts	10	3	1	2	2
New Hampshire	3	1		1	
New Jersey	1	1	3	4 <sup>c</sup>	
New York	5	3	2	4	1
North Carolina	5	3	2		5
Pennsylvania	9	1	3		4
Rhode Island	1	1		1	
South Carolina	4		1 <sup>b</sup>	1	2
Tennessee	1				
Vermont	2				
Virginia	11	4	4	2	6
Total	66	19	1 <sup>b</sup> 20	17	23

<sup>a</sup>Pro-administration includes all members of Groups 1, 2, 3, and 9. Against the administration includes all members of Groups 4, 5, 6, 7, 8, and 10.

<sup>b</sup>Abraham Nott went home before the Jefferson-Burr election. How he would have voted is uncertain.

<sup>c</sup>Includes ex-Speaker Jonathan Dayton, who did not vote often enough to be classified but who was undoubtedly pro-administration.

The equal division of strength among new members was in keeping with the composition of the entire House. TABLE 18 summarizes election labels and actual voting positions for the Fifth and Sixth Congresses. It includes all districts. The totals indicate that a small pro-administration majority existed in the Fifth Congress but disappeared in the Sixth Congress. Despite the victory of party labels, the actual strength of administration forces declined. This conclusion, quantitatively based on the Jefferson-

Burr election, is valid for the entire Sixth Congress. The administration was placed on the defensive throughout both sessions. The army and the navy were reduced, the Sedition Act was nearly repealed, and the President was embarrassed by a stream of inquiries beginning with John Randolph's breach of privilege letter and ending with the Jonathan Robbins episode.

TABLE 18  
CHANGES IN VOTING PATTERNS--5<sup>th</sup> AND 6<sup>th</sup> CONGRESSES

State	Election Labels <sup>c</sup>				Actual Voting <sup>d</sup>			
	Republican		Federalist		Fifth Congress		Sixth Congress	
	5 Cong	6 Cong	5 Cong	6 Cong	Pro-admin	Anti-admin	Jefferson	Burr
Connecticut			7	7	8	1		7
Delaware			1	1	1			1
Georgia	2			2		2	2	
Kentucky	2	2				2	2	
Maryland	2	3	6	5	5	3	4	4
Massachusetts	2	2	11 <sup>a</sup>	12	12	3	3	11
New Hampshire			4	4	5			4
New Jersey		3	5	2	5		3	2
New York	4	6	6	4	6	4	6	4
North Carolina	9	5	1	5	1	10	6	4
Pennsylvania	7	8	6	5	6	10	9	4
Rhode Island	1		1	2	3			2
South Carolina	3	1	3	5	4	3	2	3
Tennessee	1	1				1	1	
Vermont	1	1	1	1	1	1	1	1
Virginia	15	11	4	8	3	17	14	5
Total	49	43	56	63	60 <sup>b</sup>	57 <sup>b</sup>	53 <sup>c</sup>	52 <sup>c</sup>

<sup>a</sup>One delegate's party affiliation is uncertain.

<sup>b</sup>Voting totals exceed 106 because of mid-session replacements.

<sup>c</sup>Total is 105 instead of 106 because Hott did not vote.

<sup>d</sup>The totals for Jefferson increased, and those for Burr, decreased on the final ballot on which Jefferson was elected. Sixth Congress totals, therefore, show maximum possible Burr strength.

<sup>e</sup>For the purpose of this table, Manning Dauer's designations are used. Two or three of his classifications are questionable, but the general trend remains; some delegates elected under the label Federalist voted for Jefferson.

A closer examination of state by state returns shows even more forcefully the degree to which the Revolution of 1800 was foreshadowed by the uprising of 1798.

New England was a bastion of Federalist strength. Connecticut and New Hampshire remained unanimously pro-administration and returned over 80 per cent of their delegates. In Rhode Island, John Brown, who ran as a Federalist and voted as a Federalist defeated Thomas Tillinghast, who ran as a Republican and ultimately voted as a Federalist. In Vermont, the party was unable to dislodge the fiery Matthew Lyon, who had married the Governor's daughter. He remained as an Irish thorn in the side of all solid New England Federalists. In Massachusetts, however, the party did much better. Theodore Sedgwick returned to the House, where his arbitrary decisions as Speaker aroused the wrath of all Republicans. Sedgwick's predecessor had been a nominal Federalist, Thomas Skinner, who had voted against the administration more often than not. Adams supporters gained further ground by defeating Nathaniel Freeman of Nantucket. The election of 1798 was a good, though not exceptional, one for New England Federalists.

On the surface, Republican losses in the South were astounding: two in Georgia, two in South Carolina, four in North Carolina, and four in Virginia. It subsequently turned out, however, that most of these changes were non-existent or shortlived. As demonstrated earlier, there had been a strong tendency among upper South Republican congressmen to support the war effort. This attitude apparently reflected the wishes of the general population of the area as well. They believed in the warlike program of the Federalist party, and some were alarmed by the separatist sentiments of the Kentucky Resolution. The western third of North Carolina, the area of Virginia beyond the Shenandoah Valley, and parts of the Northern Neck all went Federalist and defeated strong opponents of the administration.

In rejoicing over these victories, however, the Federalist party failed to see their temporary nature and their dependence upon a war scare that was rapidly diminishing. When the invasion failed to materialize and the federal tax collector showed up, these areas rushed back to the Republican fold.

The situation in South Carolina was somewhat different. Exercising their full political muscle, the planters controlled five of the state's six delegates, leaving Thomas Sumter, once again, as the only spokesman for the upcountry. Until the federal government began to question the right of one man to enslave another, South Carolina's upper class joined the ranks of the more conservative and aristocratic party, in this case the Federalists. This allegiance was strengthened in 1798, although it had begun several years earlier. In Georgia, two Federalists replaced two Republicans, but the state's voting pattern remained unchanged and opposed to the administration. Party labels in Georgia bore little relationship to what was going on at the national level. In the South, then, Federalist gains were based on a war that was ending, labels that had no national significance, and the precarious allegiance of certain planters.

The Middle Atlantic states held the key to winning national power. They determined the presidential election of 1800, and they set the voting patterns of the Sixth Congress. Republican gains in this critical area gave them parity with administration forces in the House and clearly forecast Jefferson's victory over Adams two years later.

In Pennsylvania, opponents of the administration maintained a commanding two to one advantage over pro-Adams forces. Despite a party label loss of one for the Republicans, voting patterns remained unchanged.

In Maryland, party affiliations had hardened considerably since the early part of the decade, and Federalists had gained a majority of the

delegation during the Fifth Congress. As a result of this election, the Republicans gained one seat and two notable names--Gabriel Christie and Joseph Nicholson. The resulting parity in the delegation was a key factor in Jefferson's election over Burr in the House.

For the first time, New Jersey held its elections by district rather than statewide at large. The result was the return of three Republican and two Federalist delegates, whereas previously all five representatives from the state had been administration supporters. A majority of New Jersey's delegates had supported Washington and Adams throughout the decade. The Republican upset in the state, especially in view of the war issue, is highly significant. It indicates the Republican dominance in the Middle Atlantic that has erroneously been assigned to the election of 1800.

In New York, the Republicans won two key seats, turning a six to four pro-Adams majority into a six to four stance against the administration. John Thompson replaced John Van Alen, who had expressed his hatred for France on numerous occasions, and Theodore Bailey regained his seat from David Brooks. No change occurred in the voting patterns of other districts that sent new delegates to the House. This win by the Republicans culminated a ten year fight in the state. From a position of parity in 1789, the Federalists had achieved majorities of two to one and finally three to one within the state delegation. A turn-around began in 1796, but the party held on until the defeat of 1798, which forecast Jefferson's sweep of the state's presidential electors in 1800.

The importance of these Republican victories can hardly be exaggerated. Election of the president in the House of Representatives followed the procedure specified in the Constitution whereby each state had one vote, and

a majority of the states, in this case nine votes, was needed for election. Holding the majority of a state's delegation was, therefore, the key factor in this procedure. In the Fifth Congress, actual voting showed nine states with pro-Adams majorities, six with the balance against the administration, and one divided evenly. In the Sixth Congress, early balloting showed eight states for Jefferson, six for Burr, and two divided evenly. Without the Republican wins in New York and New Jersey and the dividing of Maryland, Burr would have had a majority of the states and the presidency. In very practical terms, then, the Republicans were the big winners of the election of 1798.

Except for the contest over the election of 1800, the activities of the Sixth Congress were rather inconclusive and unimportant. By the winter of 1799, the imminent threat of war had passed. The House was left with little to do. It was too soon to dismantle the war effort in any major way and inexpedient, certainly, to increase it. Biding its time waiting for the outcome of renewed negotiations, Congress grappled with a variety of inconsequential matters, which gave little for factions to feed upon. Another factor contributing to the breakdown of factions was the even strength of the administration supporters and opponents. Without strong pressure from outside events, the House drifted aimlessly, talking much but accomplishing little. When such conditions prevail, factions, which are cohesive because of their attachment to strong interests, tend to become submerged. Large blocs, or parties, come to the foreground. The stalemate that occurred on the Jefferson-Burr question and the individual positions taken during that balloting reflected the general voting pattern of the Sixth Congress.

Roll calls on the Sedition Act clearly fall within this pattern. A majority of the House opposed continuing it; a different majority opposed

repealing it. By default, the majority let it expire naturally on March 3, 1801. When the issue was raised, fifty delegates voted for Nathaniel Macon's motion of January 23, 1800 asking that the Sedition Act be repealed.<sup>2</sup> Only one of these fifty, Josiah Parker of Virginia, was to vote for Burr. None of the forty-eight opponents of Macon's motion subsequently voted for Jefferson. James Bayard snatched victory from the hands of defeat for the Federalists when he moved that Macon's motion be amended to state that the repeal of the Sedition Act meant that the crimes it covered once again became punishable under the Common Law. Four delegates who had voted for Macon's motion--Edwin Gray and Josiah Parker of Virginia and Benjamin Huger and Abraham Nott of South Carolina--switched sides and voted for Bayard's amendment. Archibald Henderson, of western North Carolina, had voted against Macon's motion and he now voted against Bayard's amendment. As a result, the amendment was added by a vote of 51 to 47.<sup>3</sup> All efforts came to naught, however, when the House rejected by 87 to 11 the motion as amended.<sup>4</sup> Such action was typical: a lot of talk, some voting, and an overwhelming decision to do nothing.

A year later, when it was known that Adams would not be the next President of the United States, a desperate effort was made to extend the Sedition Act. A move to reject the continuance failed on a tie vote, but encrossing of the subsequent bill for continuance also failed.<sup>5</sup> Thus Republicans were denied the delight of repealing the Act, and Federalists suffered

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<sup>2</sup>Annals of Congress, 6 Cong. 1 sess., p. 419. January 23, 1800.

<sup>3</sup>Ibid., p. 423. January 23, 1800.

<sup>4</sup>Ibid., p. 425. January 23, 1800.

<sup>5</sup>Annals of Congress, 6 Cong. 2 sess., pp. 975, 1038, and 1049. January 23, 1801; February 19, 1801; and February 21, 1801.

the pain of watching it expire.<sup>6</sup>

Congress was somewhat more successful in its drive to reduce the size of the military establishment. Efforts at reduction that occurred throughout the first session failed, but they indicate that opponents of the administration were no longer on the defensive.<sup>7</sup> After news of the Convention of Mortefontaine, which settled difficulties with France, reached the United States in November 1800, concrete reductions became possible. The President received authorization to discharge any part of the Marine Corps not needed for naval service, and a Naval Peace Establishment Bill was passed.<sup>8</sup> The Provisional Army had been disbanded by previous presidential order. Most Jefferson supporters and about half the representatives who were to vote for Burr favored these reductions. A handful of die-hard Federalists and a few Republicans who wanted even sharper reductions opposed the measures, but their action did not constitute a significant factional pattern.

Widespread agreement also existed on the question of continuing the "emergency" salt tax passed in 1797 and the carriage, retail liquor license, and auction taxes authorized in 1794. Taxes are never repealed unless all circumstances are favorable. In 1801 conditions were by no means favorable; the government needed the revenue. All the taxes, therefore, were continued, with the addition of a new levy on sugar. The votes were: 54 to 38 on the salt tax, 54 to 28 on the sugar tax, and 46 to 31

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<sup>6</sup>Leonard Levy, Freedom of Speech and Press in Early American History: Legacy of Suppression (Cambridge: Harvard University Press, 1960), pp. 299-307. The author states that Jefferson's views on sedition depended on "whose ox was being gored." If so, the Federalists' lack of success in continuing the sedition act was fortunate for them.

<sup>7</sup>Annals of Congress, 6 Cong. 1 sess., pp. 369, 403, 521, and 714. January 10, 1800; January 23, 1800; February 12, 1800; and May 10, 1800.

<sup>8</sup>Annals of Congress, 6 Cong. 2 sess., pp. 1057, 1058, and 1061. February 26, 1801 and February 27, 1801.

on carriage, liquor license, and auction taxes.<sup>9</sup> TABLE 19 correlates positions on taxation with subsequent votes for Jefferson or Burr. If one equates voting for Jefferson with the Republican party and voting for Burr with the Federalist party, the level of association between party and position on taxes is higher than it was when the taxes involved were first authorized.<sup>10</sup>

TABLE 19

CORRELATION OF VOTING ON TAXES WITH  
VOTES FOR JEFFERSON OR BURR

Position on Taxes	For Jefferson	For Burr	Absent on vote for President
Favored all three taxes	2	24	1
Opposed all three taxes	17	0	-
Voted for salt tax	9	40	5
Voted for sugar tax	13	37	4
Voted for carriage, auction, liquor tax	9	36	1
Voted against salt tax	34	3	1
Voted against sugar tax	27	1	-
Voted against carriage, auction, liquor tax	30	1	-

A variety of other matters occupied the Sixth Congress but they were of little consequence. Most involved personalities--four roll calls were recorded on Speaker Theodore Sedgwick's behavior, four on that of the Sergeant-at-Arms, five on the size and shape of a mausoleum in memory of George Washington, four on Winthrop Sargent's misdeeds as Governor of the Mississippi Territory, and five on John Randolph's scuffle with a couple of soldiers seated in the gallery to **hear his speech in favor of reducing** the size of the army. A great deal of effort was expended trying to

<sup>9</sup>Ibid., p. 911. January 16, 1801. Annals of Congress, 6 Cong. 1 sess., pp. 667 and 705. April 14, 1800 and May 7, 1800.

<sup>10</sup>See Chapter IV for an analysis of the Third Congress, during which these taxes were initially approved.

embarrass Adams for his clumsy intervention in the Jonathan Robbins case.<sup>11</sup> All these roll calls fail to give evidence of significant factional behavior. The most that can be said is that they show what happens when an august **body** of men assembles for the purpose of conducting a war, or saving the country from a war, and then finds out that it has nothing much to do.

On the critical question of electing Jefferson or Burr, however, two major blocs formed. The fate of the country hung in the balance as the delegates maneuvered and engaged in skirmishes designed to test the strength of each side. Votes were taken on when to meet, whether to allow debate, whether to hold continuous sessions, and what revisions to make in procedures (the normal mode of calling for votes was impossible since each state cast a single vote). None of these details, which could have affected the outcome of balloting, were mentioned in the Constitution. Secret, non-continuous (adjournment by majority vote) sessions were ultimately agreed upon. This was a victory for the Burr forces. The actual votes of delegates were never formally recorded in the Annals of Congress but they were leaked to the National Intelligencer and subsequently included in the Annals. An examination of the votes reveals the strength and character of the nation's political groupings at the onset of the Revolution of 1800.

In the House vote on Jefferson and Burr, the two sides were evenly matched. On thirty-five consecutive ballots, the states divided eight for Jefferson, six for Burr, and two abstentions due to equal divisions in the

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<sup>11</sup> Robbins claimed American citizenship and, therefore, immunity from impressment by the British. While his case was under consideration by a South Carolina court, President Adams, at the request of the British Ambassador, reviewed some documents and decided that Robbins was not an American citizen. The President ordered the South Carolina court to turn Robbins over to the British. Although Adams's decision was ultimately vindicated (Robbins confessed to being a British subject named Thomas Nash), the House severely criticized his action. For several months the delegates virtually retried the case themselves and nearly censured Adams for his illegal interference in a matter before a state court.

delegations of Vermont and Maryland.<sup>12</sup> The Constitution was quite clear on the matter. A quorum consisting of one or more members from each of two-thirds of the states had to be present, and the winner had to achieve a majority of the total number of states in the nation. Jefferson was only one ballot short of victory (there being sixteen states) but no one could predict how long the matter might remain stalemated. There was never a serious possibility that Burr would be elected. Jefferson's eight states were immovably behind him. Burr's strength, on the other hand, was undermined by the lack of deep enthusiasm among his supporters. They were for Burr only because they were against Jefferson.

A survey of the divisions within each state on these early ballots shows clearly that, although temporarily stalemated, there was from the beginning every prospect that the House would elect Jefferson. This was the case despite the fact that, in terms of party labels, the Federalists had a majority of twenty seats.

Only four states--Connecticut, New Hampshire, Massachusetts, and Rhode Island--were solidly behind Burr. There were three Jefferson supporters in the Massachusetts delegation, but they were hopelessly outnumbered by eleven pro-Burr delegates. In the other three states, support for Burr was unanimous and vociferous. However, Burr's other two states, Delaware and South Carolina, were another matter.

Delaware had only one representative, James Bayard. His single vote now carried as much weight as that of all nineteen Virginia delegates combined. Such power can go to a man's head. Bayard, however, was a moderate and he did not view Burr as an unmixed blessing. History has credited

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<sup>12</sup>Annals of Congress, 6 Cong. 2 sess., p. 1023. February 16, 1801.

Bayard, above all others, in bringing about Jefferson's election by the House. While he may have played a part in backstage politicking, his vote did not help Jefferson at all. What Bayard did, on the final ballot, was to abstain, thereby lowering Burr's total by one. This meant nothing since the critical question was whether or not Jefferson had nine votes. How few Burr had was of no consequence unless the necessary quorum of eleven states could be prevented. Since all states cast their vote secretly and in writing, before any state's ballot was counted by the teller, Bayard's vote, as opposed to his possible promises, made no difference. If, in fact, he sought favor from the new administration, Bayard might have been better off had he voted in such a way as to make his support of Jefferson beyond question.

South Carolina followed Bayard's example on the final ballot and abstained. The state's six delegates were divided. Thomas Sumter was seriously ill and did not vote. It was reported, however, that he was ready to risk death itself to come and vote for Jefferson if that act would decide the ballot of his delegation.<sup>13</sup> Perhaps fortunately for Sumter, who was still alive and healthy fifty years later, three South Carolina delegates--Thomas Pinckney, John Rutledge Jr., and Robert Goodloe Harper--adamantly opposed Jefferson; their votes guaranteed that the state would not go to Jefferson. Another representative, Abraham Nott, was not very concerned about the whole affair. The Annals of Congress simply note that, "Mr. Nott's vote is doubtful. He has gone home."<sup>14</sup> This left Benjamin Huger as the only member of the delegation voting for Jefferson.

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<sup>13</sup>Ibid., p. 1026. February 16, 1801.

<sup>14</sup>Ibid., p. 1032. February 18, 1801.

The Achilles heel of the pro-Burr faction was the equal division of two states, Vermont and Maryland. The latter state's delegation, particularly its four pro-Burr members, were under great pressure. The constituents of John Chew Thomas, one of the four, bombarded him with protest petitions pointing out that two-thirds of his district had voted for Jefferson.<sup>15</sup> All four were well aware of the possible advantages of having a president who lived in nearby Virginia and intimately understood the common problems of the two states. On the crucial ballot, all four abstained, thereby allowing Maryland's other four delegates to cast the state's lot for Jefferson. There being no states likely to withdraw prior support from Jefferson, Maryland's vote was effectively the ninth and deciding one. Vermont's Lewis Morris also abstained on the final ballot, which allowed Matthew Lyon to add a tenth state to Jefferson's total.

Examination of the districts represented by delegates supporting Burr or Jefferson reveals some underlying characteristics of voting behavior patterns in the 1790s. This issue, of course, presented only two alternatives and, therefore, results in a certain oversimplification of the factional voting that dominated the period. It is **essential, however,** to compare this vote with other clearcut two-sided issues such as the Jay Treaty and condemnation of whiskey rebels.<sup>16</sup>

Vermont, as noted earlier, was split. Lyon, representing the western half of the state, voted for Jefferson. Lyon was more vocal than his predecessor, Israel Smith, but both consistently opposed the administration

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<sup>15</sup>Ibid.

<sup>16</sup>In the review that follows, conclusions are based upon voting of delegates in the United States House of Representatives. This, of course, tends to obscure or minimize politics on the local and state levels. Several excellent secondary sources provide material on party developments within a particular state. See the Selected Bibliography.

throughout the 1790s. Smith had voted against the Jay Treaty and against condemnation of whiskey rebels. On only two major issues--apportionment in 1792 and imposition of law and order in the southwest--had western Vermont voted with the New England majority. The eastern half of the state, represented in 1801 by Lewis Morris, had been less consistent. In the Second and Third Congresses, its delegate had been Nathaniel Niles. He had not supported any faction although he had voted with Smith against condemnation of Democratic Societies. His replacement, Daniel Buck, consistently supported the administration; he voted against the Livingston Resolution and for the Jay Treaty. Morris succeeded Buck in 1797 but continued Buck's pattern by supporting John Adams; he voted for Burr until the final ballot. The net result was that after 1795 the state usually divided against itself, east against west.

New Hampshire cast all its votes for Burr. There had been some signs of opposition to the administration in earlier Congresses. Samuel Livermore had voted for drastic limiting amendments in 1789; the state opposed assumption; John Sherburne had voted for the Livingston Resolution. By 1797, however, internal divisiveness disappeared, and the state aligned itself solidly with the administration of John Adams.

There were pockets of Republicanism in Massachusetts. Three of the state's delegates--Phanuel Bishop, Levi Lincoln, and Joseph Varnum--were pro-Jefferson. Lincoln, representing Worcester County, had replaced Dwight Foster, an ardent Federalist, at mid-session. Lincoln was an exceptional man (he became Attorney General in Jefferson's administration), but he did not represent the majority sentiment in his district. He was soon replaced by an avowed Federalist. Bishop represented Bristol County in southeastern Massachusetts, an area having important commercial interests. Nevertheless, throughout the decade there was significant Republican sentiment in Bristol

and in nearby Cape Cod and Nantucket. Varnum was the mainstay of the Jeffersonian faction in New England. He represented Middlesex County continuously from 1795 until 1814 and seldom strayed from strict adherence to Republican principles. The remainder of the Massachusetts delegation was solidly Federalist. Throughout the 1790s, the state delegation overwhelmingly supported the administration but was unable to eliminate stubborn pockets of internal division.

Connecticut had no such problems. Except for the temporary transgressions of Joshua Coit in 1797, the delegation was nearly always unanimous. It stood for law and order in the West, suppression of whiskey rebels, strong central authority, the Jay Treaty, the Adams administration, and Aaron Burr.

Rhode Island's position was complex. In 1789 the state had not yet joined the Union, in part, because of opposition to economic domination by strong central government. Yet, once its delegates came, they nearly always voted with the pro-administration majority in New England. Thomas Tillinohast had been an exception in 1798 but he, too, ultimately joined the fold. Although there was substantial Republican sentiment in the state, it was not reflected on the national level during the 1790s. Rhode Island stayed with Burr throughout the election controversy.

In New York, a Republican victory in the congressional election of 1798 had preceded Jefferson's triumph in 1800. Throughout the 1790s, party activity in the state was at a high level; no area of the state was assured to any faction. From a position of parity in 1790, the Federalists had taken control of New York's delegation by a three to two ratio in 1793. This edge was increased to a seven to three margin at the time of the Jay Treaty. A reversal then set in. During Fifth Congress voting, administration supporters held only a six to four margin. At the point of the

Jefferson-Burr election, the figures were reversed: Republicans six, Federalists four. The surprising characteristic of the delegation, however, is its geographic distribution. The remote frontier areas were all Federalist; the densely populated counties and the Hudson Valley were all Republican. Jefferson supporters held New York City, Long Island, Westchester, Ulster, Washington, and Dutchess. Votes for Burr came from the representatives of Columbia, Albany, and the Indian infested wilds of Herkimer and Cayuga. The state presents a glaring exception to the traditional associations of party and region.

The Republican majority in New Jersey was no less surprising. Throughout the decade the state had strongly supported the Washington and Adams administrations. Abraham Clark and Abraham Kitchell had dissented occasionally but New Jersey was unanimous on key questions such as suppressing whiskey rebels and implementing the Jay Treaty. In the Burr-Jefferson election, however, delegates from Essex, Morris, and Trenton voted Republican.

Internal division in Delaware was not reflected on the national level. Only once in the decade had a non-Federalist been elected; his voting record did not correspond with that of any significant faction in the House. James Bayard's support of Burr in 1801 reflected the political tone of the state, as manifested in the House, throughout the 1790s.

By 1800 Pennsylvania was solidly in the Republican camp. During Washington's first term, the state had divided evenly between supporters and opponents of the administration. The split had been one of coastal counties against the interior and remote ones, with those in between holding the balance of power. In the latter part of the decade, Republicans gained control of the middle tier of counties and once captured the Philadelphia district. At the point of the Jefferson-Burr election, Republicans

held a nine to four advantage. Burr supporters came from Philadelphia (Federalists had captured the city in 1798), and the Counties of Bucks, Lancaster, and Chester. Republicans controlled all of the north and west and most of the middle of the state.

Maryland's ultimate support of Jefferson, as discussed earlier, was critical. Prior to this decision, however, the state divided evenly at four to four. Internal divisiveness and lack of direction were characteristic of Maryland in this period. The state was Northern; it was Southern. The state was agricultural; it was commercial. The state was urban; it was rural. In all, it was an area of much conflict and confusion. This confusion is amply demonstrated in the state's Sixth Congress delegation. Burr supporters came from the southeasternmost district of Dorchester-Somerset, the northwesternmost district of Allegany, and the in between counties of Ann Arundel and Montgomery. Jeffersonians came from commercial Baltimore, southern St. Mary's, and the Eastern Shore planter counties of Kent and Talbot. This division is not typical of Maryland in the 1790s but, then again, neither is any other breakdown. The state was evenly divided; any faction might capture any district in a given year. The situation was fluid.

A handful of Burr supporters in Virginia did not vote consistently; they were hopelessly outnumbered by the Jeffersonians in the delegation. At one time or another Thomas Evans, Henry Lee, Robert Page, Josiah Parker, and Levin Powell all supported Burr. This opposition to Jefferson came from northern and western areas of the state which had exhibited Federalist tendencies throughout the decade.

North Carolina's delegation was sharply divided. A majority adamantly favored Jefferson, but four delegates--Joseph Dickson, William Barry Grove, Archibald Henderson, and William Hill--were equally committed to Burr. As was the case in New York, the west favored Burr and the east

supported Jefferson. The presence of Federalist John Steele earlier in the decade as a delegate from western North Carolina indicates that this pattern was not unique. In 1800, however, the strength of the Federalists in the state was dependent upon fear of war with France and was contrary to the earlier and later dominance of the Jeffersonian interest in North Carolina.

South Carolina's election law, which allowed out-of-district representation, makes it difficult to draw conclusions about the state from the positions taken by its House delegation. Sumter lived in, and represented, the upcountry Pinckney District; he would have voted for Jefferson had he not been ill. Nott, representing Camden, was not interested and had gone home. His district, formerly represented by Wade Hampton and Leavel Benton, had opposed the Jay Treaty and voted consistently against the Adams administration. His constituents may have been less indifferent toward the outcome of the election than Nott, who did not return to represent Camden. John Rutledge Jr. served the western Ninety-Six District, but it is doubtful that in supporting Burr he "represented" his constituents. The same may be said of Robert Goodloe Harper of the Crangeburg District who spent most of his time in Maryland with his wife. Thomas Pinckney of Charleston accurately reflected the Federalist sympathies of that city.

The three remaining states--Georgia, Kentucky, and Tennessee--were unanimously for Jefferson. Their delegations had opposed both the Washington and Adams administrations throughout the 1790s. Kentucky and Tennessee fit perfectly, in so far as their voting in the House, the picture of westerners allied with the Republican party. Georgia was the scene of sharp internal conflict over Yazoo Land Grants and other frauds, but these differences were not reflected on the national level.

The voting behavior manifested during the Jefferson-Burr controversy

was similar to patterns on other key issues. The alignment of districts on two sides did not coincide with state or regional blocs. It was not a matter of North against South or East against West. Divided state delegations outnumbered those that were united (even including Delaware and Tennessee, each having only one vote, and Georgia, Kentucky, Rhode Island, and Vermont, each having just two votes). Although some districts shifted allegiances during the decade, the majority did not. Those exhibiting Federalist tendencies in 1790, before there was a Federalist party, remained Federalist in 1800. Most districts that supported Jefferson in 1800 had opposed expansion of federal authority in 1789, had opposed suppression of whiskey rebels in 1793, and had voted against the Jay Treaty. Of course shifts took place: Jefferson lost in 1796; he won in 1800. However, hard core alignments were not ephemeral. These basic attachments were to interest rather than to party. Cohesive issue oriented voting behavior pre-dated the emergence of parties. Political parties did espouse the interests of certain groups, but party remained a means to an end rather than an end in itself.

## CHAPTER VIII

### BLIND ALLEYS

Throughout this study of the political developments of the 1790s, emphasis has been placed on the role of factions. These factions were motivated by four major sources of divisiveness, each of which related to the characteristics of the particular district represented by each delegate. Factors peculiar to individuals rather than to areas, thus far, have received little attention. However, in the quantitative analysis that led to the conclusion that issue oriented factions dominated roll call voting, a number of personal characteristics were analyzed to determine the extent to which they influenced voting. It turned out that, for the most part, factors such as age, occupation, and seniority did not affect voting in any way that can be measured quantitatively.

Groupings based on age show this lack of cohesion most clearly. The graphs that follow show the degree of cohesion among three different age groups. FIGURE 23 is included as a control to indicate the type of voting pattern exhibited by two factions that are, in fact, highly cohesive. For the purpose of studying the influence of age upon voting, all delegates were assigned to one of three categories: (1) those under age forty, (2) those age forty to fifty, and (3) those over age fifty.<sup>1</sup> All four graphs include every roll call recorded in the Third Congress. The method used

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<sup>1</sup>In the Third Congress, none were over age sixty-five. A variety of other age combinations were tried. None resulted in any significant variance from the conclusions reached using the under forty, forty to fifty, and over fifty combinations.

ROLL CALL

DIFFERENCE IN PERCENTAGE OF AFFIRMATIVE VOTE OF (1) ALL DELEGATES UNDER 40 AND (2) ALL THOSE AGE 40-50

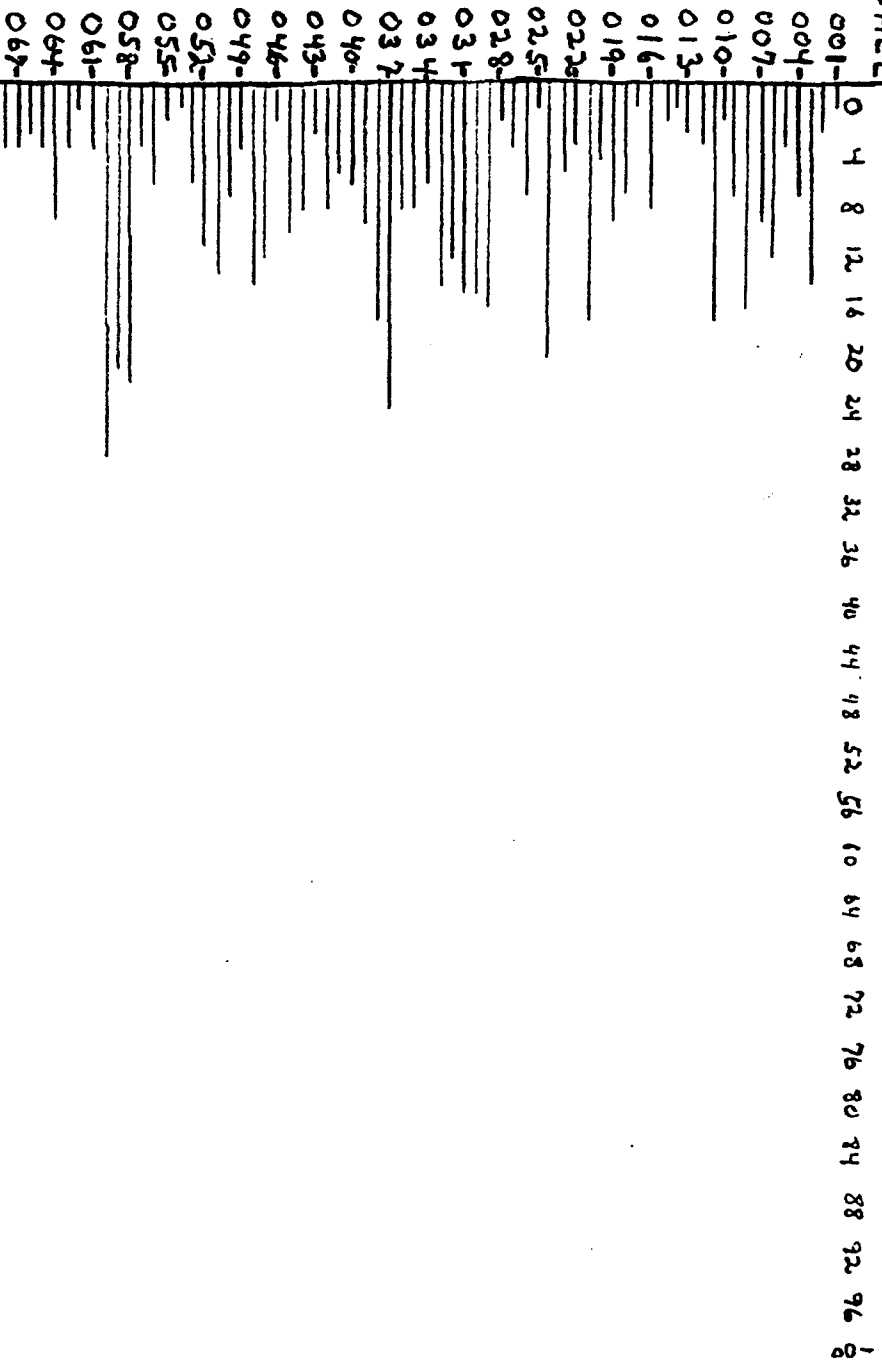
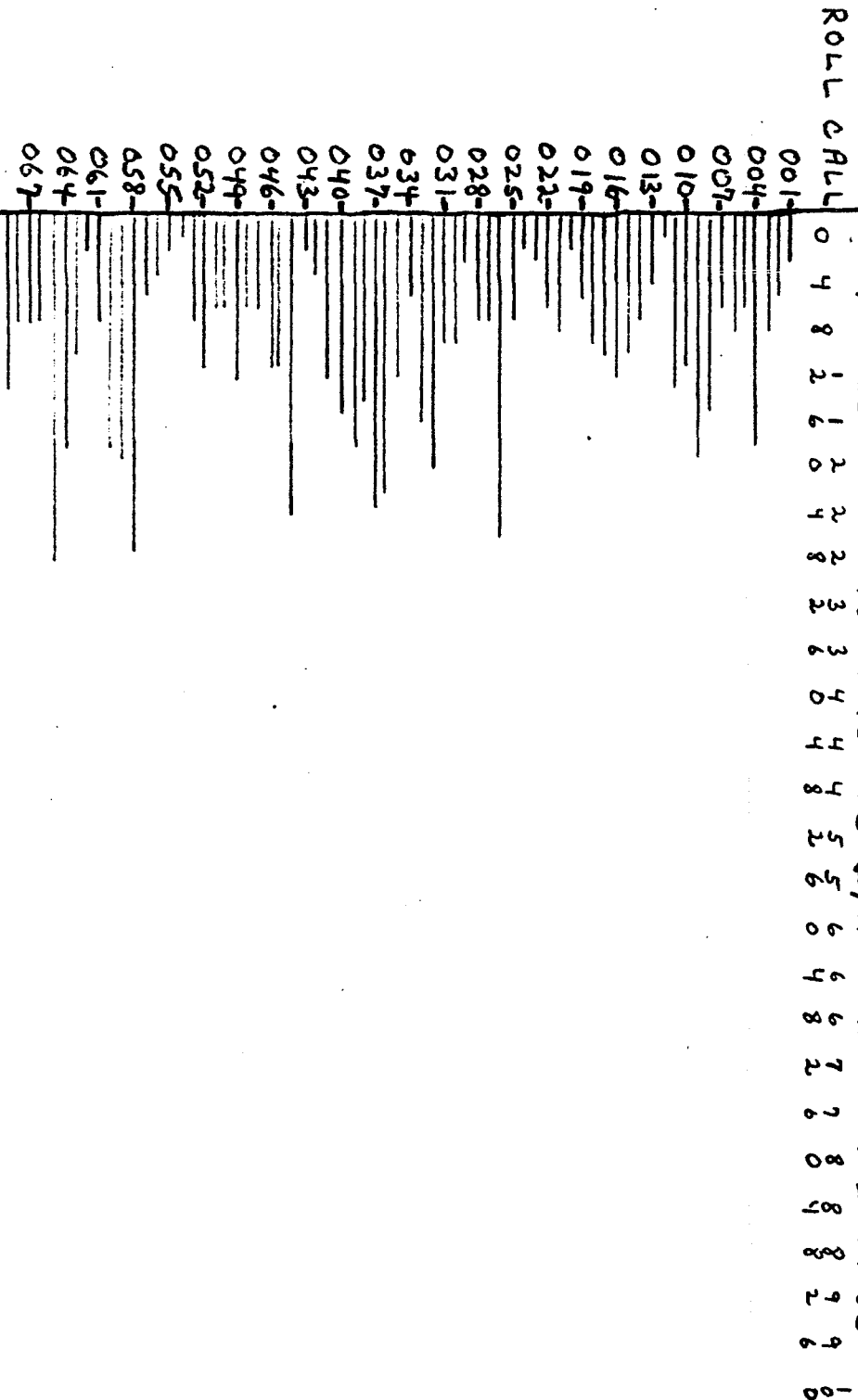


FIGURE 21 DIFFERENCE IN PERCENTAGE OF AFFIRMATIVE VOTE OF (1)

ALL DELEGATES UNDER 40 AND (2) ALL THOSE AGE 51-65



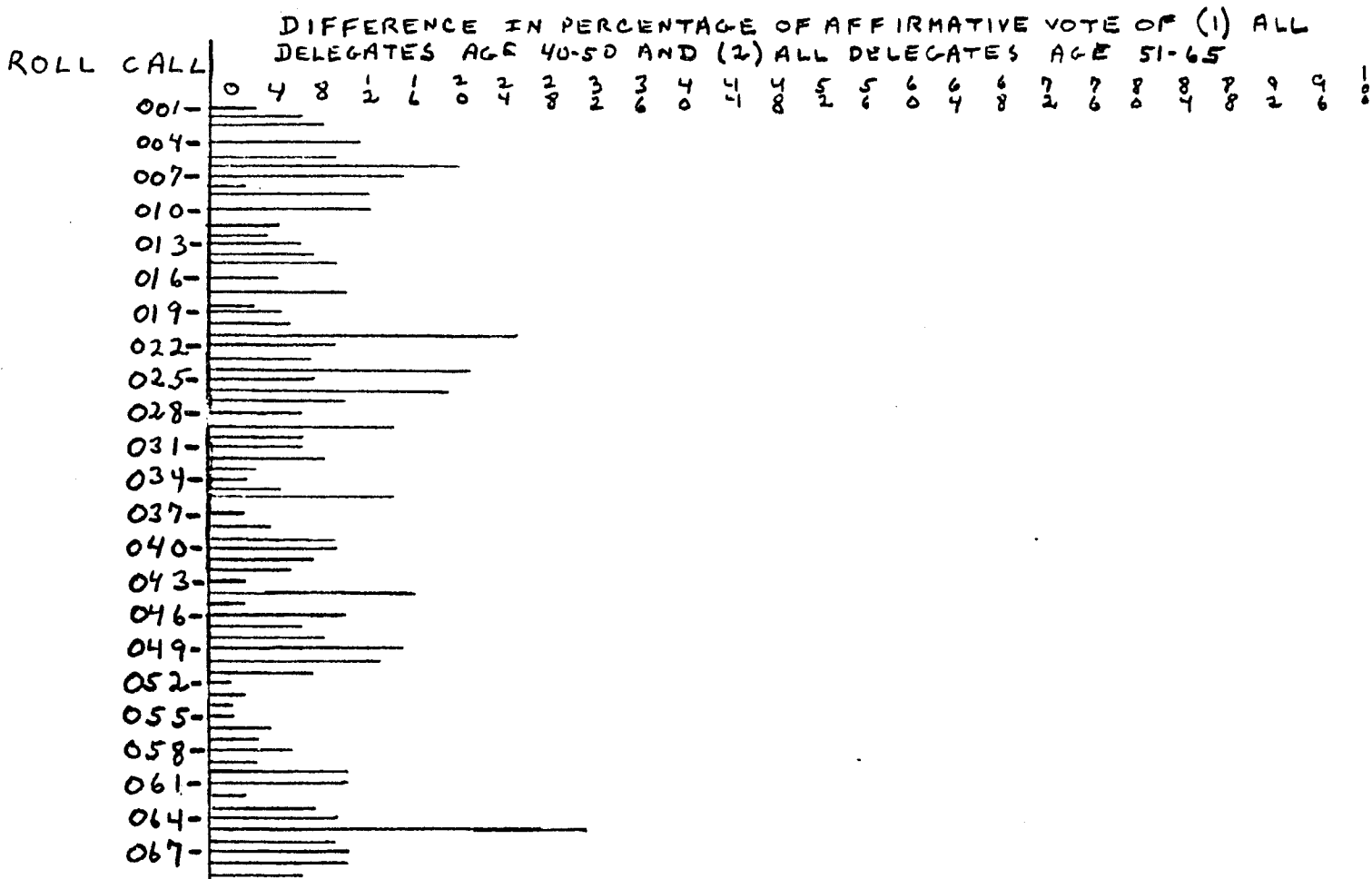
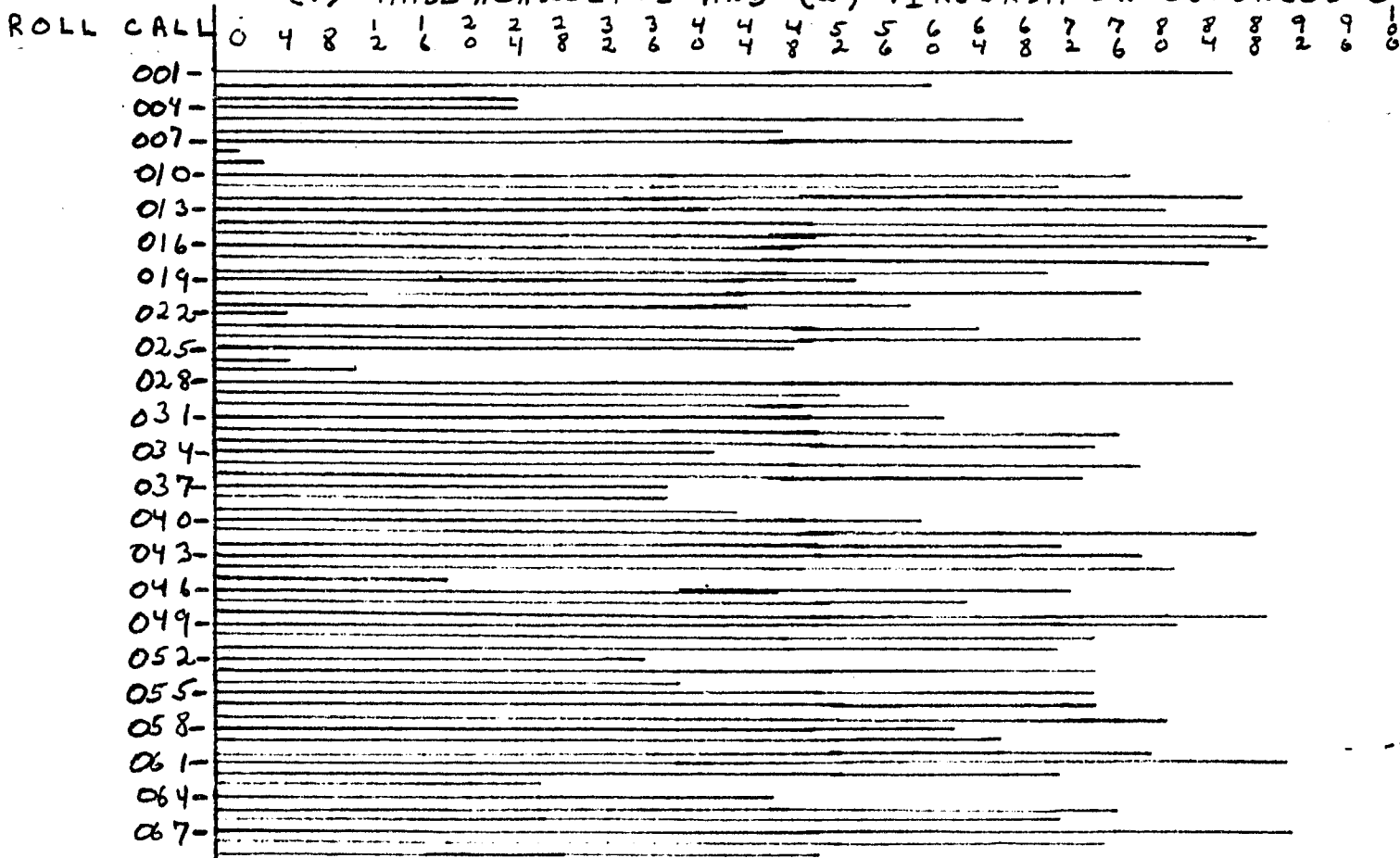


FIGURE 23 DIFFERENCE IN PERCENTAGE OF AFFIRMATIVE VOTE OF (1) MASSACHUSETTS AND (2) VIRGINIA IN CONGRESS 3



to measure the effect of age upon voting is a simple one. The percentage of affirmative voting on each roll call is calculated for each age group.<sup>3</sup> The difference between the percentages for each age group is the maximum significance that can be assigned to the factor being measured, in this instance age. It should be noted that a large difference between percentages would not necessarily indicate the significance of the factor being measured, since other factors may also be common to the group. For example, if all delegates under age forty were from New England, differences in voting percentage between those under age forty and those over age fifty might be caused by regional factors rather than age. In instances where no major difference in percentage exists, such as the present case, there is no problem. The factor being measured cannot be shown to have any quantitative influence.

FIGURE 20 proves that the youngest delegates in the House voted in about the same way as those age forty through fifty. There are differences in percentages, but they are random and too small to show any trend. A crude, but nevertheless useful, rule of thumb is the following: at least two-thirds of one group must oppose at least two-thirds of another group in order to assert significant cohesion. On the graphs used herein, this rule translates to a minimum difference of  $3/4$  (67 minus 33). This degree of minimal cohesiveness did not exist on any roll call recorded in the Third Congress for groups based on age.

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<sup>2</sup>Roll calls may be found, using the numbers at the left of the graph, in the Appendix of Roll Calls. The lines between the roll call numbers are for roll call numbers implied but not shown. For example, the lines between roll call 001 and 004 are for roll calls 002 and 003 respectively.

<sup>3</sup>Use of affirmative vote is not crucial (the results are the same using negative vote). The key point is the difference in percentage between two groups.

FIGURE 21 compares the voting pattern of the youngest delegates with that of the oldest group. FIGURE 22 compares the votes of the middle group, age forty through fifty, with those of the oldest group. In both instances there is no significant correlation between age and positions taken on roll calls. This becomes most apparent when contrasted with FIGURE 23, which shows the voting of two groups, Massachusetts and Virginia, that were highly cohesive and usually opposed to each other.

Two conclusions, then, can be drawn from FIGURES 20, 21, and 22:

(1) age did not exert any positive influence on voting and (2) age was not even incidentally related to those factors that did result in cohesive issue oriented voting factions. The Third Congress has been used for illustrative purposes. The same conclusions hold for the entire period 1789-1801.<sup>4</sup>

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<sup>4</sup>Space prohibits the use of graphs to show all combinations or all Congresses. However, some other representative differences follow. In the Second Congress, the difference in cohesion (percentage of affirmative vote) between (1) delegates under age forty and (2) delegates age forty through fifty was: 35 (rc 001), 22, 19, 6, 11 (rc 005), 4, 6, 5, 2, 21 (rc 010), 0, 6, 4, 4, 13 (rc 015), 11, 23, 19, 7, 14 (rc 020), 37, 23, 5, 11, 26 (rc 025), 10, 0, 6, 0, 5 (rc 030), 8, 0, 19, 15, 23 (rc 035), 6, 9, 16, 17, 22 (rc 040), 2, 22, 11, 24, 23 (rc 045), 12, 20, 2, 13, 10 (rc 050), 7, 11, 8, 5, 3 (rc 055), 14, 3, 2, 6, 11 (rc 060), 11, 6, 8, 26, 20 (rc 065), 14, 9, 4, 5, 8 (rc 070), 5, 5, 26, 12, 10 (rc 075), 5, 19, 8, 11, 33 (rc 080), 31, 10, 13, 10, 2 (rc 085), 9, 9, 1, 7, 14 (rc 090), 13, 8, 12, 17, 9 (rc 095), 8, 10, 2, 2, 20 (rc 100), 12, 3. In the Fourth Congress, the difference in cohesion between (1) delegates under age forty and (2) delegates over age fifty was: 7 (rc 001), 1, 9, 21, 4 (rc 005), 5, 31, 2, 2, 5 (rc 010), 11, 12, 12, 23, 16 (rc 015), 28, 2, 0, 17, 14 (rc 020), 12, 14, 1, 11, 2 (rc 025), 9, 3, 7, 1, 5 (rc 030), 25, 19, 11, 0, 8 (rc 035), 2, 7, 5, 6, 10 (rc 040), 1, 7, 0, 6, 4 (rc 045), 8, 8, 0, 4, 20 (rc 050), 2, 11, 1, 29, 9 (rc 055), 14, 3, 6, 3, 2 (rc 060), 21, 13, 0, 31, 6 (rc 065), 20, 9, 26, 7, 4 (rc 070), 16, 14, 1, 9, 6 (rc 075), 3, 4, 6, 2, 10 (rc 080), 9, 0, 6. In the Sixth Congress, the difference in cohesion between (1) delegates age forty through fifty and (2) delegates over age fifty was: 11 (rc 001), 3, 5, 5, 8 (rc 005), 10, 12, 4, 7, 2 (rc 010), 6, 12, 7, 9, 2 (rc 015), 11, 8, 7, 0, 9 (rc 020), 8, 7, 11, 1, 3 (rc 025), 4, 1, 4, 11, 7 (rc 030), 1, 7, 5, 3, 0 (rc 035), 6, 8, 13, 2, 8 (rc 040), 3, 10, 7, 1, 4 (rc 045), 6, 0, 4, 2, 9 (rc 050), 7, 2, 4, 6, 4 (rc 055), 1, 12, 18, 14, 10 (rc 060), 9, 17, 6, 11, 13 (rc 065), 12, 2, 11, 14, 15 (rc 070), 9, 12, 18, 7, 5 (rc 075), 13, 14, 2, 4, 19 (rc 080), 6, 9, 5, 13, 17 (rc 085), 3, 17, 19, 1, 6 (rc 090), 3, 15, 7, 10, 17 (rc 095), 10, 11.

Seniority in the present day House of Representatives, is an important determinant in legislative behavior. In the 1790s, on the other hand, length of prior service did not materially affect the voting patterns of the House. Standing committees had not evolved, and junior members shared equally in power with their senior colleagues. Nevertheless, length of service was tested as a variable in determining voting behavior. Two possibilities exist. One is that seniority had a positive effect on voting. The other is that members of certain cohesive factions were re-elected with greater consistency than members of other cohesive factions. For example, if substantially more administration opponents were re-elected than administration supporters, senior members would appear cohesively opposed to the administration. Conversely, if one faction made sweeping gains in a particular election, then freshmen delegates would exhibit a cohesive voting pattern.

Comparisons based on length of service consistently show no significant correlations. FIGURES 24, 25, and 26 demonstrate this lack of cohesion for the Sixth Congress.<sup>5</sup> Three combinations of delegates were used: (1) freshmen representatives (those elected for the first time in 1798), (2) second termers (those elected for the first time in 1796 and re-elected in 1798), and (3) senior members (those serving for four or more years prior to 1798). Differences in cohesion do exist, but they are not quantitatively significant. Only twice in the 291 combinations shown on the three graphs did more than two-thirds of one group vote against two-thirds of another group. One occasion was on engrossing a bill authorizing the erection

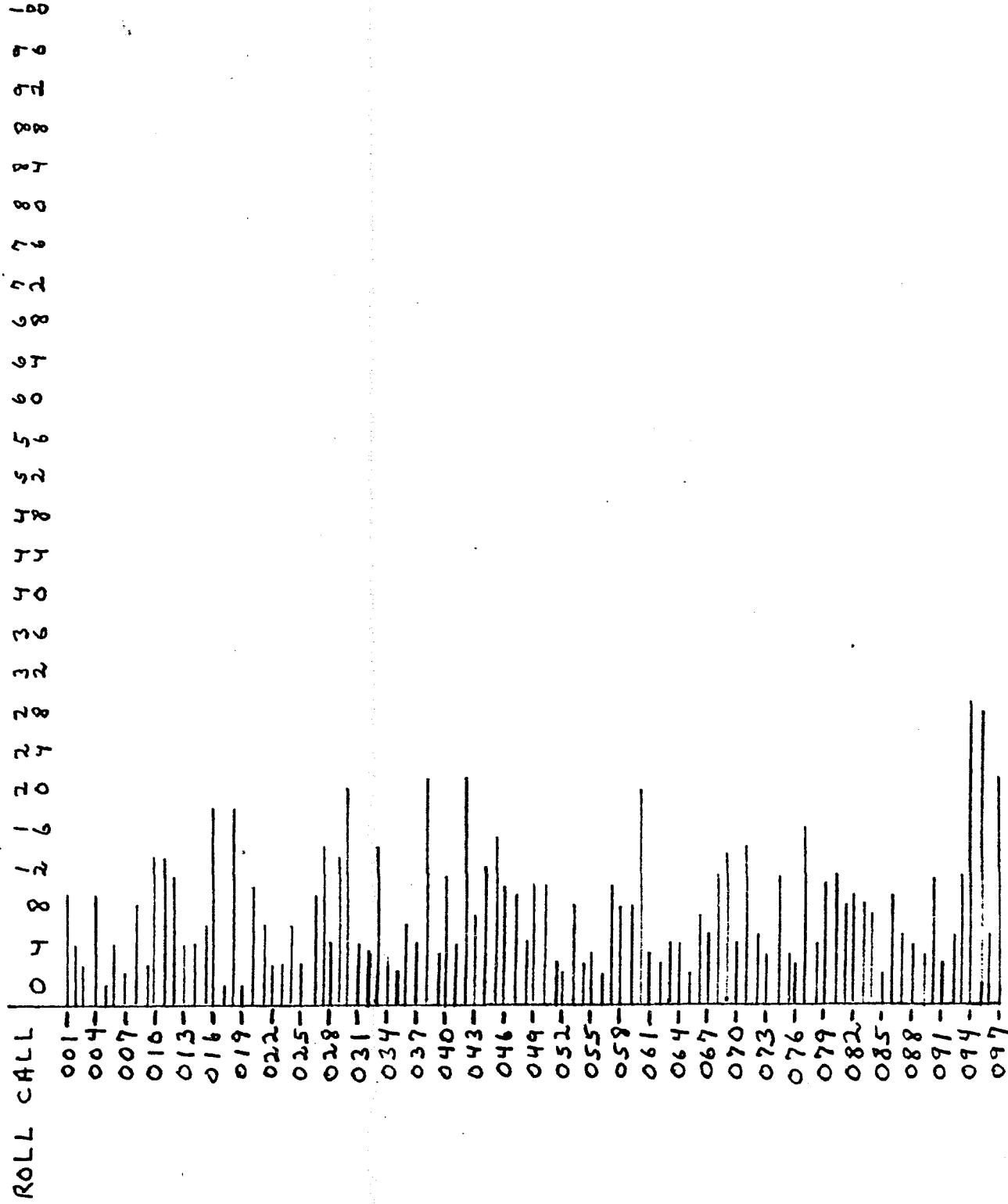
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<sup>5</sup>The format and means of deriving these graphs are the same as for those used to depict the age factor.

FIGURE 24

CONGRESS 6

DIFFERENCE IN PERCENTAGE OF AFFIRMATIVE VOTE OF  
 (1) FRESHMEN AND (2) SENIOR MEMBERS







of a mausoleum in George Washington's honor.<sup>6</sup> The other was on the question of paying the Sergeant-at-Arms, the Doorkeeper, and the Assistant Doorkeeper an extra \$200 each for their extraordinary services during House balloting on the Jefferson-Burr election.<sup>7</sup> On the other 289 combinations, cohesion was less than the minimal two-thirds necessary to assert any significant factional behavior.

Three conclusions may be drawn from FIGURES 24, 25, and 26: (1) length of service did not affect voting in a quantitatively measurable way, (2) those cohesive factions that did exist did not differ significantly in their ability to achieve re-election, and (3) the election of 1798 did not result in a sweeping victory for any one faction.<sup>8</sup> The same conclusions hold true for the entire period 1789-1801.<sup>9</sup>

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<sup>6</sup>Annals of Congress, 6 Cong. 2 sess., p. 864. December 23, 1800.

<sup>7</sup>Ibid., p. 1074. March 3, 1801.

<sup>8</sup>See earlier analysis of the election of 1798, which comes to essentially the same conclusion using independent sources of evidence.

<sup>9</sup>Space prohibits use of graphs to show all combinations for all Congresses. However, some other representative differences follow. In the Third Congress, the difference in cohesion (percentage voting affirmatively) between (1) delegates serving continuously from 1789 on and (2) second-termers was: 19 (rc 001), 14, 28, 32, 14 (rc 005), 9, 19, 6, 1, 20 (rc 010), 5, 7, 21, 5, 5 (rc 015), 0, 21, 18, 1, 23 (rc 020), 8, 36, 8, 2, 21 (rc 025), 10, 9, 6, 24, 18 (rc 030), 15, 20, 13, 18, 9 (rc 035), 19, 28, 38, 58, 2 (rc 040), 8, 20, 5, 8, 28 (rc 045), 10, 17, 8, 0, 28 (rc 050), 6, 17, 4, 37, 9 (rc 055), 7, 5, 1, 28, 14 (rc 060), 8, 37, 0, 17, 14 (rc 065), 19, 24, 18, 41. In the Fourth Congress, the difference between (1) second-termers and (2) freshmen was: 9 (rc 001), 8, 14, 7, 6 (rc 005), 7, 27, 0, 7, 4 (rc 010), 2, 6, 6, 3, 8 (rc 015), 6, 7, 0, 4, 3 (rc 020), 6, 5, 9, 13, 9 (rc 025), 3, 0, 6, 3, 10 (rc 030), 10, 5, 6, 5, 2 (rc 035), 2, 0, 3, 7, 3 (rc 040), 1, 1, 0, 7, 5 (rc 045), 12, 15, 6, 2, 12 (rc 050), 10, 14, 20, 26, 8 (rc 055), 1, 8, 19, 13, 15 (rc 060), 5, 22, 3, 1, 8 (rc 065), 2, 2, 4, 7, 3 (rc 070), 2, 5, 6, 13, 1 (rc 075), 1, 12, 7, 2, 1 (rc 080), 7, 2, 4.

Another personal factor tested for its influence upon voting was occupation. A number of procedural difficulties arise in attempting to classify delegates as holding certain occupations. The most obvious is that all of them, at the time their voting behavior is under study, have the same occupation--Congressman. It is difficult to measure the intensity of attachment of a delegate to his former or concurrent occupation. To classify Albert Gallatin as a farmer, for example, is a bit dubious and misleading. Another procedural problem is to sort out the wide range of difference among members of the same occupational group. The category "merchant" includes the international trading complex of Jeremiah Wadsworth and the local dry goods shop of Elias Talbot. A final difficulty is one of quantity. Lawyers substantially outnumbered all other occupations among representatives. Some groupings--doctors, artisans, and teachers--had so few members that any quantitative study is impossible. The votes of two doctors, or of three artisans, are simply not a sufficient base upon which to build conclusions. None of these problems can be fully resolved. Any results of a quantitative correlation of occupation and voting must, therefore, be considered tentative and useful only as a general guideline.

Only two occupations, lawyers and farmers, were widely represented in all Congresses during the 1790s. No distinctions have been made, in TABLE 20, between the acreage or location of farms. It is possible to do so, but the result is groups that are too small to measure statistically. Lawyers have also been treated as a single unit, without regard to the activity and size of their practices, for the same reason.

TABLE 20 summarizes the difference in cohesion (as measured by percentage voting affirmatively) between the two groups. It may be recalled that in order to assert a minimal degree of cohesive factional behavior, two-thirds of a group must oppose two-thirds of another group, the result

being a difference of 34 or more in the cohesion percentages of the two groups.<sup>10</sup>

TABLE 20

## COHESION DIFFERENCE: FARMERS vs. LAWYERS

Congress	# of roll calls		# of roll calls		# of roll calls		# of roll calls		# of roll calls	
	0-11%	12-22%	23-33%	34-44%	45-55%	56-99%				
First	45	41%	41	38%	22	20%	1	01%	-	-
Second	23	22%	20	20%	23	22%	21	21%	14	14%
Third	19	28%	32	46%	15	22%	3	04%	-	-
Fourth	16	19%	22	27%	29	35%	16	19%	-	-
Fifth	33	21%	55	36%	47	31%	19	12%	-	-
Sixth	13	13%	42	44%	37	38%	5	05%	-	-
Total	149	24%	212	35%	173	28%	65	11%	14	02%

In the First, Third, and Sixth Congresses, lawyers and farmers did not vote cohesively against each other. Correlations were somewhat higher in the Fifth Congress; however, viewed against the much greater cohesion of those factions discussed earlier in the process of analyzing the Fifth Congress, a lawyers versus farmers division is not significant.

The Fourth Congress is another matter. The Jay Treaty vote has long been considered the central legislative action of this Congress. Only 40 per cent (10 of 25) of the delegates classified as farmers voted to implement the Jay Treaty; 61 per cent of all lawyers favored the Treaty.

<sup>10</sup>The phrase "two-thirds against two-thirds" is, of course, only one of many combinations that result in a cohesion difference of at least 34. Nine-tenths (90%) against one-half (50%) results in a cohesion difference of 40 and is significant even though only one of the two groups is cohesive.

The cohesion difference of 21 (61 minus 40) is not quantitatively significant. On other issues, which have received less attention from historians, cohesion differences were striking. On the matter of surveying western lands, 80 per cent (21 of 26) of the farmers voted for 160 acre tracts instead of 320 acre lots.<sup>11</sup> Only 36 per cent (15 of 41) of the lawyers voted for small lots. Among farmers, 80 per cent favored immediate admission of Tennessee; lawyers were divided 14 affirmative and 19 negative.<sup>12</sup> A cohesion difference of 40 occurred on the question of appropriating \$14,000 for new furnishings for incoming President Adams.<sup>13</sup> A substantial majority of all farmers, 72 per cent, opposed building frigates to protect commerce. Most lawyers, 63 per cent, favored outfitting the ships (resulting cohesion difference, 35).<sup>14</sup> On all other issues, farmers and lawyers did not exhibit cohesively opposed voting patterns.

The clearest cleavage between farmers and lawyers occurred in the Second Congress. On 36 per cent of all roll calls, a cohesion difference of 34 or more existed. Issues giving rise to high cohesion included apportionment, defense of the frontier, seating Anthony Wayne, establishment of a mint, and whiskey taxes.

All of the roll calls on which highly cohesive lawyer versus farmer patterns existed in the Second and Fourth Congresses involved issues directly affecting agricultural interests. In all other Congresses, and on all issues not of immediate and clear concern to farmers, cohesion was low. There is one major reason for this phenomenon. Lawyers never operated as a cohesive

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<sup>11</sup>See Chapter V for an extensive discussion of this bill.

<sup>12</sup>Annals of Congress, 4 Cong. 1 sess., p. 1328. May 6, 1796.

<sup>13</sup>Annals of Congress, 4 Cong. 2 sess., p. 2332. March 1, 1797.

<sup>14</sup>Ibid., p. 2351. March 2, 1797.

faction; any significant difference between their voting and that of farmers was due to the near unanimity of the farmers. In the Second Congress, on the thirty-six roll calls resulting in a cohesion difference of  $\frac{3}{4}$  or more, the average split among lawyers was 61 per cent against 39 per cent. On the same roll calls, the average split among farmers (the majority of whom voted against the majority of the lawyers) was 88 per cent against 12 per cent. The evidence, therefore, supports the contention that farmers were cohesive but that lawyers were not. Since farmers were the cohesive bloc, not lawyers, it is hardly surprising that the highest levels of cohesion occurred on roll calls affecting agricultural interests.

Lack of cohesion among farmers in the First, Third, Fifth, and Sixth Congresses was the result of two factors. One was that roll calls involving a clear agricultural interest were less frequent. In the Fifth Congress, for example, all issues were dominated by the impending war with France. The more important factor was that, in all Congresses except the Second and Fourth, farmers came from diverse areas of the country. As a group, they were subject to conflicting pressures; their primary allegiance was not to farming. This raises a key question concerning any apparent correlation of occupation and voting; even when cohesive patterns exist, is occupation a causal factor or merely a coincidence?

There is not sufficient evidence in roll call voting to give a certain answer to this question. It is of note, however, that whenever New England sent farmers to Congress, the cohesion of farmers dropped considerably. Southern farmers did not vote in the same way as northern farmers. The only Congresses in which farmers voted cohesively were those in which the farmers were all southerners or westerners. Another point to consider is that lawyers from farming districts exhibited approximately the same voting pattern as farmers from farming districts. In the Fourth Congress,

on the question of frigates, all agricultural districts, whether represented by farmers or lawyers, opposed rapid expansion of the navy.<sup>15</sup> The same holds true for the apportionment issue in the Second Congress.

The conclusion that correlations between occupation and voting were random and incidental rather than fixed and causal is verified by a review of the voting of merchants. TABLE 21 summarizes the difference in cohesion between merchants and farmers.

TABLE 21

## COHESION DIFFERENCE: FARMERS vs. MERCHANTS

Congress	F % of roll calls		F % of roll calls		F % of roll calls		F % of roll calls		F % of roll calls	
	0-11%	12-22%	23-33%	34-44%	45-55%	56-99%				
First	32	29%	36	32%	20	19%	21	20%	-	-
Second	17	17%	11	11%	20	19%	18	18%	20	19%
Third	16	23%	17	25%	29	42%	7	10%	-	-
Fourth	47	57%	25	30%	8	09%	3	04%	-	-
Fifth	40	26%	42	27%	49	32%	23	15%	-	-
Sixth	18	19%	27	28%	32	33%	16	16%	4	04%
Total	170	28%	158	26%	158	26%	88	14%	24	04%

Only in the Second Congress did merchants and farmers exhibit a cohesively opposed voting pattern. As in the comparison of farmers and lawyers, the pattern was due primarily to the high cohesion of farmers. However, merchants opposed farmers more consistently than lawyers did. In

<sup>15</sup>See Chapter V for an extensive discussion of the frigate question.

all other Congresses, a farmer versus merchant pattern did not occur. Part of the explanation for this, as stated at the outset, is the variety of individuals categorized as merchants. Back-country retailers did not vote in the same way as eastern trans-Atlantic shippers. New England small scale farmers did not often agree with Virginia tobacco planters.

More refined occupational categories might reveal different correlations. However, finer distinctions cannot be judged quantitatively because resulting groups are too small. Even if such small groups were analyzed, the results would indicate the pressure of overlapping factors more significant than occupation. Tobacco planters, for example, are always southerners. Fish exporters are always New Englanders.

The following conclusions, then, may be drawn about the influence of occupation upon voting. Broad occupational groupings do not exhibit cohesive voting patterns over extended periods of time. Farmers cohesively opposed lawyers, using the minimal two-thirds test, on only 13 per cent of all roll calls recorded in the period 1789-1801. Merchants cohesively opposed farmers, using the same criteria, on only 20 per cent of the 1789-1801 roll calls. Whenever high correlations did appear between occupation and voting, concurrent factors, such as region, also existed. It is not possible, from the roll calls, to determine quantitatively which of two or more concurrent factors was primary and which were incidental. However, the lack of consistent correlations between occupation and voting indicate that occupation was incidental. It appears that representatives of agricultural districts did not have to be actively engaged in farming to understand the desires of their constituents. Northern lawyers from port cities were just as firm in defending commercial interests as were merchants from northern port cities.

Other personal factors, particularly educational achievement and religious affiliation, may have influenced voting. A recent analysis finds that Federalists were better educated than Republicans.<sup>16</sup> David Fischer presents evidence linking religion and politics.<sup>17</sup> Roll call voting can neither substantiate nor refute these contentions. There is simply not enough quantifiable material available to come to any firm conclusion. Nominal religious affiliation is meaningless unless the intensity of attachment to religion is also known. Educational achievement is very misleading for several reasons. The major problem is that the entire northeastern region was better educated than the South and West in terms of formal schooling, diplomas, and the like. Groupings based on education, therefore, are essentially regional groupings. When delegates within a region are divided according to education or religion, the resulting groups are too small to have quantitative significance. The importance of religion and education are not denied by voting patterns, but they cannot be proven.

In the period 1789-1801, then, no significant correlations can be demonstrated, quantitatively, between personal factors and roll call voting. In the case of age, prior service, and occupation, positive evidence indicates that personal factors did not motivate voting. The socio-economic characteristics of geographic districts were the prime determinant in roll call voting patterns.

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<sup>16</sup>Paul Goodman, "Social Status of Party Leadership: The House of Representatives, 1797-1804," William and Mary Quarterly, XXV (July, 1968), 465-474.

<sup>17</sup>Fischer, The Revolution of American Conservatism, pp. 13 and 24.

## CHAPTER IX

### POLITICS, PARTIES, AND FACTIONS

Politics in the 1790s embraced virtually all aspects of American society. No history of economic development during the decade can ignore the role of government. A discussion of intellectual achievements in the young republic must include political theory. America's belief in itself as God's chosen nation rested heavily on supreme confidence in the ability of man to control his environment and improve his society, not only through individual effort, but also through the collective strength of political institutions. Oratorical displays, newspapers, even day-to-day conversation, were dominated by reflections upon politics.

In any society, but particularly in America in 1790, the political process involved a complex variety of functions. It served as a principle agent in interpreting the "will of the people," often modifying or altering this "will." It was the vehicle through which the nation's future was largely determined. Politics was an instrument of education and information about the beliefs and desires of diverse groups living under a single government. It alleviated or increased tensions among conflicting interests within society, according to its ability to reach a viable compromise or, perhaps less often, long range solutions.

Thus, politics played a central and varied role in society. The performance of this role necessitated the development of organized and regulated instruments of procedure. There had to be some acceptable way to interpret the will of the people and then to carry it out. Potential

and actual tensions had to be channeled into agreed upon mechanisms of resolution. Political parties, broadly defined, served as the principal institution in which the disparate elements of American society in the 1790s were brought together; individual leaders waged battles and sought compromises that went far beyond their own personal interests. That parties existed in the 1790s is beyond question, but determination of the salient characteristics of parties remains a problem.

Did the nation have one party, two parties, a multi-party system, or no parties at all? Perhaps all these possibilities existed at some point during the decade, or at least in some sections of the country.

Although the nation as a whole included disparate elements, unity of interest characterized large geographic sections. In these areas, a single party dominated the entire period. Whether a given unified interest accepted the name Federalist or Republican is less significant than the lack of competition that existed in such areas.<sup>1</sup> Voting in the House of Representatives over a twelve year period showed virtually no competition of interests in at least four states--Connecticut, Georgia, Kentucky, and Tennessee--and in a wide range of districts.<sup>2</sup> The existence of these one party areas decreased the field of contention among opposing parties, but certainly did not eliminate competition.

Whether or not they intended to do so, the framers of the Constitution established procedures that inevitably fostered the development of a two party system for the election process. The basic philosophy of that

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<sup>1</sup>Leon D. Epstein, Political Parties in Western Democracies (New York: Frederick A. Praeger, 1967), pp. 48-49.

<sup>2</sup>See Chapter VII for a more detailed delineation of these districts.

document, with regard to elections, was to give all the fruits of victory to the candidate with the most votes. Within each constituency--the entire nation for the president, a state for a senator, and a district for a representative--the winner took all. There was no attempt at fractional representation. To win the most important national office, the presidency, a majority was required, whether in the electoral college or in the House of Representatives. Time was to show that the way to virtually guarantee a majority to someone, without eliminating competition completely, was to have only two parties. The use of party labels developed most rapidly in connection with presidential elections. The chief executive's constituency was so large that unity of interest, and the one party system that might have followed, were unlikely. The same largeness and diversity of interest prevented multi-party factionalism by the very hopelessness of electing a man who espoused all the views of any single group. The willingness to compromise that is essential to a two party system necessarily followed. The presence of George Washington, of course, temporarily arrested such development, but in 1796 and again in 1800, a two party approach to the election was the only way that the system could work. The Constitution itself established the dualistic pattern that emerged a decade later.

In the 1790s another important factor contributed to the promulgation of a two party pattern: the people took an interest in politics. The masses became involved. In some instances they exerted a check upon their representatives, forcing their delegates to heed the people's wishes. To a great extent, however, the electorate became a stepping stone to power, a tool to be used in the fight against one's political enemies. Republicans were more aware, or at least more successful, in organizing the masses into an effective weapon. Eventually, an overwhelming majority of the general

population associated itself with the label Republican. Some Federalists also understood the significance of the masses. Alexander Hamilton had once collaborated with John Jay and James Madison to produce The Federalist, a successful effort to influence the voters of New York. Hamilton also had helped assuage public outrage over the Jay Treaty. But in the end, Federalists lost the struggle for the people and, with it, all chance for power at the national level.

Successful integration of the masses into the political process required the simplification of issues. By capitalizing, literally and figuratively, upon the word republican, the complex problems of the day were reduced to a unified package. Vague word associations and symbolic phrases sometimes replaced in depth discourses on the issues. To the majority, the word Republican eventually became associated with characteristics such as simple virtuosity, goodness, the worth of all men. Republicans looked toward a promising future in which man would finally emerge from the shackles of the past. The word Federalist became a synonym for elitism, repression of the people, private gain. The symbolic association of Federalism with the movement for a national government no longer captured the people's imagination. Instead, Federalists appeared to look backward to an age of deferential politics that excluded the masses. Given such choices, it is hardly surprising that the majority chose to call themselves Republicans.

However, the two party pattern had limitations. At the outset of the present study, the word party was qualified to exclude consideration of party machinery and electioneering tactics. It was in these areas that the two party pattern was most consequential. It is possible, without minimizing this aspect of the political process, to move on and ask questions about another function of political systems--the resolution of issues.

Analysis of roll calls is a way to ascertain how issues were resolved. It may indicate the depth of divisiveness within the nation. It may determine the size, scope, and motivation of voting blocs which represented a variety of interests. It may show the relationships between interest groups themselves and between these groups and parties, in the present case Federalists and Republicans.

There can be no doubt that the House of Representatives was the scene of constant divisions. The amendment controversy of 1789 gave way to economic conflict over funding and assumption in 1790. Subsequent years were marked by divisiveness over apportionment, whiskey rebels, the Jay Treaty, war with France, and the election of Jefferson in 1800. Conflict on key issues reflected the pattern on lesser questions as well.

TABLE 22 summarizes levels of divisiveness throughout the period 1789-1801; it includes every roll call recorded in the House of Representatives. The chart does not portray the pattern of division on any particular issue. There were, of course, issues decided without recorded vote and other matters that were voted on several times. It proves, however, that the general characteristic of the period was conflict rather than consensus. Over 45 per cent of the delegates, and presumably the districts they represented, were dissatisfied with the outcome on nearly one-third of all recorded roll calls. At least 36 per cent of the delegates voted against the majority on more than two-thirds of all recorded roll calls. The figures are rough, but they do indicate that divisiveness was constant.

The high level of divisiveness that characterized voting in the House is not surprising; it reflected the disparate interests represented in that body. A variety of voting blocs accounted for legislative behavior patterns in the House. However, four issues have been emphasized as basic sources of division. These four--the question of the proper size of the federal structure, the establishment of a frontier policy, the reconcilia-

TABLE 22  
LEVEL OF DIVISIVENESS IN THE 1790s

Congress	Size of Defeated Minority					
	46-50%	36-45%	26-35%	16-25%	0-15%	
First	23%	49%	16%	07%	05%	Percentage of roll calls on which the minority was of the size indicated at the top of each column
Second	32%	35%	18%	10%	05%	
Third	17%	54%	22%	02%	05%	
Fourth	12%	44%	27%	13%	04%	
Fifth	36%	41%	11%	08%	04%	
Sixth	45%	36%	08%	04%	07%	
TOTAL	29%	43%	16%	08%	04%	

tion of conflicting economic interests, and the search for peace with Europe--existed throughout the decade. They were, of course, related to each other, increasingly so as a two party system began to dominate the election process, but they remained different and distinct entities that gave rise to issue oriented voting blocs.

The question of imposing limits upon the national government's authority was not new to the 1790s. The issue had been a source of contention from the earliest attempts at unifying the separate colonies. The Constitution adjusted the imbalance of the Confederation years, but the problem was by no means fully resolved in 1787. In fact, the Constitution served to crystallize an additional difficulty, the allocation of responsibility within the national government. The two questions were separate in theory, but in practice they gave rise to patterns so similar that they can most accurately be considered as a single source of divisiveness. Those who favored limitations on the government also supported efforts to restrict executive functions.

The amendment controversy of 1789 was, at the same time, a continuation of the debate over the Constitution and a forerunner of political divisions in the 1790s. The factions that coalesced were neither random nor incoherent; they did not represent state interest. More than 80 per cent of all voting delegates took a consistent position. The majority opposed drastic amendments; a cohesive minority favored them. Interstate in character, the two groups were motivated by ideological positions on the role of national government. These factions were not cohesive on other types of issues, but they did remain nearly unanimous on later roll calls involving extent of central government.

Apportionment of seats in the House of Representatives dominated the business before the Second Congress. Although much debate centered on population statistics, the issue was, in essence, the same as the amendment controversy of the First Congress. On one side were delegates who argued that the size of the House ought to be restricted in order that the government might carry on with strength and efficiency, without being shackled by a large and contrary body of the people's representatives. On the other side were delegates who believed that "The strong Executive of this Government ought to be balanced by a full representation in this House," which would serve as a barrier against the "moneyed interest. In a total of eighteen roll calls, including an unsuccessful attempt to override Washington's veto of a plan for extensive representation, all voting delegates took clear and consistent positions. This pattern was the result not of party discipline but of ideological commitment.

Votes on condemnation of Democratic Societies--as fomenters of revolution among Pennsylvania farmers who turned their grain into alcohol--continued the pattern of divisiveness over size of government. Recorded early in 1794, the roll calls were accurately considered as a judgment of the executive decision to prove the government's power by swift use of troops. Democratic Societies were condemned and, by implication, the administration's action approved by only a single vote. The ranks of both sides included delegates from all sections of

the country. The issue oriented factions that coalesced were motivated, once again, primarily by ideology.

The scope and form of central authority were less consequential as sources of divisiveness after 1795. This was, in part, the result of events beyond the control of the House of Representatives. As conflict with Europe loomed larger, domestic issues were set aside. Nevertheless, size of government did not disappear completely as a cause of cohesive factional formation. The large majority given the Livingston Resolution is attributable not to its foreign policy implications but, rather, to its call for limitations upon the executive. Opponents of the provisional army argued that it was a weapon for domestic tyranny. The Alien and Sedition Acts inspired the Virginia and Kentucky Resolutions.

A second factor contributed to the relative decline in severity of divisiveness over the role of government: by 1795 a satisfactory solution of that problem had been reached. The delicate balance between federal, state, and local powers was decided in favor of central authority. The national government would exercise force to guarantee its ultimate authority over the states. There would be a flexible interpretation of the Constitution in the direction of expanded federal authority, from the establishment of banks to the purchase of territory. Conflict continued over the exercise of power in a particular situation, but it was overshadowed by widespread agreement on the supremacy of federal authority. Hamilton, Madison, and Washington won their battle and established a trend that continued until the issue of slavery violently broke the consensus that had been established by 1795. Debate before that date involved the very essence of the government. Later divisiveness was within the broader framework of agreement to engage only in minor adjustments of the balance achieved by 1795.

Another source of factional formation in the 1790s was the unresolved problem of the West. A host of conflicting interests were involved; speculators and settlers, farmers and trappers, slaveholders and yeomen, all competed for the favor of the national government. Difficulty in resolving two basic questions

accounts for continued divisiveness on this issue. Broadly stated, one involved claims to the potential wealth of the frontier; the other centered upon the degree of federal control over western settlers.

Voting patterns on size of lots to be sold under the Land Act of 1796 were most significant in isolating positions on dividing the wealth of the frontier among the American people. Small tracts assisted genuine settlers from the poorer classes. Large size minimum lots meant purchase by the wealthy, in most cases for ultimate subdivision, sale, and profit. The issue was certainly not new. In the 1780s Jefferson had advocated giving away land to permanent settlers; eighty years later the government did just that. In the 1790s, however, the question was not one of free land, but of control over vast amounts of potentially profitable acreage. In essence, factional formation resulted in a stalemate. Settlement was not sufficiently encouraged and, therefore, did not occur on a wide scale in federal territories. On the other hand, speculators were not given terms so favorable as to allow them to gain control of significant portions of the frontier. This deadlock continued until the Jefferson administration, when settlement in Ohio began in great numbers, encouraged by a liberal land sale policy.

The question of federal control over the frontier was also not resolved in the 1790s. Washington considered the decreasing of hostilities between white settlers and Indians to be of high priority. To achieve this goal, he urged establishment of federal garrisons in the West and use of government troops as a buffer between warring groups. The President's efforts, supported by eastern advocates of strong central authority, failed. A coalition in the House, consisting of nearly all western delegates and many eastern opponents of expanded government, blocked every Senate proposal for troop authorizations. Later in the decade the nation's strength grew and the military establishment expanded under the pressure of foreign danger. As a result, some successful efforts were made at taking the Indian problem out of the hands of the settlers directly

involved. But, in general, the government failed to impose its will on the frontier.

The voting pattern that resulted in government failure in this area was distinct and different from those that existed on other issues. Westerners unani- mously supported their successful effort to maintain an independent hand in dealing with Indians (and any other problems that arose). The frontier position received a majority because of the added support of eastern opponents of the administration. The two groups combined (they did not do so on any other issue) to defeat, at least temporarily, the forces of law and order.

Still another source of divisiveness in the 1790s involved the reconciling of conflicting economic interests. The most immediate questions in 1789 were the securing of revenue for the new government and the handling of prior debts dating back to the American Revolution. The country's credit had to be estab- lished, at home and abroad, without totally alienating any segment of the popula- tion. Since the debt to be paid rested in the hands of the few, and the payment of it had to come from the many, this was no easy task. Even if the thorny debt problem could be resolved, deeper conflicts remained between large and small farmers, producers and transporters, sellers and buyers. Permanent balancing of these interests, of course, could not be achieved. Nevertheless, by 1795 the country's economic outlook improved substantially; tension between conflicting groups diminished.

A major share of credit for the improved situation must go to the Hamil- tonian program voted upon, and approved essentially intact, by the First Congress. There was not extensive opposition to funding of the national debt; a surprising majority approved the establishment of a national bank. The tariff schedule supported by Madison had passed in 1789 with relatively little debate and no recorded vote. A bill imposing domestic excise taxes became best known for its levy on whiskey but, in reality, a variety of different economic interests and regions bore the tax burden. When initially proposed, the bill aroused some opposition, but not of a deeply divisive nature. Madison, for example, voted

for excise taxation even though he presumably opposed the Hamilton program. On the other hand, assumption was bitterly debated and it created a permanent enmity between Madison and Hamilton. Lesser men were equally divided. However, although delegates continued to refer unfavorably to the Hamilton plan, no serious effort was made in the 1790s to undo the work of the First Congress. This indicates that the debt question had been settled without permanently alienating any economic interest represented in the House. Personal animosities existed, but they were not translated into positive and meaningful action against the now resolved issue of old debts.

Conflict between broader economic interests did not diminish as quickly or as fully. Votes on taxes in the Third Congress, frigates for protection of commerce in the Fourth Congress, and financing of the quasi-war with France showed continued cleavages. Cohesive voting blocs remained closely associated, with commercial districts on one side and non-exporting agricultural areas on the other. However, these divisions were less frequent after 1795. Two major factors account for this change.

The intimate relationship between opposition to war and the desire to keep taxes low and reduce the debt tended to submerge economic issues within the larger context of foreign policy. The two questions no longer attracted separate and distinct interest groups. Opposition to war with France and opposition to a federal land tax became a single issue.

Another reason for the reduction of divisiveness on purely economic questions was the success of the economy. There was general agreement that the producer and the transporter, the farmer and the merchant had worked together and must continue to do so.<sup>3</sup> Given the expanding size of the

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<sup>3</sup>Douglass C. North, The Economic Growth of the United States, 1790-1860 (New York: Prentice Hall, 1961), p. 53.

economic pie, there was less bitter conflict over disparity in the size of various slices. All interests claimed to be getting less than a fair share, but no significant group represented in Congress was overly dissatisfied with the absolute size of its share. Prosperity proved to be the best way to reconcile economic interests.

The final and most lasting source of divisiveness in the 1790s was foreign policy. A major part of the issue was adherence to the side of France or England. Many roll calls, ranging from a proposal to double duties on British tonnage in 1790 to an embargo on French shipping in 1799, fell into this pattern. In the years before 1795, events did not provide the substantial issues that cohesive factions thrived upon. Temporary alliances and suggestive divisions occurred but, for the most part, domestic concerns were paramount. From the time of the Jay Treaty until after the War of 1812, however, Europe played a dominant role in American politics. The question of England or France coexisted with another significant aspect of foreign policy divisions that came to the foreground after 1795.

Factions coalesced not only on the basis of being pro-French or pro-British but also on the issue of involvement or non-involvement in European affairs. The election label Federalist was closely associated with being pro-English and anti-French; the label Republican held the opposite connotations. However, party labels were irrelevant with regard to a more important question--degree of entanglement in the conflicts of other nations.

Votes on the Jay Treaty clearly revealed this deeper pattern. Had the issue been simply Britain or France, the Republican majority would have refused to implement the Treaty. The crucial factor, however, one which motivated the faction that ultimately approved the Treaty, was peaceful

settlement of disputes with foreign powers. A dozen so-called Republicans supported the administration, not out of party loyalty or disloyalty, but because of their commitment to the principle of non-involvement. The subsequent opposition of these same delegates to war with France also stemmed not from party label but from principle.

The same pattern held for many so-called Federalists. Presented with numerous opportunities to engage in full scale war against France, a significant number refused to become involved in Europe's self-destruction.

Thus, a majority of the House, in the critical Fourth and Fifth Congresses, adhered to the non-entanglement policy of which Washington's Farewell Address was only one expression. This majority included both Republicans and Federalists; some of its members favored England, others preferred France. But the greater commitment was to non-involvement. This was the fourth and last major source of divisiveness in the 1790s.

Parties and factions both played key roles in the politics of the 1790s. A two party system rapidly dominated the election process. However, issue oriented interest blocs voted cohesively in the House of Representatives as early as 1789. They not only predated political parties, but they continued to function after the labels Federalist and Republican became widely used. The major role of factions, or interest groups, was in the legislative process itself. It is here that party labels do not provide an adequate explanation of political behavior. The "Federalist" controlled Sixth Congress elected Jefferson; the "Republican" dominated Fourth Congress approved implementation of the Jay Treaty. Although most delegates consistently voted for the programs of one party, a significant minority did not. Because of the nearly equal division between nominal Federalists and Republicans, the minority that adhered to interest group rather than party

decided the outcome of nearly every issue before the House. Even delegates who did consistently vote for a particular party program may have done so out of attachment to interest blocs within that party rather than because of party discipline. The consistency of issue oriented voting patterns throughout the decade indicates that parties were not essential to cohesive legislative formations. Interest groups coalesced into two parties for the purpose of presenting their programs to the electorate, but they did not remain united. Issue oriented factions dominated the legislative process of resolving issues facing the nation, certainly a central function of politics.

APPENDIX OF ROLL CALL DESCRIPTIONS

First Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
001	Annals	365	May 16, 1789	41	8
	To limit the duration of a bill laying duties on imports				
002	Annals	408	May 22, 1789	36	1
	Allowing William L. Smith of South Carolina to sit even though he had not been a citizen for seven years				
003	Annals	580	June 22, 1789	30	18
	Amending the Department of Foreign Affairs bill to allow removal by the president				
004	Annals	585	June 22, 1789	31	19
	Elimination of the specific wording "removable by the President" from the Department of Foreign Affairs bill				
005	Annals	591	June 24, 1789	29	22
	Passage of the Department of Foreign Affairs bill				
006	Annals	618	July 1, 1789	31	19
	To accept Senate elimination of discriminatory duties against England				
007	Annals	688	August 10, 1789	30	16
	Bill to pay members of the House and Senate				
008	Annals	803	August 12, 1789	28	23
	To appropriate \$40,000 for negotiation of Indian treaties. Opposition felt the amount was too high.				
009	Annals	759	August 18, 1789	16	34
	To bring before the whole House, amendments proposed by the states and not included in the report of the committee on amendments				
010	Annals	768	August 21, 1789	17	32
	To insert the word "expressly" in a proposed amendment as follows, "the powers not expressly delegated by the Constitution nor prohibited to the states, are reserved to the states respectively, or to the people."				
011	Annals	772	August 21, 1789	23	28
	Proposed amendment to prohibit Congress from interfering with the times, places, or manner of holding elections of Senators or Representatives				
012	Annals	777	August 22, 1789	9	39
	Amendment to prohibit the laying of direct taxes by the federal government				

## First Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
013	Annals	796	August 29, 1789	27	16
	Bill to establish salaries for the executive and his staff				
014	Annals	881	September 7, 1789	21	29
	Permanent capital on the north side of the Potomac in Maryland				
015	Annals	882	September 7, 1789	19	32
	Temporary capital at Wilmington, Delaware				
016	Annals	883	September 7, 1789	23	28
	Permanent capital on the Potomac, Delaware, or Susquehanna Rivers				
017	Annals	883	September 7, 1789	4	46
	Permanent capital on the Delaware River				
018	Annals	884	September 7, 1789	26	26
	Permanent capital on the Susquehanna in Pennsylvania				
019	Annals	884	September 7, 1789	25	26
	Permanent capital on the Susquehanna in Maryland				
020	Annals	884	September 7, 1789	21	30
	Temporary capital at Wilmington, Delaware instead of New York City				
021	Annals	885	September 7, 1789	22	29
	Temporary capital at Philadelphia				
022	Annals	886	September 7, 1789	24	25
	Establishment of any sort of capital on the banks of the Susquehanna only if Pennsylvania and Maryland make it navigable to its mouth				
023	Annals	886	September 7, 1789	28	21
	Permanent capital on the east bank of the Susquehanna in Pennsylvania				
024	Annals	889	September 10, 1789	24	29
	To limit the duration of the bill establishing salaries for members of the House and Senate (with higher pay for Senators) to March 4, 1796				
025	Annals	891	September 11, 1789	29	25
	Adherence to the Senate amended bill on salaries for members of the House and Senate with differential for Senators				
026	Annals	891	September 11, 1789	28	26
	Same as number 024				
027	Journal	111	September 15, 1789	20	23
	Establishment of a federal court in Chestertown, Maryland instead of in Eastown, Maryland				

## First Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
028	Annals	911	September 22, 1789	31	17
	Third reading of bill establishing a permanent capital on the east bank of the Susquehanna in Pennsylvania				
029	Annals	913	September 24, 1789	37	14
	"Speedy and public trial by jury" amendment				
030	Annals	914	September 24, 1789	25	18
	To allow writs to be issued in the name of the United States rather than in the name of the president				
031	Annals	916	September 25, 1789	28	22
	Adherence to the Senate amendment allowing writs to be issued in the name of the president				
032	Annals	923	September 26, 1789	25	29
	On postponing adherence to the Senate amendments to the bill establishing the seat of the government which removed the provision on clear navigation to the mouth of the Susquehanna and changed the location of the permanent capital to one mile north of Philadelphia on the Delaware and including Germantown				
033	Annals	926	September 28, 1789	31	24
	On adherence to the amendments in number 032				
034	Annals	927	September 28, 1789	26	25
	On adherence to a minor Senate amendment				
035	Annals	927	September 28, 1789	16	25
	On adherence to a Senate amendment allowing the President to issue a general call to the militia of Pennsylvania, Georgia, and Virginia instead of calling for a specific number of troops				
036	Annals	1205	February 12, 1790	43	11
	Committing of the memorial against slavery from Benjamin Franklin, President of the Friends of Philadelphia				
037	Journal	390	February 24, 1791	53	2
	Refusal to alter the system for funding public debt				
038	Annals	1473	March 23, 1790	29	25
	Inclusion of the debate on the Quaker Petition in the House Journal				
039	Annals	1530	April 15, 1790	33	23
	Consideration of the report of the Secretary of the Treasury on means of supporting public credit				
040	Annals	1545	April 26, 1790	32	18
	That the House ought not, for the present, consider that portion of the Treasurer's report dealing with assumption of state debts				

## First Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
041	Annals 1556		May 7, 1790	28	21
	Lowering Baron von Steuben's annuity from \$2706 to \$1500				
042	Annals 1556		May 10, 1790	25	30
	To allow the Baron an annuity of \$2700				
043	Annals 1557		May 10, 1790	34	21
	To allow the Baron an annuity of \$2000				
044	Annals 1619		May 26, 1790	31	25
	To fund old continental money at a ratio of 100 to 1				
045	Annals 1619		May 26, 1790	15	42
	To pay back interest on funded continental money				
046	Annals 1620		May 27, 1790	18	38
	Adherence to a Senate amendment giving a lump sum to the president to pay officers abroad instead of having the House, as part of a yearly appropriations bill, determine the salary of each individual				
047	Annals 1621		May 28, 1790	32	25
	To allow Baron von Steuben an annuity of \$2500 and eliminate the lump sum payment of \$7000				
048	Journal 227		May 28, 1790	16	37
	Adherence to a Senate amendment to the foreign intercourse bill				
049	Annals 1623		May 31, 1790	32	27
	To take up the question of holding the next session of Congress at Philadelphia				
050	Annals 1624		May 31, 1790	29	30
	Establishment of a permanent capital on some convenient place on the Delaware River and the meeting of Congress there for its next session				
051	Annals 1625		May 31, 1790	25	35
	The next session to remain in New York City				
052	Annals 1626		May 31, 1790	22	38
	The next session to be held at Philadelphia or Baltimore				
053	Annals 1626		May 31, 1790	38	22
	The next session to be held at Philadelphia				
054	Annals 1634		June 10, 1790	32	29
	Same as number 053				
055	Annals 1635		June 10, 1790	28	33
	Committing of the question of the place at which to hold the next session to a Committee of the Whole				

## First Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
056	Annals	1636	June 11, 1790	26	31
	To remove the duty on distilled spirits both domestic and imported and to promote agriculture in order to pay the public debt				
057	Annals	1637	June 11, 1790	31	28
	To hold the next session of Congress at Baltimore				
058	Annals	1637	June 11, 1790	53	6
	Same as number 057				
059	Annals	1639	June 14, 1790	30	24
	To take up the question of ways of paying the public debt even though the Senate had not yet done so				
060	Annals	1642	June 18, 1790	19	35
	Elimination of the excise tax from the bill to raise money to pay the public debt				
061	Annals	1644	June 21, 1790	23	35
	Engrossing of a bill repealing duties on foreign spirits and substituting others				
062	Annals	1645	June 21, 1790	10	45
	To strike out the proposition that state debts be apportioned in the same manner as for representation and taxation				
063	Annals	1646	June 22, 1790	26	27
	Elimination of the appropriation of money to trade with and bribe Indians				
064	Annals	1678	July 9, 1790	22	39
	Permanent capital on the Delaware River				
065	Annals	1678	July 9, 1790	22	39
	Permanent capital in Germantown, Pennsylvania				
066	Annals	1678	July 9, 1790	25	36
	Permanent capital between the Potomac and Susquehanna Rivers				
067	Annals	1678	July 9, 1790	26	34
	Permanent capital at Baltimore				
068	Annals	1678	July 9, 1790	26	35
	Buildings in the new capital had to be donated				
069	Journal	261	July 9, 1790	26	33
	Buildings in the new capital to be purchased only with the consent of the president				
070	Journal	262	July 9, 1790	25	32
	To limit the amount to be spent for the purchase of buildings for the new capital				

## First Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
071	Journal 263	July 9, 1790	28	33	To hold the next session at Philadelphia
072	Journal 263	July 9, 1790	28	32	The Second Congress to meet in Philadelphia but the third session of the First Congress to remain in New York City
073	Journal 264	July 9, 1790	28	33	Same as number 072
074	Journal 265	July 9, 1790	26	33	Elimination of anything about the next session from the bill under consideration
075	Journal 266	July 9, 1790	32	29	Establishment of a permanent capital on the Potomac
076	Journal 266	July 9, 1790	13	48	Determination of when to move to the permanent capital to be left to the president
077	Annals 1684	July 19, 1790	40	15	Third reading of the engrossed bill to provide for payment of the public debt
078	Annals 1686	July 22, 1790	35	20	House refusal to adhere to a Senate amendment allowing the postmaster to establish cross postroads
079	Annals 1710	July 24, 1790	29	32	To reject the proposition to assume state debts
080	Annals 1711	July 26, 1790	15	45	Original holders to have six months to claim their certificates
081	Annals 1712	July 26, 1790	13	47	To eliminate provision to pay interest to the states if the full amount of debt was not subscribed to within a time limit still to be determined
082	Annals 1712	July 26, 1790	34	28	To assume state debts
083	Annals 1716	July 29, 1790	33	27	To adopt Senate proposal for a ten year deferment of interest payment on new stock (instead of seven years proposed by the House)
084	Annals 1716	July 29, 1790	33	27	To adopt Senate proposal for 3 per cent interest on indents (instead of 4 per cent proposed by the House)

## First Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
085	Journal 288		August 4, 1790	36	19
	Third reading of a bill adding two commissioners to the board established for settling accounts between the United States and the individual states				
086	Annals 1720		August 5, 1790	23	35
	Reconsider the change in residence of the temporary capital from New York City to Philadelphia				
087	Journal 292		August 6, 1790	28	30
	To lower the salt duty from twelve to nine cents				
088	Annals 1837		December 29, 1790	8	43
	To consider a militia bill				
089	Annals 1870		January 17, 1791	16	36
	To eliminate the proposed tax on spirits				
090	Annals 1878		January 21, 1791	21	37
	Amendment to revenue bill to prevent inspectors from interfering in any way with elections				
091	Annals 1882		January 24, 1791	19	39
	Limiting the duration of the revenue bill				
092	Annals 1883		January 25, 1791	35	20
	Engrossing of the revenue bill for third reading				
093	Annals 1884		January 27, 1791	35	21
	Passage of the revenue bill				
094	Annals 1894		February 1, 1791	23	34
	Re-committing the bill establishing a national bank for the purpose of amending it after third reading				
095	Annals 1902		February 3, 1791	21	38
	Re-committing of the bank bill				
096	Journal 372		February 8, 1791	38	20
	To vote on the bank bill				
097	Annals 1960		February 8, 1791	39	20
	Passage of the bank bill				
098	Annals 1964		February 15, 1791	34	21
	To allow land purchases with any certificate of funded debt				
099	Annals 1965		February 18, 1791	35	21
	Adherence to a Senate amendment strengthening enforcement of collection provisions in the revenue bill				

## First Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
100	Annals 1966		February 19, 1791	34	20
	Increasing from 5% to 7% the allocation of revenue from the tax on spirits for compensation of collection officers				
101	Journal 386		February 22, 1791	36	24
	Insisting, after rejection by the Senate, on an amendment to the revenue bill limiting the provision for compensation of collection officers to two years				
102	Journal 391		February 25, 1791	30	29
	Amendment to the amendment in number 100 to place a limit of \$45,000 on the total annual allocation for payment of collection officers				
103	Journal 395		February 28, 1791	23	27
	A minor amendment to a bill compensating the Commissioners of Loans				
104	Journal 396		March 1, 1791	30	23
	Payment of court officers, clerks, jurors, and witnesses				
105	Journal 397		March 1, 1791	39	18
	Permanent capital on the Potomac and temporary one in Philadelphia				
106	Journal 401		March 2, 1791	33	14
	Passage of a bill to compensate George Gibson				
107	Journal 402		March 3, 1791	25	21
	Passage of a bill to establish a mint				
108	Journal 403		March 3, 1791	20	22
	Same as question in number 103, which would have exempted one clerk from the Commissions of Massachusetts, New York, Pennsylvania, and Virginia from the compensation rule				
109	Journal 403		March 3, 1791	23	20
	Receding from adhering to the amendment passed in number 103, adhered to in number 108, but still refused by the Senate				

## Second Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
001	Annals	191	November 15, 1791	35	23
To apportion one representative for each 30,000 people in the reapportionment being based on the 1790 census					
002	Annals	208	November 23, 1791	21	38
To apportion one representative for each 34,000 people					
003	Annals	210	November 24, 1791	43	12
Third reading of number 001					
004	Journal	473	December 14, 1791	23	37
To apportion as follows: New Hampshire 5, Massachusetts 16, Connecticut 8, Rhode Island 2, Vermont 3, New York 11, New Jersey 6, Pennsylvania 14, Delaware 2, Maryland 9, Virginia 21, Kentucky 2, North Carolina 12, and Georgia 2. No mention is made of South Carolina, although a later version allocating this number of representatives to each state gave South Carolina 7 delegates.					
005	Annals	251	December 14, 1791	29	31
To apportion as follows: New Hampshire 4, Massachusetts 14, Connecticut 7, Rhode Island 2, Vermont 2, New York 10, New Jersey 5, Pennsylvania 13, Delaware 1, Maryland 8, Virginia 19, Kentucky 2, North Carolina 10, and Georgia 2.					
006	Annals	274	December 19, 1791	27	33
Reconsideration of number 005 after Senate refusal to adopt number 004					
007	Annals	274	December 19, 1791	32	27
On adhering to refusal to accept Senate version of apportionment bill					
008	Annals	302	January 2, 1792	24	27
To place the Speaker of the House next in line for the presidency after the vice-president					
009	Annals	303	January 2, 1792	26	25
To place the president of the Senate pro tempore next in line for the presidency after the vice-president					
010	Annals	311	January 5, 1792	14	43
Existing state licenses of stage coach routes over federal post roads to continue until their normal expiration dates					
011	Annals	311	January 5, 1792	25	33
To allow carriages conveying mail to receive passengers to and from any place on the federal post roads					
012	Annals	335	January 24, 1792	22	36
To limit the duration of the apportionment bill to March 3, 1797. A no vote meant imposition of the limit.					

## Second Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
013	Annals	336	January 24, 1792	33	26
	To eliminate the clause from the 1797 apportionment stating that the ratio of representative to represented be no greater than 1 to 30,000				
014	Annals	354	January 30, 1792	18	34
	To add to frontier defense three regiments of infantry, each of which, exclusive of commissioned officers, was to have 912 non-commissioned officers, privates, and musicians				
015	Annals	355	February 1, 1792	29	19
	Third reading of frontier protection bill				
016	Annals	401	February 9, 1792	38	21
	Third reading of bill to encourage Bank and other Cod fisheries and to regulate fishermen employed therein				
017	Annals	402	February 10, 1792	32	22
	To eliminate both the Speaker of the House and the President of the Senate pro tempore from the line of succession to the presidency				
018	Journal	508	February 14, 1792	29	21
	Electors for President shall be equal to the number of representatives and senators at the time when the president-elect shall take office				
019	Annals	415	February 20, 1792	23	26
	To eliminate the taking of a new census for the 1797 reapportionment				
020	Annals	415	February 20, 1792	25	26
	To eliminate the entire clause providing for a ratio of 1 to 30,000 in the 1797 reapportionment				
021	Annals	416	February 20, 1792	29	22
	To reapportion in 1797 at 1 to 30,000				
022	Annals	417	February 21, 1792	31	24
	On the House receding from their amendment making the Secretary of State next in line for the presidency after the vice-president				
023	Annals	418	February 21, 1792	34	16
	Passage of engrossed bill providing for reapportionment on the basis of roll call number 005 with re-enumeration and apportionment in 1797 using a ratio of 1 to 30,000				
024	Annals	425	February 23, 1792	31	27
	Request that the Secretary of the Treasury lay before the House a list of balances owed to the United States before 1789 and a summary of efforts made to recover these monies				

## Second Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
025	Annals	430	February 28, 1792	43	9
Authorization for the president to make appointments to the regiments established by Congress for defense of frontiers but not set up before the close of Congress and needed before the beginning of its next session					
026	Annals	435	March 6, 1792	31	27
Engrossing of a bill for defense of frontiers					
027	Annals	452	March 8, 1792	31	27
Request that the Secretary of the Treasury report to the House on his opinion of the best mode for raising additional supplies requisite for the next year					
028	Annals	456	March 10, 1792	17	35
To recommit a motion to forward to the King of France a note of congratulations on his acceptance of the new constitution as part of the president's reply to notification of the event					
029	Annals	457	March 10, 1792	50	2
On sending a portion of the note voted on in number 028					
030	Annals	457	March 10, 1792	35	16
On sending, in addition to the sentiments in number 028, an expression of hope that "the wisdom...displayed in...acceptance of the Constitution may be rewarded by the most perfect attainment of its objective, the permanent happiness of so great a people."					
031	Annals	471	March 14, 1792	20	41
To accept evidence that related to corruption of Judge Osborne in consideration of the right of Anthony Wayne to a seat in the House as a delegate from Georgia					
032	Journal	537	March 16, 1792	58	0
That Anthony Wayne be denied his seat					
033	Annals	473	March 17, 1792	29	31
To limit the number of members in the House to 120					
034	Annals	479	March 21, 1792	29	30
To allow James Jackson, who had contested Wayne's election from lower Georgia, to take the seat vacated by Wayne					
035	Annals	482	March 23, 1792	31	29
To recede from remaining differences with the Senate over the apportionment bill					
036	Annals	485	March 24, 1792	26	22
To not place the name G WASHINGTON on coins					

## Second Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
037	Annals	485	March 24, 1792	42	6
	To place on coins, instead of G WASHINGTON, the word LIBERTY				
038	Annals	486	March 26, 1792	32	22
	Passage of bill establishing a mint				
039	Annals	489	March 26, 1792	24	32
	To place G WASHINGTON on the coins instead of LIBERTY				
040	Annals	493	March 27, 1792	21	35
	Request that the President institute an inquiry into the defeat of the army under Major General St. Clair				
041	Annals	493	March 27, 1792	44	10
	To set up a House committee to investigate St. Clair's failure				
042	Annals	533	April 2, 1792	27	30
	To establish a maximum of 8 per cent per year repayment on certificates of subscription to United States debt as yet not subscribed				
043	Annals	534	April 3, 1792	22	30
	On resolution to allow subscription for a further loan in the debts of the individual states to add these words after the phrase "individual states"—"whether discharged by the said States respectively since the treaty of peace, or undischarged"				
044	Annals	535	April 3, 1792	26	29
	On agreement to the resolution in number 043				
045	Annals	537	April 4, 1792	29	26
	To indemnify the estate of the late Major General Nathaniel Greene (about 6800 pounds) for expenses incurred in securing supplies for the troops during the Revolution				
046	Annals	540	April 6, 1792	17	45
	To commit for at least three months the bill to indemnify Greene's estate				
047	Annals	541	April 6, 1792	28	33
	To pass, over the President's veto, the reapportionment of 1797 based on a ratio of 1 to 30,000				
048	Annals	548	April 9, 1792	34	30
	To apportion for 1793 at 1 to 33,000				
049	Annals	550	April 10, 1792	37	23
	To allow third reading of the bill to indemnify Greene's estate				
050	Annals	551	April 11, 1792	33	24
	Passage of a bill to indemnify Greene's estate				

## Second Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
051	Annals	552	April 12, 1792	37	20
	To allow the president authority to call out the militia only until the beginning of the next session of Congress				
052	Annals	555	April 12, 1792	24	37
	To allow the president authority to call out the militia				
053	Annals	562	April 19, 1792	32	32
	To impose a duty on imported cotton				
054	Annals	572	April 21, 1792	37	20
	Passage of a bill for defense of frontiers (also aided fisheries)				
055	Annals	588	April 30, 1792	26	27
	To tax whiskey at eight cents per gallon (opposition wanted less)				
056	Annals	590	May 2, 1792	25	27
	To accept referees decision on amounts owed to suppliers of material during the Revolution				
057	Annals	591	May 3, 1792	18	38
	On receding from an amendment to a bill regulating United States courts to which the Senate refused to adhere. The amendment was to strike out a clause that authorized a creditor to pursue his action until a tender of payment was made. It was feared that such a provision would invalidate insolvency laws passed by the states on debts incurred during the Revolution.				
058	Annals	594	May 5, 1792	30	23
	Third reading of bill to settle claims of Anthony Walton White				
059	Annals	597	May 5, 1792	24	35
	To consider assumption of remaining state debts				
060	Annals	598	May 7, 1792	23	22
	Third reading of bill to settle claims of John Brown Cutting				
061	Annals	599	May 7, 1792	30	17
	To adhere to the refusal expressed in number 057				
062	Annals	710	November 21, 1792	6	50
	To repeal that clause of the militia law relating to arming the militia				
063	Annals	722	November 21, 1792	25	32
	To withdraw request that the Secretary of the Treasury report a plan for redemption of the public debt				
064	Annals	736	December 4, 1792	24	25
	To allow \$12,000 to the commissioners charged with treating of peace with the Creek Indians (\$900 was ultimately accepted)				

## Second Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
065	Annals	736	December 5, 1792	20	21
Passage of a bill allowing \$900 to the Creek Indian commissioners					
066	Annals	749	December 18, 1792	21	27
Authorizing the president to call out as much of the militia as he felt necessary to protect the frontiers and carry on offensive operations against the Chickamaga (Cherokee) Indians					
067	Annals	760	December 26, 1792	18	35
To eliminate authorization for the president to borrow up to \$2,000,000 at 5 per cent per annum to repay a loan made from the Bank of the United States					
068	Annals	760	December 26, 1792	27	27
To allow the president to borrow a maximum of \$200,000 for payment of this loan					
069	Annals	802	January 8, 1793	26	32
Amendment to lessen the reduction in the military establishment and increase the number of privates relative to non-commissioned officers					
070	Annals	802	January 8, 1793	20	36
To reduce the military establishment					
071	Annals	803	January 9, 1793	40	20
To disallow pensions to persons not on the rolls as of March 23, 1792 and not covered under the act to provide for widows and orphans					
072	Annals	804	January 10, 1793	36	13
Passage of the invalid pensions bill					
073	Annals	810	January 12, 1793	38	23
Amendment to the bill to open a loan for amounts due from the United States to the individual states stating that such loans shall not be opened without the consent of the state legislatures					
074	Annals	810	January 12, 1793	34	28
Passage of the bill amended in number 073					
075	Annals	823	January 15, 1793	30	24
To consider a petition asking financial relief from the merchants of Charleston					
076	Annals	824	January 15, 1793	24	30
To refer the Charleston merchants petition to Committee of the Whole					
077	Annals	826	January 16, 1793	43	10
To reject memorials for relief from Revolutionary veterans from New Hampshire, Massachusetts, New York, Pennsylvania, Delaware, and Maryland.					

## Second Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
078	Annals	842	January 24, 1793	30	33
An amendment to a bill to authorize loan certificates to states having balances due them from the United States stating that "no such notes shall be subscribed in any name other than that of the original owner or his legal heirs."					
079	Annals	842	January 24, 1793	29	30
An amendment to the same bill to authorize certificates only for services rendered, or supplies furnished, during the Revolution					
080	Annals	843	January 25, 1793	22	24
Passage of bill granting further compensation to certain receivers of continental taxes					
081	Annals	843	January 25, 1793	39	20
To open the loan offices included in number 074 effective January 1, 1794					
082	Annals	844	January 25, 1793	33	32
Third reading of bill establishing loan offices					
083	Annals	850	January 28, 1793	33	31
To consider passage of bill establishing loan offices					
084	Annals	851	January 28, 1793	33	32
Passage of bill establishing loan offices					
085	Annals	861	February 5, 1793	48	7
Passage of bill to provide for recovery of fugitive slaves					
086	Annals	866	February 7, 1793	27	33
To limit to four years duration the bill authorizing compensation for the president and vice-president					
087	Annals	882	February 19, 1793	30	31
A resolve that "the Commissioners for purchasing the Public Debt be directed to lay before the House <u>their resolves as Commissioners approved by the President of the United States together with a statement of all their proceedings not heretofore furnished.</u> " The underlined words are being added in the amendment being voted upon.					
088	Annals	882	February 19, 1793	18	43
An amendment to replace the words "not heretofore furnished" in number 087 with the words "under the acts for the reduction of the Public Debt, since the date of the purchases mentioned in their last report"					
089	Annals	883	February 19, 1793	39	22
On agreement to the original wording in number 087					
090	Annals	887	February 21, 1793	17	39
On striking out the same clause attempted in number 087					

## Second Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
091	Journal	713	February 22, 1793	41	18
	To adjourn for one-half hour				
092	Annals	890	February 22, 1793	30	31
	To accept a Senate amendment to an appropriation bill that lumped monies for the War Department into one large sum whereas the House had made an item by item appropriation				
093	Annals	891	February 23, 1793	39	17
	Passage of a bill to extend the time limited for settling the accounts of the United States with the individual states				
094	Annals	892	February 23, 1793	34	25
	To agree with Senate amendment limiting amount of installments on debt due the Bank of the United States to \$50,000 per payment				
095	Annals	955	March 1, 1793	40	12
	To disagree with resolution that the Secretary of the Treasury violated the law by applying a portion of the principal borrowed to the payment of interest falling due				
096	Annals	956	March 1, 1793	39	12
	To disagree with resolution that Hamilton deviated from instructions given him by Washington in executing the authority to make loans				
097	Annals	958	March 1, 1793	33	15
	To disagree with resolution that Hamilton omitted to discharge an essential duty in failing to give Congress official information, in due time, of monies drawn by him from Europe into the United States				
098	Annals	959	March 1, 1793	33	8
	To disagree with resolution that Hamilton borrowed money from Holland without Washington's permission				
099	Annals	959	March 1, 1793	33	8
	To disagree with resolution that Hamilton did not consult the public interest in borrowing \$400,000 from the Bank of the United States at 5 per cent when even larger sums of public money were in various banks				
100	Annals	963	March 1, 1793	34	7
	To disagree with resolution that Hamilton was "guilty of indecorum to this House, in undertaking to judge of its motives in calling for information which was demandable of him, from the constitution of his office, and in failing to give all the necessary information within his knowledge relative to the subjects of reference to him"				

## Second Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
101	Annals	964	March 2, 1793	24	17
Engrossing a bill making additional compensation possible for the Auditor of the Treasury and the Commissioner of Revenue					
102	Annals	965	March 2, 1793	17	24
Passage of a bill for the relief of Simeon Thayer					

## Third Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
001	Annals	154	January 2, 1794	46	44
	To consider measures to defend United States shipping against pirates				
002	Annals	166	January 8, 1794	50	42
	Passage of a bill to alter the flag of the United States				
003	Annals	254	January 21, 1794	64	24
	To eliminate proposed pay raise for commissioned officers				
004	Annals	255	January 21, 1794	54	32
	To give pensions to widows and orphans of officers dying while in the service of the United States				
005	Annals	431	February 5, 1794	51	47
	To delay for one month consideration of the report of the Secretary of State (Jefferson) on the state of commerce				
006	Annals	454	February 14, 1794	57	31
	To give Henry Latimer the seat from Delaware that was denied to John Patton				
007	Annals	459	February 21, 1794	43	41
	To provide a naval force of four ships of 44 guns and two ships of 20 guns				
008	Annals	476	March 4, 1794	8	77
	To allow state courts to hear suits instituted against one state by citizens of another state or foreign power				
009	Annals	477	March 4, 1794	81	9
	To prohibit federal courts from hearing suits instituted against one state by citizens of another state or foreign power				
010	Annals	497	March 10, 1794	50	39
	Passage of naval armament bill				
011	Annals	563	April 8, 1794	39	56
	To appoint a committee to report on the practicability of obtaining a statement of the principles on which the accounts of the individual states with the United States have been settled				
012	Annals	596	April 15, 1794	53	44
	To consider prohibition of all commercial intercourse with Great Britain				
013	Annals	600	April 18, 1794	57	42
	To reconsider the prohibition of trade with Great Britain in view of John Jay's mission and the possibility that such a prohibition might lead to war				
014	Annals	602	April 21, 1794	58	38
	To prohibit all trade with Great Britain after November 1, 1794 in articles of the growth or manufacture of Great Britain or Ireland				

## Third Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
015	Annals	604	April 24, 1794	57	34
	To engross the bill voted on in number 014				
016	Annals	605	April 25, 1794	58	34
	Passage of the bill voted on in number 014				
017	Annals	656	May 7, 1794	34	53
	To eliminate the following annual taxes: \$10 for a coach, \$8 for a chariot, \$6 for any other four-wheeled carriage, and \$2 for a two-wheeled carriage				
018	Annals	666	May 8, 1794	35	58
	To eliminate proposed duties on letters patent and other legal stamps				
019	Annals	666	May 8, 1794	64	23
	To impose stamp duties only on documents involved in federal court proceedings				
020	Annals	667	May 8, 1794	41	45
	To eliminate proposed duty on tobacco				
021	Annals	670	May 9, 1794	50	37
	To eliminate proposed duty of six cents per ton on United States ships employed in foreign trade				
022	Annals	670	May 9, 1794	25	61
	To double the duty imposed on foreign tonnage				
023	Annals	672	May 10, 1794	24	55
	To double the duty imposed on British tonnage				
024	Annals	672	May 10, 1794	30	44
	To eliminate proposed stamp tax on deeds				
025	Annals	682	May 12, 1794	34	52
	To continue the present embargo on British trade only upon vessels bound for the West Indies, Bermuda, or Nova Scotia				
026	Annals	683	May 12, 1794	13	73
	To continue the present embargo on British trade				
027	Annals	685	May 14, 1794	23	58
	To relinquish all balances owed to the United States by the several states				
028	Annals	685	May 14, 1794	27	60
	To make no further payment on state debts after 1798				

## Third Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
029	Annals	686	May 14, 1794	52	37
	To consider engrossing a bill authorizing payment by the United States of balances owed to the several states				
030	Annals	686	May 14, 1794	51	36
	To engross the bill considered in number 029				
031	Annals	687	May 14, 1794	33	53
	Postponement for four months of third reading of bill in number 029				
032	Annals	694	May 15, 1794	57	31
	Amendment linking the question of indemnity for spoliations by the British with that of sequestering the British debts				
033	Annals	696	May 16, 1794	52	33
	Passage of bill for paying interest on balances due to the states from the federal government				
034	Annals	699	May 16, 1794	39	45
	To increase the duty on American tonnage by six cents				
035	Annals	707	May 19, 1794	31	56
	To reject bill for laying duties on tobacco and refined sugar				
036	Annals	709	May 19, 1794	30	50
	To raise an additional provisional military force				
037	Annals	711	May 20, 1794	25	55
	To deny compensation to Arthur St. Clair for his efforts in negotiating Indian treaties between 1788 and 1789				
038	Annals	711	May 21, 1794	50	27
	Passage of bill to compensate St. Clair				
039	Annals	712	May 21, 1794	37	40
	Third reading of bill granting pension to widow and children of Robert Forsyth				
040	Annals	716	May 23, 1794	24	46
	To discontinue consideration of restrictions on commerce with England				
041	Annals	723	May 26, 1794	44	35
	To engross a bill laying duties on stamped vellum and paper				
042	Annals	726	May 27, 1794	32	50
	Passage of the stamp tax				
043	Annals	730	May 29, 1794	49	22
	Passage of the carriage tax				

## Third Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
044	Annals	738	May 30, 1794	50	32
	To reject a bill to increase the military establishment				
045	Annals	740	May 31, 1794	53	23
	Passage of retail wine and liquor sales tax				
046	Annals	741	May 31, 1794	55	23
	Passage of bill paying debts owed to the French Republic				
047	Annals	741	May 31, 1794	55	27
	Passage of bill laying duties on property sold at auction				
048	Annals	744	May 31, 1794	49	32
	To consider legislation against privateers attacking British commerce				
049	Annals	757	June 2, 1794	48	38
	To prohibit sale of goods captured from any nation with which the United States was not at war				
050	Annals	759	June 3, 1794	46	26
	To grant further compensation to Robert Forsyth, Marshall of Georgia				
051	Annals	765	June 4, 1794	42	32
	To allow Washington, during the recess of Congress, to purchase as many as ten galleys for service in the navy				
052	Annals	767	June 5, 1794	43	32
	To allow additional compensation for clerks in the Departments of State, Treasury, and War				
053	Annals	779	June 6, 1794	26	42
	To concur with Senate amendment establishing a standing army of 1140 men to defend the southwestern frontier				
054	Annals	781	June 7, 1794	30	28
	To adhere to rejection of the Senate amendment voted on in number 053				
055	Annals	943	November 27, 1794	47	45
	To add to a resolution expressing alarm at the beginnings of the Whiskey Rebellion words implying that self-created societies were involved in fomenting strife				
056	Annals	944	November 27, 1794	47	46
	To specify that the resolution in number 055 referred only to the four western counties of Pennsylvania				

## Third Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
057	Annals 944		November 27, 1794	42	50
	Amendment to resolution in number 055 adding that the insurrection was countenanced by self-created societies elsewhere				
058	Annals 965		December 4, 1794	52	36
	Resolution of thanks to Major General Wayne and his gallant volunteers for their bravery and courage in the late campaign				
059	Annals 977		December 15, 1794	50	29
	To reject a resolution to reduce the pay of officers in the militia				
060	Annals 1000		December 19, 1794	52	31
	To request Washington to ascertain the losses suffered at the hands of insurgents by officers of the government and other citizens as well during the trouble in western Pennsylvania				
061	Annals 1057		January 2, 1795	28	63
	To prohibit immigrants from bringing any slaves with them				
062	Annals 1057		January 2, 1795	59	32
	To require all immigrants to renounce any foreign titles they might have				
063	Annals 1161		January 30, 1795	14	56
	To reimburse any expenses incurred by original purchasers of land turned over by North Carolina to the United States				
064	Annals 1222		February 13, 1795	25	58
	Resolution to reduce the military establishment as soon as there shall be peace with the Indians				
065	Annals 1222		February 13, 1795	36	44
	Resolution that the sole purpose of the military was protection from foreign invasion and Indian tribes				
066	Annals 1243		February 21, 1795	39	49
	To eliminate clause in the public credit bill that kept repayment provisions in force until full amount of debt was paid				
067	Annals 1256		February 27, 1795	43	37
	To reject bill to prevent depredations on Indians south of Ohio River				
068	Annals 1269		February 28, 1795	40	46
	To allow persons in pursuit of hostile Indians to bear arms while in Indian lands				
069	Annals 1280		March 2, 1795	41	24
	Passage of bill authorizing purchase of certain lands from Georgia				

## Fourth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
001	Journal 405		January 6, 1796	78	17
	Resolution to charge Robert Randall with contempt of the House for his attempt to influence legislation by sale of public property to the advantage of certain members				
002	Journal 407		January 7, 1796	52	30
	Resolution to discharge Charles Whitnes, who was under charges by Daniel Buck of Vermont, from custody and allow him time to prepare a defense				
003	Annals 759		March 24, 1796	62	37
	The Livingston Resolution--"that the President of the United States be requested to lay before this House a copy of the instructions to the Minister of the United States, who negotiated the Treaty with the King of Great Britain...together with the correspondence and other documents relative to the said Treaty excepting such of said papers as any existing negotiation may render improper to be disclosed"				
004	Annals 829		March 28, 1796	23	68
	To recommit the bill for relief and protection of American seamen				
005	Annals 820		March 28, 1796	77	13
	Passage of bill for relief and protection of American seamen				
006	Annals 768		March 30, 1796	55	37
	To refer the President's message refusing the request of the Livingston Resolution to Committee of the Whole				
007	Annals 840		March 31, 1796	72	21
	To lend the city of Washington up to \$300,000 at 6 per cent per annum				
008	Journal 495		April 5, 1796	40	45
	To subdivide for sale land northwest of the Ohio River into 320 acre lots				
009	Journal 496		April 5, 1796	45	42
	To subdivide into 160 acre tracts				
010	Annals 771		April 6, 1796	57	36
	Resolution to go into Committee of the Whole to consider the President's reply to the Livingston Resolution				
011	Annals 782		April 7, 1796	54	37
	Resconsider resolution stating that the House had the right to deliberate on the expediency or in expediency of the Jay Treaty				
012	Annals 782		April 7, 1796	57	35
	Passage of resolution voted on in number 011				

## Fourth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
013	Annals	783	April 7, 1796	57	35
	Passage of resolution stating that in applying for information from the executive, the House need not furnish the reason for its request				
014	Annals	886	April 8, 1796	55	36
	Amendment to increase the number of frigates to be outfitted				
015	Annals	891	April 8, 1796	25	57
	Amendment to ready two frigates instead of three				
016	Annals	893	April 9, 1796	62	23
	Amendment to outfit three frigates				
017	Annals	905	April 11, 1796	36	47
	To strike out the provision in a bill regulating trade with Indians that subjected to forfeiture any land settled by whites in territory defined by the bill as belonging to Indians				
018	Journal	513	April 14, 1796	90	0
	Passage of resolution approving Pinckney Treaty				
019	Annals	974	April 14, 1796	37	55
	To commit the resolution that it is not expedient to pass the laws necessary to carry into effect the Jay Treaty				
020	Annals	1289	April 30, 1796	49	50
	To preface the resolution to pass laws to carry into effect the Jay Treaty this preamble: "although in the opinion of the House the Treaty is highly objectionable, and may prove injurious to the United States, yet, considering all the circumstances relating thereto"				
021	Annals	1291	April 30, 1796	51	48
	Resolution to carry the Jay Treaty into effect				
022	Annals	1328	May 6, 1796	43	30
	To admit the territory of Tennessee as a state				
023	Annals	1337	May 9, 1796	51	34
	To give extra compensation for 1796 to the Secretaries of State, Treasury and War				
024	Annals	1373	May 13, 1796	14	64
	To continue consideration of fortifications for New York City harbor				
025	Annals	1384	May 16, 1796	49	30
	Passage of bill voted on in number 023				

## Fourth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
026	Annals	1416	May 20, 1796	19	50
	To raise the salary of the Accountant of the War Department from \$1600 to \$1900 per annum				
027	Annals	1419	May 21, 1796	22	58
	To accept a Senate amendment retaining all light dragoons currently in the military establishment				
028	Annals	1422	May 21, 1796	34	49
	To retain the post of Major General				
029	Annals	1426	May 23, 1796	56	26
	To further indemnify the widow of General Greene				
030	Annals	1429	May 23, 1796	25	51
	To reconsider number 027				
031	Annals	1430	May 23, 1796	37	45
	To reconsider number 028				
032	Journal	576	May 25, 1796	33	49
	To require 25 per cent payment in advance in any sale of government property				
033	Journal	577	May 25, 1796	45	35
	To allow sale of government shares of stock in the Bank of the United States in order to pay off a loan from the bank				
034	Journal	578	May 25, 1796	55	24
	Passage of bill to indemnify the widow of General Greene				
035	Annals	1464	May 27, 1796	40	35
	To postpone, for six months, consideration of granting the request of the Secretary of the Treasury for an agent to superintend foreign expenses				
036	Annals	1472	May 28, 1796	45	35
	To allow shares in government debt bearing 6 per cent interest to sell at less than par				
037	Annals	1473	May 28, 1796	48	30
	To admit Tennessee without first taking a census				
038	Journal	588	May 28, 1796	5	62
	To give Tennessee two representatives instead of one				
039	Journal	589	May 28, 1796	41	29
	To give Tennessee one representative (opposition wanted none)				

## Fourth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
040	Annals	1496	May 31, 1796	39	25
Appropriation of \$20,000 for payment of spoliation claims in connection with Pinckney Treaty					
041	Annals	1489	May 31, 1796	40	34
To postpone consideration of a bill prohibiting sale of prizes in the United States					
042	Annals	1497	May 31, 1796	28	41
To unseat Israel Smith of Vermont (he had won by twenty-one votes over Matthew Lyon, who was contesting the election)					
043	Annals	1666	December 15, 1796	30	49
To add to the address to the President an assurance that the citizens "will on no occasion forget what is due to the character and dignity of our Government and country"					
044	Annals	1667	December 15, 1796	24	54
To strike from the address to the President the words "it is our earnest wish that your example may be the guide of your successors; and thus, after being the ornament and safeguard of the present age, become the patrimony of your descendents"					
045	Annals	1667	December 15, 1796	67	12
Consent to the address to the President					
046	Annals	1727	December 28, 1796	55	24
To reject a motion to furnish relief to Savannah, Georgia, which had been badly damaged by fire					
047	Annals	1810	January 5, 1797	57	26
Resolution calling for prompt payment by individual states of any debts incurred before 1789 to the Treasury of the United States					
048	Annals	1812	January 5, 1797	23	62
No payment of assumed state debts until the states in question paid what they owed to the federal government					
049	Journal	748	January 17, 1797	53	36
On printing "for use of members only" confidential reports from the Secretary of State, Secretary of the Treasury, Joel Barlow, and Joseph Donaldson on the situation with the Dey and Regency of Algiers					
050	Annals	1933	January 20, 1797	48	39
To impose a land tax					

## Fourth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
051	Annals	1941	January 20, 1797	68	23
	To include a tax on slaves				
052	Annals	1941	January 20, 1797	49	39
	To agree to the resolutions in numbers 051 and 052 as one main motion				
053	Annals	1981	January 24, 1797	44	39
	To reduce the army from four regiments to three				
054	Annals	1982	January 24, 1797	18	64
	To restore the dragoons				
055	Annals	1984	January 25, 1797	44	28
	In rejecting a petition against the election of Joseph B. Varnum of Massachusetts, to add that his conduct "has been fair and honorable throughout the whole transaction"				
056	Annals	2010	January 27, 1797	39	49
	To raise the salaries of the Secretary of War and Attorney General by \$500 per annum				
057	Annals	2010	January 27, 1797	51	39
	To deny a permanent raise to the Secretary of War				
058	Annals	2012	January 27, 1797	57	32
	To give a 25 per cent raise, for 1797 only, to the Secretaries of State Treasury, War, the Attorney General, and the Postmaster General				
059	Annals	2013	January 27, 1797	60	27
	To give the loan officers of Massachusetts and New York a bonus, for 1797 only, of \$375 plus \$300 to distribute among their employees				
060	Annals	2079	February 2, 1797	49	37
	To disallow any further claims for lost loan office certificates				
061	Annals	2094	February 7, 1797	50	44
	To reduce the present four regiments to three regiments				
062	Annals	2105	February 9, 1797	58	38
	To reject a bill raising the salary of the president and vice-president				
063	Annals	2148	February 11, 1797	63	28
	To repeal prior acts concerning the outfitting of naval vessels				
064	Annals	2149	February 11, 1797	69	21
	To build three frigates				

## Fourth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
065	Annals	2150	February 11, 1797	62	29
To reject an appropriation for purchase of live-oak and red cedar timber for naval purposes					
066	Annals	2150	February 11, 1797	38	47
To bring in only one bill to implement authorization for three frigates					
067	Annals	2153	February 13, 1797	63	25
That a bill, or bills, be brought in pursuant to building three frigates					
068	Annals	2162	February 15, 1797	57	19
Passage of a bill repealing duties on distilled spirits and laying then instead on the capacity of stills					
069	Annals	2208	February 18, 1797	59	25
To add an appropriation for building three frigates to the naval appropriations bill					
070	Annals	2235	February 21, 1797	19	65
To remove the injunction of secrecy from the letters of Barlow and Donaldson (see number 049)					
071	Journal	711	February 21, 1797	50	36
To remove the injunction of secrecy from the President's message on the same matter					
072	Annals	2246	February 22, 1797	63	19
Authorization of up to \$255,759.03 for expenses in negotiations with Mediterranean powers and an additional \$96,246.63 for the first two years of annuity payments to the Dey and Regency of Algiers					
073	Annals	2280	February 24, 1797	30	60
Amendment to raise from 10 to 12½ per cent the duty on certain goods (such as silk, satin, velvet, and fine linen). Rejection of the amendment meant that the increase would apply only to white cotton goods.					
074	Annals	2289	February 25, 1797	66	21
To engross a bill laying additional duties on certain articles of impost					
075	Annals	2292	February 25, 1797	50	34
To allow remission of fines in certain tax cases					
076	Annals	2310	February 27, 1797	54	27
Authorization of funds for prosecuting claims of citizens of the United States for property captured by belligerent powers					

## Fourth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
077	Annals	2319	February 27, 1797	63	27
Passage of a bill authorizing President Adams to spend as much as \$14,000 on refurnishing his new home and office					
078	Annals	2332	March 1, 1797	55	36
To override Washington's veto of the bill reducing the military establishment					
079	Annals	2351	March 2, 1797	45	47
Amendment to the bill for finishing three frigates to finish only the hulls					
080	Annals	2351	March 2, 1797	58	32
Passage of bill to finish the whole of the three frigates					
081	Annals	2352	March 2, 1797	39	31
To require newsprint to be sufficiently dried before delivery by mail					
082	Journal	738	March 3, 1797	54	15
To move the district court of North Carolina to Newbern					
083	Annals	2361	March 3, 1797	36	52
To concur with a Senate amendment striking out the House restriction which confined expenditures of money to the specific objects for which each sum was appropriated					

## Fifth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
001	Annals	210	June 1, 1797	48	46
	To add to the reply to the President's speech words implying that the people had full confidence in the new administration				
002	Annals	216	June 1, 1797	49	50
	To place France in the position of an outlaw				
003	Annals	230	June 2, 1797	51	48
	To require compensation from France for injury done to America's neutral rights				
004	Annals	230	June 2, 1797	78	21
	To approve the sentiments in number 003 as a resolution				
005	Annals	231	June 2, 1797	58	41
	To add to the reply to the President's speech words implying satisfaction at Adams's attempt to negotiate				
006	Annals	233	June 2, 1797	45	53
	To recommit the reply to the President				
007	Annals	233	June 2, 1797	62	36
	Passage of reply to the President				
008	Annals	267	June 8, 1797	74	8
	Consideration of a bill to prevent exportation of arms and ammunition				
009	Annals	297	June 10, 1797	68	21
	Resolution authorizing Adams to use galleys for coastal defense				
010	Annals	319	June 15, 1797	50	44
	To allow New York to deduct the expense of its fortifications from the money the state owed to the federal government				
011	Annals	323	June 15, 1797	48	41
	To allocate \$115,000 for military fortifications on federal property				
012	Annals	324	June 16, 1797	54	35
	Passage of the Act for Defense of Ports and Harbors				
013	Annals	347	June 20, 1797	57	39
	To reject Senate bill for raising and organizing additional corps of artillery and engineers				
014	Annals	355	June 21, 1797	34	57
	To reject that part of the expatriation bill which prevented persons renouncing citizenship from joining an enemy army or navy for one year under pain of treason				

## Fifth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
015	Annals	356	June 21, 1797	52	44
	To postpone further consideration of the expatriation bill for five months				
016	Annals	358	June 22, 1797	51	47
	To adjourn on June 28 <sup>th</sup> 1797				
017	Annals	374	June 23, 1797	50	48
	To prevent use of frigates as merchant marine convoys				
018	Annals	374	June 23, 1797	72	25
	To eliminate provision for nine additional twenty-gun vessels				
019	Annals	375	June 23, 1797	46	52
	To allow use of cutters wherever necessary rather than solely within the jurisdiction of the United States. An affirmative vote meant keeping the restriction.				
020	Annals	375	June 23, 1797	82	14
	To authorize the use of cutters for coastal defense				
021	Annals	376	June 23, 1797	53	43
	To limit the duration of the protection of trade bill to one year				
022	Annals	385	June 24, 1797	70	25
	Passage of the protection of trade bill				
023	Annals	391	June 27, 1797	56	27
	Passage of a bill laying additional duties on wines and spirits				
024	Annals	392	June 27, 1797	29	61
	To postpone consideration of the protection of trade bill for five months				
025	Annals	392	June 27, 1797	46	50
	To adhere to prohibition on use of frigates as merchant convoys				
026	Annals	409	June 29, 1797	51	47
	To recede from prohibition on use of frigates as merchant convoys				
027	Annals	430	July 1, 1797	46	42
	To impose a tax of \$5 on certificates of naturalization				
028	Annals	431	July 1, 1797	71	12
	To exempt patents for military lands from the stamp tax				
029	Annals	432	July 1, 1797	76	11
	To strike out the exemption from the stamp tax for bank notes				

## Fifth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
030	Annals	432	July 1, 1797	37	40
	To strike out the clause from the stamp tax bill that forbade any court from receiving as evidence any paper not legally stamped				
031	Annals	433	July 3, 1797	47	41
	Passage of the stamp tax				
032	Annals	443	July 4, 1797	47	41
	To impose a duty of eight cents per bushel on salt				
033	Annals	446	July 5, 1797	47	43
	To limit the duration of the salt tax to two years				
034	Annals	446	July 5, 1797	45	40
	Passage of the salt tax				
035	Annals	637	November 24, 1797	57	20
	To reply to the President's speech in writing				
036	Annals	700	December 11, 1797	45	45
	To consider a bill for protection of commerce and defense of the country				
037	Annals	756	December 20, 1797	68	25
	To engross a bill to discourage circulation of foreign currency				
038	Annals	808	January 5, 1798	40	43
	To allow the daughters of Count de Grasse an annuity				
039	Annals	808	January 5, 1798	55	25
	Passage of a bill granting each of Count de Grasse's four daughters an annuity of \$400				
040	Annals	955	January 30, 1798	49	44
	To consider a resolution calling for expulsion of Matthew Lyon for the gross indecency committed upon the person of Roger Griswold (spitting)				
041	Annals	956	January 30, 1798	29	62
	To place Lyon in the custody of the Sergeant-at-Arms until further notice				
042	Journal	161	February 5, 1798	88	4
	To consider all evidence against Lyon in Committee of the Whole				
043	Journal	177	February 12, 1798	44	52
	To censure Lyon				
044	Annals	1008	February 12, 1798	52	44
	To expel Lyon (two-thirds vote required)				

## Fifth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
045	Annals	1047	February 19, 1798	35	55
	To set aside the act of limitation on the claims of Amy Dardin				
046	Annals	1060	February 21, 1798	46	48
	To reject the Senate amendment to the bill appropriating money for Indian treaties that "nothing contained in this act shall be construed to admit an obligation on the part of the United States to extinguish for the benefit of any State, or individual citizen, Indian claims to any lands lying within the territory of the United States				
047	Annals	1063	February 23, 1798	38	53
	To postpone for one year the question of further action of the Griswold-Lyon case (it had become confused after Griswold hit Lyon with a poker)				
048	Annals	1066	February 23, 1798	73	21
	To oppose a resolution expelling both Lyon and Griswold				
049	Annals	1067	February 23, 1798	47	48
	To reprimand both Griswold and Lyon				
050	Annals	1080	February 26, 1798	41	52
	To postpone consideration of stamp duties for three weeks				
051	Journal	205	February 26, 1798	44	49
	To postpone consideration of stamp duties for one week				
052	Annals	1083	February 26, 1798	52	36
	Resolution that the Committee on Ways and Means be instructed to report a bill to repeal the act laying duties on stamps				
053	Annals	1098	February 28, 1798	51	42
	Third reading of repeal of stamp duties				
054	Journal	213	March 5, 1798	48	52
	To limit the salary of the Ministers Plenipotentiary to London, Paris, and Madrid to \$9000 per annum and all others to \$4500 per annum				
055	Annals	1267	March 15, 1798	29	58
	To provide for trial of matters involving two states in the next adjoining state				
056	Annals	1295	March 21, 1798	44	44
	To postpone consideration of what to do about spectators in the gallery who were recording debates of the House				

## Fifth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
<del>057</del>	Annals	1295	March 21, 1798	50	36
	To reject the proposition that persons attending the House for the purpose of taking down debates and proceedings should be permitted to take a place within the bar of the House				
058	Annals	1371	April 2, 1798	65	27
	To request from the President the instructions to, and dispatches from, the three envoys at Paris				
059	Journal	258	April 11, 1798	32	54
	To specify all places at which money appropriated for defense of ports and harbors was to be spent				
060	Journal	262	April 16, 1798	36	45
	To limit the duration of the bill providing for an additional regiment of artillery and engineers				
061	Journal	267	April 20, 1798	45	37
	To outfit twelve ships instead of sixteen				
062	Journal	268	April 20, 1798	32	50
	Gallatin's motion to limit the use of the vessels considered in number 061				
063	Journal	272	April 25, 1798	47	41
	To engross a bill to establish a Navy Department				
064	Journal	273	April 25, 1798	39	31
	To raise the salary of the Clerk of the House by \$250 from \$1500 to \$1750 plus \$2 per day on which the House was in session				
065	Journal	285	May 4, 1798	49	37
	To reject the Senate resolution allowing Thomas Pinckney to receive certain presents from the Courts of Great Britain and Spain				
066	Journal	294	May 15, 1798	46	43
	Josiah Parker's motion to refer a petition against the government's recent actions against France to Committee of the Whole				
067	Journal	296	May 17, 1798	53	35
	To allow the President to call out the provisional army only until the next session of Congress				
068	Journal	297	May 17, 1798	64	26
	That the provisional army shall be called out only if war was declared against the United States or the country is invaded or in imminent danger of invasion				

## Fifth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
069	Journal 298		May 17, 1798	56	35
	To cut the provisional army from 20,000 to 10,000 men				
070	Journal 299		May 17, 1798	39	51
	To have any additions to the provisional army consist of militia corps established by state laws rather than of companies of volunteers				
071	Journal 300		May 17, 1798	40	50
	To reduce from three years to six months the time when the President might accept and outfit companies of volunteers to serve in the addition to the provisional army				
072	Journal 301		May 18, 1798	51	40
	Passage of the bill to add to the provisional army				
073	Journal 307		May 22, 1798	26	45
	To eliminate proposed salary of \$300 per annum for federal marshalls and, instead, let them receive only those fees arising from their offices				
074	Journal 308		May 22, 1798	35	45
	To eliminate proposed salary of \$400 per annum for federal attorneys and, instead, let them receive only those fees arising from their offices				
075	Journal 309		May 23, 1798	46	44
	To recommit the alien enemies bill				
076	Journal 313		May 26, 1798	20	70
	To generalize the bill for defense of ports so that its provisions would apply not only to France but also to Great Britain, Spain, or any other hostile nation				
077	Journal 315		May 26, 1798	50	40
	Third reading of a bill to defend harbors				
078	Journal 321		June 1, 1798	55	25
	Passage of bill suspending commerce with France				
079	Journal 326		June 7, 1798	46	34
	To allow military appropriations to be spent where needed rather than in exact accordance with the detail of initial appropriations				
080	Journal 327		June 7, 1798	49	32
	Passage of bill regulating pay of internal revenue collectors				
081	Journal 329		June 8, 1798	41	42
	To consider resolutions that (1) The Treaty with France was no longer obligatory, (2) Reprisals should be taken against all French vessels on the high seas, and (3) Bounties should be offered on all French vessels				

## Fifth Congress

Roll Call Number	Source	Page	Date	Affirmative	Negative
082	Journal	332	June 11, 1798	22	59
	That the proposed direct tax should be applied not only to land and slaves, but also to all other property taxed in the respective states				
083	Annals	1916	June 12, 1798	28	47
	Resolution to allow merchant vessels to "attack, take, or destroy any vessel" which had captured an American ship				
084	Annals	1925	June 13, 1798	69	19
	Passage of the direct tax bill				
085	Annals	1938	June 15, 1798	55	17
	To provide arms for the militia throughout the United States				
086	Annals	1950	June 15, 1798	42	39
	To allow the President to appoint such officers as he shall think necessary for the better raising of the provisional army				
087	Annals	1953	June 15, 1798	35	46
	To eliminate the lending of small arms to volunteers in the army and, instead, let them purchase the weapons they carried with them				
088	Annals	1954	June 16, 1798	42	30
	Passage of the supplementary provisional army bill				
089	Annals	2028	June 21, 1798	46	40
	Passage of alien enemies bill				
090	Annals	2042	June 25, 1798	37	38
	To limit the amount of executive borrowing for public service to \$5,000,000				
091	Annals	2048	June 25, 1798	34	48
	To limit the amount of interest that could be paid on the loan in number 090				
092	Annals	2059	June 29, 1798	32	46
	To make the direct tax equal on houses, land, and other improvements				
093	Annals	2059	June 29, 1798	24	54
	To tax slaves at fifty cents each				
094	Annals	2060	June 29, 1798	38	39
	To tax lands at the same rate as the lowest rate of tax on buildings				
095	Annals	2066	July 2, 1798	62	18
	Passage of direct tax bill				
096	Annals	2082	July 2, 1798	39	43
	To disallow the outfitting of privateers to cruise against French vessels in every part of the ocean				

## Fifth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
097	Annals	2082	July 2, 1798	31	52
	To authorize the taking of all French vessels, including unarmed merchant marine				
098	Annals	2086	July 3, 1798	30	51
	That the President should instruct Elbridge Gerry to continue negotiating with France and conclude the best possible treaty consistent with the President's earlier instructions				
099	Annals	2092	July 5, 1798	40	40
	To authorize twelve new regiments instead of eight				
100	Annals	2113	July 5, 1798	36	47
	To reject the Sedition Act				
101	Annals	2127	July 6, 1798	47	37
	Passage of a bill declaring the treaty with France void and of no effect				
102	Annals	2131	July 7, 1798	29	43
	To authorize eight regiments instead of twelve				
103	Annals	2132	July 9, 1798	60	11
	Passage of bill increasing the size of the army				
104	Annals	2137	July 9, 1798	67	15
	To allow juries to determine the law and the fact in sedition cases				
105	Annals	2138	July 9, 1798	43	39
	To make action rather than advocacy punishable under the sedition law				
106	Annals	2171	July 10, 1798	44	41
	Passage of the Sedition Act				
107	Annals	2176	July 13, 1798	45	28
	To allow states owing money to the federal government to reduce the amounts owed by expenditures for defense fortifications				
108	Annals	2178	July 13, 1798	34	36
	Passage of bill granting bounties for capture of armed French ships				
109	Annals	2179	July 13, 1798	29	43
	To allow merchants to sign an oath rather than put up bond to guarantee that they would not violate laws against trading with France				
110	Annals	2181	July 14, 1798	40	41
	To appoint a committee to bring in a bill giving bounties for capture of armed French vessels				

## Fifth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
111	Annals	2453	December 14, 1798	35	41
	That 20,000 copies of the Constitution be printed along with the printing of the alien and sedition laws				
112	Journal	412	December 14, 1798	29	47
	That 20,000 copies of those parts of the Constitution related to the alien and sedition laws be printed				
113	Annals	2454	December 14, 1798	32	45
	That 20,000 copies of the amendments to the Constitution be printed				
114	Annals	2455	December 14, 1798	34	45
	To print the alien and sedition laws for general distribution				
115	Annals	2485	December 21, 1798	11	69
	That the House managers of the impeachment of William Blount should not present their case until the Senate brought Blount for a personal appearance				
116	Annals	2545	December 28, 1798	65	23
	Resolution to prepare a bill to outlaw usurpation of executive authority				
117	Annals	2590	January 9, 1799	35	51
	Amendment to the usurpation bill to specify that it did not prevent punishment under existing treason laws				
118	Annals	2599	January 9, 1799	37	48
	To exclude from the usurpation bill persons seeking the release of American seamen or the restoration of property or debts				
119	Annals	2648	January 11, 1799	49	44
	To recommit the bill on executive usurpation				
120	Annals	2676	January 15, 1799	44	47
	Passage of the usurpation of executive authority bill (Logan Act)				
121	Annals	2679	January 16, 1799	69	27
	Amendment to usurpation bill specifying that it did not apply to individuals seeking redress for personal injury or loss				
122	Annals	2680	January 16, 1799	41	56
	To limit the duration of the usurpation bill to one year				
123	Annals	2680	January 16, 1799	39	57
	Amendment to the usurpation bill making it a crime only if the individual "intended" to usurp authority or to "defeat" or "counteract" the government				
124	Annals	2681	January 16, 1799	61	35
	Amendment to disallow unauthorized negotiations by government officials				

## Fifth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
125	Annals	2721	January 17, 1799	58	36
	Passage of the usurpation of executive authority bill				
126	Journal	442	January 18, 1799	54	33
	To disagree with a Senate amendment moving the time for taking the next census from May, 1799 to April, 1800				
127	Annals	2789	January 25, 1799	36	53
	To strike out a clause allowing the executive to suspend commercial intercourse with ports that allowed France to being in captured American ships				
128	Annals	2789	January 25, 1799	87	1
	To include the clause not struck out in number 127				
129	Annals	2790	January 25, 1799	57	32
	To allow the executive the authority granted in number 128 only until March 3, 1800				
130	Annals	2790	January 25, 1799	55	34
	To exclude Mississippi River transport from the law allowing the executive to suspend commerce with hostile ports				
131	Annals	2791	January 28, 1799	18	74
	To recommit the bill in order to eliminate the exclusion of New Orleans that resulted from the amendment passed in number 130				
132	Annals	2791	January 28, 1799	55	37
	Passage of the bill allowing the executive to suspend commerce with hostile ports				
133	Annals	2792	January 28, 1799	53	33
	To take up the question of raising the salaries of officers in the executive branch				
134	Annals	2802	January 30, 1799	73	20
	To refer a petition against the alien and sedition laws to committee				
135	Annals	2814	January 31, 1799	49	40
	To allow supervisors for stamping and selling stamps a compensation of 4 per cent of the duties collected				
136	Annals	2819	February 1, 1799	47	45
	To strike out provision for increasing the pay of assessors for the direct tax				

## Fifth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
137	Annals	2822	February 7, 1799	59	32
	To agree to Senate amendments to the intercourse bill that denied the executive the right to suspend trade with Spanish and Dutch ports harboring French privateers				
138	Annals	2856	February 8, 1799	40	54
	To strike out provision for building six ships of seventy-four guns each				
139	Annals	2883	February 11, 1799	54	42
	Passage of a bill to augment the navy				
140	Annals	2905	February 12, 1799	51	48
	To refer memorials against the act concerning aliens to a select committee				
141	Annals	2915	February 14, 1799	52	38
	To call on the President for any information he had about the suspension of the French asset declaring neutral citizens to be pirates if found on the ships of belligerent nations				
142	Annals	2953	February 20, 1799	52	48
	To strike out a proposed bounty for capture of armed French vessels				
143	Annals	2973	February 22, 1799	49	45
	To expel Matthew Lyon (two-thirds vote required)				
144	Annals	2974	February 23, 1799	57	36
	To raise the pay of tax assessors from \$1.50 to \$2 per day				
145	Journal	493	February 25, 1799	52	48
	Resolution that it is inexpedient to repeal the Alien Enemies Act				
146	Journal	494	February 25, 1799	52	48
	Resolution that it is inexpedient to repeal the sedition laws				
147	Annals	3016	February 25, 1799	52	48
	Resolution that it is inexpedient to repeal any existing laws respecting the navy, military establishment, or revenue of the United States				
148	Annals	3018	February 26, 1799	52	45
	Amendment to a bill increasing the army to do so only if war actually broke out				
149	Annals	3019	February 27, 1799	52	43
	To increase the salaries of certain executive officers				
150	Journal	505	March 1, 1799	56	15
	Passage of a bill for the relief of Comfort Sands				

## Fifth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
151	Annals	3042	March 1, 1799	51	44
Amendment to the army increase bill that volunteers could not be compelled to serve out of their state of residence					
152	Annals	3043	March 1, 1799	39	56
To deny Adams the power to immediately appoint officers for the twenty-four new regiments proposed in the bill					
153	Annals	3044	March 1, 1799	54	41
Passage of bill authorizing twenty-four more army regiments					
154	Annals	3052	March 2, 1799	56	30
Passage of a bill vesting the power of retaliation, inccertain cases, in the President of the United States					

## Sixth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
001	Annals	222	December 30, 1799	39	45
	To eliminate placing responsibility for the next census under the Secretary of State				
002	Annals	244	January 3, 1800	84	1
	To reject a petition from Absalom Jones and other free blacks in Philadelphia asking for immediate outlaw of the slave trade and eventual emancipation of all slaves				
003	Annals	369	January 10, 1800	60	39
	To reject a resolution calling for reduction of the army				
004	Annals	403	January 23, 1800	10	82
	To postpone consideration of army reduction until the next session				
005	Annals	403	January 23, 1800	38	57
	To discontinue further enlistments for the provisional army				
006	Annals	419	January 23, 1800	50	48
	To repeal the sedition law				
007	Annals	423	January 23, 1800	51	47
	To make the crimes just repealed punishable under common law				
008	Annals	425	January 23, 1800	11	87
	To approve the combination imposed by passage of numbers 006 and 007				
009	Annals	502	January 28, 1800	43	50
	To recommit the unfavorable report of the committee to which John Randolph's petition to the President on a breach of privilege was committed				
010	Annals	505	January 29, 1800	42	56
	To insert into the unfavorable report on Randolph's petition, a statement that the conduct of McKnight and Reynolds was improper and reprehensible				
011	Annals	505	January 29, 1800	61	39
	To include a statement that their conduct was improper				
012	Annals	506	January 29, 1800	<del>56</del>	42
	To disallow voting on the resolve that the House highly disapproved of the conduct of McKnight and Reynolds toward Randolph				
013	Annals	507	January 29, 1800	<del>56</del>	51
	To agree that Randolph's case lacked sufficient evidence for the interposition of the House				
014	Annals	508	January 31, 1800	41	56
	To consider a uniform bankruptcy law				

## Sixth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
015	Annals	521	February 12, 1800	43	51
To recommit the bill on the military establishment in order to do away with the exemption given to enlistees from imprisonment for debt					
016	Annals	530	February 19, 1800	39	56
To prohibit trade by neutrals between the United States and France					
017	Annals	530	February 19, 1800	50	46
To make exemption to the prohibition of trade with France only for European ships rather than for foreign ships (the purpose was to eliminate West Indies and Canadian traders)					
018	Annals	531	February 20, 1800	68	28
Passage of a bill to continue suspension of trade with France					
019	Annals	533	February 21, 1800	55	0
To refer the case of Jonathan Robbins to Committee of the Whole					
020	Annals	534	February 21, 1800	48	48
To postpone consideration of the uniform bankruptcy bill					
021	Annals	557	February 26, 1800	14	76
To discharge the Committee of the Whole from further consideration of the Robbins case					
022	Annals	577	February 27, 1800	32	63
To postpone calling for the record of the District Court of South Carolina in the Robbins case					
023	Annals	578	February 27, 1800	44	51
To ask Adams to lay the District Court of South Carolina papers on the Robbins case before the House					
024	Annals	587	March 4, 1800	46	54
To request from the President related papers on the case of William Brigstock					
025	Annals	594	March 5, 1800	46	46
Same as number 024					
026	Annals	595	March 6, 1800	59	38
To continue consideration of the Robbins case					
027	Annals	619	March 8, 1800	61	35
To disagree with resolutions that criticized the President for his interference in the Robbins case					

## Sixth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
028	Annals	621	March 10, 1800	62	35
	To approve the President's handling of the Robbins case and discontinue further consideration of the matter				
029	Annals	623	March 12, 1800	47	44
	To take away the commission of any officer of the Marine Corps refusing to deliver to civil authority one of his subordinates charged with a crime				
030	Annals	632	March 18, 1800	54	37
	To disallow the Governor of the Territory of Mississippi the right to prorogue the legislature at his pleasure				
031	Annals	633	March 18, 1800	52	39
	Passage of a bill allowing the president to borrow money for public service				
032	Annals	642	March 24, 1800	87	4
	To give Captain Thomas Truxton a gold medal in recognition of his capture of the French ship of war <u>Vengeance</u>				
033	Annals	643	March 24, 1800	41	41
	Passage of a bill to relieve the trustees of Rhode Island College				
034	Annals	644	March 25, 1800	44	50
	To postpone until the next session consideration of a bill to improve the federal court structure				
035	Annals	648	March 28, 1800	46	52
	Same as number 034				
036	Annals	658	April 7, 1800	30	57
	To postpone until the next session consideration of a bill authorizing the executive to accept Connecticut cession of the Western Reserve				
037	Annals	659	April 7, 1800	36	54
	To postpone until the next session consideration of a bill continuing in force an act concerning fisheries				
038	Annals	662	April 9, 1800	54	36
	To authorize Adams to accept the Western Reserve cession				
039	Annals	666	April 14, 1800	48	46
	Same as number 034				
040	Annals	667	April 14, 1800	54	38
	To continue the added salt duty passed in the first session of the Fifth Congress				
041	Annals	674	April 18, 1800	48	52
	To postpone for two days consideration of a bill prescribing the mode of deciding disputed elections of president and vice-president				

## Sixth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
042	Annals	675	April 18, 1800	44	50
	To continue the added salt duty for two years (rather than ten years)				
043	Annals	677	April 21, 1800	44	45
	To postpone until the next session a bill to appoint one vice admiral and four rear admirals				
044	Annals	682	April 23, 1800	42	49
	To concur with the Senate in allowing the Governor of the Territory of Mississippi to prorogue the legislature at his pleasure				
045	Annals	685	April 25, 1800	46	34
	To disagree with the Senate amendment to the Territory of Mississippi bill that authorized commissioners to settle individual land claims				
046	Annals	690	April 28, 1800	64	23
	To postpone until the next session a bill to establish a military academy				
047	Annals	694	May 1, 1800	41	47
	To strike from the disputed elections bill the section authorizing the House and Senate to each choose four members to examine all disputes relative to the election of president and vice-president				
048	Annals	695	May 1, 1800	43	46
	Amendment to allow a combined vote of both House and Senate to decide on the existence of any irregularities found by the joint commission approved in number 047				
049	Annals	697	May 1, 1800	52	37
	Passage of the disputed elections bill				
050	Annals	699	May 3, 1800	67	5
	Motion to prohibit carrying on the slave trade with any foreign country				
051	Annals	705	May 7, 1800	54	28
	To lay an additional levy on sugar				
052	Annals	710	May 9, 1800	15	73
	To "admit" rather than to "reject" disputed votes by concurrent vote of Senate and House in disputed presidential elections				
053	Annals	712	May 10, 1800	54	19
	To erect a mausoleum in Washington in George Washington's honor				
054	Annals	714	May 10, 1800	38	42
	To authorize the President to discharge the additional army immediately				

## Sixth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
055	Annals	714	May 10, 1800	47	27
	To give dischargees of the provisional army a bonus of one month's pay				
056	Annals	791	November 26, 1800	36	32
	Passage of the reply to the President's address				
057	Annals	816	December 9, 1800	46	45
	To limit the admission of stenographers to the galleries				
058	Annals	836	December 17, 1800	39	46
	To reduce the second regiment of artillery from four to three battalions				
059	Annals	853	December 22, 1800	70	11
	To appoint a committee to inquire into the conduct of Governor Winthrop Sargent of the Territory of Mississippi				
060	Annals	864	December 23, 1800	44	40
	Engrossing of a bill authorizing a mausoleum for George Washington				
061	Annals	875	January 1, 1801	45	37
	Passage of a bill authorizing a mausoleum for George Washington				
062	Annals	877	January 2, 1801	47	33
	To commit to Committee of the Whole a report favoring continuation of the sedition law				
063	Annals	889	January 6, 1801	58	30
	To take no action to redress the grievance of Sergeant-at-Arms Joseph Wheaton				
064	Annals,	889	January 6, 1801	45	42
	Reconsideration of number 063				
065	Annals	890	January 6, 1801	50	38
	To take no action on the Wheaton affair but to note that he had properly carried out his duties				
066	Annals	906	January 12, 1801	49	42
	To modify the lines of the federal court of the Western District of Virginia				
067	Annals	907	January 13, 1801	71	18
	To limit the privilege of appeal in civil suits to cases involving more than \$400				
068	Annals	908	January 13, 1801	36	53
	To allow circuit courts to consider suits involving the recovery of promissory notes and bonds payable to order of assigns				
069	Annals	909	January 13, 1801	55	35
	To disallow circuit courts from considering suits involving the recovery of promissory notes in favor of assignees				

## Sixth Congress

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
070	Annals	910	January 15, 1801	41	47
	To limit the continuation of the act laying duties on licenses for selling retail liquor to March 3, 1803				
071	Annals	911	January 16, 1801	46	31
	Passage of a continuation of taxes on carriages, retail liquor licenses, and goods sold at auction				
072	Annals	915	January 20, 1801	51	43
	Passage of a bill to restructure the judiciary				
073	Annals	975	January 23, 1801	49	48
	To continue in force the sedition law				
074	Annals	978	January 27, 1801	67	13
	To release Samuel Lewis from prison				
075	Annals	989	January 20, 1801	50	44
	To incorporate the Mine and Metal Company				
076	Annals	1008	February 9, 1801	47	53
	That after commencing balloting for the presidency, the House should not adjourn until a decision was reached				
077	Annals	1009	February 9, 1801	45	54
	That the House should ballot behind closed doors				
078	Annals	1019	February 10, 1801	40	59
	To postpone consideration of a bill continuing the embargo on trade with France				
079	Annals	1019	February 10, 1801	57	37
	To reject the bill continuing the embargo on trade with France				
080	Annals	1021	February 10, 1801	36	59
	To vote for the presidency using tickets with pre-printed names				
081	Annals	1038	February 19, 1801	50	50
	To reject the bill continuing the sedition law				
082	Annals	1042	February 20, 1801	48	54
	To castigate Speaker Theodore Sedgwick for having expelled Samuel H. Smith from the galleries since he had in no way been disorderly				
083	Annals	1042	February 20, 1801	60	42
	Same as number 082 except that a negative vote was for castigation				

Roll Call Number	Source	Page	Date	Vote	
				Affirmative	Negative
084	Annals	1043	February 20, 1801	50	53
	Same as number 082				
085	Annals	1049	February 21, 1801	49	53
	To engross a bill continuing the sedition law				
086	Annals	1052	February 24, 1801	56	36
	Passage of a bill to govern the District of Columbia				
087	Annals	1057	February 26, 1801	48	49
	To strike out provision that every officer mustered out of the navy because of its reduction be given half pay for any time during the rest of his life when he was unemployed				
088	Annals	1057	February 26, 1801	53	40
	To authorize the President to discharge any part of the marine corps not needed for naval service				
089	Annals	1058	February 26, 1801	70	27
	To engross a bill reducing the navy				
090	Annals	1061	February 27, 1801	49	42
	Third reading of uniform bankruptcy bill				
091	Annals	1061	February 27, 1801	69	18
	Third reading of naval peace establishment bill				
092	Annals	1065	February 28, 1801	50	42
	To reconsider that portion of the uniform bankruptcy bill that allowed commissioners in bankruptcy proceedings to force entry and arrest the person in bankruptcy				
093	Annals	1071	March 2, 1801	34	49
	To make the base of the mausoleum for George Washington 100 feet square instead of 50 feet square				
094	Annals	1072	March 2, 1801	46	33
	To agree with miscellaneous Senate amendment concerning details of the mausoleum for Washington				
095	Annals	1074	March 3, 1801	39	28
	To pay the Sergeant-at-Arms, the Doorkeeper, and the Assistant Doorkeeper an extra \$200 each for their special services during the Jefferson-Burr balloting				
096	Annals	1074	March 3, 1801	38	40
	To discontinue proceedings against Winthrop Sargent				
097	Annals	1079	March 3, 1801	40	35
	To thank Speaker Theodore Sedgwick for his conduct while in the chair of the House				

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## BIOGRAPHICAL STATEMENT

Rudolph M. Bell was born in New York City in 1942. He is married and the father of a one year old girl. He was educated at Queens College, where he was awarded a B. A. in 1963, and at the City University of New York, where he is currently a candidate for the Ph. D. degree. In 1967-1968 he was awarded research fellowships by the New York Society of Colonial Dames and by City University of New York. He is currently on the history faculty of Rutgers University.