



OXFORD JOURNALS
OXFORD UNIVERSITY PRESS

George Washington and the Reputation of Edmund Randolph

Author(s): Mary K. Bonsteel Tachau

Source: *The Journal of American History*, Jun., 1986, Vol. 73, No. 1 (Jun., 1986), pp. 15-34

Published by: Oxford University Press on behalf of Organization of American Historians

Stable URL: <https://www.jstor.org/stable/1903604>

JSTOR is a not-for-profit service that helps scholars, researchers, and students discover, use, and build upon a wide range of content in a trusted digital archive. We use information technology and tools to increase productivity and facilitate new forms of scholarship. For more information about JSTOR, please contact support@jstor.org.

Your use of the JSTOR archive indicates your acceptance of the Terms & Conditions of Use, available at <https://about.jstor.org/terms>



JSTOR

Organization of American Historians and Oxford University Press are collaborating with JSTOR to digitize, preserve and extend access to *The Journal of American History*

George Washington and the Reputation of Edmund Randolph

Mary K. Bonsteel Tachau

The case of Edmund Randolph provides a classic example of how difficult it is to prove one's own innocence. For almost two hundred years, a cloud of suspicion has surrounded his reputation. Randolph resigned as secretary of state in 1795 after his fellow cabinet members accused him of having held improper communications with the French minister to the United States and of having solicited a bribe from him — charges that President George Washington evidently found tenable. Randolph countered with an impassioned denial, *A Vindication of Mr. Randolph's Resignation*, which contained an exculpatory statement from the minister, but the president and his Federalist colleagues remained unmoved. Afterward, they additionally charged Randolph with having misspent public funds, but even a later recognition of the misleading implications of antiquated accounting methods has brought him no redemption. In the public mind Edmund Randolph's innocence is unproved.

Yet Randolph has had eloquent defenders. Among them are Irving Brant, Moncure Daniel Conway, and a grandson, Peter V. Daniel, Jr. Washington's most knowledgeable modern biographers believe that Randolph stated his case accurately and was not guilty.¹ But all of his defenders are defeated by the attitude of the one person who knew Randolph best: his mentor and the aegis of his career, George Washington. Washington held Randolph's fate in his hands. He might easily have restored Randolph to public esteem and chastened his detractors, but did not. Indeed, for the remainder of Washington's life, he had no contact at all with a man who had been his loyal supporter and intimate associate for twenty years. Like his contemporaries, most historians have followed Washington's lead. If Randolph was guilty, the president's reaction is entirely reasonable. But if Randolph was innocent, Washington's reaction invites further speculation.

Mary K. Bonsteel Tachau is professor of history at the University of Louisville. Research for the article was sponsored by a grant from the Graduate School, University of Louisville, and by a Fellowship in Legal History from the American Bar Association. Earlier versions of the article were presented at the annual meeting of the Society for Historians of the Early American Republic, Siena College, Loudonville, New York, July 24, 1981; and at The Filson Club, Louisville, Kentucky, April 5, 1982. Materials from the Connecticut Historical Society, the Historical Society of Pennsylvania, and the Massachusetts Historical Society are cited by permission.

¹ Irving Brant, "Edmund Randolph, Not Guilty!" *William and Mary Quarterly*, 7 (1950), 179–98; Moncure Daniel Conway, *Omitted Chapters of History Disclosed in the Life and Papers of Edmund Randolph, Governor of Virginia; First Attorney-General United States, Secretary of State* (New York, 1888); Peter V. Daniel, Jr., ed., *A Vindication of Edmund Randolph, Written by Himself and Published in 1795* (Richmond, 1885); John Alexander Carroll and Mary Wells Ashworth, *George Washington: First in Peace* (New York, 1957), 279–98, 315–36.

No additional proofs beyond those already available may ever be found in Randolph's defense. Yet an examination of records not previously associated with Randolph's case, coupled with an analysis of his behavior after he was accused, offers a new perspective on the context in which Washington responded to the charges against Randolph. The incident that precipitated Randolph's resignation occurred in 1795, but the causes for his departure lie in the administration's response to the Whiskey Insurrection of 1794. Together with an understanding of the president's posture toward the world and of Randolph's position in the cabinet, the data offer a new explanation for Washington's behavior. They suggest that Randolph was right, after all, when he wrote that he had been "the meditated victim of party spirit," framed by his enemies and abandoned by his hero, without cause.²

Randolph's formal association with Washington began in 1775, when he declined to join his Loyalist father's flight to England and instead served as an aide-de-camp to the general in Boston. A few months later Randolph went back to Virginia to handle family affairs and, as it turned out, to begin a career in politics. He was a delegate to Virginia's constitutional convention and the commonwealth's first attorney general. He married his childhood sweetheart, Elizabeth Nicholas, and in 1779 tried to manage both his state office and membership in the Continental Congress. When that proved to be impossible, he resigned from the Congress and settled in Richmond. Near the end of the war, he was again elected to the Congress. When he returned to Virginia, he was once more elected attorney general and, in 1786, governor of the commonwealth. Throughout the years he had kept in touch with Washington, and their friendship was renewed at the Constitutional Convention in 1787. Randolph, however, refused to sign the document when it was completed, although he defended it during the ratification struggle in Virginia.³

Randolph's waffling on the Constitution was the despair of such friends as James Madison. What appeared to others as undependability appeared to Randolph as independence on issues. That characteristic had its usefulness to Washington as Randolph hitched himself to Washington's star. When Randolph became the nation's first attorney general, he gave his loyalty totally to the president, subordinating his antifederalist sympathies to the greater purpose of serving Washington in whatever way he could. Randolph kept his eyes and ears open on the president's behalf and tried to minimize dissent in the cabinet. It was not a role that made him popular with his peers. Alexander Hamilton was probably jealous of him. Thomas Jefferson was contemptuous, describing Randolph as "the poorest chameleon I ever saw, having no color of his own and reflecting that nearest him. When he is with me, he is a whig. When with Hamilton he is a tory. When with the president, he is that [which] he thinks will please him."⁴

² Edmund Randolph to George Washington, Oct. 24, 1795, [Edmund Randolph], *A Vindication of Mr. Randolph's Resignation* (Philadelphia, 1795), 17; Mary K. Bonsteel Tachau, *Federal Courts in the Early Republic: Kentucky 1789-1816* (Princeton, 1978), 65-74, 95-126; Whiskey Rebellion Papers, Records of the Internal Revenue Service, RG 58 (National Archives).

³ John J. Reardon, *Edmund Randolph: A Biography* (New York, 1975), 18-23.

⁴ Thomas Jefferson to James Madison, Aug. 11, 1793, Carroll and Ashworth, *George Washington*, 115n100.



Edmund Randolph, by Constantino Brumidi. Mural in United States Capitol.
Courtesy Library of Congress.

Randolph was not eager to succeed Jefferson as secretary of state, but he knew how difficult it was for Washington to maintain sectional balance in the cabinet and to persuade men of substance to hold public office far from their homes—and the president's wishes came first. So Randolph let his law practice slip and remained in Philadelphia, worrying about his wife's health and his children's futures, and wearied by chronic impecuniousness. Washington reciprocated that devotion by relying on Randolph for special assignments, such as sounding out public opinion on controversial issues, handling the president's personal legal affairs (which Randolph did without fee), and looking after Martha Washington during the president's temporary absences from the city (as during the Whiskey Insurrection).⁵

By 1794 it was impossible for anyone but Washington to claim that he was above party, but Randolph tried to do that, too, and succeeded only in further alienating his earlier allies. Although written later, Jefferson's correspondence provides an acerbic description probably widely shared by other Republicans: "The fact is that he has generally given his principles to the one party and his practice to the other; the oyster to one, the shell to the other. Unfortunately the shell was generally the lot of his friends the French and Republicans, and the oyster of their antagonists."⁶

The policy of neutrality that the president insisted on after the outbreak of war in Europe in 1793 seemed designed for Randolph to implement. He followed his leader and plodded straight down the middle of the road, determined to deal as evenhandedly as possible with the ministers of Great Britain and France, even though his personal sympathies probably lay with the latter. Neither of them, of course, was satisfied. The British minister, George Hammond, knew that he was getting fewer oysters from the secretary of state than were provided by Secretary of the Treasury Hamilton, especially when John Jay's mission to London took shape. The French minister, Jean Antoine Joseph Fauchet, considered the very fact of the mission a violation of the permanent treaty that had bound America to France since 1778—a handful of shells for America's earliest ally. Hammond's mistrust and Fauchet's frustration were to have tragic consequences for Randolph because he became a victim of their parties' spirits, also.

Fauchet had arrived in the United States with a warrant for the arrest of his predecessor, Edmond Charles Genêt, a casualty of the Girondists' fall from power. Fauchet was afraid that the Americans' overture to Great Britain might be viewed by his own sponsor, Maximilien Robespierre, as evidence that he, too, was an ineffective advocate for the Republic of Virtue. But the French minister was a resourceful man. He compensated for his lack of success in molding United States foreign policy by exaggerating his own intimacy with the American secretary of state and the secretary's influence over the president—and gambled that no one in Paris would contradict his claims. Further, he tried to divert attention from his ignorance about foreign affairs by writing as little as possible about them and by expounding to the point of tedium what he learned about domestic issues.

⁵ Reardon, *Edmund Randolph*, 232–38, 276–78.

⁶ Jefferson to W[illiam] B[ranch] Giles, Dec. 31, 1795, Paul Leicester Ford, ed., *The Works of Thomas Jefferson* (10 vols., New York, 1904–1905), VIII, 202.

As it happened, Fauchet was remarkably well informed about some of them. Although Genêt had failed in his efforts to get George Rogers Clark to lead an army of Kentuckians against the Spanish in New Orleans, he had left a legacy of agents and informers in the West who freely reported the disaffection that western settlers felt toward the central government. Westerners wanted protection from hostile native Americans, access to the Northwest Territory, and a treaty with Spain that would grant free navigation of the Mississippi River. Most of all, they wanted the government to repeal the internal revenue taxes on stills and domestically distilled liquors, which were major components of Hamilton's 1791 fiscal program. Because of the difficulties and expense of transportation, thousands of western farmers had become, in Albert Gallatin's words, "distillers through necessity, not choice, that [they] may comprehend the greatest value on the smallest size and weight." From a trans-Appalachian perspective, the government did not provide what they needed for survival or security, but it taxed their only exportable product. Throughout all of Kentucky and western Pennsylvania, and in a number of western counties in Virginia, North Carolina, and South Carolina, the farmer-distillers steadfastly refused to pay the tax. Three years of sending petitions and memorials to Philadelphia had produced, in return, nothing but proclamations demanding submission; most of the amendments to the original statute were designed to extend the jurisdiction of the tax collectors and to make collection more rewarding and efficient. As a consequence, Hamilton came to be thought of as an enemy of the West — just as was Jay, who was believed to have offered to bargain away navigation of the Mississippi in the Jay-Gardoqui negotiations in 1786. By the summer of 1794, continued resentment of Hamilton and his taxes was changing what had been principally a peaceful protest into one increasingly marked by violence. That was a development that could not be ignored in Philadelphia.⁷

Fauchet's dispatches described those things at some length, but his information was not exclusive. What he reported was fairly common knowledge. Eastern newspapers printed copies of the remonstrances that Kentuckians and Pennsylvanians adopted to protest the excise tax and the government's failure to be responsive to their needs. Certainly the president and all the members of his cabinet knew what was going on in the West, as their internal correspondence shows. Personal letters sent to members of the House of Representatives and the Senate kept them informed. Inspectors of the revenue wrote to Hamilton about their inability to collect the excise and the violence experienced by collectors who tried to do so. Officials and clerks in the Treasury and in the internal revenue office knew that no taxes had been received from the area, as did every member of Congress who read the annual reports of the secretary of the treasury. And, of course, the noncomplying distillers and their families in the West and all of their friends knew it, too.⁸

⁷ Albert Gallatin, *Writings*, ed. Henry Adams (3 vols., New York, 1960 [Philadelphia, 1879]), I, 3; Walter Lowrie and Walter S. Franklin, eds., *American State Papers, Finance: Documents, Legislative and Executive of the Congress of the United States* (5 vols., Washington, 1834), I, 250–51, 280–81, 390–91; Richard Peters, ed., *The Public Statutes at Large of the United States of America* (17 vols., Boston, 1855–1873), I, 999, 267, 275, 378.

⁸ Joseph Fauchet to Minister of Foreign Affairs, June 4 (Dispatch No. 3), Sept. 5 (Dispatch No. 6), Oct. 31 (Dispatch No. 10), 1794, Original Papers on the Vindication of Edmund Randolph (Manuscript Division, Library

By the summer of 1794, it must have seemed to some members of the administration that the kind of Great Fear that had spread throughout rural France in 1789 was being ignited in the West. In early June Washington asked his cabinet how to respond to a particularly inflammatory remonstrance from Kentucky that had been precipitated by the news that Jay, of all people, had been sent to Great Britain to negotiate a treaty—when it was a treaty with Spain that westerners needed. (The cabinet advised him to ignore it.) That decision was still in everyone's mind when it was learned, near the end of July, that Marshal David Lenox—who had earlier served thirty-nine writs without incident—was prevented from carrying out his duties in Pennsylvania when he was accompanied by the revenue inspector, Gen. John Neville. A mob then laid siege to Neville's house and burned it. In the exchange of gunfire, one of the mob's leaders was killed, and the resulting fury over the killing set off two other chains of events, one in the West and another in Philadelphia. The former resulted in a series of mass meetings and angry statements; the latter led to a consideration of stronger measures by the government.⁹

For two years Hamilton had advocated using force to compel compliance and to quash public meetings that adopted "treasonous" statements.¹⁰ He could always count on support from Secretary of War Henry Knox, but until the end of 1793, the cabinet was evenly divided because Jefferson and Randolph were unalterably opposed to using force against farmers who were exercising their First Amendment rights of free speech and petition.

But the cast was different in 1794. The president had become far more amenable to Hamilton's positions on many issues, and he was clearly reaching the end of his patience with westerners. Knox was still in Hamilton's corner, and Attorney General William Bradford was less concerned with the First Amendment than his predecessor had been. But Jefferson was out of the cabinet, having taken himself off to Monticello on what later seemed like a sabbatical from politics. Only Randolph remained an obstacle, and his faithfulness and devotion to the president's interests made his influence with Washington a problem to the Hamiltonians. And Randolph still counseled moderation and still opposed the use of force.

An analysis of the process of decision making in the cabinet on the question of using military power against defiant distillers must now take into account evidence revealed by Kentucky federal court records and an internal revenue file discovered in 1954, which show that the decision makers knew that opposition to Hamilton's

of Congress). Alexander Hamilton to Washington, July 13, 1794, *George Washington Papers* (Manuscript Division, Library of Congress); Henry Knox to Washington, July 14, 1794, *ibid.*; Randolph to Washington, July 15, 1794, *ibid.*; Attorney General [William Bradford] to Washington, July [15?], 1794, *ibid.*; Proceedings of the President, July 14, 1794, *ibid.*; [Philadelphia] *Gazette of the United States and Daily Evening Advertiser*, June 23, 1794; "Extract of a Letter from Kentucky Dated Lexington, Jan. 25, 1794," enclosed in Randolph to Washington, Feb. 27, 1794, Miscellaneous Letters, Department of State, 1789–1906, General Records of the Department of State, RG 59 (National Archives); Letters Sent by the Commissioner of the Revenue and the Revenue Office, 1792–1807, Whiskey Rebellion Papers; Lowrie and Franklin, eds., *American State Papers, Finance*, I, 355–56, 386–87.

⁹ Randolph to Bradford, Hamilton, and Knox, July 11, 1794, Harold C. Syrett, ed., *The Papers of Alexander Hamilton* (26 vols., New York, 1961–1979), XVI, 589; Carroll and Ashworth, *George Washington*, 184.

¹⁰ Hamilton to Tench Coxe, Sept. 1, 1792, Syrett, ed., *Papers of Alexander Hamilton*, XI, 305–10; Hamilton to Washington, Sept. 1, 1792, *ibid.*, 311–13; Hamilton to John Jay, Sept. 3, 1792, *ibid.*, 316–17.

policies and evasion of the excise extended far beyond Pennsylvania's four western counties. As the administration weighed the risks of civil war or anarchy and talked about a display of force giving strength to the government, it was seeing a far broader canvas than has formerly been realized.¹¹

The ultimate decision had two parts: One was to characterize what was going on in western Pennsylvania as an insurrection and to take steps to end it. The other involved sending an emissary to Kentucky but pretending that there was no rebelliousness, violence, or tax evasion there or elsewhere and later covering up the evidence that those things had occurred.¹² Of course, it would have been enormously expensive to send federalized militia so far west, and supply problems would have been a nightmare. Moreover, to march troops into Kentucky while that state's own mounted volunteers were fighting Indians with Anthony Wayne's army in northwestern Ohio might have precipitated civil war or secession, or both. Yet to use military force in one state while sparing another carried its own dangers. Might not the chief executive be accused of failing to execute the laws evenhandedly throughout the nation? What did the concept of equal justice under law mean if some were punished severely and others were ignored?

Thus Randolph was a pivotal figure. His office was second in prestige to the presidency. Until a few months earlier, he had been attorney general, the administration's principal interpreter of the Constitution and federal law. He knew more about what was going on in Kentucky than anyone else in the cabinet. If he had not estranged himself from the Hamiltonians earlier, he certainly did so in August 1794 because he stood in their way. And Randolph, to the acute discomfort of everyone else, had the Constitution on his side.

Under Article IV, federal troops can be sent into a state only on the request of the legislature, or of the governor if the legislature is not in session (and Pennsylvania's was not). Gov. Thomas Mifflin of Pennsylvania doubted whether his state's militia would respond to a call-up, declined to test the waters, and strongly resisted sending in the federalized militia of any other states. Mifflin, moreover, had the support of other Pennsylvania officials: Chief Justice Thomas McKean, Secretary of State Alexander James Dallas, and Attorney General Jared Ingersoll.¹³ But Hamilton would not be turned back—not by Randolph, not by Pennsylvania's top officials, and not by Article IV.

The idea of bypassing Article IV and, instead, employing the provisions of the Militia Act of 1792 bears the mark of Hamilton's political ingenuity. The Militia Act

¹¹ Richard H. Kohn, "The Washington Administration's Decision to Crush the Whiskey Rebellion," *Journal of American History*, 69 (Dec. 1972), 567–84; Edward Carrington to Washington, July 14, 1794, Proceedings of the President, Washington Papers; Knox to Washington, May 7, May 12, 1794, *ibid.*; Washington to Charles Mynn Thruston, Aug. 10, 1794, John C. Fitzpatrick, ed., *The Writings of George Washington from the Original Manuscript Sources, 1745–1799* (39 vols., Washington, 1939–1944), XXXIII, 464; Whiskey Rebellion Papers.

¹² Randolph to Washington, Aug. 7, 1794, Domestic Letters, Department of State, General Records of the Department of State; Randolph to James Innes, Aug. 22, Sept. 5, 1794, *ibid.*; Mary K. Bonsteel Tachau, "A New Look at the Whiskey Rebellion," in *The Whiskey Rebellion: Past and Present Perspectives*, ed. Steven R. Boyd (Westport, 1985), 97–118.

¹³ "Conference Concerning the Insurrection in Western Pennsylvania," *Pennsylvania Archives: Second Series* (19 vols., Harrisburg, 1887–1896), IV, 144–46.

was an implementation of the clause in section 8 of Article I that gave Congress the power “to provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions.” The statute gave the president authority to summon the militia of a state on notification by an associate justice of the United States Supreme Court or by the federal judge of the district “whenever the laws of the United States shall be opposed, or the execution thereof obstructed, in any state, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals.” If the militia of that state refused or was insufficient, the president was empowered to call up the militia of other states, which, if Congress was not in session, would serve for thirty days after the next session began. Although the Militia Act required notification in the specific language of the statute, it did not set a standard of proof that needed to be met before a judge issued the statement.¹⁴

For Hamilton it was pure luck that there happened to be an associate justice of the Supreme Court who was a Federalist, who was in Philadelphia, and who, because he was facing bankruptcy, was vulnerable to pressure from the powerful. This was James Wilson, whose distinguished public career included signing the Declaration of Independence and being a member of the Constitutional Convention. In the summer of 1794, however, he was desperately trying to stave off his creditors. The administration gave him a deposition and some letters describing events in the western part of the state and awaited his decision. Hamilton, in fact, hovered over the justice, barely maintaining a proper arm’s length. He need not have worried. Without personal knowledge of what was going on in the West or evidence that would have been acceptable in a trial, Wilson produced the desired notification. He asserted that “in the Counties of Washington and Allegany . . . Laws of the United States are opposed, and the Execution thereof obstructed by Combinations too powerful to be suppressed by the ordinary Course of judicial Proceedings, or by the powers vested in the Marshal of that District.”¹⁵

As far as Hamilton was concerned, that took care of the constitutional issue. Randolph was still not convinced. He pointed out that Wilson mentioned only two of the four counties and failed to specify which laws were opposed. Moreover, the secretary of state argued that “a judge ought not *a priori* to decide, that the marshall is incompetent to suppress the combination by the posse comitatus.” Randolph went on to list eleven reasons why the militia ought not to be called out and urged the president, instead, to issue a proclamation and to appoint a commission to negotiate with the westerners. If the commissioners failed, the offenders could still be prosecuted, as the excise statutes provided. Randolph insisted that the government ought not to resort to military action unless all other legal procedures had been taken and the judiciary had been “withstood.”¹⁶

¹⁴ Peters, ed., *Public Statutes*, I, 264. Probably the reason why the Federalists always used the word *insurrection* was to reinforce their reliance on the Militia Act of 1792. The term “Whiskey Rebellion” is of later origin.

¹⁵ Journal, July 8, 1794–Aug. 25, 1794, vol. 5, Papers of James Wilson (Historical Society of Pennsylvania, Philadelphia); Hamilton to Coxe, Aug. 1, 1794, Syrett, ed., *Papers of Alexander Hamilton*, XVII, 1; Whiskey Rebellion, vol. 1, Pennsylvania Miscellany (Manuscript Division, Library of Congress).

¹⁶ Randolph to Washington, Aug. 5, 1794, Washington Papers.

For a time Randolph prevailed over Hamilton and Knox. Washington issued a proclamation and appointed a commission composed of Attorney General Bradford, Pennsylvania Supreme Court Justice Jasper Yeates, and United States Sen. James Ross, a Federalist lawyer from Washington, Pennsylvania. Randolph wrote their instructions as the president directed but had a State Department clerk attach to the file copy a statement expressing his own reservations about some of the provisions. Washington evidently felt some confidence in the plans and told Secretary Knox that he could go off to Maine, as Knox had earlier requested (but had been refused), in order to look after some land claims.¹⁷

That confidence was not initially shared by the commissioners. Yeates and Bradford set out nervously, having arranged to meet Ross in western Pennsylvania. Eventually, however, the absence of opponents along their journey allayed their fears. In retrospect their mission does not seem to have been unsuccessful, especially considering the time constraints imposed by the possibility of a military campaign that would have to begin before winter set in. The commissioners had only about three weeks to get to the scene and to obtain oaths of submission from distillers in more than forty townships. Yet when in Brownsville their proposals won by “only” thirty-four votes to twenty-three, the administration believed that the commission had failed. On September 9 Hamilton’s orders went out, calling up a militia army of twelve thousand men—more than Washington had ever commanded during the War for Independence. Hamilton had won.¹⁸

With Knox far away (and later denied permission to join the army when he did return to Pennsylvania), Hamilton rode at Washington’s side as the president proceeded to Carlisle and on to Bedford. It was a triumphal procession. The autumn weather was splendid most of the time, and in all the towns and villages the citizenry honored the man who was the nation’s truly authentic hero. They placed the finest houses along the route at Washington’s disposal and filled his evenings with banquets.¹⁹ At the time, the total absence of any opposition only added to the glory of the occasion. When Washington left the army at Bedford in order to be present when Congress convened in Philadelphia—which was necessary to get an extension of time for the unopposed troops—he must have felt that his own prestige as well as the government’s had surely been augmented by the magnificent and untroubled display of military power. But he also knew that there was no insurrection to justify the expense of the militia army.

Where Hamilton won, Randolph lost. His reluctance to use force, his delaying tactic involving the commission, and his stated belief that the strength of the government lay not in military might but in the affection of its people—all were deficits in the Hamiltonians’ closely computed accounts. Randolph was the odd man

¹⁷ Memorandum by G. T., Jr. [George Taylor, Jr.], Aug. 5, 1794, Whiskey Rebellion, vol. 1, Pennsylvania Miscellany; Washington to Knox, Aug. 8, 1794, Henry Knox Papers (Massachusetts Historical Society, Boston).

¹⁸ Bradford to Elias Boudinot, Aug. 1, Sept. 5, 1794, vol. 2, Wallace Papers (Historical Society of Pennsylvania); Jasper Yeates to Mrs. Jasper Yeates, Aug. 21, Sept. 25, 1794, box 1, Jasper Yeates Papers, *ibid.*; Hamilton to Thomas Mifflin, Sept. 9, 1794, Syrett, ed., *Papers of Alexander Hamilton*, XVII, 210; Hamilton to Samuel Hodgdon, Sept. 10, 1794, *ibid.*, 215; Hamilton to Thomas Sim Lee, Sept. 10, 1794, *ibid.*, 218.

¹⁹ Carroll and Ashworth, *George Washington*, 199–213.

out, and the Federalists were determined to isolate him and to destroy his influence with the president.

In January 1795 Oliver Wolcott succeeded Hamilton as secretary of the treasury, and Timothy Pickering succeeded Knox as secretary of war. They shared their predecessors' views about Randolph but apparently decided to await events and to take advantage of whatever opportunity might arise. By that time Randolph had acquired other powerful enemies: the Grenville ministry in London and its emissary George Hammond in Philadelphia. Those Englishmen were true professionals when it came to sabotaging an obstructionist. They had taken full advantage of Hamilton's information about Jay's instructions, and they enjoyed exacerbating the differences within Washington's cabinet. Hammond, of course, had vastly increased his own value to the ministry both by his relationship with the Hamiltonians and by conscientiously carrying out George Grenville's carefully worded suggestions. Usually his orders were phrased permissively: "You will, if possible, be pleased to . . .," "pray consider yourself free to . . .," or "it appears that it might be helpful to . . ." But in November 1794 Grenville had sent Hammond new instructions, couched in imperative language:

It will therefore be absolutely necessary that . . . you should converse confidentially . . . with those Persons in America who are friends to a System of amicable Intercourse between the two Countries, in the view that some step may be taken . . . so as either to convince Mr. Randolph of the necessity of his adopting a different language and Conduct, or at least, to place him in a Situation where his personal Sentiments may not endanger the Peace of Two Countries between whom I trust a permanent union is now established. You will readily see that this is to be done with prudence and delicacy on your part.²⁰

That was an order: If Randolph will not change his ways, *get him out of the way*. Hammond must have been delighted to be turned loose against a secretary of state whose cautious and plodding adherence to the middle of the road had been no help at all to Great Britain in its war with France. The fact that neutrality was the official policy of the United States government was irrelevant to the British. They wanted a secretary of state who was more responsive to their interests.

Within a matter of months, the means to accomplish that purpose came to hand through an accident of war. A packet of dispatches that Fauchet had written to his government was found on a French ship captured by the British on the high seas. In May 1795 the ministry sent them on to Hammond to use as he saw fit. After he received them at the end of July, the minister wrote back: "The originals of the French letters are peculiarly interesting, and will, I am persuaded, if properly treated, tend to effect an essential change in the public sentiment of this country with regard to the character and principles of certain individuals, and to the real motives of their political conduct."²¹

²⁰ [George Grenville] to George Hammond, Nov. 20, 1794, vol. 19, Foreign Correspondence, America, British State Papers [transcribed by Henry Adams] (Manuscript Division, Library of Congress).

²¹ Hammond to Grenville, July 27, 1795, *ibid.*

The proper treatment was to give them to the friends of Great Britain so that they could be used against its enemy—in other words, to give them to the Hamiltonians for use against Randolph. Hammond immediately got in contact with the secretary of the treasury and gave him Fauchet's Dispatch No. 10, written the previous autumn. Wolcott, in turn, shared it with Pickering, his closest ally in the cabinet, and soon after, with Bradford.²²

For unscrupulous men the dispatch was pure serendipity. The French language slowed them down, but Pickering (who just a year earlier had written to his son that he was handicapped by his lack of fluency) got out his grammar and dictionary and went to work.²³ Like all amateur translators, he seized on apparent cognates, two of which were especially germane to his purposes. Fauchet had reported that Randolph shared "précieuses confessions" with him. Moreover, in referring to Dispatch No. 6, which he had written earlier, Fauchet hinted rather ambiguously that Randolph had made overtures to him relating to money with "un air fort empressé." Pickering, of course, translated the first phrase as "precious confessions" instead of "valuable disclosures" or "invaluable acknowledgments," either of which would be more accurate. Even worse, he translated the second phrase as "an air of great eagerness" instead of "a countenance expressive of much anxiety"—which gives a totally different impression. Fauchet's attempts to enhance his own importance by exaggerating his relationship to Randolph (and Randolph's to Washington) would have serious consequences for the secretary of state. The seriousness of those consequences was exponentially increased by Pickering's mistranslation.²⁴

The dispatch provided the opportunity so long sought by the Federalists—to get rid of Randolph—and just in time. When Hammond gave it to Wolcott, the news about Jay's Treaty was spreading throughout the nation. In community after community crowds of people rejected its provisions and excoriated its negotiator. They were angry with the Senate, which had secretly ratified it, even though the Senate had done so only conditionally. The Federalists in the cabinet were afraid that the secretary of state, no friend of Great Britain, might well advise the president not to sign it, especially because they had learned about a British Order-in-Council again authorizing the seizure of American grain bound for France. This, then, was the moment to get Randolph out of the way once and for all. Hammond's gift of the intercepted dispatch provided the opportunity that Randolph's enemies had wanted for at least one year, and probably three.

Wolcott and Pickering moved quickly. They tricked Randolph into urging the president to return to Philadelphia from Mount Vernon and presented Pickering's translation to him. Washington, who must have been stunned to read that his faithful servant had made "precious confessions" to the French minister, took seven-

²² Carroll and Ashworth, *George Washington*, 279–80; Brant, "Edmund Randolph," 185. Cf. W. Allen Wilbur, "Oliver Wolcott, Jr., and Edmund Randolph's Resignation, 1795: An Explanatory Note on an Historic Misconception," *Connecticut Historical Society, Register*, 38 (1973), 12–16.

²³ Timothy Pickering to John Pickering, June 17, 1794, p. 73, vol. 4, Timothy Pickering Papers (Massachusetts Historical Society).

²⁴ Carroll and Ashworth, *George Washington*, 281–283; Brant, "Edmund Randolph," 193–96.

teen pages of notes in order to study the dispatch further.²⁵ Unfortunately for Randolph, Washington did not read French either and therefore was entirely dependent on Pickering's artless (and sometimes erroneous) translation.

What Randolph's grandson and other defenders did not know is the likelihood that Washington was even more stunned to learn what Fauchet had reported to his government: that the Whiskey Insurrection was not what it was purported to be. Dispatch No. 10 was dated October 31, 1794, ten days after Washington had left the army in order to be in Philadelphia for the opening of Congress. Fauchet described the administration's decision to send troops into western Pennsylvania as evidence of Hamilton's vindictiveness against simple farmers who opposed his whiskey tax. At the very least it was disconcerting to the president to learn that Fauchet had told his government all about the partisan divisions in the new republic, the extent of opposition to Hamilton's (and thus the administration's) policies, and the widespread discontent of westerners. It was profoundly embarrassing to read Fauchet's statement that "a commotion of some hundreds of men, who have not since been found in arms . . . were not symptoms which could justify the raising of so great a force as 15,000 men." In his own notes Washington underlined—as Fauchet had done in the original, referring to something written earlier in Dispatch No. 3—the minister's allegation that Randolph had told him that "*under the pretext of giving energy to the government it [the sending of troops to western Pennsylvania] was intended to introduce absolute power, and to mislead the President in paths which would conduct him to unpopularity.*" It all made the commander in chief, who had commanded in person, look like a dupe or a fool. Washington must have wondered what else Randolph had said and Fauchet had reported in dispatches that had not been intercepted.²⁶

Irving Brant based his defense of Randolph on Pickering's misleading translations, which implied that Randolph had told Fauchet things he ought not to have told him and had even asked for money. That is an important contribution because it helps explain why Washington shifted his trust from Randolph to Wolcott and Pickering. But neither Brant, nor Moncure Daniel Conway, nor Peter V. Daniel, Jr., could have known that the vigor of Washington's response was due to the *subject* of Fauchet's dispatch, because they accepted—as do most historians today—the Federalists' assertion that there had been a genuine Whiskey Insurrection that ended with the appearance of the militia army and that the administration's timely use of military might gave strength to the government. Randolph's defenders did not know, as Washington knew, that the glorious advance of the troops was, in many ways, a charade.

Even if Washington had believed in September 1794 that military action was necessary—whether to show the strength of the government, to defeat the Pennsyl-

²⁵ "Copius Extracts of Intercepted Letter dated Oct. 31, 1794," Washington Papers.

²⁶ Fauchet to Minister of Foreign Affairs, Oct. 31 (Dispatch No. 10), June 4 (Dispatch No. 3), Sept. 5 (Dispatch No. 6), 1794. Original Papers on the Vindication of Edmund Randolph. A convenient published source for Dispatch No. 10 and sections of Dispatch No. 3 and of Dispatch No. 6, providing the French text where relevant, is Reardon, *Edmund Randolph*, 367–80.

vanians, or to threaten the noncomplying Kentuckians, western Virginians, western North Carolinians, and western South Carolinians, or to do all of those—he knew by August 1795 that military action had not succeeded even in gaining compliance with the excise laws, and it was doubtful whether the government had been strengthened. As long as troops remained in the area, Pennsylvania distillers registered their stills and paid their taxes. When the troops left, collections dried up. A year after the so-called insurrection had been put down, no returns had yet been received from Kentucky, the Northwest Territory, western South Carolina, western Virginia, or what would soon become Tennessee.²⁷ Kentucky still had no federal attorney, and sporadic violence against collectors continued there and elsewhere. Washington realized, therefore, that Fauchet's contemptuous comments about sending a huge army against "some turbulent men at their plough" were embarrassingly close to the mark.

The whiskey "rebels" were not far from the president's mind, anyway. As recently as July 10, he had issued a general pardon for those Pennsylvanians who had been exempted from the general amnesty; in June he had pardoned the two men who had been convicted of treason. The charges themselves must have troubled him; they resulted from orders that Hamilton had given on his own authority as acting secretary of war, shortly after Washington had left the army to return to Philadelphia. By November 17 the secretary of the treasury had commanded the arrest and imprisonment of 150 men for having committed treason.²⁸

It is doubtful whether any of the farmer-distillers had done anything that met the constitutional definition in Article III, which specifies that "treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort." The president knew that there had not been any actual levying of war. He also knew that citizens, however disgruntled, are not enemies. He must have remembered that the constitutional definition was designed to repudiate the numerous grounds on which treason charges could be brought in England; it was generally considered to be an important improvement over English practice.²⁹ He may also have recalled that Hamilton himself had written in No. 84 of *The Federalist* that one of the reasons that a bill of rights was not needed was because the Constitution already provided a series of protections from the misuse of governmental power—among which, ironically, was this narrow definition of treason.

The basis for the charges in Pennsylvania was not the constitutional definition but a doctrine of "constructive levying of war," which, like the English doctrine of "constructive treason," had the effect of broadening the grounds on which alleged offenders could be brought to trial. Attorney General Bradford and William Rawle, the federal attorney for the District of Pennsylvania, argued that a combination of

²⁷ After 1795 the commissioner of revenue reported amounts *payable*, not amounts *paid*. Lowrie and Franklin, eds., *American State Papers, Finance*, I, 355–56, 390–91, 562, 593, 618.

²⁸ Hamilton to Washington, Nov. 17, 1794, Syrett, ed., *Papers of Alexander Hamilton*, XVII, 380–81.

²⁹ See, for example, James Wilson's 1790–1791 law lectures in Robert Green McCloskey, ed., *The Works of James Wilson* (2 vols., Cambridge, Mass., 1967), II, 663–68. See also Harry Innes, "Address to the Grand Jury," [Jan. 12, 1792], pp. 2–123, vol. 18, Harry Innes Papers (Manuscript Division, Library of Congress).

individuals united for the common purpose of forcibly preventing the execution of a public law and the actual or threatened use of force to prevent execution of the law constituted a treasonous levying of war. Although their argument was upheld by Justice William Paterson, grand jurors were less cooperative. They returned only fifty-one indictments, of which thirty-one were for treason. When the cases came to trial, petit jurors were even less convinced, and they convicted only two.³⁰

The trials took place in May 1795, the pardons in June and July. It was less than three weeks later that Hammond gave Fauchet's intercepted dispatch to Wolcott and set in motion the events that led to Randolph's resignation. Wolcott's dismay about Randolph's apparent disloyalty was compounded by that reminder, in Fauchet's words, of Randolph's reluctance to support Hamilton on many issues. Wolcott revered Hamilton and saw the dispatch as a way of getting rid of Randolph, at last. With Pickering's and Bradford's support, the secretary of the treasury turned to Washington.

As for the president, however shaken he may have been by the suspicion that his trusted confidant had been disloyal, he was equally disturbed that the French government had been given that kind of information about what had happened — and what had not happened — in Pennsylvania. He knew, better than the secretaries of war and the treasury that, despite all the angry talk, no one had opposed the militia army. He knew that he had refused to halt the march, even when implored to do so by prominent representatives of the western counties who believed that they could gain total compliance if they were given just a little more time.³¹

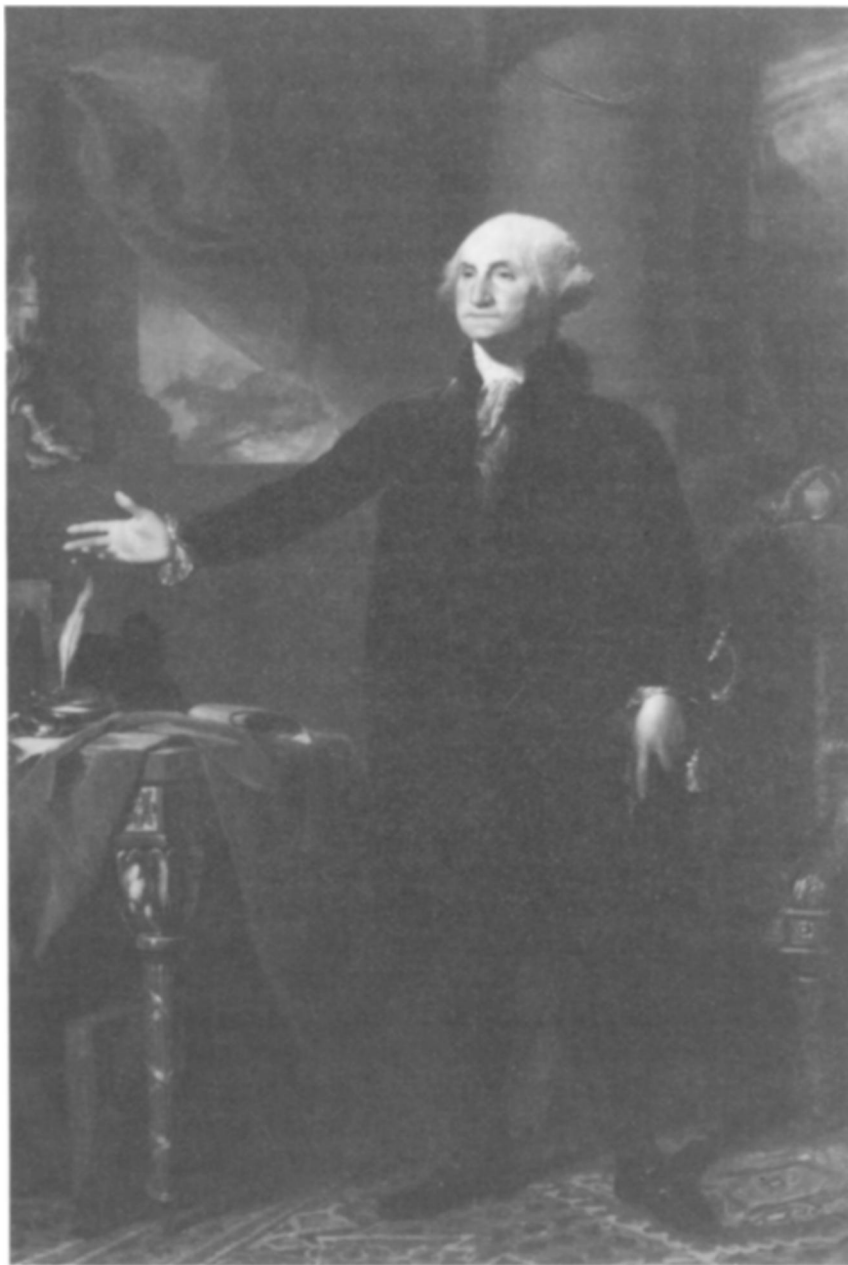
And by August 1795 Washington knew also that he was no longer immune to criticism. As the terms of Jay's Treaty spread throughout the nation, the president himself came under attacks more virulent than he had ever before experienced. Doubtless they, too, were being reported by Fauchet's and Hammond's successors. Washington did not need to know about the letters from the Venetian ambassadors (whose three centuries of reports on English politics are still influential primary sources) in order to appreciate the damage that the French ambassador's dispatch might do to his own public image in the capitals of Europe.³²

Whatever he may have felt, the president kept his head and, for eight days, his thoughts to himself. But on the question of how to deal with Fauchet's dispatch, it was Wolcott and Pickering whom he consulted, not Randolph, his faithful Dobbins. To him, Washington did not breathe a word about the dispatch, although the two met and dined together frequently. Yet within twenty-four hours of reading it, Washington repudiated the strategy regarding Jay's Treaty that he and Randolph had agreed on a month earlier — to delay signing it until the Order-in-Council was rescinded. Instead, he announced that he would sign immediately, as Wolcott and

³⁰ *United States v. Mitchell*, A[lexander] J[ames] Dallas, *Reports of Cases Ruled and Adjudged in the Several Courts of the United States, and of Pennsylvania, Held at the Seat of the Federal Government*, II (Philadelphia, 1798), 348–56; Minutes of the United States Circuit Court for the Eastern District of Pennsylvania, May 6, May 7, May 25, May 27, 1795, Records of the District Courts of the United States, RG 21 (National Archives).

³¹ Carroll and Ashworth, *George Washington*, 205–208.

³² *Calendar of State Papers, Venetian* (9 vols., London, 1864–1898).



George Washington (The Lansdowne Portrait), by Gilbert Stuart, 1796.
Bequest of William Bingham.
Courtesy Pennsylvania Academy of the Fine Arts.

Pickering urged him to do. Randolph was chagrined; Hammond and the Federalists gloated.

It was only after Randolph had completed all of the official business relating to the treaty that Washington, having arranged to have Wolcott and Pickering present, gave Randolph a copy of Fauchet's dispatch and asked him to explain it. Randolph read it through but found nothing remarkable. Although others might disagree with Fauchet's assertions about motivation and about who was influential with whom, the basic information that he had reported was public knowledge and could be found in the newspapers. There were no secret "précieuses confessions." On request, Randolph commented on the dispatch, paragraph by paragraph, puzzled that so much was being made over the minister's account of the Whiskey Insurrection, however biased it was. It was some time before he realized that Washington believed the charges so painstakingly framed by Wolcott and Pickering: that he had been traitorous in his communications with Fauchet and had solicited money from him.³³

Then it was Randolph's turn to be stunned. He was stunned by the solicitation charge—based, in fact, on Dispatch No. 6, which neither he nor the president had seen but which may have been known to the others—and even more stunned to realize that Washington might imagine him disloyal or dishonest. Randolph left in a trance, gave instructions that his office be locked so that no one could charge that he had tampered with evidence, and wrote out his letter of resignation.³⁴

It is unlikely that a guilty man would have done what Randolph did next. He hurried up the East Coast to catch Fauchet (who had been recalled) before he sailed for France, in order to get an exonerating statement from him. The most compelling section of Randolph's *A Vindication* is his verified account of that wild journey. It may also be the best evidence of his innocence. Only Fauchet, after all, could prove Randolph's guilt or establish his innocence, because only the two of them knew whether Randolph had spoken indiscreetly or had solicited a bribe. If Randolph were guilty, surely he would have let Fauchet return to France and then shed crocodile tears about his absence and consequent inability to give testimony. Fauchet had been recalled because Robespierre had fallen from power and had been executed; it was entirely possible that Fauchet, too, might face the guillotine on his homecoming. If Randolph were guilty, Fauchet's departure would end forever the chance that Fauchet might testify against him.

There is a further reason why Randolph would not have pursued Fauchet had he been treasonous. Randolph neither liked nor trusted the minister; they did not have the kind of relationship that would have led him to expect Fauchet to write a false statement out of friendship. Exactly three weeks before the confrontation with the cabinet over the dispatch, Randolph had written a private letter to James Monroe, who was then in Paris. Ironically, it was highly critical of Fauchet because

³³ Washington to Oliver Wolcott and Timothy Pickering, [Aug. 12–Aug. 18, 1795], Fitzpatrick, ed., *Writings of George Washington*, XXXIV, 275–76; Wolcott to John Marshall, June 29, 1806, Oliver Wolcott Papers (Connecticut Historical Society, Hartford); Timothy Pickering, "Miscellaneous Notes," p. 184, vol. 3, Timothy Pickering Papers; Carroll and Ashworth, *George Washington*, 290–96.

³⁴ Randolph to Washington, Aug. 19, 1795, Washington Papers.

he had been insufficiently attentive to Washington. Randolph stated in the letter that the minister had “wrapped himself round with Intrigue; from the first moment of his career in the U. States.”³⁵ Randolph would have been unlikely to plot with someone he considered unreliable, and a man whom he disliked would have been unlikely to perjure himself out of sympathy.

But if Randolph was innocent, he had much to gain and little to lose by trying to reach Fauchet in order to get a statement that would quash forever any suspicions of improper behavior. He therefore took off on a journey as full of suspense as any movie serial of the 1930s. Randolph finally found the minister at Newport, Rhode Island, ready to board the French ship *Méduse*. Its captain was impatient to sail, but he could not leave because the British ship *Africa* lay outside the harbor, hoping to capture so rich a prize. Fauchet promised to prepare a certificate by the following morning. Randolph, exhausted, found lodgings for himself and a stable for his horse and went to bed. Early the next morning he called for the statement, but Fauchet had not finished writing it. Then the weather became a factor in Randolph’s fate. During the night a storm had come up, and the *Africa* had to abandon its sentinel post for shelter in Narragansett Bay. That was the opportunity the captain of the *Méduse* had been awaiting for weeks. He sent for Fauchet and weighed anchor. When Randolph returned to Fauchet’s lodgings at the hour they had agreed on, he found the minister gone—and no certificate. Frantically, Randolph got the local marshal to help him hire someone to overtake the *Méduse* despite the high seas. After what must have seemed an interminable time, Randolph’s man returned and said that he had failed. Randolph must have felt completely defeated.³⁶

Then, at last, his luck changed. The pilot who had guided the *Méduse* out of the harbor appeared with a letter from Fauchet. It said that the certificate and other papers had been sent to the new French minister in Philadelphia, Pierre Adet. Randolph stayed in Newport long enough to collect affidavits from almost every witness to his adventure and departed.³⁷

His return was not uneventful, but he finally reached Philadelphia and prepared to write an account that he expected would vindicate him. Pickering, who had been appointed acting secretary of state in his absence, tried to withhold documentation in State Department files, and Randolph had to appeal to Washington. The president remained coldly aloof but did order access to the necessary papers. (We know now that Washington drafted a rather testy personal reply to Randolph but decided not to send it.) As the weeks passed, Randolph’s sense of injury and frustration transposed into anger.³⁸

³⁵ Randolph to James Monroe, July 29, 1795, transcript, *ibid.* The authenticity of this letter is doubtful because the original copy has not been located. Dorothy Twohig to Tachau, Jan. 22, 1982 (in Tachau’s possession). See also Reardon, *Edmund Randolph*, 461–62n27. George Washington’s biographers think that the letter hurt Randolph’s case. Carroll and Ashworth, *George Washington*, 289.

³⁶ [Randolph], *Vindication of Mr. Randolph’s Resignation*, 4–11; Reardon, *Edmund Randolph*, 313–14; Original Papers on the Vindication of Edmund Randolph.

³⁷ [Randolph], *Vindication of Mr. Randolph’s Resignation*, 12; Reardon, *Edmund Randolph*, 315; Original Papers on the Vindication of Edmund Randolph.

³⁸ Randolph to Washington, Oct. 8, Oct. 24, 1795, [Randolph], *Vindication of Mr. Randolph’s Resignation*, 15–16; Washington to Randolph, Oct. 25, 1795, Carroll and Ashworth, *George Washington*, 317.

The intemperance of Randolph's *A Vindication* suggests that he wrote it without consulting anyone. The pamphlet provides translations—unfortunately, as poor as Pickering's—of the three dispatches and of the statement that Fauchet had written and sent to Adet. Fauchet certified that Randolph had not been indiscreet and had never communicated anything of an improper nature. His certificate is accompanied by one from the new French minister, saying that a review of Fauchet's papers showed that he had always described Randolph as an honest and upright man. As for the charge of soliciting a bribe, Fauchet wrote that Randolph had urged him to fulfill French purchasing contracts made earlier with grain merchants so that they would not be at the mercy of their British creditors but had never asked for money for himself on that or any other occasion. The pamphlet also includes an accurate account of the journey to Newport and back, with supporting affidavits. All of that is accompanied by Randolph's explanations and his assertion that he had been "the mediated victim of party spirit."³⁹

But *A Vindication* contains more, much more, too much more. Randolph sets his defense within the context of a diatribe against Washington, and the pamphlet almost explodes with Randolph's anger and hurt. He describes the intimacy of his working relationship with Washington as evidence that he had been badly treated for his years of devoted service. He quotes from letters the president had sent him and from letters he had written as secretary of state to show that he had been undercut by his colleagues in the cabinet. Most important of all, he bitterly attacks the president for having prejudged and misjudged him. Over and over again he lashes out at Washington, leaving him no room to maneuver, no room to save face.⁴⁰

By the time that *A Vindication* was published in December 1795, Randolph was back home in Richmond, trying to reestablish his law practice, licking his wounds, and awaiting some gesture of reconciliation from Washington. (The president consulted with Hamilton, who agreed that Washington should not reply.)⁴¹ No gesture, no letter, no private message ever came. The silence that the president had maintained publicly—and had required of the cabinet—continued for the rest of his life. Washington was a proud and austere man, and it would have been difficult for him to have said that he was sorry or had been mistaken under any circumstances. It was impossible for him to reestablish contact with Randolph under these circumstances. Whether he eventually became convinced of Randolph's innocence, no one will ever know with certainty.⁴² But it was intolerable to him that Randolph had attacked him so bitterly and had described their working relationship so indiscreetly. He could not forgive Randolph for publishing Fauchet's dispatches, especially Dispatch No. 10. Publication gave nationwide circulation to the minister's observations that Washington had been used by Hamilton when he led the militia army westward

³⁹ [Randolph], *Vindication of Mr. Randolph's Resignation*, 12–27, 41–48, 61–96; Reardon, *Edmund Randolph*, 322–31; Original Papers on the Vindication of Edmund Randolph.

⁴⁰ [Randolph], *Vindication of Mr. Randolph's Resignation*, 23–24, 26–27, 49, 57, 96–97; Reardon, *Edmund Randolph*, 322–31; Original Papers on the Vindication of Edmund Randolph.

⁴¹ Washington to Hamilton, Dec. 22, 1795, Fitzpatrick, ed., *Writings of George Washington*, XXXIV, 404.

⁴² Washington's biographers not only believe in Randolph's innocence themselves but also think that Washington believed in it, too. Carroll and Ashworth, *George Washington*, 333.

against phantom opponents. Publication also exposed part of the role that the British minister had played, for it was after Washington read the dispatch that he changed his mind and decided to sign the controversial treaty with Great Britain. Any reply that the president made to Randolph in 1795 or later might have lent credence or given further publicity to matters that were, from Washington's standpoint, best left alone.

A *Vindication* did not vindicate Randolph, because the president did not respond. Only he could have restored Randolph to his former position of honor and trust. No one offered to act as intermediary between the two men, because Randolph had always put his loyalty to Washington ahead of everything and everyone else, principles and friends alike. Madison, who was one of the earliest of his colleagues, wrote to Monroe that "his greatest enemies will not easily persuade themselves that he was under a corrupt influence of France, and his best friends can't save him from the self condemnation of his political career." Jefferson's analysis was similar; the distribution of shells and oysters had had its effect on both men.⁴³ Madison and Jefferson were probably the only people secure enough to have attempted a reconciliation between the president and his former secretary of state, and they were not moved to do so.

As for the Federalists, the odd man out was at last truly out of the way, and none of them was about to try to change that long-awaited result. Further, as far as they were concerned, the now published Fauchet dispatches were not innocuous. Although they and the minister's certificate may have exonerated Randolph from the charges of bribery and improper communication—at least to the dispassionate—they presented evidence that the minister of a foreign power knew the embarrassingly thin grounds on which twelve thousand troops had been called up to put down a rebellion that never took place. No Federalist wanted to be reminded of that, especially when so many thousands of people knew that no action at all had been taken against Kentucky and the western counties of Virginia, North Carolina, and South Carolina. A year earlier Hamilton's determination to compel compliance had been gravely threatened when Randolph refused to cooperate; now the treaty with Great Britain lay in the balance. The Federalists wanted Randolph isolated. To make sure that he would remain isolated, Wolcott later charged that Randolph had left a deficit of \$49,154.89 in diplomatic and consular funds. The secretary of the treasury knew that State Department accounts often remained open because receipts were lost at sea or in accidents of war; yet he apparently delighted in planting the suspicion that Randolph had personally absconded with the money.⁴⁴

⁴³ Madison to Monroe, Jan. 26, 1796, James Madison Papers (Manuscript Division, Library of Congress); Jefferson to W[illiam] B[ranch] Giles, Dec. 31, 1795, Ford, ed., *Works of Thomas Jefferson*, VIII, 202. See also John Garry Clifford, "A Muddy Middle of the Road: The Politics of Edmund Randolph, 1790–1795," *Virginia Magazine of History and Biography*, 80 (1972), 286–311.

⁴⁴ The government had no procedures for clearing the books of open accounts. Leonard D. White, *The Jeffersonians: A Study in Administrative History, 1801–1829* (New York, 1951), 166. The "debt" was paid by Randolph's brother-in-law, to whom Randolph assigned most of his real and personal property. Reardon, *Edmund Randolph*, 356–57. John Alexander Carroll and Mary Wells Ashworth explain the history of the allegations about Randolph's default (which continued through 1887) in an appendix to their biography of Washington. That continuation undoubtedly contributed to clouding Randolph's reputation. Carroll and Ashworth, *George Washington*, 635–36.

If there had been any who were neutral on the question of Randolph's guilt or innocence, there were none after that disclosure. The silence from the public suggests also that Randolph's expressed bitterness toward the president was seen as being in exceedingly bad taste. Theirs was a generation that carried on its public quarrels under pseudonyms (usually the names of Roman republicans), but Randolph had ignored that convention. Despite the criticism of Washington for signing Jay's Treaty, he was nevertheless "first in war, first in peace, and first in the hearts of his countrymen." The more Randolph had battered away, the more he had bloodied himself. Washington stood above the fray.

Yet Randolph was right, all along. He was right in opposing the sending of troops into western Pennsylvania. He was right in trying to buy time to avoid a military confrontation. He was right in objecting to the constitutionally flimsy grounds on which the militia army was raised. He was right in persuading Washington to send a personal emissary to Kentucky and to reopen negotiations with Spain. He was right in recommending that the president not sign the treaty with Great Britain unless the Senate's rejection of Article XII was honored and the British Order-in-Council that authorized the seizure of American ships was withdrawn. He was right in denying that he had solicited a bribe or shared state secrets with Fauchet. But Randolph was wrong in the strategy he pursued in *A Vindication*.

In Randolph's world a gentleman's reputation was his most important asset. He was understandably angry when his own integrity was questioned by the man who knew him best. Blinded by that anger, he pursued a strategy that offended and threatened the only person who could vindicate him. Without Washington's support he was condemned to political exile.

Randolph's failure to achieve vindication had consequences that extended far beyond his own good name. It contributed to discrediting the opposition to the Washington administration's actions in the Whiskey Insurrection, a process that was reinforced a decade later when Hamilton's untimely death lent his policies an apotheosis that not all of them deserved. As a result, the Federalist version of the history of that event remained largely unchallenged for almost two centuries.

Edmund Randolph was the "meditated victim" of the Grenville ministry, which manipulated people to its own advantage whenever it could. He was certainly the "meditated victim" of his colleagues in the cabinet, who were ready to believe the worst about him. George Washington ought to have known better. He acquiesced in the sacrifice of Randolph's reputation in order to preserve his own.