

**James Madison to Edmund Randolph, April 15, 1787.
Partly in cipher. Transcription: The Writings of James
Madison, ed. Gaillard Hunt. New York: G.P. Putnam's
Sons, 1900-1910.**

TO EDMUND RANDOLPH.1

1 From the Madison Papers (1840).

New York, April 15, 1787.

Dear Sir, —Your favor of the fourth of April has been received since my last. The probability of General Washington's coming to Philadelphia is, in one point of view, flattering. Would it not, however, be well for him to postpone his actual attendance, until some judgment can be formed of the result of the meeting? It ought not to be wished by any of his friends that he should participate in any abortive undertaking. It may occur, perhaps, that the delay would deprive the Convention of his presiding auspices, and subject him, on his arrival, to a less conspicuous point of view than he ought on all occasions to stand in. Against this difficulty must be weighed the consideration above mentioned, to which may be added the opportunity which Pennsylvania, by the appointment of Doctor Franklin, has afforded of putting sufficient dignity into the Chair.

The effect of the interposition of Congress in favor of the treaty at this crisis, was foreseen by us.²

² March 21, 1787, Congress unanimously resolved that the Legislatures of the several States could not, of right, pass acts for interpreting or construing a treaty, nor in any manner retard its operation, and that all State acts repugnant to the treaty of peace with Great Britain ought to be repealed, and the State Legislatures were requested to repeal

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them. Journals of Congress (Ed. 1801), XII., 23, 24. On April 13th, the Secretary for Foreign Affairs (Jay) reported a letter to the States, which was agreed to, to accompany the resolutions of March 21st. It regretted that in some of the States too little attention had been paid to the public faith pledged by the treaty, and urged the binding nature of a treaty upon each member of the Confederacy. *Id.* 22, *et seq.*

I would myself have preferred a little procrastination on the subject. But the manifest and undeniable propriety of the thing itself, with the chance that the Legislature here, which will adjourn in a little time until next winter, and which is one of the principal transgressors, may set an immediate example of reformation, overruled the argument for delay. The difficulties which, as you suggest, may be left behind by a mere repeal of all existing impediments, will be

probably found of a very serious nature to British creditors. If no other advantage should be taken of them by the State, than the making the assent of the creditors to the plan of instalments, a condition of such further provisions as may not come within the treaty, I do not know that the existence of these difficulties ought to be matter of regret. In every view Congress seem to have taken the most proper course for maintaining the national character; and if any deviations in particular States should be required by peculiar circumstances, it will be better that they should be chargeable on such States than on the United States.

The Maryland Assembly met on the second instant, being convened by proclamation. The expected delay, therefore, in her appointments for the Convention, cannot be admitted among the considerations which are to decide the time of your setting out. I am sorry that punctuality on your part will oblige you to travel without the company of Mrs. Randolph. But the sacrifice seems to be the more necessary, as Virginia ought not only to be on the ground in due time, but to be prepared with some materials for the work of the Convention. In this view, I could wish that you might be able to reach Philadelphia some days before the second Monday in May.

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This city has been thrown into no small agitation by a motion, made a few days ago, for a short adjournment of Congress, and the appointment of Philadelphia as the place of its reassembling. No final question was taken, but some preliminary questions shewed that six States were in favor of it; Rhode Island, the seventh State, was at first in the affirmative, but one of its Delegates was overcome by the exertions made to convert him. As neither Maryland nor South Carolina was present, the vote is strong evidence of the precarious tenure by which New York enjoys her metropolitan advantages. The motives which led to this attempt were probably with some of a local nature. With others they were certainly of a general nature.

Mr. Jay was a few days ago instructed to communicate to Congress the State of the Spanish negotiation. An unwilling but silent assent was given by Massachusetts and Connecticut. The Report shews that Jay viewed the act of seven States as valid, and has even adjusted with Guardoqui an article for suspending our use of the Mississippi during the term of the treaty. A subsequent report, on a reference of Western information from Virginia and North Carolina denotes little confidence in the event of the negotiation, and considerable perplexity as to the steps proper to be taken by Congress. Wednesday is fixed for the consideration of these reports. We mean to propose that Jefferson be sent, under a special commission, to plead the cause of the Mississippi at Madrid.