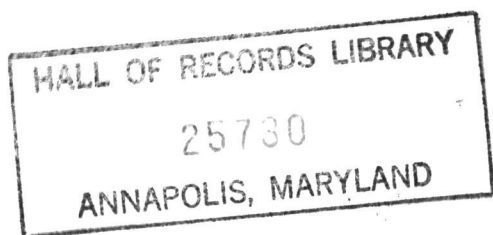


SOVEREIGN STATES

in an Age of Uncertainty



UNITED STATES CAPITOL HISTORICAL SOCIETY
Fred Schwengel, President

PERSPECTIVES ON THE AMERICAN REVOLUTION
Ronald Hoffman and Peter J. Albert, Editors

Diplomacy and Revolution: The Franco-American Alliance of 1778

Sovereign States in an Age of Uncertainty

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Edited by RONALD HOFFMAN
and PETER J. ALBERT

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MERRILL JENSEN (1905-1980)

Do not go gentle into that good night

EDWARD C. PAPENFUSE

The Legislative Response
to a Costly War
Fiscal Policy and
Factional Politics in Maryland
1777-1789

THE COST OF Independence to state governments and the people they served was high. Funding the Revolution forced the states to accept a multitude of new or expanded responsibilities. The ensuing controversy over what services government ought to provide and how those services ought to be paid for placed great strain on what hitherto had been an affordable parochial experiment in representative government. Before 1776 provincial government cost little and was left largely to a small, relatively affluent elite to manage and to quarrel about in leisurely fashion. To understand what state government became during and after the American Revolution, we must look closely at the economic consequences of war as they interacted with the existing factious climate of state politics.

The single most important economic problem that the new state legislatures had to grapple with from their inception to the assumption of the debt by the new federal government in 1790 was devising means by which the staggering cost of the Revolutionary War could be paid. Between 1776 and 1783, Maryland incurred a war-debt principal of £1,647,750, an annual average of £329,550, that, if not paid, caused an additional yearly drain of about £20,000 in interest.¹ In 1783

¹Edward C. Papenfuse, *In Pursuit of Profit: The Annapolis Merchants in the Era of the American Revolution, 1763-1805* (Baltimore, 1975), pp. 80-81, n. 8.

the white population of the state was 179,177, making the annual per capita rate of indebtedness between 1779 and 1783 £2, including interest. The average per capita wealth among whites in Maryland in 1783 was £68.14.0. Assuming that, at best, average per capita income was 6 percent of per capita wealth, the average annual cost of the war effort to each white Maryland resident between 1779 and 1783 was almost 50 percent of gross per capita income. Not until very recently in Maryland history would the debt burden on taxpayers again be so great. In 1977 the average per capita income of Maryland residents was \$7,572 while the gross per capita public debt of the United States was \$3,233 or 42.7 percent of per capita income.²

In *Prospects on the Rubicon* (1787) Thomas Paine reflected on the decade or so that had passed since the publication of *Common Sense*. "War," he wrote, "involves in its progress such a train of unforeseen and unsupported circumstances that no human wisdom can calculate. It has but one thing certain, and that is to increase the Taxes." In the twelve years from 1777 until 1789, the outlook for Maryland taxpayers was indeed potentially bleak. Not only did the government have to come to grips with a totally unfamiliar debt burden of disquieting proportions but after 1781, when it reluctantly created the mechanism for collecting and enforcing taxes, it was tempted to postpone amortizing war-related debts and to enlarge the uses to which the money raised would be put. As long as the economy remained relatively healthy (as it did until November 1785), the legislature seemed more than willing to appropriate monies for civil salaries, county court-houses, and public improvements, while increasingly supporting measures to defer payment of any but locally held war debts. In November 1786, near the end of the yearlong controversy over the merits of printing vast quantities of paper money backed by nothing more than the good faith of

²Based upon an analysis of the 1782 and 1783 tax lists. See "Summary Accounts of the Valuation of the Assessments in the Several Counties Returned by the Commissioners of the Tax, 1782, [and] 1783," Scharf Collection, Maryland State Papers, series Z, box 95, folder 56, Maryland Hall of Records, Annapolis. *The World Almanac and Book of Facts, 1979* (New York, 1979), pp. 97 and 108.

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the state, a letter signed "Poverty" appeared in the *Maryland Gazette* (Baltimore). It pleaded with the legislature to attend to the needs of the poor and charged that hitherto the assembly's principal concern had been to "found the college, to improve the public buildings at Annapolis, and the navigation of the potomack." Tax revenue in hand or anticipated formed a powerful inducement to politicians to discover ways in which it might be spent rather than to pay the public debt and reduce the tax burden.³

Charles Carroll of Carrollton, Maryland's arch-conservative in more than fiscal matters, as early as 1777 predicted difficulties arising from a rapidly mounting war debt but saw no other recourse than high taxes. In a series of letters written between 1777 and 1779 to William Carmichael, a protégé in the congressional foreign service, Carroll took an increasingly pessimistic view of the effect of stringent tax collection. He calculated that property taxes would bring about £120,000 annually into the treasury but warned that under British rule taxation was "very moderate." He suggested that people would make unfavorable comparisons. "The bulk of mankind only judge by their feelings and cannot see into the remote consequences" of low taxes. They were sure to resist paying "what they can even bear."⁴ Until 1781 the legislature

³Statements concerning the nature of legislation passed during the years 1780-89 are based upon an issue analysis of legislative activity, made under the terms of grants from the National Endowment for the Humanities, and a correlation of lower house proceedings with the session laws, the original recorded versions of which are in the Maryland Hall of Records, Annapolis. *The Maryland Gazette or The Baltimore Advertiser*, Nov. 14, 1786.

⁴William Carmichael Papers, Maryland Historical Society, Baltimore. See also Memorial of Alphonsa F. A. Blake, Record Group 233, National Archives. While correct about the discontent high taxes would cause, Carroll typically misread the consequences. He felt strict collection of high taxes would lead to mass migration from the older settled areas to "new confederacies" in the West that would be reluctant to ally with the seaboard states. The ultimate disposition and settlement policy for the lands west of what Carroll called "the appalachian hills," a policy in large measure shaped by the Maryland delegation in Congress, did not fulfill his gloomy prediction that the new western states would "pay . . . little or none of our taxes." In fact the adoption of the Constitution led to a quite equi-

of Maryland demonstrated a great reluctance to fund the war effort and avoided collecting all but token taxes. Consequently inflation became more severe than it has ever been since in the United States, although not as bad as in Germany in 1923. In August 1780 a bed with clean sheets and breakfast in Annapolis at the regulated rate cost forty-seven times what it would once inflation was controlled. By the early months of 1781 the exchange rate in Annapolis reached a peak of 135 Continental dollars for one dollar specie. Creditors like John Galloway, who was attempting to collect the debts owed a deceased relative, simply refused to accept payment in Continental dollars.⁵

Congress appointed a superintendent of finance in the spring of 1781 with broad powers to bring fiscal stability to the national war effort. The Maryland legislature followed suit in January 1782 by appointing an intendant of the revenue after passing in 1781 a tory property confiscation law that provided some capital for funding the debt beyond the anticipated collection of taxes. Both measures served to bring inflation within acceptable bounds. Confiscation, however, did not promise to raise more than a third of the principal of the war debt, and money from the sale of confiscated property could only be collected over a considerable length of time. Few purchasers had the means to pay cash and most could only post interest-bearing bonds. Taxes had to provide the difference. Even Charles Carroll underestimated the revenue that could be generated by property taxes. In 1782 the estimate of gross tax receipts was £264,348, or £1.11.0 for every white person in Maryland, about 50 percent of per capita income. If collected, property taxes could just barely pay the accumulating war debt; as time would prove, however, the revenue collected was not exclusively earmarked for paying for the war. Tax revenue proved too great a tempta-

table distribution of the tax burden caused by the war, but in 1779, on the eve of a greatly accelerated war effort in Maryland, neither Carroll nor anyone else could have predicted precisely what the consequences of an expensive war would be.

⁵ Annapolis Records, 5:190 and 9:13, Md. Hall of Rec., Annapolis; Pa-penfuse, *In Pursuit of Profit*, pp. 103-4; "Summary Accounts."

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tion, and Maryland's new intendant of the revenue found himself embroiled in controversy almost from his first day in office.⁶

On January 20, as the session of the assembly that established the office of intendant ended, State Senator James McHenry wrote George Washington that the "only novelty which [the assembly] has given birth to, is a man called Intendant, whom we have vested with great powers & who is to destroy that disorder in our affairs, which has arisen chiefly from a bad money & a want of money. You, who know the confusion which reigns very generally throughout the States, will suppose that Daniel of St. Thomas Jenifer, the Maryland Intendant, must have a very embarrassing time & that he shall be uncommonly fortunate, should his administration be successful."⁷

The legislature instructed the intendant to oversee the collection of taxes, the sale of specifics (wheat, pork, and tobacco) accepted in payment of taxes, and the collection of all debts to the state, including those arising from the sale of confiscated property. It also expected him to oversee the payment of the state's creditors. Inevitably, Daniel of St. Thomas Jenifer, who held office until 1788, first as intendant responsible to the legislature and then as agent for the governor and council, found himself frequently at odds with the governor, the governor's council, dissident elements in the legislature, and taxpayers in general, who either blamed him for their plight or asked him for relief. In September 1782 a prominent Anne Arundel County tobacco planter, Samuel Chew, with whom Jenifer had long been acquainted, went so far as to ask for a loan with which to pay his taxes. "How Times are alter'd since we used to meet often at our City. But so it is. Things are turn'd upside down & when they will come Right again God knows. If there be not Some altera-

⁶E. James Ferguson, *The Power of the Purse: A History of American Public Finance, 1776-1790* (Chapel Hill, 1961), p. 118; November session, 1781, ch. 27, passed January 22, 1782, Recorded Laws of Maryland, Md. Hall of Rec., Annapolis.

⁷Bernard C. Steiner, *The Life and Correspondence of James McHenry* (Cleveland, 1907), pp. 41-42.

tion in affairs soone I do not know what will be ye Consequence. These heavy taxes we shall never be able to comply with unless ye Country produce will fetch a better price."⁸ If it was difficult for Chew to pay taxes in 1782 because of the low price of tobacco, it must have been impossible by November of 1785. Tobacco prices fell by a third and remained there for some time after a sustained period at an exceptionally high 40 shillings per hundredweight. In November 1785 Maryland settled into a temporary yet severe recession, accentuated by Jenifer's policy of retiring the debt with as much dispatch as he could command.⁹

Shortly after his appointment as intendant in 1782, Jenifer received a congratulatory letter from his counterpart at the national level, Robert Morris. Morris cautioned that Maryland's method for supporting the war effort was a "bad one" since it allowed people to pay taxes in kind (specifics) instead of money. Morris pointed out that the articles submitted for taxes were never of the highest quality and the public costs of marketing them soon consumed most, if not all, of their worth to the state. "It is a vain thing," he wrote, "to suppose that wars can be carried on, by quibbles and Puns and yet

⁸Samuel Chew to Daniel of St. Thomas Jenifer, Sept. 5, 1782, Scharf Collection.

⁹The causes of the recession of 1785-86 are well known and were not surprising even to knowledgeable contemporary observers. In April 1784 John Ridout of Annapolis wrote to his patron, former Governor Sharpe, that he would "easily conceive how much distress't the people are in general & how unable to pay the heavy taxes imposed on them in consequence of the late unhappy ruinous War. Money was never more scarce, much having been exported last year by the foreign adventurers who poured in Quantities of goods from Europe on the Cessation of Hostilities & got for them most of the specie that was then in circulation" (John Ridout to Horatio Sharpe, Apr. 17, 1784, Ridout Papers, Md. Hall of Rec., Annapolis). The full impact of the high taxes and acute shortage of coin was not generally felt, however, until coupled with the sharp reduction in the market price of tobacco that occurred in November 1785. "Maryland tobacco at Baltimore through 1785 would average for good quality 24/- sterling per nite hundr. -for common or inferior 21/-. . . . In Nov. price suddenly reduced at least 1/3 and remains [early 1786] at that reduced price" (Chalmers Papers, Maryland, 1:16 and 17, New York Public Library).

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laying taxes payable in specific articles is little better, for with great Sound they put little or nothing into the Treasury.”¹⁰ Jenifer learned this lesson only too well, for he was soon criticized roundly for the low return on the sale of specifics. He came under most fire, however, for placing the demands of Congress before those of local creditors of the state and, more importantly, ahead of salary payments to civil officers. Within months of his appointment he was engaged in a bitter, vituperative debate with Gov. Thomas Sim Lee and the council, a debate that momentarily raised to a philosophical plane the only two discernible elements of political principle consistently in evidence in the factious squabbles among legislative interests of the 1780s: Should national needs take precedence over local spending priorities? To what extent should local, state, and national government be permanently expanded? Slightly modified, Carl Becker’s well-known paradigm for the origins of the Revolution in New York applies to Maryland politics in the late 1770s and the 1780s. From 1777 to 1789 two questions of roughly equal prominence affected the course of political events in Maryland. The first was whether essentially parochial and provincial interests should prevail over what could be termed the national interest. The second was by whom, for whom, and at what expense state government should be conducted. The first was the question of home rule. The second was the question of what factions and fiscal policies should rule at home.¹¹

¹⁰Morris continued, “Experience will however evidence before long to every understanding, the folly of levying specific Supplies, for it will be found that those states which tax in *money only* will grow rich whilst the others continue poor. You must provide the ways and means of turning your Specific Articles into money. Congress have required money, and I will strictly adhere to their requisition through out the States” (Robert Morris to Daniel of St. Thomas Jenifer, Mar. 12, 1782, Adjutant General’s Papers, Md. Hall of Rec., Annapolis).

¹¹Maryland State Papers. Jenifer’s conflict with the executive on the matter of spending priorities continued through William Paca’s terms as governor. It was only under Gen. William Smallwood that Jenifer could feel comfortable in the executive branch. Smallwood understood well the need to support the war debt and had defended army spending priorities in 1782 and 1783 against a governor and council that had other concerns (Edward C. Papenfuse and Gregory A. Stiverson, “General Smallwood’s

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From 1782 until 1785 the legislature left the management of the state's finances largely to Jenifer. At almost every session it expanded Jenifer's powers and it annually reappointed him. Morris's advice was taken and at Jenifer's insistence a law was passed requiring specie in payment for taxes. When money became scarcer and taxpayers more dissatisfied, however, the prevailing view in the assembly of Jenifer's duties shifted. Laws passed in the assembly of 1784 assigned equal status to local obligations—including expanding the civil list—and taxes owed Congress.¹²

Yet the assembly of 1784 felt no impending economic crisis and concerned itself with only minor adjustments to the tax rate, raising money through excise duties. In fact it increased public expenditures by establishing institutions of higher learning with specific taxes dedicated to that end. Throughout the 1784 assembly there was a prevailing consensus, perhaps more aptly seen as the calm before the storm, which was reflected in large voting blocks rarely found in the fifteen sessions between 1780 and 1789. The subsequent assembly of 1785 was radically different. Not only were there more roll-call votes indicating considerable dissension in a long, tumultuous session, but the specter of inadequately funded paper money returned as the assembly struggled to find a way to meet the increasing clamor for tax and debtor relief. Instead of the narrow majorities Jenifer's efforts to pay the national debt had hitherto received, only five members could be found who were willing to vote "yes" on three roll calls that successively called for compliance with the requisitions of Congress, increasing the appropriations to pay Congress, and imposing a tax for the payment of debts to Congress.

Recruits: The Peacetime Career of the Revolutionary War Private," *William and Mary Quarterly*, 3d ser. 30 [1973]:117-32; Carl Lotus Becker, *The History of Political Parties in the Province of New York, 1760-1776* [Madison, 1909], p. 22).

¹²Jenifer accepted the shift in priorities even if, in all probability, he did not agree. In a broadside dated September 1784 he wrote, "Having to the best of my judgment performed . . . my duty, I shall be perfectly satisfied with any system which the legislature, upon mature consideration of the circumstances of the state, may think just and wise" (Wheeler Pamphlets, No. 317, Md. Hist. Soc., Baltimore).

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Finally the 1785 assembly voted to abandon the task of supervising the payment of the state's debts and the collection of tax revenue, although it did recommend that Jenifer be appointed to perform those tasks within the executive branch. A deepening recession made Jenifer's office politically awkward. As long as some effort of the kind could be continued without the assembly having to shoulder all the blame for the economic consequences, a slim majority felt his work should continue under the governor and council.¹³

Jenifer's primary concern, apparent from his correspondence and accounting records, was the retirement of the national debt, with other demands on the public treasury considered secondary.¹⁴ He accepted the transfer of power from assembly to executive as the only viable means of continuing the work he had begun as intendant. When he agreed to become the agent of the governor and council in April 1786, Gabriel Duvall, a member of the council, resigned in protest on the grounds the agent's powers were too broad and were unconstitutional.¹⁵ Even without Duvall, Jenifer continued to have problems with the council and in January 1787 barely survived a highly critical resolution that read in part: "Whereas it appears that from the low condi-

¹³The assessment of political behavior throughout this essay is based upon the biographical files of the Maryland Hall of Records Legislative History Project and my hand analysis of matrices showing legislator agreement in each of the sessions of the Maryland House of Delegates between 1776 and 1779. The matrices were created under the direction of David Wise for the Legislative History Project with funds granted by the National Endowment for the Humanities. The tables documenting the pattern of factionalism between 1776 and 1788 are on file at the Maryland Hall of Records, Annapolis. In looking at alignments on roll-call votes, I concentrated on the distribution of agreement and degree of success on all roll-call votes.

¹⁴Records and Papers of the Intendant, Md. Hall of Rec., Annapolis. Also see Edward C. Papenfuse, Gregory A. Stiverson, and Mary D. Donaldson, *The Era of the American Revolution, 1775-1789, an Inventory of Maryland State Papers*, vol. 1 (Annapolis, 1977), for an index to loose papers relating to Jenifer.

¹⁵Aubrey C. Land, ed., *Journal and Correspondence of the State Council of Maryland: Journal of the State Council, 1784-1789*, Archives of Maryland, vol. 71 (Baltimore, 1970), p. 96.

tion of the State in point of credit and finances he has been able but in a small degree to carry the purposes of his appointment into effect, and as it appears by his letter of this day in answer to the enquiry of the Board that he believes the two principal objects of this appointment are not further attainable," therefore, Jenifer's salary should cease and "the Board will hereafter make him reasonable compensation for any services contrary to present expectation he may be able to perform."¹⁶ The motion failed, but in some respects Jenifer agreed with his opposition in the legislature and on the council. It was difficult to pursue anything like a sound fiscal policy that included payment of the national debt within a local context where priorities were constantly shifting and local needs were forever being brought to the fore. When Jenifer at last gave up the onerous responsibilities of his office in November 1788, it was after he had transferred his energies to the support of a Federal Constitution, a new national government that at least in theory could accomplish what he had been unable to attain within a local framework: satisfactory resolution of the fiscal consequences of a war that his personal preference had been to avoid.¹⁷ In 1773, as the proprietor's primary fiscal agent, Jenifer's income had been, at minimum, £833 a year. In 1786 his yearly salary with commission probably was no more than £600.¹⁸ His motive in pursuing a postwar career as Maryland's minister of finance had not been one of personal financial gain, although there were always sufficient detractors to argue that it was. In truth, Jenifer spent the hot summer of 1787 in Philadelphia as a Maryland representative to the Constitutional Convention, advocating the balancing of local revenue-raising authority with a national government having fiscal power sufficient to fund the national debt. It was no wonder that

¹⁶ *Ibid.*, p. 183.

¹⁷ Nov. 7, 1778, Maryland State Papers.

¹⁸ The figure for 1773 is taken from Donnell MacClure Owings, *His Lordship's Patronage* (Baltimore, 1953), p. 79, converted to currency. That for 1786 comes from Land, ed., *Journal and Correspondence of the Council*, p. 183, with the commission figured on the basis of the probable rate of sale of the remaining confiscated property.

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exasperation with the vagaries of local politics as they impinged upon the execution of his duties led Jenifer into the camp of those who called for a stronger, more viable, national government powerful enough to transcend local interests.¹⁹

If throughout the late 1770s and 1780s Daniel of St. Thomas Jenifer represents the vanguard of nationalist sentiment in Maryland concerned with pursuing and *paying for* the national debt, Capt. Charles Ridgely stands at the other extreme in the House of Delegates as a champion of parochial and provincial interests in favor of ignoring the war debt and constricting the fiscal policies of state government altogether. In the assembly the prevailing point of view vacillated between the two extremes depending upon temporary alliances among many different factions, alliances often forged by faction leaders like Samuel Chase, Thomas Johnson, and William Paca, who by themselves could transcend a provincial outlook but could rarely convince a majority of their peers in the legislature to follow their lead. The well-known controversies over the issues of debtor relief and the emission of paper money which dominated the first session of the 1786–87 legislature exemplify this. Shortly after the assembly convened in November 1786, Uriah Forrest, a prominent merchant and delegate from St. Mary's County, described the controversy's impact on the business of the lower house: "T[homas] J[ohnson] appears to me to be almost as much afraid of S[amuel] C[hase] and W[illiam] P[aca] as they really are of him. I am fixed to do my duty not only faithfully but attentively, yet I will steer so clear of party as rather to [be] out with all than in with any. There will be no paper nor no installments. Chase is for the one. T[homas] J[ohnson] inclines for the other. I am yet to be convinced of either."²⁰

¹⁹Jenifer died in Annapolis in 1790 at the age of sixty-seven. His obituary was flowery, but short (*Maryland Gazette*, Nov. 18, 1790). Today no one even knows where he is buried.

²⁰Edward C. Papenfuse, "An Undelivered Defense of a Winning Cause: Charles Carroll of Carrollton's 'Remarks on the Proposed Federal Constitution,'" *Maryland Historical Magazine* 71 (1976): 220–51.

Factions of from five to fourteen men who consistently agreed with one another over 70 percent of the time were the rule in the Maryland lower house from 1777 until at least 1788. Only in rare sessions did anything like "parties" with working majorities make an appearance. Between 1781 and 1788, for example, in only three out of fifteen sessions did any one faction predominate, but even these majorities were an illusion of "party" that primarily arose from a momentary consensus on critical economic issues. The moments of cohesion do, however, bring into bold relief intransigents like Ridgely, who, while able to establish their county's claim to state revenues, on balance stubbornly held to a minority opinion that taxes should be lower, government less powerful, churches unsupported by the public purse, and government-funded higher education avoided.²¹

To observe political alliances among legislators, it is necessary to encompass the whole of political behavior (at least as reflected in recorded votes) rather than to select issues that bring a ready-made bias to any analysis. Between 1780 and 1789 there were 425 men who participated in 1,183 recorded votes in the House of Delegates. The pattern of agreement and degree of success of delegates on those roll calls, adjusted by the attendance of each legislator, is one of small alliances. Except for temporary surges of majority consensus in three out of fifteen sessions between 1781 and 1789, fragmentation prevailed, and the degree of success of each faction, or "interest," depended upon temporary alliances on a kaleidoscopic array of local, state, and national issues.²² From one session to the next the immediate concerns could range from reestablishing formally and financially the ties between church and state to the building of a market house in Baltimore City with what amounted to taxes paid by county landholders. The importance of issues could shift dramatically too, as was the case with paper money. What was vital one session could become inconsequential the

²¹For a distinctly different view of Maryland politics, see Norman K. Risjord, *Chesapeake Politics, 1781-1800* (New York, 1978).

²²Summary tables and documentation of factional alliances in the Maryland legislature between 1776 and 1788 at the Maryland Hall of Records.

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next. Majorities normally arose out of a coalition of interests agreeing for the moment on the matter at hand. The net effect of those majorities as reflected in the laws passed was often begrudging support in principle for Jenifer's efforts to meet national fiscal needs offset by a steady growth in the powers and financial obligations of state and local government. In the 1780s, with a momentary pause of critical self-evaluation in 1785 and in the first session of 1786-87, the Maryland General Assembly became increasingly irresponsible on fiscal matters. Instead of paying the war debt, it expanded the use of the public purse to include higher education, a greatly accelerated public-building program, and a larger, better-paid civil service. The taxpaying public had never seen anything like it before and would find it difficult to reverse the trend.²³

The inability of the legislature to respond constructively to both the public outcry over taxes and the need for a sound fiscal policy is illustrated by a proposal set forth by the lower house in the spring of 1787. In a classic abdication of responsibility, the delegates announced a complicated scheme for issuing paper money. When the Senate refused to adopt the plan, the lower house, in an unprecedented move, appealed to their constituents in seven and a half pages of small print. The address began: "We, your immediate representatives in the General Assembly, think ourselves responsible to you for our conduct, and that on all subjects that materially concern your welfare or happiness, you are to be consulted, and your opinions, freely and fairly delivered, ought to govern our deliberations."

The Senate, it went on, feared that the broadside, distributed in an edition of 1,800 copies, 100 to each county, was likely "to weaken the powers of government and to disseminate divisions and discord among the citizens of this state, at a crisis, when the energy of the one, and the union of the other, are more than ever necessary. Appeals to the people upon a diversity of opinion arising between the two branches of the legislature upon any public measure are unprecedented." The Senate need not have worried. If the broadside

²³Ibid.

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was read with any comprehension, the only lesson voters would have learned was that their representatives had over-committed the public treasury and now could not find the means to meet their obligations. After listing without evaluation the components of what seemed to be an insuperable public and private debt, the broadside concluded that

the result of our opinions on this inquiry was, that you could not discharge your private and your public engagements; and that you must neglect your private obligations, or your public duty. For if you paid your debts, you would thereby be unable to discharge your taxes; and if you paid your taxes, you must thereby be rendered unable to discharge your debts. Your honour, welfare, and safety, required that every exertion should be made to support the union. We thought it imprudent and useless to lay on you further taxes, unless some expedient could be devised to assist you in the payment of them, also in the discharge of your private debts.

The solution to the lower house was paper money, funded by a complicated formula requiring nine years of careful monitoring and creditor indulgence to achieve payment of the existing debt. It ignored the fact that for almost four years, when the economy was reasonably healthy, the legislature had given too low a priority to paying off the national debt and had concentrated upon spending tax revenues in other ways. For example, it did not mention that the cost of state government between 1776 and 1779 was only £11,000 specie a year while the "annual expences of our own government" in 1786 were £16,000 specie, an increase of 45 per cent.²⁴

The inability of the legislature to deal effectively with economic issues or to limit new public expenditures was to be expected. Strong leadership and coherent fiscal programs, focused nationally or statewide, could only emerge with a strong, highly disciplined, majority party organization. The rule in the Maryland legislature was shifting coalitions of

²⁴*Votes and Proceedings of the House of Delegates . . . November Session 1786* (Annapolis, 1787), pp. 85-92.

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small groups of men whose spokesmen were numerous and often at odds. Indeed there were discernible regional patterns to alliances among factions, as Norman Risjord's recent work on Chesapeake politics points out.²⁵ Over the twelve sessions of the legislature between 1780 and 1789 in which Samuel Chase served, for example, almost 60 percent of his voting allies in the legislature were drawn from seven out of a total of eighteen counties and Annapolis: Worcester, Calvert, Somerset, Dorchester, St. Mary's, Prince George's, and Queen Anne's. Charles Ridgely served nine sessions in the same period as a delegate from Baltimore County. His band of regular associates was geographically more concentrated and smaller than Chase's. An estimated eight dependables voted with Ridgely over 70 percent of the time, while Chase could count on an average of thirteen. Ridgely drew his support primarily from his own, Harford, Washington, and Montgomery counties, but he was not without allies even in Worcester County, a Chase stronghold. Rarely could either muster a working majority, for most assemblies between twenty and twenty-eight votes.²⁶

What must be taken into consideration in explaining regional patterns, however, is why delegates allied with a Chase or a Ridgely. Indeed Chase had more than a local following, perhaps created by his oratorical and leadership powers, but family ties to the Eastern Shore where his support was greatest (Worcester, Somerset, and Dorchester counties) must not be ignored either. Ridgely was far from charismatic and perhaps is more representative of the norm among faction leaders than Chase. He could neither speak nor write exceptionally well.²⁷ His political success lay in the strength of his local political organization, an organization which probably was duplicated in many areas other than those from which his vot-

²⁵ *Chesapeake Politics*.

²⁶ Based on an analysis of Chase's and Ridgely's voting behavior and roll-call allies in all assemblies to which they were elected.

²⁷ Chase's speaking talents are well known. See Samuel Chase biographical files, Md. Hall of Rec., Annapolis. For evidence of Ridgely's poor spelling, hot temper, and inability to express himself well among his peers, see Ridgely Papers, Md. Hist. Soc., Baltimore.

ing allies were drawn and which preceded any of the major economic issues he confronted in the 1780s.²⁸ This organization was in evidence as early as the constitutional convention of 1776, at a time when the future of the Revolution was in considerable doubt. During the convention Ridgely was an advocate of what he assumed would be a temporary government to oversee a war of limited duration and purpose. At its conclusion he evidently hoped politics would resume as usual, perhaps with decreased interference from proprietary and Crown interests.²⁹ Ridgely and probably the majority of politicians of his day saw events within the context of a highly personal and very limited perspective. When the call came in 1777 for him to be more active in the war effort, Ridgely reportedly voiced his disgust freely:

Capt. Ridgely being asked by Mr. [William] Lux [a prominent Baltimore merchant] if he was not getting himself ready to March to assist General Washington and prevent the Enemy getting to Philadelphia, he replied he should go when the Congress went or at least the younger members, for that old Col. Harrison and such were enough to do the business of Congress and said he thought they ought to March with the rest, for that his Life was as dear to him as theirs to them—and that the Congress ought to have made peace last Summer with Lord Howe as the Kings Commissioner—that they had an opportunity to do it upon honorable terms when Lord Drummond proposed a plan; but that the men sent by Congress to Lord Howe were such as he knew would not Treat with him.³⁰

When questioned by the assembly, Ridgely did not deny the charge. He apologized for not appearing to explain himself in person and offered the excuse of a bad case of poison oak contracted while working in the fields. Although the conver-

²⁸ Edward C. Papenfuse and Gregory A. Stiverson, *The Decisive Blow Is Struck* (Annapolis, 1977).

²⁹ Charles Ridgely biographical file, Md. Hall of Rec., Annapolis. There were two Charles Ridgelys who served in the General Assembly at the same time, Captain Charles and Charles of William known as "Blackhead" Charles.

³⁰ Revolutionary War Papers, Md. Hist. Soc., Baltimore.

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sation with "Pretty Boy Billy" Lux did take place because "that flaming patriot would not receive Continental Dollars for the Ballance Due on Bond for Spannish Dollrs," Ridgely asserted that he said nothing disloyal: "As Common passing money was allways Rec'd by him before, his Refusing made me warm & gave the flesh [no] small advantage. . . . But thanks be to god I said nothing that I am ashamed of [and] . . . I trust in God he never will spar me to live to be a Enemy of my dear Country knowingly, nor to do one act that I am ashamed of."³¹

Apart from a large block of delegates with a low roll-call failure rate that controlled the writing of Maryland's first constitution, there were three small opposition factions in the convention of 1776: those like William Fitzhugh who wished to obstruct the war effort; like Rezin Hammond who sincerely wished to radicalize the political process by broadening the suffrage and lowering officeholding qualifications as much as possible; and like Charles Ridgely who wanted as little government as possible to conclude a war he fervently wished would be over quickly.³² In stark contrast to the normal voting patterns of the 1780s, the pattern of voting at the constitutional convention of 1776 could easily obscure the importance of factions in the subsequent political arena of the 1780s. There was a broad consensus on issues and lopsided majorities on most roll-call votes during the convention. But rather than focus on the temporary illusion of party, we should look more closely at the political base of the Ridgely faction which, in contrast to the other two minority factions extant in 1776, persisted at least until Ridgely's death in 1790. In most respects the Ridgely faction was also philosophically consistent and this gave it more coherence than any other faction in the lower house. With Ridgely it is possible to predict with some certainty how he and his band, composed mostly of delegates from Anne Arundel, Baltimore, Montgomery, and Harford counties, would vote on a given matter.

Throughout Ridgely's career in the house he persistently

³¹Ridgely Papers.

³²Papenfuse and Stiverson, *The Decisive Blow Is Struck*.

voted in the minority, for less government, reduced government spending (except in his own district and other pork barreling trade-offs), and for measures that would facilitate the payment of his own debts. To Ridgely, paper money was desirable as long as it could be easily acquired and was generally accepted at face value. Ridgely's local political machine was a marvel at bringing out the vote. It was said by his detractors that if he put up a stone it could win. He had "precinct," or neighborhood, captains who regularly shepherded his supporters to the polls, and he in turn gave particular attention to the needs of those "precincts" he won. Even traditional enemies like George Lux, son of the merchant with whom Ridgely quarreled in 1776, came with cap in hand. In December 1786 George Lux wrote that Mr. McMechen, a delegate from Baltimore Town, had informed him that Ridgely "had taken a warm & decided part in favor of our Precinct Petition, and that only one obstacle can prevent our being redressed." The obstacle was the rate at which land was currently being taxed, and the "Precinct Men" wanted Ridgely's support for a more favorable arrangement, if not in terms of the rate at least by facilitating the manner in which the rate could be appealed. Lux went on to provide a glimmer of the political machinations that went on at the local level, behavior that is not unfamiliar today.

Blackhead Charles [Ridgely, another Baltimore County delegate] had made me uneasy by telling me he & you suspected me of twisting some of the Hooks Town People from you at the last elections [November 1786]—for this reason only, because I promised you at your own House, that I would not make interest against you, even if included in the Reisters Town Arrangement so that you, nor your Friends struck at me, and if not included, I should be neutral, which would be almost equivalent to making interest for you, as they were naturally prone (if not prevented) to vote for you, because they were of opinion, you had incurred [Thomas Cockey] Deye's [another Baltimore County delegate and Ridgely opponent] enmity [by] you & your Friends having supported Howard as a Senate Elector.³³

George Lux's primary concern was to further his own po-

³³George Lux to Charles Ridgely, Dec. 27, 1786, Ridgely Papers.

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litical career. He was exasperated because Ridgely had won in precincts near Baltimore City even though Ridgely was not in complete sympathy with the local interests. Now elected, he was seeking to have those precincts transferred to Baltimore City for future elections. Lux was attempting to impress Ridgely with the lengths to which he *might* have gone to oppose Ridgely's election, and he did manage, with some exaggeration, to convey a rather timeless picture of a political manipulator at work playing off urban against rural interests.

What would have ruined you among the [town] Precincts, had I reminded them of it, was that at that time an objection was made against me by one of your men because I lived near the *Town*, & would not be a suitable Member for *Farmers* thus declaring yourself decidedly against the [town] Precincts—I could easily prove both you & Hollidays having repeatedly declared, that the Good of the County required the annexation of the [Reisterstown] precincts [to Baltimore]. You may remember also that in your answer to Tom Cradocks charge against you for thinking all men of education should be excluded from public life, you explained it in such a manner as to offend the Precincts beyond conception by saying in your Hand Bill, that you thought none but FARMERS should be in [the] Assembly, and so they were only Farmers, you had not objections to their being Men of education—by this doctrine you showed yourself at that time an Enemy to the Precincts, for none of them are FARMERS and by your arguing in that manner you certainly could not consistently vote for Howard—he is no FARMER.³⁴

The greatest test of Ridgely's political wisdom probably came in the assembly of 1785 when his particular view of how government ought to be run momentarily met with more support than it ever had before or ever would again in his lifetime. During the session his block of regular allies rose to an all-time attendance-adjusted high of over thirteen. Only in 1789, when uncertainty about the future course of national politics gained him some new support, did almost as many legislators agree with him.

³⁴Ibid.

Fiscal Policy and Politics in Maryland

The assembly of 1785 was forced to confront the deepening recession with some measures of relief for taxpayers and debtors. Most of the session was taken up attempting to adjust the tax rate but not the tax base, while sentiment grew for legislation to aid debtors and to emit paper money despite the haunting memories of wartime inflation. For the first time Ridgely found himself often in agreement with Samuel Chase. Although they had previously been unsuccessful business partners, joining together in the purchase of confiscated property thought to be useful in the manufacture of iron, Ridgely and Chase were forever voting with opposing factions. Chase was an expansionist at the level of state government. He was in favor of increased government spending and an enlarged government role in other matters, including a state-supported church. Ridgely was not. Yet for a time in 1785 their divergent views evaporated and both men joined first an apparent majority within the assembly, and then, in 1788, a determined minority outside that body when the question of who should control the course of national affairs shifted beyond the assembly to ratification of the Federal Constitution.³⁵

During the 1785 session Ridgely allowed himself to swap votes with Chase on Chase's promise that he would support the removal of the seat of government to Baltimore. This angered some of Ridgely's constituents, who charged him "with the unpardonable guilt (both as to this world and the next) of being a friend to Mr. S. Chase."³⁶ Ultimately he survived constituent outrage over such an unseemly alliance, but not before exhibiting a voting behavior distinctly contrary to his career norm. As might be expected, Ridgely voted during the 1785 session for an unfavorable report on the intendant's efforts to manage the state's finances, voted against a motion absolving the intendant, and against enlarging the powers of the governor to encompass the work of the intendant. Yet he voted to continue the office of intendant with Jenifer as the incumbent and to recommend that Jenifer

³⁵For Chase's business dealings with Ridgely, see Ridgely Papers and Ridgely Family Papers, Md. Hist. Soc., Baltimore.

³⁶Robert Gilchrist to Charles Ridgely, ca. Nov. 1786, Ridgely Papers.

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be appointed agent by the governor and council.³⁷ It was a temporary phenomenon.

When the purchases of tobacco by Robert Morris for his monopoly with the French quietly infused coin and acceptable paper money, known as "Morris Notes," into a sluggish economy in the summer of 1786, political unrest subsided. The assembly of 1786–87 abandoned paper money and the number of Ridgely's voting regulars dropped sharply by the second session.³⁸ His alliance with Chase disintegrated. Between the assemblies of 1785 and 1786–87 Chase moved to Baltimore, where the twelve-month residence requirement barred him from immediate election as a delegate. Instead he successfully ran for election from Anne Arundel County, surviving an attempt to oust him for nonresidency. Inside the assembly he and Ridgely resumed their adversary roles, although they would again join in opposition to ratification of the Federal Constitution. What led Chase to oppose the Constitution is complex, but on balance he probably desired to amend it rather than defeat it altogether.³⁹ Ridgely's opposition to the Constitution was of a far different kind and is rooted in the nature of his political environment and a preference for limited government at all levels.

Ridgely represented a county with one of the lowest delegate turnover rates in the General Assembly; such areas of the state ultimately proved to be the Maryland strongholds of anti-Constitution (Antifederalist) sentiment. It is likely, however, that the voting behavior of delegates from localities that Norman Risjord has labeled "debtor" (in the assembly) and "Antifederal" (outside it) was not governed so much by the needs and desires of their constituents as by successful political machines of the Ridgely type. Ridgely mustered

³⁷*Votes and Proceedings of the House of Delegates . . . November Session 1785* (Annapolis, [1786]).

³⁸See Papenfuse, "An Undelivered Defense," pp. 224–25, for a discussion of the voting behavior of two large factions in the 1786–87 assembly, one led by Chase, the other by Thomas Johnson. Both Johnson and Chase lost support between the assemblies of 1785 and 1786–87 and neither could consistently command a majority in either.

³⁹*Ibid.*, pp. 225–26.

votes by any available means at election time. The "safeness" of his seat allowed him freedom to pursue a basically anti-government stance from as early as 1776. There were, of course, boundaries beyond which machine-backed politicians could not stray for long, such as those Ridgely encountered in the reaction to his alliance with Chase. But the principal determinant of consistent legislative behavior between 1776 and 1789 was the degree to which like-minded men could be reelected from the same district over and over. Possibly such machines were most successful only in those rural areas where neighborhoods remained largely stagnant economically, or at least much the same as they were in 1776. But to argue that one particular point of view about government consistently emerged from neighborhoods having similar socioeconomic profiles is to miss the point altogether.⁴⁰

The pressure for debtor relief was almost universal by the 1785 General Assembly. It cannot be shown that the areas represented by Ridgely and other future Antifederalists were in greater need of relief than others. Ridgely's Antifederalism was logically consistent with the voting behavior of his minority faction in the General Assembly and was rooted in his highly personal view of government. Since at least 1776 his faction had been articulating, with varying degrees of success, a concern over an increasingly powerful state government levying high taxes to pay for more than purely local

⁴⁰Jackson Turner Main, in *Political Parties before the Constitution* (Chapel Hill, 1973), pp. 212-43, looks at selected roll calls and a large but not complete sample of legislators for the period 1780-88. He concludes that various "interests" and loose "coalitions" of "like-minded individuals" were the norm between 1780-88 but sees polarization within the legislature into two somewhat nebulous but sizable blocks of "cosmopolitans" and "localists." While Main's chapter represents some of the best work published to date on the socioeconomic characteristics of legislators, it does not look at factional alignments over time among *all* legislators on *all* issues. I would argue that in addition to emphasizing selected issues and legislative behavior with respect to those issues, it is necessary to examine the careers of legislators and how they aligned with other legislators on all issues during their entire length of service. In the end, I suspect that instead of cosmopolitan versus localist, the major philosophical division or clustering with the assembly will prove to be between government expansionists and restrictionists, but unquestionably more work needs to be done before any conclusive answer is given.

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needs. Other constituencies with socioeconomic profiles similar to Ridgely's county produced factions with views differing sharply from his. A good example are the five men who in 1785 stood alone in favor of assigning a high priority to the payment of the national debt even to the extent of raising taxes. All five—Brice T. Worthington and Nicholas Worthington from Anne Arundel County, Michael Taney from Calvert, John Bracco from Talbot, and John Stevenson from Baltimore County—served constituencies that are indistinguishable from those of Ridgely's allies.⁴¹

The rapid growth in the functions, personnel, and cost of government commencing with the Revolutionary War, at least in Maryland, must be viewed in the context of a predominant pattern of highly fragmented and personalized political behavior that left little room for coherent fiscal policies and strong legislative or executive leadership. That out of such a tumultuous, pervasively factious political environment could arise a movement for strong national government with broad fiscal powers is a tribute to men like Daniel of St. Thomas Jenifer who had a larger vision of what could and ought to be, and to a general public apathetic at that moment about anything other than local matters. In April 1788 a national "interest" did indeed triumph in Maryland as the state overwhelmingly ratified the Constitution. Jenifer's fiscal policies had succeeded in spite of the legislature, and the economy was healthy enough to dampen any significant opposition. If the ratification movement were to be examined in detail, it might even be seen as the first victory of party in an organizational sense, a victory that would in turn lead to the development of major political parties as they are known today. But it cannot be interpreted as anything more than the fragile beginnings of party, born of frustration with factious local political behavior, the onerous fiscal burden of a costly war, and the inability of the legislature at the state level to offer any long-range solutions to complex economic issues involving other states and other nations.

⁴¹Based upon a comparison of wealth holding patterns as reflected in the 1783 tax lists, "Summary Accounts."