

## Charles Thomson, “Prime Minister” of the United States

IN AUGUST 1774 John Adams met Charles Thomson, a Philadelphia merchant, and commented that he was known as “the Sam Adams of Philadelphia, the life of the cause of liberty.”<sup>1</sup> In the critical Revolutionary year of 1781, an astute Frenchman, the Abbé Rodin, wrote: “Thomson the secretary of Congress, the soul of this political body comes to receive and give diplomatic greetings. His thin, furrowed face, his hollow and flashing eyes, his straight white hair, not falling to his ears, caught and surprized all our eyes.”<sup>2</sup>

The American Revolution remains an intriguing period. Historians still argue over its real nature, conservative or radical. The contrasts can be seen in the lives of many Americans including Charles Thomson. He was one of the most prominent Pennsylvania radicals following the French and Indian War. His activities certainly helped bring about the Revolution.<sup>3</sup> Yet by far his most important contribution to American democracy came between September 5, 1774, and July 23, 1789, the period in which he served as the Secretary of the Continental and Confederation Congresses. In this position Thomson helped create the new American government, particularly its first executive, a typically conservative action. No other American served throughout the entire Revolutionary

<sup>1</sup> Charles Francis Adams, ed., *The Works of John Adams* (Boston, 1851), II, 358.

<sup>2</sup> *Voyage de M. le Marquis de Chastellux dans L'Amerique Septentrionale, dans les années 1780, 1781, et 1782* as quoted in William Bradford Reed, *Life and Correspondence of Joseph Reed* (Philadelphia, 1847), II, 307.

<sup>3</sup> An excellent article by J. J. Zimmerman, “Charles Thomson, the Sam Adams of Philadelphia,” in the *Mississippi Valley Historical Review*, XLV (1958), 464-480, summarizes this activity. A more extensive coverage can be found in a 1963 dissertation at the University of Virginia by J. Edwin Hendricks.

and Confederation period in one national governmental position. None was more important in creating and operating the first American bureaucracy. Yet little is known of this activity.<sup>4</sup>

Charles Thomson, one of six orphaned Scotch-Irish children, came to Philadelphia at the age of ten in 1739. He was educated at Dr. Francis Alison's academy near Philadelphia and later taught Greek and Latin at the Philadelphia Academy, the forerunner of the University of Pennsylvania. He also became a successful merchant, and his reputation for fairness and integrity led the Delaware Indians to select him as their secretary at the negotiations leading to the Treaty of Easton (1757). Becoming more and more interested in Indian problems, and eventually learning their language, Thomson was adopted by the Delawares. Politically, he became involved with the Whig movement. He was instrumental in forcing the resignation of John Hughes, stamp collector for Philadelphia, and was, along with John Dickinson, the leading enforcer of the non-importation agreements of 1768-1769 against the Townshend duties. Benjamin Franklin, while in London as a colonial agent, corresponded regularly with Thomson and printed more of Thomson's letters in the London papers than those of anyone else.<sup>5</sup>

Widowed, Thomson was remarried on September 1, 1774, to Hannah Harrison, a cousin of John Dickinson's wife, but had no children by either wife. As a typical Scotch-Irishman, he was a staunch Presbyterian. Also typically, he was tall and thin. His most noticeable feature was an excessively long nose which led the Loyalist newspapers to refer to him as "Old Nosey."<sup>6</sup>

On May 19, 1774, Paul Revere rode into Philadelphia bringing the news of the Coercive Acts and Massachusetts' request for a

<sup>4</sup> Jennings B. Sanders, *The Evolution of the Executive Departments of the Continental Congress* (Chapel Hill, 1936), does include a short chapter. But Sanders was unable to use the Papers of the Continental Congress since they were in disarray in the basement of the National Archives. In no area was this more deceiving to Sanders than in his handling of the Secretary.

<sup>5</sup> Edmund Cody Burnett, "Charles Thomson," *Dictionary of American Biography* (New York, 1936), XVIII, 481-482; L. R. Harley, *The Life of Charles Thomson* (Philadelphia, 1900), 64-65; Arthur L. Jensen, *The Maritime Commerce of Colonial Philadelphia* (Madison, 1963), 172-174, 189.

<sup>6</sup> *New York Gazette Extraordinary*, Dec. 21, 1777. A profile vividly showing the prominent nose appears on the recent seven-cent postal card. This seems the first official recognition of Thomson's importance.

continental congress. The influential Whig triumvirate, Thomas Mifflin, Joseph Reed, and Charles Thomson, arranged a mass meeting the following day at the City Tavern. During the next few days Thomson made several speeches supporting a congress. He also served as the secretary of both the Philadelphia and Pennsylvania Committees of Correspondence and helped secure for a congress the support of John Dickinson.<sup>7</sup> However, when the Pennsylvania Assembly selected official delegates to the Continental Congress, Joseph Galloway and his fellow conservatives restricted the appointments to Assembly members, thereby excluding leading radicals such as Thomson, Dickinson, and James Wilson.<sup>8</sup>

The Massachusetts delegates, led by Sam and John Adams, arrived in Philadelphia several days before the September 5 opening of Congress, giving them time to consult with Philadelphia Whigs and with other congressional delegates. With their plans thus laid, the radicals were able to win two contested votes from the conservatives on opening day. One vote led Congress to meet in Carpenters' Hall rather than the Pennsylvania State House. The other resulted in Charles Thomson being "unanimously" elected Secretary.<sup>9</sup>

In actuality, Thomson's election was only technically unanimous. When Charles Lynch of Virginia nominated the Philadelphian, John Jay of New York suggested that a member of Congress (probably meaning Silas Deane of Connecticut) be elected Secretary. Also opposed to Thomson were James Duane of New York and Galloway, the latter stating that the election was much to his "surprise" and obviously by an "interest made out of doors."<sup>10</sup> However, when the radicals, who seemed dominant, pointed out the difficulty of being both congressman and Secretary, no name other

<sup>7</sup> Cornelia L. Meigs, *The Violent Men* (New York, 1949), 18; "The Papers of Charles Thomson, Secretary of the Continental Congress" in Vol. I, *Revolutionary Papers* of the New-York Historical Society, *Collections* (New York, 1879), 275.

<sup>8</sup> John F. Roche, *Joseph Reed, A Moderate in the American Revolution* (New York, 1957), 4. Galloway hated Thomson for having dealings with that "damned breed of republicans." Meigs, 29.

<sup>9</sup> Adams, *Works*, II, 358, 360; Worthington Chauncey Ford, *Journals of the Continental Congress* (Washington, 1904-1937), I, 14.

<sup>10</sup> Edmund Cody Burnett, ed., *Letters of the Members of the Continental Congress* (Washington, 1923-1938), I, 8-9, 11; Adams, *Works*, II, 365.

than Thomson's was placed in nomination. The reasons for Thomson's selection were that he was a Philadelphian; he had served as secretary to several committees; and he was considered a leading radical. On this basis he became the first important executive official of the United States, a position which at the time no one, including Thomson, thought was of much significance. In fact, Thomson did not assume office until September 8, after a week out of town with his new wife.<sup>11</sup>

His first and only well-known secretarial duty was keeping the journals of Congress. Early in its meetings it was resolved: "the doors be kept shut during the time of business and that the members consider themselves under the strongest obligations of honour to keep the proceedings secret, until the majority shall direct them to be made public."<sup>12</sup> In accordance with this policy, Thomson made a decision that historians have regretted. He recorded only the resolutions which were adopted and almost always omitted records of debates and resolutions which failed. Apparently this procedure was approved by the majority. Though John Adams felt the omissions helped his opponents, Thomson played no favorites. Samuel Ward, experienced in New Jersey with journal keeping, believed that Thomson's first journal was extraordinarily good.<sup>13</sup>

Journal keeping called for the recording of rough notes in Congress followed by their transcription afterwards. Whenever necessary, congressional members were called upon to insert technical material. Then the minutes were read in Congress the following day. Beginning with the second Congress in 1775, certain materials were omitted from the published *Journal*. Consequently, Thomson also kept a Secret Domestic Journal during the war and a Complete Secret Journal of Foreign Affairs which covered November 27, 1775, to September 16, 1788.<sup>14</sup> Finally, the nonsecret materials were published under the Secretary's supervision with the assistance of congressional committees.<sup>15</sup>

<sup>11</sup> Ford, *Journals*, I, 25.

<sup>12</sup> Bernard Knollenberg, *Correspondence of Governor Samuel Ward* (Providence, 1952), 32.

<sup>13</sup> Lynn Montross, *The Reluctant Rebels, The Story of the Continental Congress, 1774-1789* (New York, 1950), 121.

<sup>14</sup> National Archives, "Papers of the Continental Congress, 1774-1789" (National Archives Microcopy no. 204), Item 1, "Journals" (hereinafter cited as PCC).

<sup>15</sup> Ford, *Journals*, I, 101, 104; II, 208.

Early in Thomson's service as Secretary he began to acquire the additional duties which would eventually make him the chief administrative official of the United States. His rise to power closely resembled that of the Chancellor of the Exchequer in England or the First Secretary of the Communist Party in Russia. Like them he did many tasks that no one else wanted to do and also, similarly, he was the only one acquainted with all governmental operations. Early duties included preparing reports for Congress, the first of which dealt with the American defeat at Quebec; translating letters, his French was excellent; and sending communications for Congress ranging from petitions to the King to letters to White Eyes, Chief of the Delawares. After January 1782 Thomson would assume the official duty of letter issuance, but before then he handled much of it. Typically, his letters, terse and to the point, rarely extended over one page.<sup>16</sup>

During the Revolutionary War, Thomson performed an important military duty, the issuance of letters of marque and reprisal to American privateers. These authorizations were granted on request by the individual states and on the posting of bonds guaranteeing observance of the rules set by Congress. Besides the governors, Thomson's other agent in this matter was his old friend Franklin who outfitted several privateers in France. Thomson had the authority to refuse to issue the letters if there was evidence that the states were not enforcing the rather strict rules for the conduct of captains of privateers. Because these letters were sometimes captured and used by British privateers, Thomson began to require a "minute description" of the captain and his first officer to be added to the letters under the seal of the governor. Enforcing state compliance with regulations was frequently difficult. Among the governors upbraided for not properly filing ship bonds with Thomson's office was his friend Thomas Jefferson. With the reorganization of the Board of Admiralty in May 1780, the control of privateers was given to that body, but the Navy did not wish to work with the irregulars and on July 28 the duty was returned to the Secretary. Thus the supervision of the most effective American Revolutionary

<sup>16</sup> *Ibid.*, IV, 79, 82-84, 269-270; "The Diary of Richard Smith," *American Historical Review*, I (1895), 291.

naval force was one of Thomson's duties virtually throughout the war.<sup>17</sup>

In July 1776 three events changed Thomson's situation drastically. July 4th marked the adoption of the final phraseology of the Declaration and its signing by the only two persons necessary to put it into effect—President of Congress John Hancock, who always wrote his name that large, and Secretary of Congress Charles Thomson.<sup>18</sup> The need for an expanded central government now brought on the second event, congressional authorization for Thomson to employ his first clerk on July 12, making him an office supervisor.<sup>19</sup> Three days later the radical Whigs won the fight to adopt a new constitution for the state of Pennsylvania. Thomson, a moderate Whig, was on the wrong side. He now changed from a Pennsylvania politician to a full-time federal administrator.<sup>20</sup>

Thomson's duties expanded considerably during the remaining years of the Continental government before the meeting of the first Congress under the Articles of Confederation on November 5, 1781.<sup>21</sup> His status changed from the secretary of an unofficial organization directing a rebellion to the Secretary of Congress in a newly independent government, in which Congress was supreme.

Necessarily the Secretary's position was given further regulation. The Articles of Confederation authorized his position in Article XVI: "The United States in Congress Assembled shall have authority to appoint . . . a suitable person for Secretary. . . ."<sup>22</sup> On March 22, 1777, Congress created the second department of the United States, the Secretary's office, which previously had no departmental structure. It was to be maintained in or near the congressional meeting house under the direction of the Secretary. Each official in the department was to take an oath administered by the President to faithfully execute the trust and to

<sup>17</sup> PCC, Item 196, "Ship's Bonds, 1776-1783," *passim*; Item 18, "Charles Thomson Letter Book A," 2-4, 10-14 *passim*.

<sup>18</sup> Marshall Smelser, *The Winning of Independence* (Chicago, 1972), 142.

<sup>19</sup> Ford, *Journals*, V, 556.

<sup>20</sup> "Charles Thomson Papers," New-York Historical Society, 274-286.

<sup>21</sup> The usual date given for the Confederation is Mar. 1, 1781. This is the date of its official adoption after Maryland agreed to ratify. The new Congress assembled on the first Monday in November.

<sup>22</sup> Ford, *Journals*, V, 683.

keep secret any confidential matter, the same oath required for officers of the Army. All the "journals and papers of Congress" were to be "kept and filed in the office," except those that Congress ordered held by other offices. Also, attested copies of all the resolutions of Congress to be "carried into execution by any state, officer, person or persons whatever, and any paper necessary to accompany the same" were to be prepared and sent to the President "without delay" for transmittal to the proper persons.<sup>23</sup>

The regulations mentioned only a few of the Secretary's increasingly diverse activities, but did include some of the most important. Following these orders there occurred a large increase in the number of letters from Thomson to the states and to other officials of the government. Most letters to the states still went out over the signature of the President but several types of letters automatically emanated from Thomson. These included letters relating to privateers, letters relating to Thomson's continuing interest in collecting and preserving copies of all the constitutions and laws of the states, and letters giving information on matters of previous congressional action.<sup>24</sup> His efforts to obtain records from the states and to preserve them along with congressional records mark the beginning of the National Archives.

One of the most important duties assigned to the Secretary was certifying the authenticity of congressional actions and materials. These varied from the Declaration of Independence and all laws to the New York cession of land to Congress, officers' commissions and news releases. Years later Jefferson wrote: "A fair and honest narrative of the bad, is a voucher for the truth of the good. In this way the old Congress set an example to the world, for which the world amply repaid them, by giving unlimited credit to whatever was stamped with the name of Charles Thomson."<sup>25</sup> John Adams was horrified in 1780 when he learned of the intentional

<sup>23</sup> *Ibid.*, VII, 193-195. The first department established was the Post Office in 1775. Between 1777 and 1779 most administration was changed from committees of Congress to boards, multiheaded agencies containing both congressmen and professional administrators. Then in 1781-1782 administration was changed to departments with a single head.

<sup>24</sup> PCC, Items 18 and 49; Burnett, *Letters*, VI, 218 *passim*.

<sup>25</sup> Andrew A. Lipscomb and Albert Ellery Bergh, eds., *The Writings of Thomas Jefferson* (Washington, 1905), XIII, 264.

publication by Congress of a forgery over Thomson's signature.<sup>26</sup> Tory newspapers frequently put out forgeries bearing his name. One of the most amusing was the "Last Will and Testimony of Congress" published in Rivington's New York *Royal Gazette* on January 31, 1781.<sup>27</sup>

Another important responsibility acquired in 1780 was the issuance of passports, then called sea letters. During the war these were serious matters requiring congressional approval. Following the war, they were handled routinely through Thomson's office, after receiving perfunctory congressional approval.<sup>28</sup> This service passed to the State Department in 1789.

Slowly, bit by bit, after 1776 Thomson also became the directing administrator for Congress. Throughout the war, Congress occasionally communicated with Washington through Thomson rather than through the normal channels of the President of Congress or the Board of War.<sup>29</sup> Thus, on January 1, 1781, he wrote Richard Peters, Secretary to the Board of War, ordering a report for Congress and privately suggesting a negative answer to the request.<sup>30</sup> In yet another field, one of the most important letters Thomson wrote, and one which clearly indicates his administrative duty, went to Robert Morris, the new Superintendent of Finance, on June 24, 1781. It contained a nine-page rundown on the success, or, unfortunately, the lack of it, in raising money from the states by requisition during 1780 and early 1781.<sup>31</sup>

Through the war years, Thomson had more connection with the administration of foreign affairs than with any other area. His earliest official letters were those sending the resolutions of the First Continental Congress to the King, Parliament, and other overseas recipients. Both Arthur and William Lee addressed their early communications to Congress by way of Thomson until ordered to send them to the Committee of Secret Correspondence.<sup>32</sup> By

<sup>26</sup> Adams, *Works*, VII, 231. Apparently this was the only time this occurred.

<sup>27</sup> See also the *Pennsylvania Evening Post*, Feb. 20, 1778.

<sup>28</sup> PCC, Item 49, Roll 63, p. 513 *passim*.

<sup>29</sup> Burnett, *Letters*, II, 174, 175, 338; John C. Fitzpatrick, ed., *The Writings of George Washington* (Washington, 1931-1944), XVI, 70, 440; XXII, 130, 404; XXIII, 343.

<sup>30</sup> Burnett, *Letters*, V, 528; PCC, Roll 62, II, 129; Roll 25, p. 19.

<sup>31</sup> PCC, Roll 68, pp. 229-237.

<sup>32</sup> Jared Sparks, ed., *The Diplomatic Correspondence of the American Revolution*, I, 593-598.



1780 Thomson's overseas messages were numerous enough to require the use of a private code. In that year he began an important series of communications on American affairs to the new minister to Spain, John Jay.<sup>33</sup> Jay reacted by wishing that Thomson was Secretary for Foreign Affairs because he would then receive sound information regularly. This correspondence vividly indicates Thomson's belief that the United States would be successful in defeating the British. In the summer of 1781 he expressed his faith in the cause by subscribing \$3,000 to the Bank of North America, which had been set up to facilitate supplies for the Army after the collapse of the Continental paper money.<sup>34</sup>

When the British peace commission, led by the Earl of Carlisle, arrived in 1778, Thomson wrote to a committee of Congress suggesting three possible answers to its proposals, his answers probably representing a summary of congressional debate. The committee's action, rejecting the British proposals, followed closely his suggestions. Later the same year Thomson replied negatively to Sir Henry Clinton's demands for the release of troops under the Saratoga convention. Further correspondence with the British concerning prisoners of war occurred in 1779.<sup>35</sup> The British view of Thomson's importance can be seen in that they twice tried to place a spy in his office to steal secrets.<sup>36</sup> Both attempts failed and on the second try in 1781 their agent, Lieutenant John Moody of the United States Army, was hanged.<sup>37</sup>

One very difficult duty was the supervising of the moving of the papers and other essentials of Congress. In December, 1776, Congress moved to Baltimore. When it returned to Philadelphia early in March 1777, Thomson remained behind to supervise the freighting of its documents and printing presses and did not arrive home until March 22.<sup>38</sup> The next fall when troops actually took Philadelphia, Congress moved to Lancaster and York. "Old Nosey" Thomson,

<sup>33</sup> PCC, Roll 72, p. 123; "Charles Thomson Papers," New-York Historical Society, 31-61.

<sup>34</sup> J. Thomas Scharf and Thomson Westcott, *History of Philadelphia* (Philadelphia, 1884), I, 409.

<sup>35</sup> Burnett, *Letters*, III, 295-296; Burnett, *The Continental Congress* (New York, 1941), 337; John J. Meng, ed., *Despatches and Instructions of Conrad Alexandre Gérard* (Baltimore, 1939), 220, 332.

<sup>36</sup> Carl Van Doren, *Secret History of the American Revolution* (New York, 1941), 225.

<sup>37</sup> Scharf and Westcott, I, 419.

the Loyalist Rivington wrote, remained to the last possible moment to "pack up the duds and write promises to pay the Congress' debts."<sup>39</sup>

Charles Thomson was an aggressive Scotch-Irish immigrant and not everyone approved of his methods or personality. Consequently, he became embroiled in some of the liveliest scraps in the history of Congress. Two of these involved Henry Laurens, a haughty South Carolinian. As President of Congress, Laurens demanded slavish subservience from a stubborn Pennsylvanian who refused to knuckle under to any one, particularly to the holder of an office Thomson regarded as less important than the secretaryship of Congress. Further, Laurens, a Deist, tried to persuade Thomson that Moses was an imposter who "deceived the Israelites at Mount Sinai by having had the knowledge of the use of gun powder."<sup>40</sup> Thomson, a devout Presbyterian Greek scholar who later made the first translation into English of the Septuagint, the Greek version of the Old Testament used by Paul and most of the New Testament writers, did not believe Laurens. Thomson's relationships with the other presidents of Congress, even the extremely haughty John Hancock, were noticeably better.

His first disagreement with Laurens was over Jonathan Trumbull's complaint that he was not being properly addressed in Thomson's letters. Laurens agreed with Trumbull that he was "Paymaster General," but Thomson, insisting on merely "paymaster," answered Laurens on March 12, 1778, with a reply "so very rugged" that Laurens considered challenging the Secretary to a duel. Congress, intervening, found that the Journals used the title "Paymaster of the Northern Department" and ordered "Colonel Trumbull should be properly addressed." Although Laurens assumed this meant Paymaster General, Thomson thereafter used "Paymaster of the Northern Department."<sup>41</sup>

Another problem was a complicated affair involving congressional dissatisfaction with Tom Paine. Thomson acted as a screen between Congress and the drunken, volatile Paine, then secretary to

<sup>38</sup> Burnett, *Letters*, II, 260, 286, 338, 454.

<sup>39</sup> *New York Gazette Extraordinary*, Dec. 21, 1777.

<sup>40</sup> Burnett, *Letters*, II, 397.

<sup>41</sup> *Ibid.*, III, 127, 148; Ford, *Journals*, II, 212.

the Committee for Foreign Affairs. This served to place Thomson in the middle of the Deane-Lee affair, which was so destructive to congressional harmony. Richard Henry Lee accused Thomson of withholding evidence that Silas Deane had given the British a copy of the preliminary treaty of alliance with the French, which rendered "him as unfit to be the Secretary of Congress as any other W—h—e in Philadelphia."<sup>42</sup> Fortunately most congressmen did not agree with Lee.

The most celebrated fight on the floor of Congress before the Lyon-Griswold affair occurred on August 31, 1779. Thomson was distributing copies of the *Journals* to members so that they could send them to their respective states. Because of war shortages there was only one copy for each member on "fine" paper, the rest being on poorer quality. A scuffle occurred when Laurens attempted to wrest two fine copies from Thomson. This resulted in a rancorous investigation, the affair being eased when Laurens, appointed minister to the Netherlands, resigned and left for South Carolina.<sup>43</sup> Thomson's difficulties at this time were complicated by one of his periodic attacks of "Cholera Morbus."<sup>44</sup>

Sometime later, on January 19, 1781, there appeared a newspaper report reminiscent of the later Sumner affair. It was recorded that "yesterday Mr. Searle cained the Secretary of Congress and the Secretary returned the same salute."<sup>45</sup>

By early 1782 all the departments used in the United States government before 1849, except the attorney general's office, had been established. The change from committee and board administration was made by much the same conservative group which would later write the Constitution of 1787. Consequently, after the various departments had been regulated, so was the Secretary's office. An extremely important provision, which was the legal basis of Thomson's climb to the administrative managership of the

<sup>42</sup> Ford, *Journals*, XIII, 34, 36-38, 500-501; James Curtis Ballagh, ed., *The Letters of Richard Henry Lee* (New York, 1914), II, 58-59. The actual "secretary of state" was not Paine, who was a clerk, but James Lovell, member of Congress from Massachusetts. There is no other evidence that Thomson, who did not like Deane either, leaked the information to the British.

<sup>43</sup> Ford, *Journals*, XIV, 1008; Burnett, *Letters*, IV, 392, 397-399, 401-407.

<sup>44</sup> Ford, *Journals*, XII, 1013.

<sup>45</sup> Burnett, *Letters*, V, 10.

country, required him to forward to the other departments authenticated copies of all acts, ordinances, and resolutions of Congress referring to the specific departments, and also all papers or questions referred to them by Congress. This came about because the Secretary or one of his clerks was always in Congress while none of the other departments had a representative there. Also, the Secretary was now solely responsible "to superintend the printing of the journals and publications ordered by Congress."<sup>46</sup> Printing had given Congress many problems, but now with the war ended Thomson was able to do a more efficient job.<sup>47</sup>

Thomson's duties continued to include the issuance of passports and sea letters. While this was normally routine, his actions allowing the export of tobacco to England in May 1782 in payment for British traders' goods seized at Yorktown led to Virginia protests. However, a congressional investigating committee cleared him, saying he acted "in all respects conformable" to congressional orders.<sup>48</sup>

By 1782 Congress was depending on Thomson to conduct important investigations. During that summer he looked into the loss of the *U. S. S. LaFayette*, in spite of the fact that Robert Morris as Marine Agent was in charge of the Navy.<sup>49</sup>

One of the most crucial events of the winter and spring of 1782-1783 was an attempt to establish a formal cabinet government. After the signing of the preliminary peace treaty, Congress took its first extensive holiday since the beginning of the war. With no assurance that the war would not start up again, the government was directed by Secretary of Congress Thomson, Superintendent of Finance Robert Morris, Secretary for Foreign Affairs Robert R. Livingston, Secretary of War Benjamin Lincoln and Commander-in-Chief Washington.<sup>50</sup> With the return of Congress and the formalizing of peace, this cabinet-type government ended and the govern-

<sup>46</sup> Ford, *Journals*, XXII, 55-57. Previously congressional committees assisted in this.

<sup>47</sup> This is also the opinion of Herbert Friedenwald, "The Journals and Papers of the Continental Congress," *American Historical Association, Reports*, I (1896), 127ff.

<sup>48</sup> Ford, *Journals*, XXIV, 122.

<sup>49</sup> PCC, Item 49, Roll 63, pp. 147, 415, 421-422, 425-426.

<sup>50</sup> Sanders, *Evolution of Executive Departments*, 102.

ment then came to resemble more and more that of a city or county managership with Thomson as manager.

Following Livingston's resignation as Secretary for Foreign Affairs on June 4, 1783, Alexander Hamilton persuaded Congress to direct Thomson "to receive the papers of the said office into his care; till a successor to Mr. Livingston can be appointed. . . ."<sup>51</sup> Not until March 1, 1784, was John Jay chosen to replace Livingston, and Jay did not assume full responsibility until January 1, 1785. In the opinion of Jennings B. Sanders, Thomson did little more than keep the papers under "lock and key."<sup>52</sup> Samuel Flagg Bemis believed that the presidents of Congress handled all overseas communications.<sup>53</sup> There was some evidence to back the experts in these opinions. Thomson himself had written Livingston that he only intended to hold the papers and "have nothing to do with the business of the office,"<sup>54</sup> a course of action which seems to have resulted in Elbridge Gerry moving that Thomson be censured for keeping the books and papers of the Department for Foreign Affairs "locked and sealed to the present period."<sup>55</sup>

In actuality, Thomson's limited role is a misinterpretation. As chief domestic official of Congress he became for eighteen months the unofficial Secretary for Foreign Affairs. An indication of this was the defeat of the Gerry resolution. Evidently Bemis and Sanders were hindered in their evaluations by the disarray of the Papers of the Continental Congress, which fortunately have since been ordered and microfilmed. In contrast to the small number of foreign letters handled by the President, Thomson received at least eleven and sent at least twenty-one in the period he acted as Secretary for Foreign Affairs. Moreover, he successfully handled a delicate problem. By January 5, 1784, Congress had not met to ratify the peace treaty of Paris of September 3, 1783, which was to be void if ratifications were not exchanged in six months. Through Thomson's efforts an extension of time was granted on the grounds that "the delay in

<sup>51</sup> Ford, *Journals*, XXIV, 382.

<sup>52</sup> Sanders, *Evolution of Executive Departments*, 118, 181.

<sup>53</sup> Samuel Flagg Bemis, ed., *The American Secretaries of State and Their Diplomacy* (New York, 1927), I, 192, 194.

<sup>54</sup> "Charles Thomson Papers," New-York Historical Society, 169-171.

<sup>55</sup> Ford, *Journals*, XXVI, 104-105.

America appears to be arisen merely in consequence of the inclemency of the season."<sup>56</sup> The excuse was Thomson's; he was well aware that the real reason was the lassitude in Congress. In fact, one of Thomson's major duties after the war was trying to keep Congress in session, a task that was frequently difficult.

Other foreign affairs of importance handled by the Secretary included exchanging treaties with Sweden, directing consular recognition, instructing Thomas Jefferson before he left the United States to replace Franklin at Paris, and conducting an extensive correspondence with Franklin, John Jay, and Henry Laurens. The only American diplomat not essentially under Thomson's direction was John Adams, whose work in the Netherlands was mainly arranging loans and who corresponded primarily with Superintendent of Finance Robert Morris.<sup>57</sup> Franklin, a friend of Thomson's for more than thirty years, consistently reported not only his own actions but those of other diplomats. His were the type of letters one would expect the senior diplomat abroad to write to his secretary at home.<sup>58</sup>

Thomson's activity during this period was complicated by Congress' frequent changes of headquarters. On June 21, 1783, Congress moved to Princeton in anger over the Philadelphia and Pennsylvania authorities' timid negotiations with a small group of mutinous troops. Following this, representation was poor and Thomson wrote to several of the governors asking them to send additional congressmen.<sup>59</sup> On November 4, 1783, Congress adjourned to Annapolis and it was not until January 14, 1784, that a quorum was available. On June 3, 1784, Congress adjourned again to meet in the fall in Trenton. Finally, in January, 1785, Congress sat for the first time in New York City. During the break between Annapolis and Trenton, Congress activated the Committee of the States (with one member from each state) to act as the directing body of the government, but by August 11 this stop-gap arrangement had

<sup>56</sup> PCC, Item 18, Roll 25, pp. 33-35, 35-36; Sparks, *Diplomatic Correspondence*, I, 757-760. Ratification was finally exchanged, about one month late, in April 1784.

<sup>57</sup> Most of these letters appear in the Papers of the Continental Congress in either Item 18, "Charles Thomson Letter Book A," or in Item 49, "Charles Thomson Papers." A few have been published in the "Charles Thomson Papers" of the New-York Historical Society.

<sup>58</sup> Jared Sparks, ed., *The Works of Benjamin Franklin* (Revised ed., Philadelphia, 1840), X, 72-73.

<sup>59</sup> PCC, Item 49, Roll 63, pp. 477-478.

ended.<sup>60</sup> Except for that two-month period, Congress left the direction of the government during its many recesses from 1783 until April 1789 in the hands of its Secretary. Further, Thomson was in charge of moving the entire governmental apparatus from place to place, making four moves in two years. Somewhat reluctant about expressing his own frustrations during the war, he now began to vent his disgust, writing from Annapolis in January 1784 that the past six months had given him "the most pungent pain." Congress, he approvingly quoted Read of Pennsylvania, "was vagabondizing from one paultry village to another with no 'recourse to books.'" <sup>61</sup>

During this same period the Secretary acquired yet another duty, that of directing the legal actions of the Confederation. As a part of his regular duties he kept the judges of the courts of admiralty and the courts of appeals, the only regular Confederation courts, supplied with the various ordinances pertaining to them. He also handled employment details, including requests for leaves of absence.<sup>62</sup> The Congress itself set up special courts in six cases of interstate disputes. In each of these Thomson was instructed to supervise the operation. He helped select the judges, sent out their commissions and any special congressional instructions, selected the date and place of court sessions, informed the litigants to appear and of the official decision and, finally, he paid the judges.<sup>63</sup>

It was also Thomson's duty to notify the states and the departments of the central government of the laws and resolutions passed by Congress. One of his most important legal efforts was a continuing attempt to get the states to honor the treaty obligations due Great Britain, especially to remove impediments to British creditors collecting their pre-war debts. Most states allowed this, but some, mostly in the South, refused until the new government compelled compliance in 1789. Thus the Secretary of Congress was the direct predecessor of the Attorney General in his administrative and part of his legal duties. These actions also point out that though

<sup>60</sup> Montross, 369-371.

<sup>61</sup> Burnett, *Letters*, VIII, 421-422.

<sup>62</sup> PCC, Item 18, Roll 25, pp. 10, 103.

<sup>63</sup> *Ibid.*, 16-17, 89-90; Item 49, Roll 63, pp. 119-120, 123-127, 175-178, 249, 353, 357; Burnett, *Letters*, VI, 378.

the Confederation did not have an extensive judicial system, it is incorrect to say, as many scholars have, that there was no national judiciary in the 1780s.<sup>64</sup>

There were also numerous minor duties for the Secretary. Among others were his acting as chief of protocol. As such he directed the various celebrations and formal occasions for the Congress, including receptions for visitors and the official celebration of the end of the war.<sup>65</sup>

One particularly interesting task was his helping to design the Great Seal of the United States, the eagle holding arrows and an olive branch and its less-known other side, the pyramid topped by an all-seeing eye, which can be found on the reverse of the one-dollar bill. The former of these two designs is credited to Thomson. Two previous attempts, including one by Franklin, Adams, and Jefferson, had failed to achieve satisfaction. In 1782 a congressional committee consulted with William Barton of Philadelphia, who collaborated with Thomson. Thomson then introduced the design to Congress with an official explanation of its meaning. The seal was adopted on the "report of the Secretary of Congress"<sup>66</sup> and remained in Thomson's possession until April 1789, because he was the official authenticator of acts of Congress, a power which then went to the President.

On March 31, 1785, Congress again regulated the office of its Secretary. An important change directed Thomson to answer all communications to Congress unless specifically directed otherwise, and to transmit to the states "all acts, Ordinances resolutions and recommendations of Congress, correspond with the States for the purpose of receiving communications from them relative to the execution of the same and make report thereof to Congress. . . ."<sup>67</sup>

Thus Thomson now replaced the President as the main contact between the states and the Confederation. This change represented an attempt by the conservatives to strengthen the central govern-

<sup>64</sup> PCC, Item 18, Roll 25, p. 151; Roll 79, Vol. II, 354.

<sup>65</sup> See for example the arrangements for the formal announcement of the birth of the French Dauphin, May 13, 1782, PCC Roll 65, pp. 67-70; "Charles Thomson Papers," New-York Historical Society, 61-62; Burnett, *Letters*, VI, 346.

<sup>66</sup> PCC, Item 49, Roll 63, pp. 429-430.

<sup>67</sup> Ford, *Journals*, XXVIII, 213.



ment and to force the states not only to respond more favorably to requests for money but to execute Confederation laws more successfully. The original proposal would have established a Home Department and would have required the Secretary to attend to the execution of the laws. If this had been passed, the Secretary would have in theory been as powerful as many later-day presidents. However, the measure was too strong for many members of Congress and was defeated. At first connected to the regulation was a requirement for annual elections of the office of Secretary. Thomson wrote his wife that two men were behind this, one from malice and the other from ambition. Although he had cooperated with the congressional committee, these men had shown their "true colours."<sup>68</sup> Edmund Cody Burnett has concluded that the ambitious one was Charles Pinckney of South Carolina and the malicious one was Thomson's long-time enemy, Elbridge Gerry of Massachusetts.<sup>69</sup>

The dropping of the name "Home Department" came primarily because most congressmen supported Thomson and did not wish an election for a Home Secretary. That election could be avoided by retaining the title of Secretary of Congress. Unfortunately, Thomson had won the battle but lost the war. In 1789 the second failure of the Home Department maneuver would have serious consequences for him as well as serious ones for the United States.

Five months after making Thomson the main contact with the states, on August 29, 1785, Congress, on the motion of Charles Pinckney, took from a weekly appointed committee of three congressmen and gave to the Secretary the duty of reporting to Congress "the orders necessary to be made on such dispatches . . . upon which no orders shall have been made."<sup>70</sup> This simple sounding resolution essentially completed Charles Thomson's rise to the executive manager's or "prime minister's" position. Most governmental processes began with communications to the Secretary of Congress from the states, from other national administrative officials, or from private individuals. Thomson would read them and send both the communication and his recommendation to Congress.

<sup>68</sup> *Ibid.*, 175; Burnett, *Letters*, VIII, 84-85.

<sup>69</sup> *Ibid.*, 85, n2

<sup>70</sup> Ford, *Journals*, XXIX, 664.

That body would then act on the request and return its decision to Thomson who would see to its execution. This might result in Thomson writing to the states or the individuals, or ordering the other departments of government to take action, or even to executing the order himself.

Every President since 1789 would have envied Thomson's success. Between 1785 and 1788 Congress followed Thomson's recommendations without amendment 95.8 percent of the time, and 96.4 percent including amended resolutions. Of these recommendations 77.5 percent called for Thomson to direct another administrative agency of the government to act. Most of the rest were replies to states or individuals.<sup>71</sup> Obviously, the familiar process of a Secretary taking control because he was the only one who really knew everyone's duties and the actions necessary at any time was now in full swing in the Confederation. This process was being accentuated by the fact that the Articles of Confederation allowed no individual to serve in Congress from a single state more than three years out of six. Only Thomson's friend John Dickinson, alternately representing Pennsylvania and Delaware, was there all the time. The lack of experienced congressmen made Congress increasingly dependent on its Secretary.

Thomson narrowly missed acquiring another important power early in 1784 when a resolution was presented calling for him to decide whether a proposal was an "important" one by the definition of the Articles and thus requiring the votes of nine rather than seven states to pass. James Madison said several congressmen voted against it because this measure would have made Thomson the virtual ruler of Congress. Yet given the inexperience of many congressmen in the 1780s, there is good evidence that he frequently made the decision in question anyway. In fact it was Thomson's decision that made the Jay-Gardoqui vote on possible diplomatic closure of the Mississippi River an important vote and saved that waterway for the South and the nation when the vote went 7-5 for the closure.<sup>72</sup>

A duty, undertaken largely on Thomson's own initiative, was the

<sup>71</sup> PCC, Item 180, Roll 196, "Reports of the Secretary of Congress, 1785-1788."

<sup>72</sup> Ford, *Journals*, XXV, 918; PCC, Item 49, Roll 63, pp. 105-107.

effort authorized eventually by Congress to obtain copies of the laws of each state. By October 1788 two states, Virginia and New Jersey, had sent all their laws, six had sent some, but five had sent none at all.<sup>73</sup> Thomson also subscribed to many of the important newspapers for Congress.

In May 1787 the Constitutional Convention met at Philadelphia and Thomson took his second leave of absence in twelve years. During his vacation at home from May 4 to June 29 he no doubt served as a lobbyist in support of a stronger government. Because fourteen members of Congress were elected to the Convention and several others came to Philadelphia on their own,<sup>74</sup> there was no quorum in Congress from May 11 to July 4, 1787. To complicate the situation, Arthur St. Clair, the President of Congress, left for western Pennsylvania on May 18, writing Thomson to tend to the day-to-day business as he had done so often before.<sup>75</sup>

Unfortunately, all these absences gave the appearance of a collapse of the Confederation. Nathan Dane wrote on June 22 that the people were getting the idea that the Confederation would never meet again. John Armstrong decried an appearance of "an abandonment of the government under its present shape."<sup>76</sup> This widespread sentiment stirred Thomson into action. He returned to New York and began to try to reassemble Congress. In a letter to William Bingham of Pennsylvania, Thomson wrote:

You cannot imagine what an alarm the secession of the members from Congress at this crisis has spread through the eastern states. Were I to hazard an opinion it would be that the peace of the union and the happy termination of the measures of the Convention depend on the Meeting and continuance of Congress and keeping of the form of government until the New plan is ready for adoption.<sup>77</sup>

Through many letters and much cajoling, Thomson maintained Congress in session from July 4 until August 3, when it again failed

<sup>73</sup> PCC, Item 18, Roll 25, pp. 18-19, 154-155, 168-169.

<sup>74</sup> Sparks, *The Works of Benjamin Franklin*, X, 56-57; PCC, Item 49, Roll 63, pp. 461-462; Item 18, Roll 25, p. 151; Burnett, *Letters*, VIII, 421-422, 854-855; Helen Norconk, "The Congress of the Confederation and the Adoption of the Constitution" (M.A. thesis, University of Southern California, 1937), 55.

<sup>75</sup> Burnett, *Letters*, VIII, 598-599.

<sup>76</sup> *Ibid.*, 612-613.

<sup>77</sup> *Ibid.*, 614.

of a quorum until the report of the Convention was made on September 20. During this session, with Thomson presiding and maintaining Congress almost through his sole efforts, there was passed one of the most important bills in the nation's history. The Northwest Ordinance of 1787 established the form of government for that territory and that used for all subsequent territories.

This ordinance devolved on the Secretary another administrative duty. Though the President appointed the territorial officials, Thomson supervised them, a task subsequently delegated to the President under the new Constitution. At various times Thomson ordered Governor St. Clair to make treaties with and pacify the Indians, to visit the French settlements on the Mississippi, and to supply provisions to Indians.<sup>78</sup> It was Thomson who made the ruling in 1788 that the law gave the governor and the judges the right to legislate for the territory until enough population permitted the establishing of a legislature, a ruling that remained in effect as long as the country had territories.<sup>79</sup> Every six months Thomson received the "authentic copies" of acts and proceedings of the territorial government.<sup>80</sup>

Supervisory power over the Northwest Territory was not the Secretary's first western contact. Until the establishment of the Indian Department under the Secretary of War in July 1786, he directed Indian affairs. In the early years this involved some written contact with the tribes; in later years it was restricted to the supervision of the Indian commissioners. Some of the most difficult problems faced by the Secretary involved coordination of state and Confederation relations with the natives through the commissioners.<sup>81</sup> Perhaps his greatest success was pushing to a conclusion the treaty of Hopewell in November 1785, giving the federal government claim to the Kentucky and Nashboro areas in addition to some territory in present-day western North Carolina.<sup>82</sup> The founding of the Indian Department was partially a recognition

<sup>78</sup> William Henry Smith, *The Life and Public Services of Arthur St. Clair* (Cincinnati, 1882), II, 36-37, 97-98.

<sup>79</sup> *Ibid.*, 78, n1.

<sup>80</sup> Ford, *Journals*, XXXII, 336.

<sup>81</sup> PCC, Item 18, Roll 25, pp. 58-59, 67, 116, 148, 150, 153, 411.

<sup>82</sup> Ray Allen Billington, *Westward Expansion* (3rd ed., New York, 1967), 205.

of Thomson's role as executive manager for Congress. While he now directed the Secretary of War who had charge of Indian affairs, he continued to take a particular interest in relations between the government and the Delaware and other tribes.<sup>83</sup>

A further indication of Thomson's position as executive manager, as already mentioned, was his acting as the intermediary between the executive departments and Congress. Increasingly he directed the operations of those departments. Accordingly, the books of congressional laws and regulations for each department were now stored in his office.<sup>84</sup> Also, all leaves of absence for departmental personnel had to be approved by Thomson and then, perfunctorily, by Congress.<sup>85</sup>

Aside from its role in Indian affairs, the department least under Thomson's direction was the War Department. Occasionally, however, he directed Army operations.<sup>86</sup> Far more under his control was the Post Office. In 1786 Congress had Thomson work closely with Postmaster General Oliver Hazard to try to speed mail service between New York and the South.<sup>87</sup>

Foreign affairs continued to be of particular interest to the Secretary even after his friend John Jay became Secretary of that department. Routine communications between Jay and Congress, including all orders for operations by the Foreign Office, were handled through the Secretary.<sup>88</sup> Thomson also maintained independent communications with Franklin and Jefferson in France. However, basically these were personal letters with diplomatic matters included. Jefferson and Thomson continued a rather extensive correspondence on scientific matters, as befitted two members of the American Philosophical Society.<sup>89</sup> In March 1786 Thomson wrote to Franklin giving congressional permission for the aged

<sup>83</sup> PCC, Roll 25, p. 89; Burnett, *Letters*, VIII, 477, 485, 514-515.

<sup>84</sup> Burnett, *Letters*, VIII, 400; PCC, Roll 25, p. 70.

<sup>85</sup> PCC, Roll 68, p. 333.

<sup>86</sup> See for instance his letter ordering movement by Col. Harmar, PCC, Roll 25, p. 4.

<sup>87</sup> *Ibid.*, 45, 156ff.

<sup>88</sup> *Ibid.*, Roll 25, pp. 70, 96, 157; Roll 68, pp. 103, 295, 333.

<sup>89</sup> Sparks, *Works of Benjamin Franklin*, X, 169-170, 441-443; Thomas Jefferson Memorial Association, *The Writings of Thomas Jefferson* (Washington, 1905), V, 24-26, 294-295.

diplomat to accept a diamond studded picture of Louis XVI from the French government before his return home.<sup>90</sup>

Contacts between Thomson and the Department of Finance were more extensive with a considerable flow of requests and orders in both directions. Nowhere was Thomson's supervisory power over an executive branch more clearly portrayed than in his handling of Michael Hillegas, Treasurer of the United States. In 1785, Hillegas, second in seniority in governmental service to Thomson, refused to move his office from Philadelphia to New York when that city became the capital. This angered Congress which threatened to discharge him. Thomson intervened and on August 5 informed Hillegas that he had convinced Congress that "private convenience" could be endured until October. At that point Hillegas had to come to New York or give up his position. Hillegas obeyed and remained Treasurer until 1789.<sup>91</sup>

Before 1778 money and supplies had flowed unofficially from France to the United States. Much of it came through Hortalez et Cie, a front company headed by the Caron de Beaumarchais. There developed a controversy over what proportion of this money was a gift from the French government and what was actually a commercial transaction. This controversy had earlier contributed to the Deane-Lee affair which complicated congressional and foreign operations in 1778-1779. In 1786 Beaumarchais began pushing his claims for payment, particularly for a million livres advanced by the French Farmer's General. Congress turned to Thomson to prepare its reply. With the aid of Franklin, now in Philadelphia, he produced the evidence that enabled the Board of Treasury to refuse payment on October 1, 1788, holding that the sum in question had been a gift of the French government.<sup>92</sup> In 1789 after the new Congress assembled, Thomson reported on the Pennsylvania and Massachusetts methods of collecting their import taxes, soon to be the mainstay of the financial structure that Hamilton ran so successfully. He recommended the Massachusetts system, which used

<sup>90</sup> PCC, Roll 24, pp. 35-37.

<sup>91</sup> *Ibid.*, 120; Burnett, *Letters*, VIII, 176, n2.

<sup>92</sup> PCC, Roll 63, p. 319; Roll 25, p. 109; Burnett, *Letters*, VIII, 361-362; Sparks, *Works of Benjamin Franklin*, X, 443-444; Montross, 258-259, 417.

both naval officers and collectors, and Congress followed his advice.<sup>93</sup>

The final step in Thomson's development into the role of "prime minister" of the United States was his being given the duty in 1785 to maintain communications with the states, a duty partially his earlier. The key to the operations of the Confederation was this communication since that government depended for its effectiveness on persuading the states to carry out its requests voluntarily. For the next four years Thomson received the letters sent to the Confederation by the states, requested congressional action for the states where necessary, ordered Confederation administrative agencies to deal with them, and sent to the states congressional requests and replies. Typical letters included ones sending acts of Congress, notifications of a new President, collecting census figures, asking that militia units be kept in service against the Indians, and requesting provisions for disabled veterans.<sup>94</sup> One matter of continual importance was the responsibility of trying to get the states to pay their assessments to the central government. Thomson's letters on this matter plead for patriotism, warn of inflation, and call incessantly for action.<sup>95</sup> Of course, at no time did the voluntary contribution system work well, but Thomson seems to have done as well or better than the Presidents of Congress in obtaining co-operation.

The states of Pennsylvania and Delaware illustrate the varied response to congressional requests forwarded by Thomson. In 1785 Pennsylvania honored eleven of the twelve requests made to it. On the other hand on February 22, 1786, Thomson wrote the governor of Delaware that he had sent twenty-one letters in the last ten months and had received not a single reply.<sup>96</sup>

The government of which Charles Thomson was increasingly the leader was not to last, however. It had too many weaknesses, the most critical of which was its lack of direct taxing power. Amendments to allow a tariff and taxation based on the number of whites

<sup>93</sup> PCC, Roll 63, pp. 205-206.

<sup>94</sup> PCC, Roll 25, pp. 27, 59, 71-72, 75, 84-88, 105; Roll 66, p. 326; Roll 79, p. 301; Roll 84, p. 539.

<sup>95</sup> *Ibid.*, Roll 25, pp. 5-8 *passim*.

<sup>96</sup> Pennsylvania, *Minutes of the Supreme Executive Council* (Harrisburg, 1853), XIV, 23, 143, 372, 384, 507, 513, 525, 528, 538, 569; PCC, Roll 25, p. 24.

in a state were both proposed by Congress with Thomson a strong proponent of these measures.<sup>97</sup> Unfortunately they failed, the tariff gaining at times the support of twelve states but never the necessary unanimous thirteen.

These weaknesses and pressures from the wealthy, strong government group led in 1787 to the writing of our present Constitution and in 1788 to its ratification. As noted earlier, Thomson went to Philadelphia as an unofficial advocate of stronger government. After its acceptance by the Convention, the new Constitution was sent to the Confederation Congress. Congress through Thomson transmitted the proposed Constitution to the states on September 28, 1787. This transmittal made the proposal official Confederation business.

Thomson now began an active campaign for ratification, writing letters in support of the Constitution. On April 19, 1788, he informed James McHenry of Maryland that he hoped the Constitution would be ratified because

unless that take place, I confess to you my fears for the safety, tranquility and happiness of my country are greater than at any period of the late war. The present federal government is at the point of expiring. It cannot, I think, survive the present year and if it could, experience must have convinced every man of reflection that it is altogether inadequate to the end desired.<sup>98</sup>

Not well known is the fact that the Constitutional Convention placed the Confederation government, and more specifically Charles Thomson, in charge of organizing the new government once ratification was obtained. On September 13, 1788, following formal notice of ratification by the necessary nine states, he directed the states to elect their senators, representatives, and electors according to the schedule established by Congress. In the same letters he also set the meeting of the first session of the Congress under the new Constitution on the first Monday in March 1789, as specified in the Constitution.<sup>99</sup> The states were then ordered to send the official

<sup>97</sup> PCC, Roll 25, pp. 104-105, 128-132 *passim*.

<sup>98</sup> Bernard C. Steiner, *The Life and Correspondence of James McHenry* (Cleveland, 1907),

109.

<sup>99</sup> Burnett, *The Continental Congress*, 722-726.



lists of senators and representatives elected to Thomson. Further, the presidential electors were specifically to "transmit the votes as certified, signed, sealed and directed, as the Constitution requires, to the Secretary of the United States in Congress Assembled."<sup>100</sup>

With ratification complete, members of Congress began to drift away. At no time after October 10, 1788, were there enough states represented to carry on business.<sup>101</sup> However, Thomson continued the direction of the administrative branch which did remain in operation. One of his last acts was sending out the final volume of the *Journal* to the states on March 18, 1789, with the wish that the change of government which had been made with "so much order and tranquility" would "promote and secure the happiness, prosperity and glory of the union."<sup>102</sup>

Actually, the new Congress was in no more hurry to meet than the old one and the Secretary continued to run the government largely by himself until April 6, when there were enough congressmen and senators assembled to count the votes and elect George Washington President. In a move strikingly similar to the changeover of administrations today, Thomson was sent to Mount Vernon to notify Washington and accompanied the President on his triumphal return to New York City.<sup>103</sup>

On the way to New York, Washington had time to discuss many administrative matters. Certainly, after he took over the reins of the government, he regularly corresponded with Thomson on executive matters and received guidance from the Philadelphian, particularly on May 19 when Thomson wrote him advice on several important matters. The first concerned the meaning of the Constitution on how to choose administration officers. Another stressed that the President and not the Secretary of State should have the power to grant sea letters but that a new form would have to be devised since the old one used the former title of the nation and was signed by the Secretary of Congress. Thomson's advice was followed in these matters.<sup>104</sup> His advice was also sought by the judges of the

100 PCC, Roll 25, pp. 176-177; *Pennsylvania Journal*, Sept. 19, 1787, p. 3.

101 Burnett, *The Continental Congress*, 722-726.

102 Burnett, *Letters*, VIII, 827.

103 Fitzpatrick, *Writings of George Washington*, XXX, 285-286.

104 PCC, Roll 63, pp. 199-201, 205-207.

admiralty courts since he had supervised those courts under the Confederation.<sup>105</sup>

The Secretary's office, which included an assistant secretary, Roger Alden, and two clerks, continued operations until June 30, 1789, clearing up the business of the old government. Its personnel were paid until March 31, but a Treasury department dispute arose about their salaries. Thomson's opponents, led by Arthur Lee and Samuel Osgood of the old Board of Treasury, temporarily blocked the payment of his salary after March 31. Alexander Hamilton, however, eventually arranged for Thomson's payment and the absorption of his subordinates into the new government.<sup>106</sup> Finally, on July 23, 1789, Thomson resigned.

Having had the honor of serving in quality of Secretary of Congress from 1774 to the present time, a period of almost fifteen years, and having seen in that eventful period, by the interposition of divine Providence the rights of our country asserted and vindicated, its independence declared acknowledged and fixed, peace and tranquility restored and in consequence thereof a rapid advance in arts, manufacture, and population, and lastly a government established which gives well grounded hopes of promoting its lasting welfare and securing its freedom and happiness, I now wish to return to private life.<sup>107</sup>

Two days later the *Gazette of the United States* reported the retirement.

New York, July 25—On Thursday last (July 23) the venerable patriot, CHARLES THOMPSON [*sic*] Esq. resigned to the President of the United States his office of Secretary of Congress—a post he has filled for nearly Fifteen Years, with reputation to himself, and advantage to his country.

When Heav'n propitious smil'd upon our arms,  
Or scenes adverse spread terror and alarm,  
Thro' every change the patriot was the same  
And FAITH and HOPE attended THOMPSON'S NAME.<sup>108</sup>

Charles Thomson's retirement, however, was not voluntary. If he was the first governmental official of the United States, he was also

<sup>105</sup> *Ibid.*, 191–192.

<sup>106</sup> Burnett, *Letters*, VIII, 835–836; Harold C. Syrett, et. al., eds., *The Papers of Alexander Hamilton* (New York, 1961– ), V, 381.

<sup>107</sup> Burnett, *Letters*, VIII, 836.

<sup>108</sup> *Gazette of the United States* (New York), July 25, 1789.

one of the first forced into retirement. Senator Maclay of Pennsylvania correctly said in July 1789 that Thomson wanted "to die in an eminent office," but this was not to be.<sup>109</sup> By far the best discussion of his retirement is by Kenneth R. Bowling in the July 1976 issue of *The Pennsylvania Magazine of History and Biography*—"Good-by 'Charle': The Lee-Adams Interest and the Political Demise of Charles Thomson, Secretary of Congress, 1774-1789."

Thomson retired to Philadelphia and lived until August 1824, refusing several minor governmental jobs. His main interest was translating the Septuagint from Greek into English. He also remained active in several scholarly societies, though he consistently refused to write his version of Revolutionary history.

In conclusion, this study shows Charles Thomson to be more a "John Adams" than a "Sam Adams of Philadelphia," more a conservative builder of a new nation than a radical destroyer of the old order. Eventually, by steady accumulation of duties and power, he became the supreme executive of the Confederation government. He was in many ways the predecessor of our present President, Attorney General, Secretary of the Interior, and National Archivist. He also at times performed important portions of the work now assigned to the Secretaries of Defense, State, and Treasury. There is no doubt he contributed greatly to the winning of independence and to the establishment of the government of the United States. Over the long run, though not at every moment, Thomson was the most important governmental official in the United States from 1774 to 1789. As such he deserves recognition as truly one of the most important Founding Fathers of our country.

If the Articles of Confederation could have been amended to allow for necessary changes, the Confederation might have survived and the United States would now have a cabinet rather than a presidential administration. Under those circumstances, it is likely that history would have recognized Charles Thomson of Pennsylvania as the first "Prime Minister" of the United States.

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<sup>109</sup> Burnett, *Letters*, VIII, 833-834, n4. Thomson had been preceded in forced retirement by Arthur Lee and Silas Deane of the diplomatic corps, Horatio Gates of the Board of War and Robert Morris as Superintendent of Finance among others.