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A STUDENTS' HISTORY OF  
THE UNITED STATES



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LONDON • BOMBAY • CALCUTTA  
MELBOURNE

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Abraham Lincoln  
From a photograph by Brady, 1860

A STUDENTS' HISTORY  
OF  
THE UNITED STATES

BY  
EDWARD CHANNING  
II  
MCLEAN PROFESSOR OF HISTORY IN HARVARD UNIVERSITY

*WITH MAPS AND ILLUSTRATIONS*

Third Revised Edition

New York  
THE MACMILLAN COMPANY  
1913

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Set up and electrotyped. Published December, 1897. Reprinted April, 1898. New edition, with additions, printed September, 1898; August, 1899; July, 1900; March, 1901; March, 1902; May, 1903. Revised edition printed June, 1904; January, July, 1905; March, 1906; February, 1907; January, 1908; December, 1908; May, 1910. Third revised edition. October, 1913.



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## PREFATORY NOTE

THE cordial welcome and continued favor which have been accorded to this advanced manual of United States history have been far in excess of the author's expectations. He feels assured that this success has been due, in great measure, to the kindness of the many friends which the book has found. In preparing this new edition he has endeavored, as far as possible, to meet their wishes, to follow their valuable suggestions, and to correct the errors which they have pointed out. He has also rewritten and enlarged the matter given to the years since the close of the Civil War and brought the text down to the present time.

CAMBRIDGE, MASSACHUSETTS,  
October, 1913.





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## SCHOOL LIBRARIES

(The price of each book is given in parentheses. These figures are taken from the publishers' trade lists; often considerable reductions can be obtained.)

For the teacher: Channing, Hart and Turner's *Guide to the Study and Reading of American History* (cited in the body of the work as *Guide to American History*). Boston: Ginn. (\$2.50.)

### THE SMALLEST LIBRARY

Johnston's *American Politics* (successive editions bring the matter down to date). New York: Holt. (90 cents.)

Hart's *Epochs of American History*. New York: Longmans. (3 vols., \$1.25 each.)

Dodge's *Bird's-Eye View of our Civil War*. Boston: Houghton. (\$1.00.)

D. C. Heath's *Smaller Outline Maps of the United States* were prepared by Professor Hart and the present writer for work contemplated in the Suggestive Questions.

---

Hart and Channing's *American History Leaflets*. 36 numbers. New York: Simmons. (10 cents each.)

School histories of England and of France.

### A GOOD LIBRARY

The books already mentioned and the following works:

Higginson's *Larger History*. New York: Harper's. (\$3.50.)

Walker's *Making of the Nation*. New York: Scribner's. (\$1.25.)

Lodge's *English Colonies*. New York: Harper's. (\$3.50.)

Hinsdale's *American Government*. Werner School Book Co. (\$1.25.)



- Fiske's *New England* (\$2.00); *American Revolution* (2 vols. \$4.00); *Critical Period* (\$2.00). Boston: Houghton.
- Parkman's *Pioneers*. Boston: Little. (\$1.50.)
- Channing's *History of the United States*, Vols. I-III (to 1789). New York: Macmillan. (\$2.50 each.)
- Stanwood's *Presidential Elections*. Boston: Houghton. (\$1.50.)
- Taussig's *Tariff History*. New York: Putnam. (\$1.25.)
- Schouler's *United States*. New York: Dodd. (5 vols. \$17.25.)
- Rhodes's *United States*. New York: Macmillan. (7 vols. \$2.50 each.)
- "American Statesmen" (Boston: Houghton): Lodge's *Washington and Webster*, Morse's *J. Q. Adams and Lincoln*, Sumner's *Jackson*. (\$1.25 each.)
- "Makers of America" (New York: Dodd): Wendell's *Cotton Mather*, Sumner's *Robert Morris* and *Hamilton*, Schouler's *Jefferson*. (\$1.00 each.)
- Higginson's *American Explorers*. New York: Longmans. (\$1.20.)
- Old South Leaflets*. Boston: Directors of Old South Lectures.
- MacDonald's *Documentary Source Book of American History, 1606-1898*. New York: Macmillan. (1 vol. \$1.75.)
- Hart's *American History told by Contemporaries*. New York: Macmillan. (4 vols. \$2.00 each. Cited in this work as *Contemporaries*.)
- Histories of the state and of the town in which the school is situated.
- Gardiner's *Student's History of England*, Green's *Short History of the English People*, Higginson and Channing's *English History for Americans*, Duruy's *History of France*.

## A VERY GOOD LIBRARY

The books already mentioned and the following works:

- Winsor's *Narrative and Critical History* (8 vols. \$5.50 each) and his *Columbus* (\$4.00). Boston: Houghton.
- Hart's *American Nation, A History*. New York: Harpers. (27 vols. \$2.00 each.)
- Fisher's *Struggle for American Independence*. Philadelphia: Lippincott. (2 vols. \$4.00.)

Lalor's *Cyclopædia of Political Science*. Chicago.

McLaughlin and Hart's *Cyclopedia of American Government*. New York: Appleton. (3 vols.)

Stedman and Hutchinson's *Library of American Literature*, 13 vols., New York (subscription) (contains many selections from the books mentioned at the beginning of chapters under "Illustrative Material").

Larned's *History for Ready Reference*. (5 vols. \$5.00 each.)

Clarke's *Anti-Slavery Days*.

McCulloch's *Men and Measures*.

Quincy's *Figures of the Past*.

} These books are out of print, but  
} may be obtained from dealers in  
} second-hand books.

Maclay's *United States Navy*. New York: Appleton. (2 vols. \$7.00.)

Gardiner's *Puritan Revolution*, Lecky's *England* (Vols. III and IV).

Rose's *Revolutionary Era*, or Stephens's *French Revolution*.

Fiske's *Civil Government*. Boston: Houghton. (\$1.00.)

G. W. Allen's *Naval History of the American Revolution*. Boston: Houghton. (2 vols. \$3.00.)

Bryce's *American Commonwealth*, abridged edition. New York: Macmillan. (\$1.75.)

MacDonald's *Documents Illustrative of the History of the United States*. New York: Macmillan. 3 vols. (\$2.25 each.)

The constitution of your state and local documents.

A useful work is J. D. Richardson's *Messages and Papers of the Presidents*. Current numbers of the *Congressional Record*, and the Manuals of the two Houses may also be obtained through Congressmen. The Land Office map — the best map for school use — can be bought for one dollar, and other maps, as the beautiful contour map, can be secured through members of Congress.

Most of the books mentioned in this work will be found in the Public Library of the city or town in which the school is situated, and arrangements can often be made for the special use of particular books.

## IMPORTANT DATES

The more important dates are printed in bold-faced type. With each date the student should associate as many events as possible. It is better to learn a few dates correctly than it is to remember many dates incorrectly. Another list may be found in the *Guide*, p. 157.

- 1492. **Columbus (Discovery of America).**
- 1497. **John Cabot (Discovery of North America).**
- 1513. Ponce de Leon (Florida) and Balboa (Pacific).
- 1524. Verrazano and Gomez (Atlantic coast).
- 1534. Cartier (the French in the St. Lawrence).
- 1539-1542. **De Soto and Coronado (the Spaniards in the United States).**
- 1588. **Defeat of the Armada (Beginnings of English Colonization).**
- 1604. Acadia (the French in the North).
- 1607. **Virginia (the First Permanent English-American Colony).**
- 1619. **Representative Government and Slavery in Virginia.**
- 1620. **The Pilgrims at Plymouth (the First Permanent English Colony in the North).**
- 1630. The "Great Emigration to Massachusetts."
- 1632. Maryland (the Calverts and Toleration).
- 1635. Connecticut (Constitutional Development).
- 1636. **Roger Williams (Separation of Church and State).**
- 1643. **New England Confederation.**
- 1649. **Maryland Toleration Act.**
- 1664. English Conquest of New Netherland.
- 1676. Bacon's Rebellion and King Philip's War.
- 1689. The "Glorious Revolution" in America.
- 1701. Pennsylvania Charter of Privileges.

- 1713. **The Treaty of Utrecht.**
- 1754. Albany Plan of Union.
- 1763. **Peace of Paris and King's Proclamation.**
- 1765. **The Stamp Act (Henry's Resolves).**
- 1767. The Townshend Acts (colonial union).
- 1774. **Massachusetts Government Act and First Continental Congress.**
- 1775. Lexington and Concord.
- 1776. **Declaration of Independence.**
- 1781. **Articles of Confederation.**
- 1783. **Treaty of Peace (Boundaries, Debts, etc.).**
- 1787. **The Constitution and the Northwest Ordinance.**
- 1794. **Jay's Treaty (Foreign Relations and Party Organization).**
- 1798-1799. **Kentucky and Virginia Resolutions.**
- 1803. Louisiana Purchase.
- 1812-1815. **War with England (Neutral Commerce and Impressment).**
- 1814. Hartford Convention.
- 1820. **Missouri Compromise.**
- 1823. **The Monroe Doctrine.**
- 1832. The Nullification Episode.
- 1845. Annexation of Texas.
- 1846-1848. Mexican War.
- 1850. **Compromise on Slavery.**
- 1854. **Kansas-Nebraska Act.**
- 1857. **The Dred Scott Case.**
- 1861-1865. **The Civil War.**
- 1863. **Emancipation Proclamation.**
- 1867. Reconstruction Act.
- 1883. Civil Service Reform.
- 1898. Spanish War.

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## SPECIMEN DIGEST

### A Century of Colonial History.

	<p><i>New Era in Colonization.</i></p>	<p>{ Clarendon and his colonial policy; the Navigation Acts.</p>
	<p><i>Massachusetts.</i></p>	<p>{ The Puritans and the Quakers; the English government and Massachusetts; Declaration of Rights, 1661; the Commission of 1664.</p>
	<p><i>Charters of Connecticut, 1662; and of Rhode Island, 1663. Conquest of New Netherland, 1664. New Jersey, 1664.</i></p>	
<p>THE COLONIES DURING RES- TORATION PERIOD, 1660- 1688.</p>	<p><i>Pennsylvania.</i></p>	<p>{ William Penn; bound- aries; Penn and the Indians; government.</p>
	<p><i>The Carolinas.</i></p>	<p>{ The Carolina charters; settlement; founding of Charleston; the Funda- mental Constitutions.</p>
	<p><i>Virginia.</i></p>	<p>{ Grievances of the Vir- ginians; Bacon's Re- bellion.</p>
	<p><i>Constitutional Struggle.</i></p>	<p>{ Overthrow of Massachu- setts' charter, 1684; the Stuart Tyranny in New England; the Glorious Revolution in America, 1688-89.</p>
<p>THE COLONIES UNDER THE ENGLISH WHIGS, 1688- 1760.</p>	<p><i>Constitutional Strug- gles. Georgia, 1732.</i></p>	<p>{ Policy of the new govern- ment; the Carolinas; constitutional progress</p>
	<p><i>Expulsion of the French.</i></p>	<p>{ Early French and Indian Wars, 1690-1748; settle- ment of Louisiana, 1699; expulsion of the French, 1754-63; Treaty and Proclamation of 1763; Albany Plan, 1754.</p>
	<p><i>General View of Colonial conditions in 1760.</i></p>	







No. I. THE UNITED STATES, SHOWING  
After a map by J. W. Powell

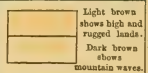


EXPLANATION OF COLORS



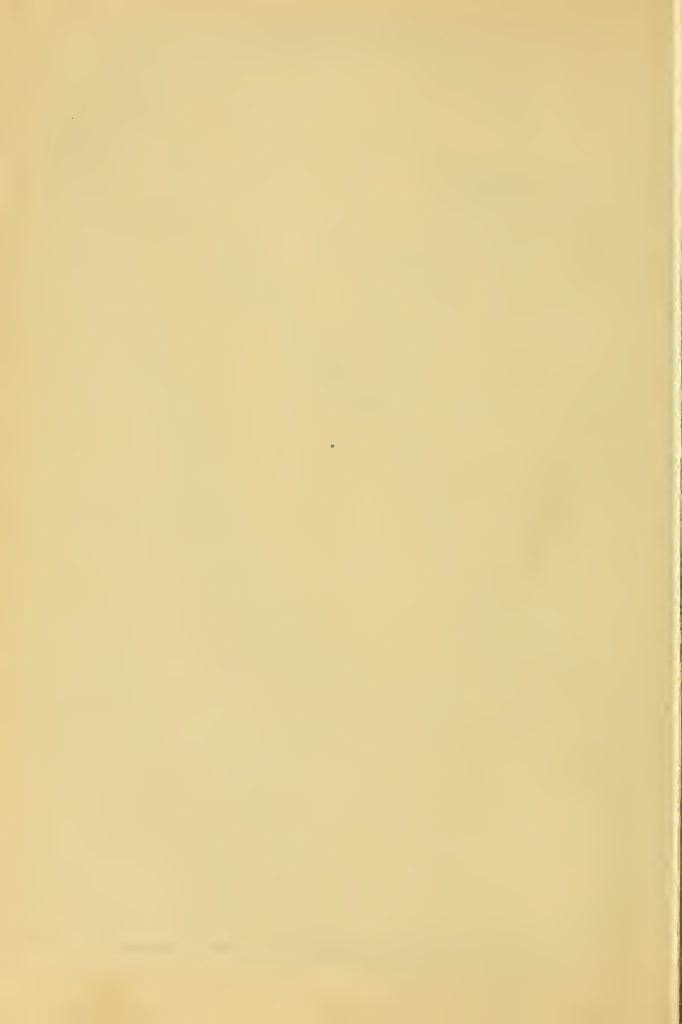
Green represents plains low and marshy near the coast which generally rise to uplands in the interior, trenched by flood plain valleys along the paths of the chief rivers. The coast marshes and the flood plain of the lower Mississippi are colored a lighter green.

EXPLANATION OF COLORS



Light brown shows high and rugged lands. Dark brown shows mountain waves.

R. D. Servoss, N. Y.



# THE UNITED STATES

## INTRODUCTION

### THE LAND AND ITS RESOURCES

#### Books for Consultation

**General Readings.**—Shaler in Winsor's *America*, IV, pp. i-xxx, especially pp. xx-xxx.

**Special Accounts.**—\* Shaler in his *United States*, I, chs. i-iii, vii-ix; Brigham's *Geographic Influences in American History*; Semple's *American History and its Geographic Conditions*.

**Sources and Bibliography.**—*Guide to American History*, §§ 30-32, 96.

**Maps.**—United States Geological Survey, *United States Relief Map* and *Contour Map*. Wall Map: United States Land Office, *Map of the United States*.

### THE LAND AND ITS RESOURCES

1. **Geography and History.**—The life of a nation depends on its moral and mental make-up and on the material opportunities with which nature has surrounded it. In the United States the American people found opportunities for development such as no other country of equal size possesses. Since 1800 the steamboat, the railroad, the electric car, and the automobile have done much to overcome the natural obstacles offered by distance, by mountains, and by rivers. At this moment, the markets of the world are more accessible to the wheat grower of South Dakota than they were to the farmer of central New York in 1820. The discoveries of modern scientists have enabled mankind to use fertile soils and deposits of copper and iron and other minerals to greater advantage than ever before; but so far science has not in-

Influence of  
geography  
on history.

creased or decreased the rainfall of a country or moderated a climate so far as to affect agriculture. This is important because an excess of cold or an absence of moisture forbids the best development of mankind.

Climate and civilization.

2. **Temperature of America and of Europe.** — Looking at the maps on the following pages it appears that those portions of Europe which have been the seats of the highest civilizations are all situated between the lines of average annual temperature of  $40^{\circ}$  and  $70^{\circ}$  above zero. The winter temperature of these countries is between  $20^{\circ}$  and  $60^{\circ}$  and the summer between  $50^{\circ}$  and  $80^{\circ}$  above zero on the Fahrenheit scale. These countries are Norway, Sweden, Denmark, Russia, Germany, Great Britain and Ireland, Holland, France, Spain, Portugal, and Italy.

Europe and America compared. Shaler's *United States*, I, 9, 23.

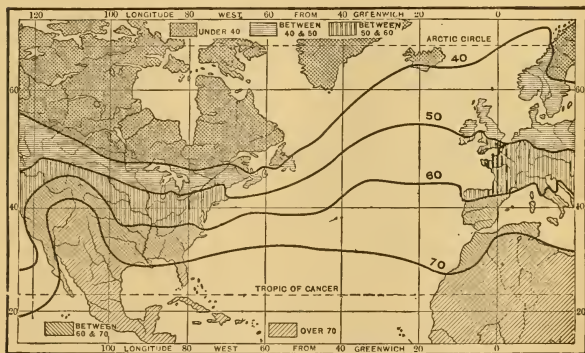
Turning now to the United States, a glance shows that these conditions are not exactly reproduced. The country enjoys about the same annual temperature as western Europe, but the winters are much colder and the summers are much warmer. Moreover, the lines of annual and winter temperature turn sharply to the southward as they cross the Atlantic Ocean ; but the summer lines pursue a more direct western course and some of them even turn northwardly. These facts show that the most available portions of eastern North America lie far to the south of the corresponding portions of European lands. The Straits of Belle Isle and the southeastern end of Labrador are in about the same latitude as London and Berlin, but the winters of Labrador are immeasurably severer than those of England and Germany. On the other hand the summers of Europe and America resemble one another much more closely, for in summer the climate of the coast of Maine is not unlike that of southern France which is in nearly the same latitude. It is in this way that one accounts for the favorable reports of early voyagers, who were here in the summer, and the failure of settlements that were made in consequence ; for the settlers had to face the harsh temperature of winter. Moreover, these maps give only average temperatures ; they do not show the extremes of heat and

Extreme heat and cold in America.



cold which are much greater in America than in Europe. Savannah in Georgia and Cadiz in Spain have about the same average winter temperature ; but the actual climate is very different, for frosts sometimes occur at Savannah, but never at Cadiz. The difference in the winter climate of the two sides of the North Atlantic is due to the westerly winds which sweep over North America from the Rocky Mountains, and to the great ocean current known as the Gulf Stream

Cause of the difference in climate.



Lines of equal temperature, annual

that carries the heat of American tropical regions away from our eastern seaboard and gives it to the countries of western Europe.

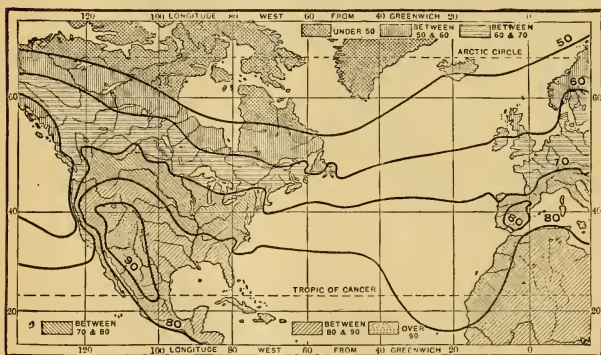
3. **Temperature of the United States.**—On the western coast of North America, the climatic conditions are much more like those of European lands. The lines of equal temperature as they approach the Pacific shore spread out to a very marked extent. Thus the line of  $40^{\circ}$  crosses the St. Lawrence River near Quebec, runs along the northern shore of Lake Superior, then turns northwestwardly, reaching the Pacific Ocean near Sitka, Alaska. It follows from

The Pacific coast.

this that the lands of western Canada and southern Alaska are much more suited to human habitation than those of eastern Quebec and Labrador which lie at the same distance from the equator.

Climate of  
the interior.

The climatic conditions of the interior of the two continents are very different. The Rocky Mountains prevent the warm winds of the Pacific from moderating the climate of the interior, but no such mountain barrier prevents the Gulf Stream from warming European lands. It follows



Lines of equal temperature, August

Extremes of  
temperature.

from this that the extremes of temperature in the interior of North America are even greater than on the eastern seaboard. Cold winds from the Rockies and from the Arctic sweep over the plains and produce great intensity of cold. In the summer time, hot winds blow from the south and raise the temperature rapidly and greatly. The effect of these cold and warm "waves" is very great. Sometimes the mercury is frozen in Wisconsin and Michigan, and in Texas the thermometer has fallen fifty-four degrees in eighteen hours. On the other hand, in the midst of a hot

“wave,” in the summer time, the thermometer often goes as high as one hundred degrees in Iowa and in Nebraska. It follows that in the region stretching from the St. Lawrence to the Gulf of Mexico agricultural conditions prevail that in the Old World are associated with the countries extending from the North Cape to the Desert of Sahara. In America each group of colonies and states has had its own industries, habits of living, and mode of thought. From the beginning, the American people has been divided into sections and this fact has, to a great extent, determined the course of the political history of the nation.

Results of climatic conditions.

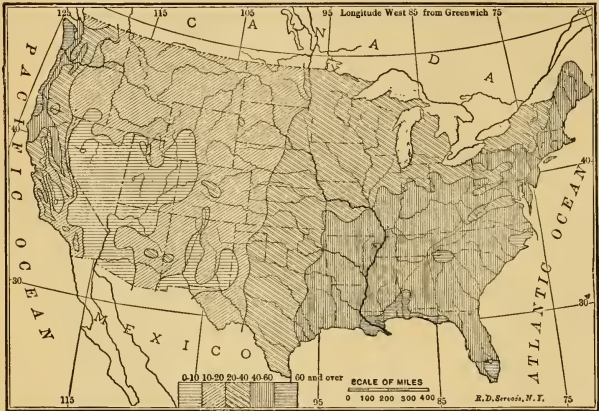
4. **Rainfall.**—The temperature of a country determines in great measure what its agricultural produce shall be; Indian corn demands a good deal of heat, and cotton will not thrive without a greater intensity of heat, and both plants are peculiarly sensitive to frosts. Equally important is the rainfall. If there is too much rain, the cotton plant becomes so choked with weeds that it will not grow at all; but if it does not have abundant moisture, it will not thrive. On the other hand, corn absorbs moisture from the air and will grow in dry seasons when other plants perish. Twenty inches of average annual rainfall are essential to profitable agriculture, although some important plants will thrive on less, provided it is well distributed. Unfortunately as the average rainfall decreases below twenty-five inches the variation in the precipitation increases out of all proportion to the amount. Five inches of rainfall, more or less, would make little difference in a country where the average annual rainfall was as much as thirty inches; it might be fatal to a year's crops in regions where the rainfall is twenty inches. Lands where the annual rainfall is below twenty inches are suited to grazing, but below ten inches vegetation practically ceases. On the other hand, a rainfall much exceeding fifty inches is more than most food plants suited to the temperate zone can bear; but a few plants as rice and the sugar cane demand a large amount of moisture, even as much as sixty inches of average annual rainfall.

Effects of temperature and of rainfall.

Importance of amount and distribution of rain.

Distribution  
of the rainfall.

The examination of the map showing the average annual rainfall of the United States tells one that the country east of the one hundredth meridian enjoys abundant rainfall ;



Average annual rainfall

but west of that meridian, especially in the summer, the rainfall rapidly decreases toward the west and south,—the temperature rising as the rainfall declines. These large areas of hot and arid lands are ill fitted to cultivation or even to grazing unless artificial irrigation is resorted to. This system is already applied to large regions east of the Rocky Mountains as well as in the valley lowlands of the Pacific Coast. The returns from irrigated lands are usually large and certain. The extension of this system will greatly increase the productivity of the western half of our country.

Arid lands.  
Shaler's  
*United States*,  
I, 17.

Necessity of  
easy access to  
the ocean.

**5. Physical Formation of North America.**—No matter what its advantages may be in the way of rainfall and temperature, character of soil, and extent of mineral deposits, a country to be of the utmost value must offer easy access to

the outer world. This is especially true of regions which were colonized from Europe in the era of sailing ships. The eastern half of the United States offered every inducement to the voyager to reach its shores, and the low-lying Appalachian system has proved to be easily surmountable by the railroad. Many writers speak of the Mississippi and the St. Lawrence as the keys or gateways to the continent. This is true in a military sense, but only in a very limited sense as to commerce and colonization. The lower course of the St. Lawrence is far to the north, where the winters are severe. Its whole lower valley is beyond the home of Indian corn, the American foodstuff, whose simple culture and great return made colonization farther south comparatively easy. The lower St. Lawrence is really a fiord-like arm of the sea. At Montreal a sea-going vessel is stopped by a rocky barrier—the Lachine Rapids. This and other obstacles on the way to the Great Lakes could be overcome or evaded by the Indian trader and the soldier; but colonists found it difficult to transport their families, household implements, and supplies to the fertile regions of the interior. Besides, the St. Lawrence is frozen over for one half the year, and ice closes the lakes to navigation for nearly an equal period. Before the days of steam, the Mississippi basin was difficult of access. It is not frozen, except in its northern portions, nor are its lower or middle sections barred by rocky barriers. Its winding course, tireless current, and recurring shallows offered almost insuperable obstacles to the colonist in the days of sailing ships. The gateway to the interior was from the Atlantic seaboard through the breaks in the Appalachians or around the southern end of that system.

Gateways to  
the interior.

The Pacific coast is less inaccessible. The Golden Gate leads to the great lowland valleys of the Sacramento and the San Joaquin; the Columbia affords access to fertile lands, and Puget Sound opens up a rich agricultural country. The Pacific slope, however, was far removed from the colonizing countries of Europe, and its first settlers came overland from Mexico.

The Pacific  
approaches.

Extent, climate, and rainfall. Shaler's *United States*, I, ch. ii.

**6. The Atlantic Seaboard.** — This section extends from the ocean to the water parting of the Appalachian system that divides the rivers falling into the Atlantic from those which flow into the Mississippi and the St. Lawrence. It is about four hundred miles wide and two thousand miles long. It possesses sufficient rainfall and a range of temperature such as is found on the other side of the Atlantic, from the Arctic Circle to Cape de Verde on the western coast of Africa. The Appalachian system is divided into sections lengthwise by fertile valleys extending southward from New Jersey to North Carolina. The western range (usually termed the Alleghanies) seldom rises to more than five thousand feet and is generally fit for the plow. The eastern range (sometimes called the old Appalachian chain) is higher, but it is broken in all directions by fertile valleys.

Passes through the Appalachian system.

The most important breaks in the Appalachian system are those between the Hudson and the St. Lawrence by Lake Champlain and between the Hudson and the Great Lakes by the Mohawk. The Hudson is really an arm of the sea and the influence of the tides is felt even above the mouth of the Mohawk. A rise in the sea level of only one hundred and fifty-two feet would convert all the country east of the Hudson and Lake Champlain into an island. The highest point on the route from the Hudson to Lake Erie is only four hundred feet above sea level. This river and the Mohawk were plainly provided by nature to serve as a line of communication between the fertile lands of the Ohio valley and the ocean. Cumberland Gap and other passes lead over the mountains farther south, but none have these easy grades. The seaport which controls the commerce of the Hudson is necessarily the greatest business metropolis of the Atlantic seacoast.

Natural resources.

The soil of the Atlantic slope is, on the whole, of remarkable fertility. Near the coast are salt marshes which are at present of little service, but if properly drained might be of great value. Between the mountain crest and the low-lying sea area there is a sudden break in the continuity of the

plain. This point is usually marked by falls in the rivers which furnish unrivaled water power for turning the machinery of mills and generating electricity. The whole region is well forested and suitable to the growth of wheat, corn, tobacco, and cotton. It contains some of the richest coal fields and beds of iron in the world. Splendid harbors, sheltered inland bays, and navigable rivers laid open the country to the immigrant and provided outlets for its products.

7. **The Mississippi Basin.**—This section extends from the Alleghanies to the Rocky Mountains and contains nearly one million square miles of land, almost all of which is suited to the uses of man. It is a nearly level area, sloping gently from the west and east to the center, and from the north to the Gulf of Mexico. For the most part it is a table-land from six thousand to three hundred feet above the sea level, trenched by flood-plain valleys along the paths of the principal rivers. With the exception of the flood plain of the Mississippi below the thirty-sixth parallel, the river bottoms are narrow and the whole basin is free from diseases and dangers of low-lying countries to a degree equaled by no other very great river system. An idea of the vast size of the Mississippi basin may be gathered from the statement that from the Gulf of Mexico to the mouth of the Ohio is eleven hundred miles and from that point to Pittsburg is fully one thousand miles more,—in all about two-thirds of the distance across the Atlantic from New York to Liverpool.

Measured by the amount of water contributed to the main stream, the Ohio is the largest branch of the Mississippi. A common error is to regard the Ohio valley as including only the portion north of the river, probably because of the situation of the state of Ohio. In reality, the valley of the Tennessee is as much a part of the Ohio basin as the valley of the Allegheny. This basin is the richest single division of the continent: the temperature is about the same as that of the Atlantic slope, the rainfall is abundant, the soil is

Characteristics.  
Shaler's  
*United States*,  
I, ch. iii.

The Ohio  
valley.

fertile and admirably suited to the production of corn and wheat, and the mineral deposits are exceedingly rich and abundant. This region was forest clad on the coming of the whites, but there were large spaces of cleared land which could be at once used by the settler.

The prairies. West of the Wabash, one of the tributaries of the Ohio, there were no trees except in the river bottoms. This was due to the Indian practice of burning the grass to provide fresh fields for the bisons or buffaloes; but there is nothing in the natural condition of these lands to prevent the growth of trees. West of the one hundredth meridian, until the slopes of the Rockies are reached, the rainfall is too scanty for tree life, as it is in the Great Basin between the Rocky Mountains proper and the Cascade and Sierra Nevada ranges. The treeless region of the Mississippi basin east of the one hundredth meridian is admirably fertile and suited to the growth of corn and wheat, although the winters are severe, the summers often hot, and the rainfall sometimes deficient. The Mississippi basin also contains large deposits of coal and most valuable mines of iron, copper, lead, and zinc.

Lower Mississippi valley. The soil of the lower Mississippi valley is exceedingly fertile, the rainfall is abundant, and the climate is suited to the growth of plants which require a large amount of moisture. The flood plain has been subdued by the erection of dikes called levees, and only about six thousand square miles are too swampy for redemption. Taken all together, and weighing the advantages and the disadvantages, it may safely be said that there is no other land of its size on the surface of the earth so admirably suited to the purposes of mankind as the basin of the Mississippi.

Character and resources, Shaler's *United States*, I, ch. iii.

8. **The Cordilleran Region.**—The whole of the United States, west of the one hundred and fifth meridian, with the exception of the upper valley of the Missouri and the valley lowlands of the Pacific slope is occupied by the Cordilleran system. This section is no less than one thousand miles wide from the prairies to the Pacific. The mineral resources



are great and varied, gold, silver, copper, lead, tin, iron, and coal. The climate is healthful, but in many places is too dry for agriculture, except when irrigated, and portions of it, indeed, are unfit even for pasturage.

The Pacific coast district includes the valley lowlands of the Sacramento and San Joaquin. The temperature of southern California is singularly uniform, but the heat is often oppressive in the deeper portions of the valleys, although higher up the climate is more temperate. Rain seldom falls in the summer, but the nearness of the mountains makes irrigation comparatively easy. Almost any crop can be grown on these lands, as wheat, oranges, and olives. Farther north, the valley of the lower Columbia enjoys a more uniform temperature and abundant moisture. In places the rainfall is excessive and the climate generally resembles that of England. The soil is deep and fertile and the forest covering of great value.

9. **Adaptability of the Continent.**—The agricultural and mining regions are so arranged that the greater portion of the country is fitted for varied occupations, which give the best results in the growth of a race. The climate is also suited to Europeans. Formerly, it was the habit of foreign writers to picture the American as a thin, lanky man, quite inferior physically to his European ancestor. The application of scientific methods to the elucidation of this problem has dispelled this delusion as well as others of a less critical age.

During the Civil War, thousands of soldiers in the Union armies were carefully measured. These men were drawn from all portions of the country, and also included thousands of recent immigrants from Great Britain, Ireland, and Germany. The results were published in a book, from which the following table has been compiled. It will be seen that the American, instead of being the tall, thin-chested, and light-weighted man he is always described as being, is practically as heavy and as stout as the newcomers from Europe; he is slightly taller, but only slightly.

Effects of the  
American  
environment.  
Shaler's  
*United States*,  
II, ch. ix.  
Winsor's  
*America*, IV.

NATIVITY	HEIGHT (INCHES)	WEIGHT (POUNDS)	CHEST (INCHES)	
			Full inspiration	After inspiration
New England	67.8	139	36.7	34.1
Middle States	67.5	140	37.0	34.3
Ohio, Indiana	68.1	145	37.5	34.9
England	66.7	137	36.9	34.3
Ireland	66.9	139	37.5	35.2
Germany	66.6	140	37.2	34.7

When one considers all these things, — the climate and the rainfall of the United States, its physical features, its fertile soils, and magnificent water powers, its marvellous mineral resources, and the effect of this environment on the physical body, — one must admit that the European race has gained by its transfer from its ancient home to the soil of the United States.

### SUGGESTIVE QUESTIONS AND TOPICS

#### §§ 2, 3. TEMPERATURE

- a.* Give the differences in temperature between Europe and North America, and their causes.
- b.* Has either continent decided advantage over the other in temperature, and why?
- c.* What places in the United States have the same annual temperature as northern Spain? the same winter temperature? the same summer temperature?

#### § 4. RAINFALL

- a.* Show the connection between the mode of sustenance of a people and its civilization.
- b.* Represent upon an Outline Map the distribution of rain in the United States, and state its results.
- c.* Economic study: "Statistics of Irrigation on Pacific Coast."

§ 5. PHYSICAL FORMATION

- a.* Compare Europe and North America, as to ease of access.
- b.* Describe the different natural approaches to the North American continent, and compare their excellence.

§ 6. ATLANTIC SEABOARD

- a.* If all the natural resources of the Atlantic seaboard were utilized, how many different kinds of employments would be possible to its inhabitants?
- b.* What effect would free trade have upon diversity of occupation?
- c.* Can you find an argument in this section for or against free trade in the United States?

§ 7. MISSISSIPPI BASIN

- a.* Make a written comparison of the Mississippi basin and the Atlantic seaboard. Explain fully the advantages of the former.
- b.* What are the distinguishing characteristics of the three subdivisions of the Mississippi basin?

§ 8. CORDILLERAN REGION

- a.* Give a general description of the Cordilleran region.
- b.* Name and characterize its subdivisions.

§ 9. ADAPTABILITY OF THE CONTINENT

- a.* Give the testimony of statistics as to the influence of the conditions of the American continent upon European races.

GENERAL QUESTIONS

- a.* Present the materials of this chapter in the form of a digest.
- b.* Assign the three following subjects: "Temperature," "Rainfall," "Physical Formation of the United States," individually to members of the class for reading in the special accounts and elsewhere; let each put a topical analysis of his results in the form of a report either written or oral.

## CHAPTER I

### DISCOVERY AND EXPLORATION, 1000-1600

#### Books for Consultation

**General Readings.**—Higginson's *Larger History*, 27-108; Thwaites's *Colonies*, 20-32, 36-42.

**Special Accounts.**—Winsor's *America*, I, 69-75, II, 1-23, 129-152, 231-283, 473-498, III, 1-7, IV, 5-11, 47-62, 105-130; \*Winsor's *Columbus*; \*Fiske's *Discovery of America*; Lowery's *Spanish Settlements*; Parkman's *Pioneers of France* (ed. 1887), chs. vii-ix; Froude's *English Seamen*; Bourinot's *Story of Canada*; \*Corbett's *Sir Francis Drake*; Channing's *History of the United States*, I, chs. i-v; \*Bourne's *Spain in America*; Larned's *History for Ready Reference*, under America.

**Sources.**—*American History Leaflets*; *Old South Leaflets*; \*Hart's *Contemporaries*; Jameson's *Original Narratives of Early American History*.

**Maps.**—The best collection of facsimiles for the use of students is Ruge's *Die Entwicklung der Kartographie* (published by Petermann, *Mitteilungen*, ergänzungsheft, No. 106, price \$2.00). Other collections are Winsor's *America*, Vols. I, II, III, and IV; Winsor's *Columbus* and his *Cartier*.

**Bibliography.**—*Guide to American History*, §§ 97, 100-109, 111-113.

**Illustrative Material.**—Irving's *Columbus* (abridged edition); Prescott's *Conquest of Mexico* and *Conquest of Peru*; Lummis's *Spanish Pioneers*; Wallace's *Land of the Pueblos*; Yule's *Marco Polo*; J. I. Lockhart's *Memoir of Bernal Diaz*.

Longfellow's *Discoverer of the North Cape*, *Skeleton in Armor*, and *Sir Humphrey Gilbert*; Lowell's *Columbus*; Tennyson's *Columbus*; Kingsley's *Westward Ho!*; Cooper's *Mercedes of Castile*; Simms's *Vasconcelos*. For other titles see *Guide*, § 51.

## DISCOVERY AND EXPLORATION, 1000-1600

10. **Voyages of the Northmen.** — There is little doubt that the hardy seamen of northern Europe — the Northmen, as we call them — visited the coasts of North America in the eleventh and twelfth centuries and may possibly have made settlements there. The evidence for these voyages is found in old writings called sagas." Some of these relate the stories of kings and heroes ; but others, as those which describe the discovery of Vinland or America, represent traditions that had been handed down by word of mouth for generations. These Vinland sagas all relate that wild wheat and wineberries were abundant in the country that was discovered by Leif Ericsson in the year 1000. The wineberries closely resemble those from which the Northmen made wine in their native land, and the wild wheat was like that which was used in Iceland for the making of bread. The wineberries were so abundant in the newly discovered country that the Northmen called it Vinland or Wineland. It was probably some part of the maritime Provinces of Canada, and it may have included a portion of the New England coast. The Northmen made many other voyages to Vinland, but gradually they ceased coming and all memory of this western land faded away, except in the minds of a few scholars who were familiar with the old sagas.

Discovery of Vinland or America, A.D. 1000, *American History Leaflets*, No. 3.

11. **English and French Fishermen.** — Other European mariners sailed across the north Atlantic to the coast of America before 1492. These were the fishermen and fur traders from England and France who came to Labrador and Newfoundland. Undoubtedly they thought that these lands were part of the European and Asiatic continents and not portions of a New World. At any rate, they wrote little about their experiences and not much is known of them to this day.

The Newfoundland fisheries.

12. **Early Geographical Ideas.** — Many learned men among the ancients believed that the earth was round and not flat, as had been taught in the poems of Homer. One

Geographical ideas of the ancients. \*Winsor's *Columbus*.

of these, Aristotle, the Greek philosopher, who lived three hundred years and more before the birth of Christ, proved to his own satisfaction, by observing the shadow of the earth during eclipses, that it was round. Eratosthenes, a Greek geographer, went even farther. He wrote that if the Atlantic Ocean was not so vast, one might go by sea from Spain to India by steering a westerly course. Moreover, he thought that somewhere out in the ocean there might be two or even more habitable earths of which men had no knowledge.

This globular theory of the shape of the earth was preserved during the Middle Ages by the Arabian philosophers and also appears from time to time in the writings of Christian authors. One of these, Roger Bacon, one of England's earliest and one of her greatest thinkers, referred to the rotundity of the



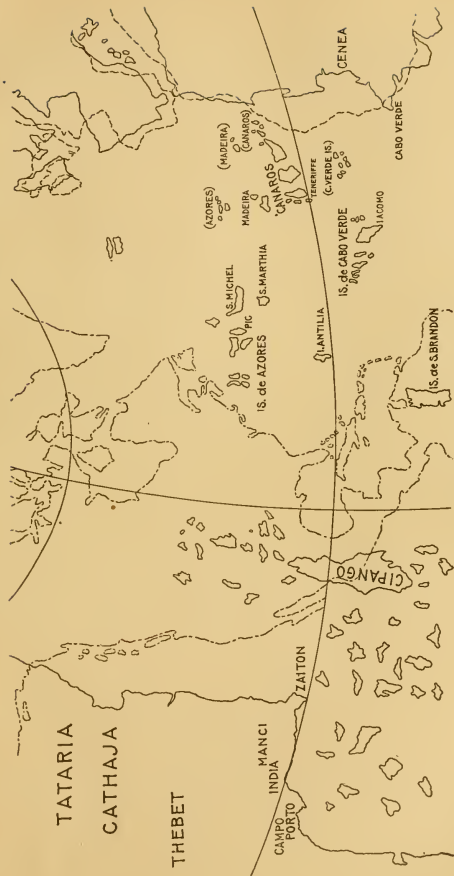
Toscanelli

earth and even enforced his ideas by reference to ancient writers. It is not impossible that it was in this precise way that the idea that the earth was round came to Columbus.

Preservation  
of the theory  
during the  
Middle Ages.  
\*Winsor's  
*Columbus.*

Toscanelli  
and Colum-  
bus.  
\*Winsor's  
*Columbus.*

**13. Ideas of Toscanelli, Behaim, and Columbus.** — Among Italian scholars who were interested in geographical matters was Paolo Toscanelli of Florence. Columbus wrote to him for advice as to sailing across the Atlantic to Asia. Toscanelli replied with a letter and a map which may or may not have influenced Columbus. There is still in existence a globe which shows the ideas of scientific navigators of Columbus's time. This was completed by Martin Behaim in the summer of 1492, at about the time that Columbus sailed on his great



Globe of Martin Behaim, 1492

(Sketched from Ruge's *Christoph Columbus*. The dotted line on right-hand side of the sketch shows the actual coast line of Europe and Africa; the dashed line in the center shows America in relation to the actual Europe; the true position of the Atlantic Islands is indicated by the names in parentheses.)

Behaim's  
globe.  
Winsor's  
*Columbus*,  
186-190;  
Winsor's  
*America*, II,  
104.

voyage. A sketch of a portion of it is given on the preceding page with America shown in its true relation to Europe. Behaim and Columbus belonged to the same school of navigators, thought alike on geographical matters, and probably knew each other. They thought that the earth was only three-quarters of its real size, because they had no conception of the oceans that lie between Europe and Asia. They believed that Cipango or Japan was where Mexico really is; they also placed the Canary Islands far to the west of their true position. Looking at the Behaim map, it is easy to understand what Columbus had in mind to do when he sailed on his great voyage and how easily he might have thought that he had reached an outlying Asiatic land when he was really off the coast of Cuba. It is well that this mistake arose, or he would not have set out on his voyage, for Japan is ten thousand miles from the Canaries instead of only three thousand miles as Columbus thought. It was hard enough to fit out an expedition for the shorter voyage; it might well have been impossible to obtain either vessels or men to go ten thousand miles across the Sea of Darkness. As it was, the task to which Columbus set himself was without precedent. For a thousand years wise men had believed the earth to be a ball, and that Asia might be reached by sailing across the Sea of Darkness; until Columbus appeared, no one had deliberately set forth to test the truth of the theory:

Clough's  
*Columbus*.

What if wise men, as far back as Ptolemy,  
Judged that the earth like an orange was round,  
None of them ever said, come along, follow me,  
Sail to the West and the East will be found.

14. **Columbus's First Voyage, 1492.** — On the 3d of August, 1492, the little fleet of three vessels passed out of the roadstead of Palos; on August 24 and 25 the Peak of Teneriffe was in sight; and, on September 6, the Canaries were behind them. Westward they sailed, wafted along by light easterly breezes, with every now and then a calm; at



one time the weeds of the Sargasso Sea were around them, and they steered northward to avoid them, and then westward again. After they had been out of sight of land for more than a month, Martin Alonzo Pinzon, the captain of the *Pinta*, induced the admiral to change the course of the fleet to the southwest. It is well that he did so. Had the vessels continued longer on their westerly course, they would have passed north of the Bahamas, out of sight of land, have become involved in the current of the Gulf Stream, and have reached the American shores in the stormy region of the Carolina coasts. As it happened, on the evening of October 11, Columbus saw a light in the distance, and at two o'clock on the morning of October 12 the *Pinta*, which was in advance, signaled land in sight. When day dawned, an island was seen. The natives called it Guanahani. Columbus named it San Salvador, but which of the three thousand islands or islets of the Bahamas it is, no one knows. Sailing thence, Columbus visited the northern coast of Cuba, and, doubling back on his course, discovered the island of Santo Domingo which the Indians called Haiti. Columbus reached Spain again, after many adventures and great hardships. Ferdinand and Isabella, the Spanish monarchs, received him at Barcelona with great splendor. He had most wonderful stories to tell and many interesting things to show. Among them were ornaments of gold and above all some natives of the Indian islands on the other side of the Ocean Sea.

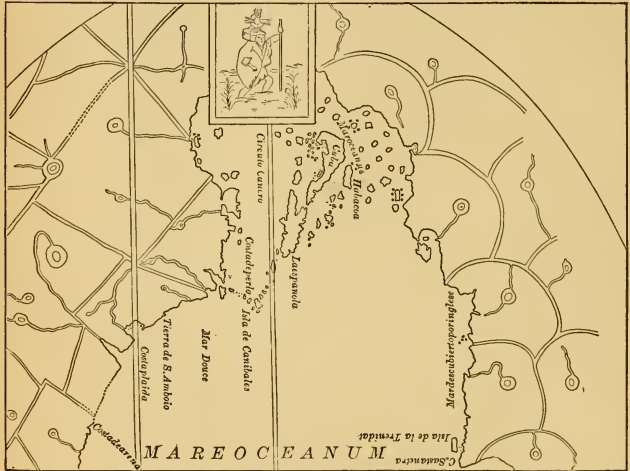
15. **Columbus's Later Voyages.** — In 1493, Columbus at the head of a great expedition sailed from Spain to the magic islands that he had discovered in 1492. His later career was most unhappy, for there was little gold to be found in the islands that were first occupied by the Spaniards and his own despotic temperament angered his colonists and led to rebellion. Besides beginning the settlement of Santo Domingo, Columbus on this second voyage explored the southern coasts of Cuba and discovered the island of Jamaica. In 1496 he returned to Spain for reënforcements.

The great voyage. Bourne's *Spain in America*; Irving's *Columbus* (abridged ed.), 55-119; Fiske's *Discovery*, I, 419; *American History Leaflets*, No. 1.

The second voyage, 1493.

The third  
voyage, 1498.

The year 1498 saw Columbus again on the western side of the Atlantic. Pursuing a more southerly route, he reached the northeastern corner of South America and anchored his vessels in the estuary of the Orinoco. The newly discovered river was so large that the land it drained could be no is-

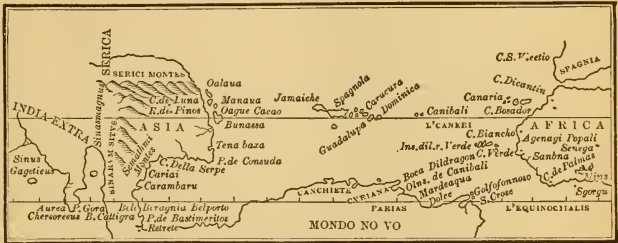


Map made by La Cosa, 1500

land, but there was no room for a continent south of India on the maps that Columbus knew. Either he had not reached the lands of Asia or the earth was not round. He made up his mind that the earth was shaped like a pear and that this New World was on the stem end. From the Orinoco, he sailed northward to Santo Domingo and in 1500 was taken to Spain to answer complaints that had been made of his conduct by the Spanish colonists.

Two years later, in 1502, Columbus was again in the Indies searching for a waterway leading to China between Cuba and North America. This time he sailed along the shores of Central America and heard vague rumors of a great body of water on the other side of the land which he had just discovered. After fruitless attempts, he abandoned the search for the strait leading to this great ocean, and sailed

The fourth voyage, 1502.



Map made by Bartholomew Columbus before 1502  
(Note connection between "Mondo Novo" and Asia.)

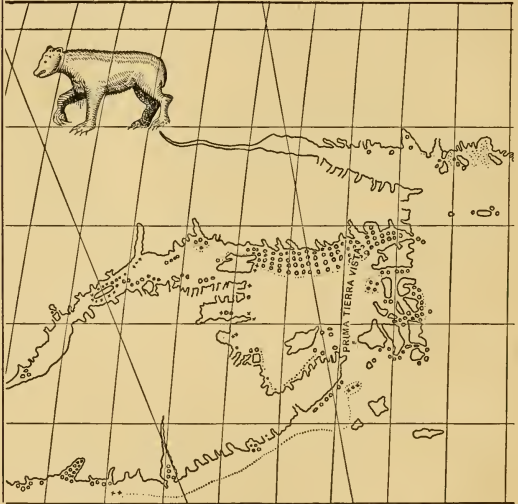
for Santo Domingo. After suffering great hardships he returned to Spain and there died in 1506, scarcely noticed by his contemporaries.

16. **The Cabot Voyages, 1497-1498.**—John Cabot, like Columbus a native of Italy, sailed across the North Atlantic in 1497, from Bristol, England. He made his voyage under a license from Henry VII, the first of the Tudor kings. Going far to the north of Columbus's route, he anchored his ship off the coast of Labrador or in some of the harbors of Newfoundland or of the lands just to the southward. He then returned to England, reporting that he had reached the coasts of China. In 1498, he sailed again and disappeared from sight. These Cabot voyages are very important in our history because it is on them that later English monarchs based their right to make settlements in the New World. Our knowledge of what John Cabot really did is very slight,

First Cabot voyage, 1497-  
Winsor's  
*America*, III,  
1-7; Fiske's  
*Discovery*, II,  
2.

Evidence for the first voyage. *American History Leaflets*, No. 9.

but there is no doubt that the voyages were made and that, in 1497, John Cabot reached the coast of North America. On this page is the sketch of a map that was made by Cabot's son, Sebastian, nearly fifty years later. In the original map, under the figure of the bear, is a reference to a statement saying that "this land was discovered by John



Cabot, a Venetian, and by Sebastian Cabot, his son." Across the mouth of the Gulf of St. Lawrence are words stating that this was the land first seen. A study of this sketch will show how vague our information as to these voyages really is.

17. **The Naming of America.**— Still another Italian to visit America in these early days was Amerigo Vespucci, or Americus Vesputius, to give his name its Latin form. It is

not exactly certain what he did in America. Some students think that he saw the coast of South America at a very early time; others look upon him as the discoverer of Florida. At any rate, in 1504, he wrote an account of his experiences in the New World. This letter was printed and became well known to scholars. One of these, Martin Waldseemüller, a teacher of geography, wrote a scientific paper which also found its way into print. It was in this *Cosmo-*

Americus  
Vespuccius.  
Winsor's  
*America*, II,  
ch. ii.

His letter of  
1504. *Old  
South Leaf-  
lets*, X, No. 5.

**Nūc ꝯo & hę partes sunt latius lustratę & alia  
quarta pars per Americū Vesputiū (vt in sequenti  
bus audietur) inuenta est / quā non video cur quis  
iure veter ab Americo inuentore sagacis ingenij vi  
ro Amerigen quasi Americi terrā / siue Americam **Ameri-  
dicendā: cū & Europa & Asia a mulieribus sua for **ca  
tita sint nomina. Eius sitū & gentis mores ex bis bi  
nis Americi nauigationibus quę sequunt̄ liquide  
intelligi datur.******

Facsimile of passage in the *Cosmographiæ Introductio*

*graphiæ Introductio* that Waldseemüller named the new found world America in honor of the person whom he thought had discovered it. He kept Columbus's name for the islands and had no intention of lessening the glory of the great discoverer. The new name was at once placed on South America on the maps of that time. Later, when it became certain that the American continents were one and were not connected with Asia, the name spread over the whole New World.

The New  
World  
named  
America.  
Winsor's  
*America*, II,  
146-152;  
Fiske's *Dis-  
covery*, II,  
129-145.

18. **Discovery of the Pacific, 1513.**—The discoverer of the Pacific was no Italian, but a Spanish adventurer named Balboa. He had come to the new lands to get riches quickly and found himself a bankrupt and a rebel. One day, while on an expedition in the country just to the south-

Balboa dis-  
covers the  
Pacific.  
Fiske's *Dis-  
covery*, II,  
365.

ward of the line of the present Panama Canal, he learned from an Indian chief that beyond the mountains which lay inland was a great sea. Furthermore, the Indian chief told him that the lands bordering on this other ocean abounded in gold and in silver. Here was the opportunity for Balboa.



Routes of the discoverers

On September 25, 1513, he found himself on the crest of the Cordilleras. At the foot of the mountains glittered the waters of the unknown sea. At that point the Isthmus of Panama runs from east to west. To Balboa, therefore, the new sea shone from the south; he therefore named it the South Sea. Now, it is generally called the Pacific, that

being the name given to it by Magellan who was the first European to reach it by water from the Atlantic.

**19. Circumnavigation of the Globe.**—Magellan was a native of Portugal who sailed in the service of the King of Spain. The Portuguese were the most daring navigators of that epoch. Before Columbus made his great voyage, they had sailed along the western coast of Africa, as far as the Cape of Good Hope. In 1497, Vasco da Gama, one of their greatest captains, sailed around the southern end of Africa to Calicut in India, and returned home safely. In 1500 another Portuguese mariner, Gaspar de Cortereal, discovered the shores of Labrador and Hudson Strait. In the same year, Cabral sailed from Portugal for India by the way of the Cape of Good Hope. Steering way out from the African coast, he sighted the shores of

Brazil and then proceeded on his voyage to the Indian Ocean. Nineteen years later, Magellan sailed in search of a water route to the South Sea around or through South America. He found the strait which still bears his name. Passing through it on November 28, 1520, he sailed out into the broad Pacific which he so named because the winds were gentle when he reached it. Steering boldly toward the north and west, he discovered the Philippine Islands. There he was killed in an encounter with the natives. One of his vessels, the *Victoria*, was navigated by her officers

The Portuguese navigators.

Magellan Strait, 1520. Winsor's *America*, II, ch. ix.



Magellan

through the Spice Islands, across the Indian Ocean, around the Cape of Good Hope and so back to Spain; thus for the first time circumnavigating the globe.

Ponce de  
Leon in  
Florida, 1513.  
Winsor's  
*America*, II,  
232-236.

**20. Discovery of Florida.** — It is probable that the Spaniards had known of the mainland of the United States before 1500, for the peculiar features of the continental outline are clearly shown on early maps. The first Spanish voyager whose name is plainly associated with this land is Ponce de Leon. In 1513, he sailed northward from the Bahamas to explore a land which the natives of the islands declared to be rich in gold and silver and to enjoy a perfect climate. On Easter Sunday, he came within sight of the coast not far from the present St. Augustine. He called the new land Florida from the Spanish name for Easter, Pascua Florida. From this point De Leon sailed around the southern end of the peninsula and traced the western shore as far north as Tampa Bay. Other Spanish voyagers came to the Gulf coast of the United States in the next few years, but it was not until 1521 that Ponce de Leon again visited the land of Florida. This time he was at the head of an expedition to found a settlement. Sickness among his men, the hostility of the natives, and a serious wound drove him back to Cuba. Thus came to an untimely end the first of a long series of attempts to plant colonies on the shores of North America.

Cuba,  
Yucatan,  
Mexico.

**21. Mexico.** — The island of Cuba was conquered soon after 1508. The natives of Cuba were not sufficiently numerous to furnish the labor required by the Spaniards. Expeditions were, therefore, sent off to the west and to the north to capture slaves. One of these, driven from its course by winds and currents, reached the coast of Yucatan in the year 1517. This region had already been examined, but all remembrances of the earlier exploration had faded out. Soon after, the coast of Mexico was discovered and the conquest of the country intrusted to Cortez. The story of his wonderful expedition and the account of the Indian capital on islands in the Lake of Mexico lies outside the



limits of this book. It is important to note it, however, because from Mexico expeditions were sent out to the south-western part of the United States and to the Pacific coast.

22. **The Spaniards on the Atlantic Coast.** — In 1524 or 1525, a navigator named Gomez, who had deserted Magellan in the most trying part of his cruise, sailed along the eastern coast of North America from Labrador to North Carolina. A year or two later, in 1526, one of the powerful Spanish officials in the Indies, by name Ayllon, led a great expedition to Chesapeake Bay, and began a settlement on the shores of the James River. The enterprise was most unfortunate: in a few months Ayllon and 350 of the original 500 colonists were dead. The survivors abandoned the settlement and returned to Santo Domingo.

Ayllon and Gomez.  
Winsor's  
*America*, II,  
238-241.

23. **The Verrazano Voyage, 1524.** — Verrazano, like Columbus, Cabot, and Vesputius, was an Italian. In 1524, he sailed for America under the direction of Francis I, king of France, the bitterest enemy of Charles V, the emperor, who was also the king of Spain. Verrazano reached the coast not far from Cape Hatteras. On his way up the coast, he entered New York and Newport harbors. He coasted the shores as far north as Nova Scotia and then sailed back to Europe. Our evidences of this voyage are very unsatisfactory and have given a great deal of trouble to students. Nowadays, it is generally thought that the voyage was made, although the precise details of it are indistinct.

The French claim to America.  
Winsor's  
*America*, IV,  
5-9.

24. **Discovery of the Southwest.** — Narvaez, an active Spanish adventurer, resolved to conquer the region lying to the north of the Gulf of Mexico. He easily obtained the necessary permission from the Spanish government, and in 1528 led a large and finely equipped expedition to the southern coast of the present United States. For years nothing more was heard of him or his men. At length (1536) one of the officers of the expedition, Alvar Nuñez Cabeza de Vaca, appeared at San Miguel, a little Spanish village on the western coast of Mexico; with him were three companions, one of them a negro. He had a most curious

Narvaez on the coast of Florida,  
1527.

Cabeza de Vaca, 1528-1536.  
Winsor's  
*America*, II, 243;  
Higginson's  
*Explorers*,  
73-96.

and interesting story to narrate : for years he and his companions had wandered from one Indian settlement to another, regarded in one place as "great medicine men," in another as attractive curiosities. He had heard rumors of immense herds of wild cows — the buffalo or bison of North America ; he had also heard of wonderful cities in the interior, whose doorways were studded with precious stones. It was further reported to him that gold and silver were abundant in these "Seven cities of Cibola."

Friar Marcos sees one of the "cities," 1539. Winsor's *America*, II, 475-480.

Attracted by these tales of treasure, Mendoza, the viceroy of Mexico, determined to ascertain the truth. He dispatched on this errand (1539) a certain Friar Marcos de Nizza, who had already made his way on foot from Panama to Mexico. Friar Marcos passed the desert between Mexico and the pueblo region and saw one of the pueblos or villages from a distance ; he then fled for his life and reported his doings to Mendoza. On first reading the account of his journey, one is tempted to doubt his truthfulness ; a more careful perusal will convince the student that the worthy friar reported what he saw with accuracy, and carefully separated the accounts of what he actually saw from the stories which he had gathered from the natives along the route. His countrymen, however, exercised no such care ; soon Mexico resounded with most marvellous tales of the size and splendor of these "cities" in the interior.

Coronado in the Southwest. Winsor's *America*, II, 480-498 ; *American History Leaflets*, No. 13 ; *Contemporaries*, I, No. 24.

25. **Coronado's Expedition, 1540-42.** — A great army was fitted out to conquer this wonderful land : the commander was Francisco Vasquez Coronado, who set forth abundantly supplied with everything needful for the success of the enterprise. The army, with its baggage train, was too large to move rapidly, and Coronado went on in advance with a large force of mounted men. He reached and conquered pueblo after pueblo, but found no gold. These great Indian villages, which are so full of instruction and interest for the modern student, were equally full of disappointment for the Spanish conquerors. The cities of which so much had been said were merely Indian pueblos

of sunburned clay; nor were they as large as had been reported, for Friar Marcos had been deceived by the peculiar effect of the atmosphere in those rainless regions, which makes distant objects appear far larger than they really are. The jeweled doorways proved to be the hatchways leading from the flat roofs of the pueblos into the rooms beneath; they were ornamented with the rough gem stones of the Rockies picked up in the neighborhood. Gold was not to be found, but report said that Indians living to the northward possessed it. Northward, therefore, went Coronado and a portion of his gallant band: they came across herds of wild cows so vast that they could not ride through them; they also crossed immense treeless plains devoid of all landmarks to guide the traveler. The best-mounted men, who pushed on ahead of the others, probably reached the central part of the present state of Kansas. Everywhere the same hopeless tale,—there was no gold. The great expedition returned to Mexico, to the disappointment and dismay of every one, and Coronado, broken-hearted, disappears from history. While on the return journey to Mexico, an Indian woman ran away from Coronado's expedition; nine days later she fell in with another band of Spaniards,—men of De Soto's army, which had marched overland from the Atlantic slope.

26. *De Soto's Expedition, 1539-1543.*—De Soto had borne a part in a cruel conquest of Peru which is associated with Pizarro's name. Determining to conquer a country for himself, in 1539 he landed on the western coast of Florida. He had with him 570 men, magnificently equipped. In the course of the next three years, he and his followers wandered over the southernmost part of the United States, from South Carolina to the Mississippi, and even across that great river. They found no treasure; the Indians were numerous and warlike, and the hardships of the journey were great. De Soto died and the survivors determined to abandon the country and seek the nearest Spanish settlement. At first they tried to march south-

Coronado rides northward across the Plains.

De Soto in Florida, 1539. Winsor's *America*, II, 244-254; Higginson's *Explorers*, 121-140.

westwardly and came near meeting Coronado's men somewhere in Texas. From this point they returned to the Mississippi; there they built boats, voyaged down the stream to its mouth, and running along the shores to the Gulf reached the Spanish settlements in Mexico. These early Spanish explorers were harsh and cruel to the natives; but when one thinks of the great distances they marched and the terrible hardships they endured, it is difficult to avoid giving them praise for their endeavors.

Cartier's first voyage, 1534. Winsor's *America*, IV, 47-50; \*Bourinot's *Story of Canada*, ch. iii; *Contemporaries*, I, No. 35; Higginson's *Explorers*, 99-104.

27. **The French in the St. Lawrence, 1534-1541.**—For ten years after Verrazano, no French explorer came to North America. In 1534, Jacques Cartier, a native of St. Malo, sailed through the Straight of Belle Isle which separates Newfoundland from Labrador. After exploring the southern coast of that desolate land, he crossed the Gulf of St. Lawrence to Prince Edward Island which he named Isle St. Jean. He then coasted the shore of the western side of the Gulf and came to the island of Anticosti. It stands in the midst of a waterway that Cartier felt confident would lead through the land to China and India. He then returned to France for the winter.

Cartier's second voyage, 1535. Winsor's *America*, IV, 50-55; Higginson's *Explorers*, 104-117.

The next year (1535), Cartier was again at Anticosti. This time he proceeded westwardly by the mouth of the Saguenay, by the height on which Quebec now stands, until his further progress toward China was stopped by a rocky barrier which was later called the Lachine Rapids. On the northern bank of the St. Lawrence River, just below these rapids was a high steep hill which Cartier named Mount Royal. At its base has since grown up the city of Montreal. Cartier wintered on shipboard in the St. Lawrence and the next spring returned to France. After an unsuccessful attempt to plant a colony in this region, the French sought the warmer clime of the southeastern portion of the present United States.

Ribault on Port Royal Sound, 1562.

28. **The Huguenot Colonies, 1562-1565.**—In 1562 Gaspard de Coligny, the leader of the French Protestants or Huguenots, sent Jean Ribault to explore the shores of the

present states of South Carolina, Georgia, and Florida. On May Day, Ribault entered the mouth of the St. John's River calling it the River of May. Thence he proceeded northward along the shore. Everywhere the natives were friendly, the land and the climate all that could be wished, and the signs of gold and silver promising. Leaving a few men on the shores of Port Royal Sound, he sailed for France for

more men and supplies. It was two years before a French fleet again approached the Carolina coast (1564). The commander of the new expedition was René de Laudonnière, like Ribault, a Huguenot. Finding the settlement abandoned, he steered southward and disembarked on the southern bank of the River of May. There the Frenchmen built a fort which they named Fort Caroline in honor of the young

king, Charles IX. The further history of this colony was one series of misfortunes; starvation, conflicts with the natives, and mutiny following in rapid succession. Some of the mutineers plundered the Spanish settlements in the West Indies and gave them the first intimation of the presence of the French colonists in Florida.

29. **Destruction of the French Colony, 1565.** — The Spaniards were greatly alarmed when they heard of the French settlement because the new colony was near the Florida Channel through which Spanish fleets, laden with gold and

Parkman's *Pioneers*, 33-47; Higginson's *Explorers*, 143-159.



Cartier

The colony on the River of May, 1564. Parkman's *Pioneers*, 48-95; *Contemporaries*, I, No. 36; Higginson's *Explorers*, 159-166.

silver, passed on their way from Mexico to Spain. Pedro Menendez, a Spaniard, was even then fitting out an expedition to search for his son who had been shipwrecked in the vicinity of Florida. When the news of the French colony reached Spain, Menendez was strongly reënforced and directed to destroy it. While he was sailing across the Atlantic, John Hawkins, an English seaman, entered the St. John's River to see how his fellow Protestants were getting on. Pitying their misfortunes, he sold them one of his four vessels that they might at once return to France, and then himself sailed for England. A few days after Ribault with more colonists and plenty of food appeared. Everything now seemed bright at Fort Caroline; "but, how oftentimes," wrote Laudonnière, "misfortune doth search and pursue us, even when we think to be at rest." On the 4th of September, the Spanish Menendez sailed into the mouth of the river where Ribault's vessels were swinging at their anchors. He then passed out to sea again and made his way southward to St. Augustine, which he founded. Ribault followed the Spaniards. He failed to attack them while they were disembarking, and soon afterwards with his whole fleet was driven ashore by a hurricane. Menendez, on his part, used his advantages to the utmost. Marching overland, he surprised and captured Fort Caroline with most of its inmates, and returning to St. Augustine intercepted the bands of shipwrecked and starving French seamen as they were proceeding along the shore to the River of May. In a short time nearly all the Frenchmen were dead or on their way to Spanish prisons.

Pedro  
Menendez,  
Parkman's  
*Pioneers*,  
96-130.

Founding of  
St. August-  
tine, and  
destruction  
of the French  
fleet and  
colony, 1565.  
Winsor's  
*America*, II,  
260-278;  
Parkman's  
*Pioneers*,  
131-150.

John  
Hawkins's  
voyages,  
1562-67.  
Winsor's  
*America*, III,  
60-64;  
\**Contempo-  
raries*, I, No.  
29.

30. **The Elizabethan Seamen.**—The discoveries of the Cabots aroused little interest in England at the time. It was not until the reign of Queen Elizabeth that modern English maritime enterprise really begins. The first great English sea rover was John Hawkins of Devonshire, one of the western counties of England, which was noted for the hardihood of its mariners. In 1562, Hawkins sailed from England for the Guinea coast of Africa. Procuring three

hundred negroes there, he carried them to Santo Domingo, sold them to the Spaniards and returned home with valuable cargoes in exchange. In 1564, he was again at sea, this time with four vessels: the *Jesus*, *Solomon*, *Tiger*, and *Swallow*. The first of these names seems to be a strange one for a slaver, but men in those days saw no evil in the slave trade. Hawkins, himself, was a man of religious instincts and had prayers read twice each day on his own ship. This second voyage was also very profitable and it was on his homeward way that he called at Fort Caroline. Hawkins's third voyage (1567) was not so fortunate. The Spaniards attacked him — treacherously as he maintained — and he escaped with only two of his five vessels. Among his commanders was Francis Drake,



John Hawkins

also of Devonshire. He never forgave the Spaniards for their treachery and took such vengeance on them as few men ever have on their enemies, — for a hundred years he was known to Spanish writers as “The Dragon.”

**31. Drake's Voyage around the World.** — Drake made three successful plundering voyages to the West Indies in the next few years. In 1577 he sailed from Plymouth, England, with four vessels on a more adventurous cruise than any Englishman had ever undertaken. His project was no less than to attack the Spanish settlements on the Pacific sea-coast and he hoped to capture a treasure ship or two on the voyage from Peru to Panama. Three of his vessels were either wrecked before the Pacific was reached or were carried home by their faint-hearted crews. In the fourth, the *Pelican*, Drake entered the Pacific Ocean in October, 1578. Running along the coast, he gathered an immense booty from vessels lying at anchor and from terrified people on

Drake in the Pacific, 1578. Winsor's *America*, III, 65-73; *Contemporaries*, I, No. 30.

shore ; from one ship he took fifteen hundred bars of silver. Next he captured a treasure galleon and from her secured twenty-six tons of silver and eighty pounds' weight of gold, besides coined money and plate. He could not return home by the route through the Strait of Magellan for the Spaniards would be on their guard. He therefore went northward along the western coasts of North America, until the ropes of the rigging became stiff with frost in the month of June. From this high northerly latitude, he turned back and found shelter in some harbor not far from the Golden Gate, which leads into San Francisco Bay. After repairing and refitting, as well as he could, he sailed for England by way of the Cape of Good Hope. The *Pelican* was the first English vessel to enter the Pacific Ocean, and Drake was the first commander to carry his ship around the world.

Sir  
Humphrey  
Gilbert, 1583.  
Higginson's  
*Explorers-*  
169-174.

32. **Sir Humphrey Gilbert.**—Drake was the most daring of English seamen, but there were many other fearless mariners. Among them were Sir Humphrey Gilbert and his kinsman, Walter Raleigh. Gilbert sailed three times for America, but ill fortune always attended him. On his third voyage (1583), he landed on the shore of Newfoundland, but failed to reach the continental mainland. On the homeward voyage, the vessel on which he sailed went to the bottom with all on board. Our poet Longfellow has immortalized this incident :

He sat upon the deck :  
The Book was in his hand.  
"Fear not," he cried, "Heaven is as near  
By water as by land."

Sir Walter  
Raleigh and  
his colonies.  
Winsor's  
*America*,  
III, ch. iv ;  
*Contempo-*  
*raries*, I, No.  
32.

33. **The Raleigh Colonists, 1584-1590.**—Sir Walter Raleigh, Gilbert's half brother, was now high in Elizabeth's favor. He took up Gilbert's work. He himself never visited the coast of the United States, but he did go to the shores of South America. In 1584, Raleigh sent an expedition under Philip Amadas and Arthur Barlowe to explore the North American seaboard for the purpose of ascertaining



its suitability for European occupation. They visited the bays and inlets around Cape Hatteras. Returning they reported the new land to be "the most plentiful, sweet, fruitful, and wholesome of all the world." As for the natives, they were "void of all guile and treason, and such as live after the manner of the Golden Age." The English called the country Virginia and Elizabeth knighted Raleigh for his trouble and expense.

In 1585, Sir Walter Raleigh fitted out seven ships for an expedition to the New World. The commander was Sir Richard Grenville. Years later in Drake's old flagship, the *Revenge*, he battled gallantly with fifty-three Spanish ships as splendidly described by Lord Tennyson. Grenville landed an exploring party on Roanoke Island which stands between Albemarle and Pamlico Sounds, and then sailed away to further prosecute his voyage. The explorers soon exhausted their food supply and would have starved had not Sir Francis Drake, returning homeward from one of his later voyages, carried them back with him (1586). Not many weeks later, Grenville himself returned to Roanoke with more explorers and provisions for two years. Finding the island abandoned, he left a small party there and again sailed for home. By this time Raleigh was beginning to lose interest in America. He joined with him many merchants and influential men, some of whom belonged to the later Virginia Company. A large expedition was now fitted out to make a settlement on the shores of Chesapeake Bay which it was hoped would prove to be a good place for a colony (1587). Everything went badly for these colonists from the moment they reached America. They were landed on Roanoke Island, instead of on the shores of Chesapeake Bay and John White, their governor, returned at once to England for succor. He left his daughter and his little granddaughter, Virginia Dare—the first child born of English parents in America—with the colonists on Roanoke Island. The coming of the Spanish Armada delayed him, and when he again visited the place there was scarcely a

"The Lost Colony,"  
1587. Winsor's *America*, III,  
113-116;  
Higginson's *Explorers*,  
189-200.

sign of the colonists remaining, — the abandoned houses and the word “Croatoan” cut in the bark of a tree.

Cause of the contest with Spain.

34. **The Spanish Armada, 1588.**—Spain’s existence as a great power depended in large measure on the supply of treasure which she received from the mines of Mexico and Peru. English seamen were constantly becoming more active in America, and in Europe were siding with her rebellious subjects in the Netherlands. Many of the disputes between the two nations grew out of their religious differences, for England was now Protestant, while Spain remained Catholic. Philip II decided to send a great fleet — the Spanish Armada — against England. For a time the fate of the Spanish monarchy and of English freedom hung in the balance. Every man and every ship were needed for the defense of the English nation and institutions, — for the moment, the colonists in Virginia must look out for themselves.

The Spanish fleet should have left port in 1587, but Drake burned the store ships without which it could not sail, — “Singeing the King of Spain’s beard,” he called it. In 1588, the Armada appeared in the English Channel. The Spanish vessels were a little larger than the English ships, but they were not suited at all to the vicious seas and winds of the Channel. Moreover, the English vessels were more heavily armed and were manned by the seafarers of the coast towns, who had been fighting and beating Spaniards for the last twenty years, while the Spanish ships were crowded with soldiers. The heavier guns of the English were better handled than the lighter weapons of the Spaniards and the speed of the English ships enabled their captains to manœuvre to suit themselves. The very winds blew in England’s favor and storms continued the work of destruction so hardily begun by Hawkins, Drake, and Grenville, and their brave “Men of Devon.” Of the 120 Spanish ships that entered the English Channel only 54 returned to Spain. The sea power of Spain was broken, and Englishmen might found colonies on the unoccupied

Destruction of the Armada, 1588. *Old South Leaflets*, VI, No. 6.

Establishment of England’s sea power.

shores of America in comparative security. The defeat of the Spanish Armada, therefore, was an event of the first importance in the history of English colonization. With this great achievement, the period of discovery and exploration closes and that of colonization begins.

Importance of this in American history.

## SUGGESTIVE QUESTIONS AND TOPICS

### § 10. THE NORTHMEN

- a.* Discuss the credibility of the sagas.
- b.* Compare the voyages of the Northmen with the early explorations of the Phœnicians.

### §§ 12, 14. EARLY GEOGRAPHICAL IDEAS

- a.* What proofs that the earth is round were discovered by the ancients?
- b.* What further facts can you ascertain about Toscanelli and Behaim?

### §§ 13, 14. COLUMBUS

- a.* In what did Columbus's greatness consist?
- b.* Represent upon an Outline Map the tracks of Columbus's ships and the lands which he visited, putting dates upon each.

### § 16. THE CABOT VOYAGES

- a.* What event opened the way for England's colonial empire, and what events rendered its firm foundation possible?
- b.* Does the text of this history confirm or disprove the proposition: "History is a collection of problems, not a statement of facts"? Prove by quotations.

### § 17. THE NAMING OF AMERICA

- a.* Is the name of a continent a matter of real importance? Give your reasons.
- b.* Represent in colors upon an Outline Map the tracks of all Italian seamen mentioned in this chapter, and the lands they discovered, putting upon every track and every region the name and date.

### §§ 18, 19. CIRCUMNAVIGATION OF THE GLOBE

- a.* When did the Pacific Ocean first become important in the commerce of the world? Why?

*b.* What long voyages preceded the circumnavigation of the globe? What discovery was made by each voyager?

*c.* Represent in colors all these voyages upon an Outline Map with names and dates.

*d.* Explain fully (by recitation) the map that you have made.

#### §§ 20, 21. FLORIDA AND MEXICO

*a.* Keep in note-book a list of the different possessors of Florida from 1513 to present time, giving to each date and manner of acquisition.

*b.* What is meant by "strategic importance"? Has the peninsula of Florida strategic importance?

#### §§ 22, 23. THE ATLANTIC COAST

*a.* What effect did Verrazano's voyage have on the Spanish claim to Atlantic coast regions?

*b.* By whom, and when, were about the same things done, and with what results?

#### §§ 24-26. THE SOUTHWEST

*a.* How much of these sections is a connected story? Trace it upon an Outline Map and tell it.

*b.* What importance had each event mentioned in these sections in establishing the Spanish claim to North America?

#### §§ 23, 27-29. THE FRENCH IN NORTH AMERICA

*a.* What American possession has France now?

*b.* Bring to class a brief topical analysis of French history, 1492-1550. Who were the Huguenots?

#### §§ 16, 30-34. THE ENGLISH IN NORTH AMERICA

(See questions on § 16.)

*a.* Bring to class a brief analysis of English history from 1497 to 1558.

*b.* If Magellan's ship circumnavigated the globe in 1520, why is so much said of Drake's voyage around the world?

*c.* Has the story of the Raleigh colonies any real importance in American history? Give reasons for your answer.

*d.* What issues did the defeat of the Spanish Armada settle?

## HISTORICAL GEOGRAPHY

*a.* Represent in colors upon three Outline Maps "Territorial History of the Spanish, the French, the English, in North America," coloring all territory discovered, explored, or settled by each nation before 1600. Place names and dates in proper places. Whenever, in the course of the narrative, territorial possessions changed hands, note such change on these maps and add new maps as often as clearness demands.

*b.* Make a sketch map of your own state, marking on it changes in possession or settlement as you come to them in your study. Place names and dates in proper places.

## GENERAL QUESTIONS ON CHAPTER AS A WHOLE

*a.* The work of what men, or group of men, mentioned in this chapter has had largest and most lasting effect upon history? Give your reasons.

*b.* Select all disputed points mentioned in this chapter; in each case give the evidence for and against, and draw conclusion.

*c.* Make digest of whole chapter, centralizing the topics as much as possible under inclusive heads, and inserting all dates.

*d.* In recitation hour write this digest rapidly.

## TOPICS FOR INVESTIGATION BY INDIVIDUAL STUDENTS

The reports to be in the student's own words, and to be detailed accounts written from the sources. In this and later lists the numbers in parentheses refer to sections of this book containing references to original sources.

*a.* The voyage of Leif Ericsson (§ 10).

*b.* Columbus's first voyage (§ 14).

*c.* The first Cabot voyage (§ 16).

*d.* Coronado's explorations (§ 25).

*e.* Cartier's first voyage (§ 27).

*f.* Amadas and Barlowe's explorations (§ 33).

## CHAPTER II

COLONIZATION, 1600-1660

### Books for Consultation

**General Readings.** — Higginson's *Larger History*, 140-168, 192-202; Thwaites's *Colonies*, 35, 45-77, 81-87, 113-164, 196-202, 207-210, 246-252; Fisher's *Colonial Era*, 30-50, 62-72, 82-148, 177-190; Fiske's *Civil Government*, 140-151.

**Special Accounts.** — Channing's *United States*, I, chs. vi-xix; Winsor's *America*; Dexter's *Story of the Pilgrims*; \*Arber's *Story of the Pilgrim Fathers*; Fiske's *Beginnings of New England*; \*Palfrey's *New England*; Roberts's *New York*; Browne's *Maryland*; Cooke's *Virginia*; Larned's *History for Ready Reference*, under names of states. On conditions in England: Gardiner's *Students' History*; Higginson and Channing, *English History for Americans*. See also \*Freeman's *English People in its Three Homes*; \*Borgeaud's *Rise of Modern Democracy*; \*Bryce's *American Commonwealth* (abridged edition). On French colonization: Parkman's *Pioneers* (Ed. 1887) and *La Salle*; Bourinot's *Story of Canada*.

**Sources.** — \**Records of Massachusetts Bay Company*; \*Winthrop's *New England*; Bradford's *Plymouth Plantation*; \*Hening's *Statutes of Virginia*; \**Archives of Maryland*; *American History Leaflets*; *Old South Leaflets*; Higginson's *American Explorers*; Stedman and Hutchinson's *Library of American Literature*; \*Hart's *Contemporaries*, I; MacDonald's *Documentary Source Book*.

**Maps.** — MacCoun's *Historical Geography*; Winsor's *America*, and *Mississippi Basin*.

**Bibliography.** — *Guide to American History*, §§ 37, 43, 114-141.

**Illustrative Material.** — Mrs. Austin's *Standish of Standish* and other stories; Hawthorne's *Grandfather's Chair*; Mrs. Child's *Hobomok*; Mrs. Cheney's *Peep at the Pilgrims*; Motley's *Merry Mount*; M. E. Wilkins's *Adventures of Ann*; Dix's *Soldier Rigdale*; Longfellow's *Miles Standish*; Whittier's *Cassandra Southwick* and other poems; Bynner's *Penelope's Suitors*; Drake's *New England Legends*; \*Lowell's *Among My Books* ("New England Two Centuries Ago");

Irving's *Knickerbocker History*; Paulding's *Dutchman's Fireside* and other stories; Stedman's *Peter Stuyvesant's New Year's Call*; Kennedy's *Rob of the Bowl*; Cooke's *Stories of the Old Dominion*; Eggleston's *Pocahontas and Powhatan*; Caruthers's *Cavaliers of Virginia*.

COLONIZATION, 1600-1660

35. **The French in Acadia and Canada.**—The French were the first to take advantage of the decline of Spanish power, for Henry IV, the masterful king of France, greatly desired to found a colonial empire. In 1603, he appointed Sieur de Monts, Lieutenant General of Acadia, and authorized him to colonize lands between forty and forty-six degrees of north latitude, or from Philadelphia to Halifax. The next year (1604) De Monts led a band of colonists to the Bay of Fundy and settled on an island in the mouth of the St. Croix River. The situation was not a good one and the colony was soon removed to the eastern side of the bay. The new settlement was called Port Royal, but later was named by the English Annapolis. The most remarkable figure among these early French colonists was Champlain. He was a great explorer, an excellent observer, and good draughtsman, and a graceful writer. Instead of remaining quietly on the shores of the Bay of Fundy, he voyaged along the coast as far south as Plymouth Harbor which he called Port San Louis. A few years later, he founded the town of Quebec (1608), discovered Lake Champlain (1609), and visited Lake Huron (1615). The English seized the French settlements at various times between 1609 and 1629, but in 1632, they were all restored to France by the Treaty of St. Germain.

Settlement of Acadia, 1604. *American History Leaflets*, No. 16. Parkman's *Pioneers*, 245-257.



Champlain's explorations, 1604-14. Parkman's *Pioneers*, 245; \*Winsor's *Cartier*; Higginson's *Explorers*, 269-278.

The French colonies grew very slowly; in 1699 there were not one thousand French settlers in the lands to the south of the St. Lawrence River.

**36. Revival of English Enterprise.** — There was great social unrest in England in the last portion of Elizabeth's reign. Numbers of persons were obliged to seek their livelihoods in new and untried directions. All eyes turned to foreign lands and many expeditions were made to American shores. Among these were three voyages to the New England coast that aroused interest in England. The first of these was that of Bartholomew Gosnold to the coast of Massachusetts in 1602. He not only explored the shores; he also built a trading house on one of the Elizabeth Islands, off the southern shore of Massachusetts and filled his vessel's hold with a valuable cargo. The next year, Martin Pring visited Plymouth Harbor and, like Gosnold, profited by his trade with the Indians. The voyage which attracted most attention was that of George Weymouth to the coast of Maine in the summer of 1605, for he reported that the climate of that region was well suited to nutmegs and tropical plants and that the signs of gold were abundant.

**37. The Virginia Company, 1606.** — Meantime, Raleigh had fallen under the displeasure of the new king, James I, who seized his property, including Virginia. In 1606, James granted the first Virginia charter. In this document Virginia was defined as extending from the thirty-fourth to the forty-fifth degree of north latitude; or from the Cape Fear River to the Bay of Fundy. The members of the corporation formed under this charter resided in or near London, and also in the southwestern part of England in the vicinity of Plymouth in Devonshire. The company was divided into two subcompanies corresponding to this geographical division among its members: to the Londoners the king gave the sole right to colonize the territory between thirty-four and thirty-eight degrees of north latitude, or between the Cape Fear and Potomac rivers; to the Plymouth men he gave a similar right to plant colonies between forty-one and

Gosnold's  
voyage, 1602.  
Winsor's  
*America*,  
III, 172;  
Higginson's  
*Explorers*,  
203-213.

Weymouth's  
voyage, 1605.  
Winsor's  
*America*,  
III, 174;  
Higginson's  
*Explorers*,  
213-221.

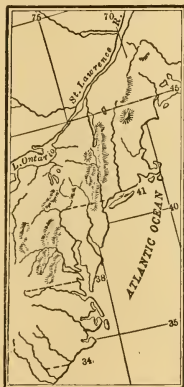
Limits of  
Virginia,  
1606. Hins-  
dale's *Old*  
*Northwest*,  
72; *American*  
*History Leaf-*  
*lets*, No. 16,  
p. 3.



forty-five degrees of north latitude or between the Hudson River and the Bay of Fundy. The intervening region, stretching from the thirty-eighth to the forty-first degree of north latitude, was left open for competition between the two subcompanies. This arrangement was devised, to use the words of the charter, "for the more speedy accomplishment of their said intended plantation"; but it led to nothing of the kind.

38. **The Popham Colony, 1607.**— Sir John Popham, Chief Justice of England, Sir Ferdinando Gorges, and the Gilberts were the leading members of the Plymouth Company, or subcompany, to be more accurate. On May 31, 1607, George Popham, brother of the Chief Justice, and Raleigh Gilbert, with a well-appointed fleet, sailed for the coast of what is now the state of Maine, intending to found a colony there. They landed at the mouth of the Kennebec River, built a fort, and explored the country. The Indians were unfriendly, there was no gold anywhere to be found, and, instead of the climate being suited to tropical plants, the winter was severe beyond anything that they had ever conceived. In the following spring (1608) they abandoned the enterprise and returned to England.

39. **Jamestown, 1607.**— The London Company had likewise made preparations to explore the portion of Virginia that the king had assigned to it. The treasurer or head of this group was Sir Thomas Smythe, who was also governor of the English East India Company. In sending out the first explorers, he hoped that they might find a new route to India and pick up enough gold from the natives to pay the expenses of the expedition. The first fleet left the



Virginia, 1606

First settlement in Maine, 1607. Winsor's *America*, III, 175; Higginson's *Explorers*, 222-225.

The London Company.

Founding of Virginia, 1607 Win-  
sor's *America*, III, 127-  
137; \* *Contemporaries*,  
I, Nos. 62,  
63; Higgin-  
son's *Explor-  
ers*, 231-265.

Smith's *True  
Relation* in  
*American  
History Leaf-  
lets*, No. 27

New charter,  
1609. Hins-  
dale's *Old  
Northwest*,  
73-78;  
*American  
History Leaf-  
lets*, No. 16,  
p. 5.

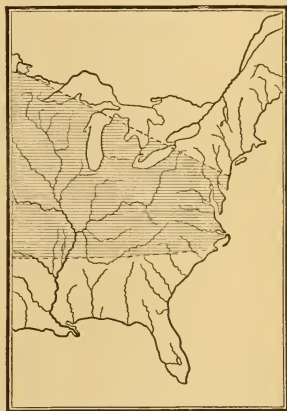
Charter of  
1612.

Thames in midwinter, 1606-1607. In the following May, it reached the capes of the Chesapeake, which were named for the two sons of King James—Cape Henry and Cape Charles. The explorers built a fort on the banks of the southernmost of the many rivers which flow into the bay, naming the river and the fort after the king. The trials and adventures of the members of this little band can be best understood by reading the quaint *True Relation* which was written by Captain John Smith, the most capable man among them. The explorers had brought little food with them from England and they could get little from the natives. Hunger weakened them and made them easy victims to malaria and lung diseases. Of the one hundred and five first comers, fifty died within six months. One reason for this ill success was the lack of any spur to laborious exertion. The expedition was conducted on a military basis, each man laboring for the common benefit and being fed out of the common store.

40. **The Virginia Charters of 1609 and 1612.**—In 1609, the London group of the original Virginia Company was given a new charter making it a corporation separate from the Plymouth group. The king also gave it more authority over its colonists. The limits of the territory of the new Virginia Company were to be two hundred miles from Old Point Comfort in either direction along the coast "and all that space and circuit of land, lying from the seacoast of the precinct aforesaid, up into the land throughout from sea to sea, west and northwest." These phrases were most indistinct for which line should be run westward and which northwestwardly? If the northern line were run westward and the southern line northwestward, Virginia would be triangular in shape, and would not extend from sea to sea. If the southern line were drawn westward and the northern line northwestward, Virginia would extend from sea to sea, but would include nearly all of North America. In 1612, the king granted the Virginia Company still another charter, including Bermuda within its limits and giving it

nearly complete self-government. It was also authorized to hold general meetings of all the freemen or stockholders of the company. These meetings were called General Courts and were to be held at London.

41. Dale's Administration.— In 1611 Sir Thomas Dale Dale's ad-  
was appointed ruler of the colony. He was a strict disci- ministration.



Virginia, 1609

plinarian. As he sailed into the James River, he saw two men reclining on the banks; he sent for them and set them to work. As one means of arousing self-interest, he granted three acres of land to each of the old planters and in this way began the destruction of the system of common living that had so far hampered the colony's prosperity. Governor Dale's rule is chiefly remembered on account of the severe system of law which was prepared in England and given to him to execute. These laws provided that every man and woman in the colony, twice each day, should hear divine service or go without food for the first omission of this duty. For the

Winsor's  
*America*, III,  
137-141.

"Dale's  
Laws," 1611.

Religious  
observances.

second offense the culprit was to be whipped, and for the third to serve in the galleys for six months. Furthermore, all persons were to satisfy the minister of their religious soundness or place themselves under his instructions; for neglecting this duty the offender should be whipped every day until he repaired to the minister for further instruction. No man should speak against the articles of the Church of England under pain of death, and the profane curser was to have a bodkin thrust through his tongue; if that did not convert him from the errors of his way, he should suffer death.

Tobacco  
culture.  
*Contemporaries*, I, No. 83.

That Virginia enjoys the distinction of being the first permanent English colony to be founded in America is due mainly to the rapidity with which mankind adopted the practice of using tobacco in one form or another. The Czar of Russia decreed that smokers should have their noses cut off, but this and other prohibitions were in vain, and the tobacco habit spread throughout Christendom faster than any religion or language has ever spread. From the moment that the production of tobacco became profitable, the future of Virginia was assured.

The Puritans  
and the  
colonists.

**42. Introduction of Representative Institutions.**—The Virginia Company now fell into the hands of the Puritans and in 1619, Sir Edwin Sandys, one of their leaders in the House of Commons, displaced Sir Thomas Smythe as treasurer. The Puritans believed in the civil equality of man. To them a colonist was as good as a resident of England. In 1619, they sent Sir George Yeardley as governor, instructing him to summon two burgesses to be freely elected by the inhabitants of each plantation. These were to meet with him and the council to form a General Assembly. He at once carried out his instructions and the first representative body in the history of America met in the church at Jamestown in 1619. They at once repealed the old laws and substituted a much milder code. Every one was still to attend divine service according to the rites of the Church of England twice each Sunday; but the penalty for staying

Virginia  
Assembly,  
1619. *Contemporaries*,  
I, No. 65.

away was reduced to three shillings for each offense. Other new laws sought to make the colonies self-supporting by limiting the production of tobacco and encouraging the cultivation of food stuffs.

**43. Introduction of Forced Labor.**— Many men of substance and ability now came to Virginia; they acquired great tracts of land and grew tobacco on a large scale. The chief difficulty was to find enough cheap unskilled laborers to clear the land and care for the tobacco plants. Convicts, runaways, and children who had been kidnapped were sent to Virginia to be bound out as servants or apprentices for a term of years or for the rest of their lives. Many poor but respectable persons gladly adopted this means to secure a new start in the world. These were the indentured servants, or "indented servants" as they were usually termed in the colonies. In 1619, the very year that saw the establishment of representative institutions, a vessel sailed into the James River with twenty negroes on board. These were sold to the planters as slaves. For many years the Virginians preferred to employ white servants instead of negroes, and it was not until the middle of the century that there were many slaves.

Indentured  
servants.

Negro  
slavery  
introduced,  
1619.

**44. Overthrow of the Virginia Company.**— King James did not at all like the Puritans for they did not heed his requests. The General Courts of the Virginia Company gave them a convenient opportunity to plan opposition to his measures. He determined to destroy the company, but as war with Spain had begun again, he was obliged to proceed with great caution. He appointed a commission to collect evidence against the company in Virginia and to arouse the colonists' animosity against their rulers. This plan did not succeed, but an Indian massacre (1622) gave the government the opportunity to charge the company with failure to protect the settlers, and two years later the charter was annulled.

The end of  
the Virginia  
Company,  
1624.

**45. Virginia under the Royal Governors, 1624-1652.**— The first royal governors enjoyed about the same powers

The  
Assembly  
of 1627.

that Yeardley had exercised ; but it is not certain that assemblies were held in the early years of royal rule. James died in 1625 and the new king, Charles I, needed funds to enable him to govern England without holding a parliament (§59). Under these circumstances, some one hit upon the idea that a handsome profit might be made from a royal monopoly of the tobacco trade. The coöperation of the Virginians was necessary to the success of this plan and a General Assembly was held at Jamestown in 1627 to secure their consent to the scheme. They refused to have anything to do with it ; but the holding of the assembly was important as it proved to be the precedent for the summoning of legislative bodies thereafter in all of the royal provinces.

Opposition  
to Governor  
Harvey.

John Harvey was the first royal governor to attract much attention. He won the planters' hatred by his arbitrary conduct. Besides, he felt obliged to forward the king's wishes as to the settlement of Maryland. This made him still more unpopular, because that province had been carved out of Virginia, and, indeed, included some lands that had been improved by some of the leading men in the colony. The Virginians arrested him, sent him to England to answer their complaints, and some of them even crossed the Atlantic to lay their case before the king. Harvey was soon sent back, but little was done to punish the colonists for their contempt of the king's representative.

Sir William  
Berkeley.

In 1641 Sir William Berkeley was appointed governor of Virginia. His rule was the longest in colonial history, lasting until 1652, and again from 1659 to 1676. During the first of these periods the Puritans appeared in Virginia and made many converts to their peculiar beliefs. Berkeley and the leading men were alarmed at their success and made sharp laws against them. In the end most of them crossed the Potomac to Maryland or went to New England.

Execution of  
Charles I.

46. Virginia during the Puritan Supremacy.—While Berkeley had been governing faithfully for king and church in Virginia, both king and church had succumbed to the Puritans (§ 59) in England. The execution of Charles I

aroused no answering echo in the Old Dominion. On the contrary, Berkeley sought to convert the colony into an asylum for the party which had suffered defeat in England; but the second Charles and his followers generally preferred the luxury of European exile to the wilderness of America.

The Puritans, now supreme in England, offered most generous terms to the colonists of Virginia, Maryland, and New England,—nothing less than free trade between the colonies and the mother country, on condition that the colonists would confine their commerce to England. As the case then stood, the proposition was for free trade within the British Empire, much as there is now free trade within the United States. The Virginians would have none of it. For a few years the affairs of Ireland and Scotland occupied the energies of Cromwell and his men. In 1652 they turned their attention for a moment to the rebellious colony; a small fleet sailed across the Atlantic, and the Virginians surrendered without striking a blow. The terms offered by the conquerors were singularly liberal; the colonists were required to recognize the authority of the Commonwealth; in other respects they were left to govern themselves. For six years the Virginians elected their own governors, enjoyed the most complete independence they ever had before 1776, and were very prosperous. In 1659, on the fall of the Protectorate in England, they chose Berkeley as governor, and he was in office in 1660, when Charles II was restored to the English throne.

**47. The Calverts and Maryland.**—George Calvert and Cecilius, his son, were two remarkable men. They held broad and statesmanlike views and deserve the greatest credit for the liberal spirit which they displayed in the management of their colonies. They had a twofold reason for the founding of Maryland; they desired to build up great landed estates and also hoped to establish an asylum for their fellow Catholics. George Calvert, the first Lord Baltimore, was a prominent man in England during the last years of the reign of James and the first years of the rule of

The Puritans  
and Virginia.  
*Contemporaries*, I, No.  
69.

Reasons for  
founding  
Maryland.  
Winsor's  
*America*, III,  
517-529;  
*Contemporaries*, I, No.  
72.

Charles. At some time before 1625, he became a Roman Catholic and actively embarked in schemes of colonization. His first venture was a settlement in Newfoundland that ended in failure. He then transferred the scene of his colonial enterprise to the warmer climate of Virginia and

obtained from the king the grant of a large tract of unoccupied land north of the Potomac. George Calvert died before the charter was actually issued and it was given to his son Cecilius.



Charters of New England and Maryland

The Maryland grant. Hinsdale's *Old Northwest*, 78; *American History Leaflets*, No. 16, p. 12.

**48. Boundaries of Maryland.** — The limits of the new province were set forth with great inexactness in the charter.

The king's intention was to give Baltimore all the unsettled part of Virginia north of the southern bank of the Potomac and south of the fortieth parallel which was the southern boundary of New England according to the charter of 1620 (§ 51). The new colony was assigned a definite western boundary, the meridian of the source of the Potomac. And across the Chesapeake, Maryland extended to the Atlantic Ocean northward of "Watkins' Point." On paper these boundaries seemed very simple, but in reality it proved to be very difficult to determine which was the true source of the Potomac, what was its southern bank, and where was Watkins' Point. The disputes that arose over these boundary lines are very important in our history and will be studied at length in later sections (§§ 88, 172, 179).

**49. Government of Maryland.** — Maryland was made a province under the crown, and the Barons of Baltimore, as



proprietary, were given extensive powers of government. One important limitation of their authority should be noted; they could make laws and levy taxes only with the consent of the freemen. This made it necessary to hold assemblies from the beginning and disputes at once began over the making of laws. Baltimore held that he could draw them up as he pleased, the freemen having a right to accept or reject whatever he proposed. The freemen claimed that they had an equal right with the proprietary in initiating legislation. They refused to consent to a code of laws that he drew up and sent out from England. As he could not collect any money that was due him in the colony until there were laws there, he was obliged to yield, and at the outset lost much of the power which he had hoped to exercise.

**50. The Act Concerning Religion, 1649.** — The leading colonists of Maryland were for the most part Roman Catholics, but many of the settlers, including some important men, were Protestants. After a few years many Puritans entered the colony from Virginia and their friends were fast gaining the upper hand in England. It was under these circumstances that the Maryland Assembly passed an act to the effect that no one should be molested for his religious belief, provided he were a Christian. This is one of the most memorable colonial laws of the period, but at the time of its passage there was absolute religious freedom in Rhode Island, owing to the liberal spirit of Roger Williams, the Puritan leader of that colony. As to the Maryland law, it seems probable that it was drawn up in England by Lord Baltimore, with the aid of the Jesuits; but it may have been amended by the colonial assembly before its final passage. Soon afterwards, in the time of the Protectorate, the Puritans became supreme in Maryland and acted oppressively toward the Catholics. In 1657, these disputes were arranged, the authority of Lord Baltimore and the old laws being restored.

**51. The Council for New England, 1620.** — For years after the failure of the colony at the mouth of the Kennebec

Authority of the proprietary.

Religion. Browne's *Calverts*, chs. vi, viii; Winsor's *America*, III 533-536; \**Contemporaries*, I, No. 84.

Council for  
New Eng-  
land, 1620.  
Winsor's  
*America*, III,  
295; *Ameri-  
can History  
Leaflets*, No.  
16, p. 7.

(§ 38), no English colonists came to the shores of Northern Virginia. The success of the tobacco planters on the James River aroused the interest of the survivors of the Plymouth Company under the charter of 1606 (§ 37). With some new associates, they obtained from the king a new patent (1620), granting them all America between forty and forty-eight degrees of north latitude under the name of New England. They never accomplished much in the way of colonization, but acted rather as a great land company. The settlement of New England was due to other men who left their native land on account of religion, although many of them were also impelled by self-interest.

The  
Puritans.  
Fiske's *New  
England*,  
50-66; J. R.  
Green's  
*Short  
History*.

**52. The English Puritans.**—The English Reformation resulted in the separation of the church in England from the existing Catholic church. This was as far as the English monarchs and the mass of the English people wished to go, but there were many earnest persons who desired to proceed much farther and to purge the English church of what they deemed to be abuses. These reformers were called Puritans, and were themselves divided into two groups, which shaded one into the other. The more conservative of them were the Nonconformists, who desired to reform the Church of England while remaining members of it. The more radical ones were willing to separate entirely from the church, provided they could worship God in their own way; these were known as the Separatists.

The  
Pilgrims.  
Winsor's  
*America*,  
III, 257-266;  
Dexter's  
*Pilgrims*,  
pp. 61, 117;  
Fiske's *New  
England*,  
71-75.

**53. The Pilgrims.**—Among the Separatist congregations was one which met in the house of William Brewster in the little hamlet of Scrooby in Nottinghamshire. With the coming of James, these, with other Puritans, were persecuted because he was determined to make them conform or "harry them out of the land." Some of them sought an asylum in Holland, at Leyden, where they enjoyed freedom to worship God according to the dictates of their consciences (1608). There they remained several years, leading such laborious lives that many of their friends "preferred the prisons of England to such liberty as this was." At

length, to better their worldly condition and to provide for their posterity, they determined to make another pilgrimage. They feared also that their children would lose their English speech and habits. The venture was full of perils, but they felt that it was worth trying and realized that all important undertakings "must be both enterprized and overcome with answerable courages." The English Puritans were now in control of the Virginia Company and were very glad to give the Pilgrims permission to settle within the limits of Virginia. The emigrants also tried to get James to promise that they should not be molested in their new homes on account of religious differences. He refused to promise this, as it was suspected that they wished to found "a free popular state," but the king seems to have hinted that he would not molest them so long as they conducted themselves peaceably.

54. **The Pilgrim Compact, 1620.**—After enduring privations unknown to emigrants of our time, the Pilgrims in the *Mayflower* anchored off Cape Cod (November, 1620), and found themselves obliged to settle in that region. As they were outside of the limits of Virginia, they were obliged to make new provision for their government, and drew up a compact which is reproduced on the next page from the original manuscript. The document was signed by nearly all the men of the Pilgrim band, who thus agreed to be bound by what was determined for the public good.

55. **Settlement at Plymouth, 1620.**—After careful exploration, while the *Mayflower* remained in what is now Provincetown harbor, the Pilgrims resolved, December 21, to settle on the shores of a haven which had been visited by Pring and Champlain. In 1614 Captain John Smith also had sailed along the New England coasts and had printed a map on which English names were given to many important points; among others, he called the Port St. Louis of Champlain, Plymouth. On December 16, old style, or December 26 according to our mode of reckoning time, the *Mayflower* anchored in Plymouth harbor, and nine days later the work of building houses was begun.

*American History Leaflets*, No. 29, p. 7.

Voyage across the Atlantic. Dexter's *Pilgrims*, ch. xiv.

Bradford's *Plymouth Plantation; American History Leaflets*, No. 29.

The Pilgrim Compact, 1620. Dexter's *Pilgrims*, ch. xv.

Plymouth settled 1620.

In y<sup>e</sup> name of god Amen. We whose names are underwritten  
the loyall subjects of our dread Soueraigne Lord King James  
by y<sup>e</sup> graco of god, of great Britaine, France, & Ireland King  
defendor of y<sup>e</sup> faith, &c

Having undertaken, for y<sup>e</sup> glorio of god, and advancements  
of y<sup>e</sup> Christian faith, and honore of our King & Countie, a voyage to  
plant y<sup>e</sup> first Colonie in y<sup>e</sup> Northern parts of Virginia. Doo  
by these presents solemnly & mutually in y<sup>e</sup> presence of god, and  
one of another, Covenant, & combine our selves together into a  
Ciuill body politick; for our better ordering, & preservation & fur-  
therance of y<sup>e</sup> ends aforesaid; and by vertue hereof. To enacte,  
constitute, and frame such just & equal Lawes, ordinances,  
Acts, constitutions, & offices, from time to time, as shall be thought  
most meete & convenient for y<sup>e</sup> generall good of y<sup>e</sup> Colonie: Into  
which we promise all due submission and obedience. In witness  
whereof we have hereunder subscribed our names at Cap=  
Codd y<sup>e</sup> 11. of Nouember, in y<sup>e</sup> year of y<sup>e</sup> raigne of our Soueraigne  
Lord King James of England, France, & Ireland y<sup>e</sup> eighteenth  
and of Scotland y<sup>e</sup> fiftie fourth. An: Dom. 1620.]

The Pilgrim Compact. Facsimile of Bradford's Manuscript

(Reprinted in *American History Leaflets*, No. 29, p. 26)

The Pilgrims were attracted to this spot because the land was already cleared and there seemed to be no Indians in the neighborhood. It turned out that the natives, who had formerly lived on the shores of Plymouth harbor, had died of disease a few years before. Only one of the tribe was living; he soon appeared at Plymouth, was carefully and generously supported by the Pilgrims, and in return taught them how to win a scanty subsistence from the barren soil and icy waters around them. The Pilgrims also entered into a treaty with Massasoit, the most powerful chieftain of southeastern New England, and this agreement both parties faithfully observed for more than half a century. Other Englishmen in the neighborhood were not so wise, and the Pilgrims found themselves obliged to interfere in order to prevent a general massacre. This work was splendidly done by Miles Standish, a man of cool and courageous bearing.

**56. The Pilgrims and Communism.**—One half of the Pilgrims died in the first winter and those who remained alive could scarcely find enough to eat. Their troubles were due in part to the system of common labor, which has never had a fairer trial than it had at the hands of the Pilgrims at Plymouth. At length to avoid starvation, small plots of land were given to each family to be cultivated for their own use. Then all the settlers, men, women, and children, went into the fields and worked as hard as they could to raise food for their own use. After a few years the principal men of the colony joined together to carry on a trade in furs with the Indians on the Kennebec River. By the profits derived from this enterprise, they were able to pay off the debts that were due to English merchants who had provided the funds for the original emigration and thus to secure a greater measure of comfort for all.

**57. Form of Government.**—In the beginning the government at Plymouth was a pure democracy as far as the signers of the compact were concerned. For many years William Bradford was annually chosen governor; but, when business increased with the growth of the colony, other

Winsor's  
*America*,  
III, 267-276;  
Fiske's *New  
England*,  
82-87;  
Higginson's  
*Explorers*,  
311-337.

The Pilgrims  
and the  
Indians.  
Dexter's  
*Pilgrims*,  
ch. xviii;  
Fiske's *New  
England*,  
199-205.

Starvation  
and  
prosperity.

Government  
under the  
compact.

men were elected to aid him in the discharge of his duties. Important matters were transacted at general meetings of the original signers and others whom they admitted to a share in the government. Before long, other towns were founded in the neighborhood. It then was inconvenient for all the voters or freemen to go to Plymouth to make laws. This led to the establishment of a representative system (1638), which was modeled on that of Massachusetts Bay (§ 61). All the freemen continued to take part in the annual election of officers, but the franchise was gradually restricted until it became really a religious qualification.

**58. The Massachusetts Bay Company, 1629.** — The Massachusetts colony had its origin in the desire of English Nonconformists to found a settlement where they could work out their own ideas in church and state. Some of them obtained a grant of land from the Council for New England, extending from three miles south of the Charles River to three miles north of the Merrimac, from the Atlantic to the Pacific (1628). The next year the king, by royal charter, confirmed this grant and gave to the original grantees, and others whom they had associated with them, very extensive powers of self-government. Moreover, there was no requirement in this charter, as there had been in all earlier ones, that the meetings of the corporation should be in England. This omission enabled the company to transfer its government to America and thus the charter became really a constitution. The decision to do this was taken at Cambridge, England, in August, 1629, when many of the leading Puritans signed an agreement binding themselves to emigrate to the colony, provided they were able to govern themselves. In March, 1630, they sailed for Massachusetts, taking the charter with them.

**59. The Puritans in England.** — The year of the signing the agreement at Cambridge marked the ending of the first period in the contest between the king and the Puritans, for in that year, he dismissed Parliament after a most violent scene, arrested those who had been foremost against him,

Representative institutions.

The Massachusetts Charter, 1629. *Old South Leaflets*, Gen. Ser., No. 7; Winsor's *Boston*, I, 99.

The Cambridge Agreement, 1629. Winsor's *Boston*, I, 99-102; *Contemporaries*, I, No. 106.

Puritans, king, and archbishop, 1629-40.

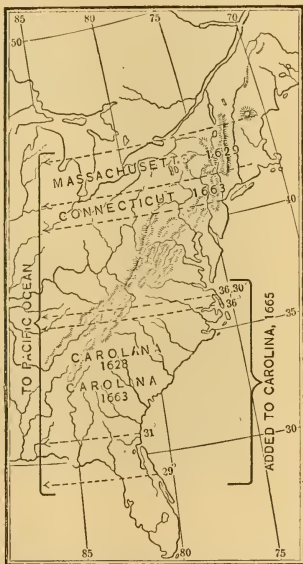
and seemed determined to govern England without Parliaments in the future. He now relied mainly upon the advice of William Laud whom he soon made Archbishop of Canterbury. They were both resolved to have the services of the Established Church carried on in precisely the way that was most offensive

to the Puritans. For eleven years, the king and archbishop continued to govern with a high hand, but in 1640 a quarrel with the Scots compelled him to again summon Parliament. From that time on, the Puritans acquired more and more authority, until the decisive battle of Naseby (1645) made them masters of England. It was in the time of Puritan depression (1629-1640) that the colonies of Massachusetts, Rhode Island, Connecticut, and New Haven were founded. The changed outlook in England put an end to the Puritan

emigration. The movement, indeed, began in the other direction. Many leading New Englanders exercised great influence in England during the time of the Commonwealth and Protectorate.

60. **The Great Emigration, 1630-1640.** — Led by John Winthrop, a man of property and ability, a fleet of fifteen

Fiske's *New England*,  
97-102.



Charters of Massachusetts, Connecticut, Carolina, and Carolina

Settlement of Massachusetts, 1628-30. Fiske's *New England*, 88-104; *Contemporaries*, I, Nos. 56, 57; Higginson's *Explorers*, 341-367.

vessels sailed across the Atlantic to Massachusetts in 1630. More than one thousand colonists came over in this year and founded the towns of Boston, Charlestown, Roxbury, Dorchester, Watertown, and Newtown—later called Cambridge. Within ten years no less than twenty thousand im-



John Winthrop, Governor of Massachusetts

Morton at Merry Mount. *Contemporaries*, I, No. 103.

migrants landed on the shores of Massachusetts Bay. There were already a few colonists living on the shores of Boston Harbor. These were generally well treated by the newcomers; one of them, Thomas Morton, led a riotous life at Mount Wollaston or Merry Mount as he called it. The Puritans did not at all like his doings. They repeatedly arrested him and sent him away, but he returned again and again, and to revenge himself wrote a book giving an outsider's view of Puritan institutions and manners.



**61. Problems of Government.**—The charter of Massachusetts gave nearly all powers of government to the freemen or stockholders of the corporation. Only eight or twelve of them were in the colony in 1630, and were the rulers of the other thousand. Had they kept their powers to themselves and refused to admit others to the company, they would have established an oligarchy, but they proceeded in a different spirit. In May, 1631, one hundred and sixteen persons were admitted to the company; but when this was done, laws were passed lessening the powers of the freemen and providing that in the future only Puritan church members should be admitted to the company. Not long afterwards the freemen became restless and demanded a sight of the charter. They saw at once that the supreme power was with the assistants and the freemen meeting together in the General Court. Shortly before, John Cotton, one of the ministers at Boston, had declared that a man ought not to be turned out of his office so long as he discharged his duties faithfully. The freemen now repealed the law restricting their powers and elected Thomas Dudley governor in place of John Winthrop who had held that office since the departure from England. It is interesting to see how early this tendency towards democratic ideas showed itself in Massachusetts. The freemen soon found it inconvenient to exercise their hard won powers of government in person. It was expensive to travel to Boston from the towns that had been settled along the seacoast and it was dangerous to leave their families unprotected against the Indians. They therefore established a representative system by which the freemen in each town deputed two of their number to act for them at the General Court. They also worked out a clumsy mode of nominating candidates for office and also established a system of voting by ballots or papers.

The freemen of Massachusetts, Fiske's *New England*, 105-109.

Their government of the colony. Winthrop's *New England; Contemporaries*, I, No. 107.

Representative government established, 1634.

**62. Attacks on Massachusetts.**—The prosperity of the new colony aroused the jealousy of other Englishmen engaged in colonial enterprises, awakened the suspicions of

Gorges attacks Massachusetts, 1634-38.

\*Adams's *Three Epistles*, I, 240;  
Fiske's *New England*, III-113.

the English government, and attracted many restless spirits to Massachusetts. The Council for New England was divided into two parties, one of these was friendly to Winthrop and his comrades; the other was more interested in colonizing lands just outside of Massachusetts. The second group was led by Sir Ferdinando Gorges. They were dismayed by the growth of the Puritan settlements and obtained an order from the English judges which was intended to bring about the downfall of the Massachusetts Bay Company. The colonial authorities paid no attention to it, and the king was so busily employed in England that he could not compel them to obey the court. The "disorders of the mother country," as Winthrop remarked, "were the safeguard of the infant liberties of New England."

Roger Williams at Boston and Plymouth. Fiske's *New England*, III-116.

**63. Roger Williams.**—Roger Williams, a Puritan minister, came to Massachusetts in 1631. He at once declared it to be wrong for the colonists to attend the parish churches in England, as their habit was when they went back to the home land to bring their families to the colony or to arrange their business affairs. He then went to Plymouth, where his Separatist views found a more sympathetic hearing. Before he had been there long, however, he attacked the legal soundness of every land title in the colony, and asserted that "King James had told a solemn public lie" in declaring in the New England Charter that he was the discoverer of the lands therein granted. Williams maintained that the settlers should have bought their lands of the Indians. Soon afterwards, he returned to Massachusetts and became the pastor of the church at Salem. There again he and the leading men of the colony began to disagree. Among other things, Williams asserted that the magistrates had no power to punish offenses against the Sunday laws. Finally, Williams asked the other ministers to labor with the rulers to bring them to his way of thinking. The magistrates, on their part, ordered him to leave the colony.

Banished from Massachusetts. Dexter's *Williams*.

**64. The Founding of Providence, 1636.**—Williams now founded the town of Providence which was only a few miles

south of the Massachusetts line. He had no grant from the king, but bought the land of the Indians. He founded his settlement on the basis of equality in the state and freedom in religious affairs, holding that the government had nothing to do with a man's religion. It is to Roger Williams, therefore, and to the founders of Providence that the student must look for the origin of one of the most important principles underlying the American form of government, — the separation of church and state which necessarily implies absolute religious freedom. For this Williams deserves a place with the most prominent statesmen of our country.

The settlers in the new colony found it hard to understand the precise limitations of the new principle of government; in their new-found freedom, they did many things which greatly annoyed Williams, and he wrote a letter explaining the meaning of liberty. In this remarkable writing he likened a state to a ship with officers, crew, and passengers, among whom were persons of many religions. Liberty of conscience turned upon these two hinges, — that none of the ship's company be forced to attend the ship's services, or prevented from holding his own services. The commander of the ship, however, ought to direct the ship's course, preserve order, and punish according to their deserts all who shall mutiny or assert that "there ought to be no . . . officers, because all are equal in Christ, therefore no masters nor officers, no laws nor orders, no corrections nor punishments."

**65. Anne Hutchinson and her Adherents.** — Roger Williams had scarcely departed from Massachusetts ere another disturber appeared to cause the authorities renewed perplexity. The newcomer was a gifted woman, by name Anne Hutchinson. The doctrines that she preached were rather hazy. She set herself against the magistrates and ministers and naturally won their dislike. Many of the colonists at first favored her, especially the new governor, Henry Vane, son of the English Secretary of State. Winthrop and the old leaders slowly regained their former power. Vane departed for England and Anne Hutchinson was banished with her followers.

Providence,  
1636.  
Greene's  
*Rhode  
Island*, 7-16.

Religious  
freedom.  
*Contemporaries*, I, No.  
115.

Williams  
explains  
religious  
liberty.  
Arnold's  
*Rhode  
Island*, I,  
254.

Anne Hutch-  
inson in Bos-  
ton. Fiske's  
*New Eng-  
land*, 116-  
119; \**Con-  
temporaries*,  
I, No. 108.

Rhode  
Island  
settlements,  
1637. Fiske's  
*New Eng-  
land*, 163-  
168; *Con-  
temporaries*,  
I, No. 113.

Providence  
Plantations,  
1647.  
Greene's  
*Rhode Island*,  
23-27.

Connecticut,  
1635-37.  
Fiske's *New  
England*,  
123-128;  
Walker's  
*Thomas  
Hooker*.

The Pequod  
War. Fiske's  
*New Eng-  
land*, 129-  
134.

**66. Settlements on Narragansett Bay.** — The Hutchinson colonists founded two towns on Rhode Island — Portsmouth on the northern end and Newport on the southern. Still later another town was founded on the mainland by an eccentric but sincere person, Samuel Gorton. He had denied the legality of the governments at Plymouth and Rhode Island because they rested on compacts between the settlers and not on patents from the king. Even Providence proved to be unfriendly to him. Gorton secured land on the western side of Narragansett Bay and founded the town of Warwick. He soon fell under the displeasure of the Massachusetts people; they arrested him and took him to Boston, but in the end were obliged to restore him to his hamlet. In 1643, Roger Williams obtained from the Puritan rulers of England a license permitting the towns on Narragansett Bay to join together in a federal union, if they so wished. But no action was taken until 1647.

**67. The Founding of Connecticut, 1635-1637.** — Entirely unlike the feeble bands of refugees who settled the Narragansett towns were the numerous and well equipped colonists who founded Connecticut. The former had been banished from Massachusetts; the latter left the older colony because they disliked the narrow spirit of its rulers, and also saw opportunities for material advancement in the fertile Connecticut valley. In 1635 and 1636, emigrants from Massachusetts founded three towns on the shores of the Connecticut River, which were afterwards called Hartford, Windsor, and Wethersfield. In 1635, John Winthrop, Jr., acting as agent for two Puritan noblemen established Saybrook Fort at the mouth of the Connecticut. It was scarcely more than a military post, but sufficed to maintain control of the valley against the Dutch. These settlements were hardly made before a dangerous Indian war broke out with the Pequods. The campaign was conducted with wonderful skill by Captain John Mason and those with him and ended in the destruction of that Indian tribe.

**68. Connecticut Orders of 1638-1639.** — The early history

of Connecticut is important from a constitutional point of view. In the winter of 1638-39 the heads of families of the three towns of Hartford, Windsor, and Wethersfield met together and drew up a fundamental law, the Orders of 1638-39, which Bryce, an English writer on American politics, calls the "first truly political written constitution in history." The government established closely resembled that in operation in Massachusetts, except that there was no religious qualification for the voters.

**69. Extent of Connecticut.**—The Connecticut colonists secured the rights as to land of the earlier grantees. These lands were limited on the east by the "Narragansett River," a stream which proved to have no existence. On this point a bitter contest arose with Rhode Island, which was finally decided by the English authorities against Connecticut; in this way the Pawcatuck, a river which nowhere approaches Narragansett Bay, became the eastern boundary of Connecticut. The western boundary of the latter colony under the grant above mentioned was the South Sea; but all attempts of Connecticut men to settle in Pennsylvania and New Jersey aroused fierce opposition.

**70. New Haven, 1638.**—The settlement of New Haven was due to the energy and ability of two men, — John Davenport and Theophilus Eaton. The former was a Puritan minister, the latter a prosperous merchant of London and one of Davenport's principal parishioners. Silenced by Laud, Davenport interested Eaton in a scheme of colonization, and the two determined to found a colony where they could try an experiment in government on their own lines, as the Massachusetts people were trying one on theirs. They soon gathered a large band of colonists and founded the colony of New Haven (1638). In the government of their settlement, only church members had any share and great care was taken as to the admission of persons to church membership. Other churches and towns were soon founded in the vicinity and federated with the New Haven colony, and in 1662 they were all absorbed by Connecticut.

Connecticut  
Constitution,  
1638-39.  
*Contemporaries*, I, No.  
120; *Old South Leaflets*, Gen.  
Ser., No. 8.

Connecticut  
boundaries,  
Hinsdale's  
*Old Northwest*, 87.

Reasons for  
founding  
New Haven,  
1638. Fiske's  
*New England*, 135.

The "Body  
of Liberties."  
*American  
History Leaf-  
lets*, No. 25,  
§§ 1, 2, 18, 42,  
46, 60.

**71. The First New England Code of Laws, 1641.** — The freemen of Massachusetts had constantly pressed for the publication of a code of laws. Hitherto the magistrates had freely applied the general rules of English law and the commandments and precepts of the Bible to the settlement of cases as they arose. No man could be certain whether he were committing an offense or not. As it was, the magistrates exercised great power and feared lest the publication of a code of laws would give their enemies in England a chance to bring about the downfall of the company. So they put off the making of a code by referring the matter to committees which never reported. The meeting of the Long Parliament changed the whole aspect of affairs; the magistrates gave way and a code was drawn up and put into force.

Formation of  
the New  
England  
Confedera-  
tion, 1643.  
*Fiske's New  
England*,  
153-161.

**72. The United Colonies of New England, 1643.** — Other settlements had been made along the New England coast in Maine and New Hampshire. There were many disputes between these colonies and Massachusetts, which frequently used her strength to enforce her own views against the rights of the others. In 1643, Massachusetts, New Plymouth, Connecticut, and New Haven entered into a league "for mutual help and strength in all our future concerns." They were surrounded by enemies; the Dutch on the west, the French on the north, and the Indians on the frontier. The distance between the settlements on Massachusetts Bay and those on the Connecticut River prevented the formation of a general government and the establishment of a federation was the only way to strengthen their position. Neither the Rhode Islanders nor the settlers in Maine were included in this association. "Concerning the Islanders" wrote Elder Brewster of Plymouth, "we have no conversing with them further than necessity or humanity may require." As to the people of Maine, Governor Winthrop of Massachusetts declared: "They ran a different course from us both in their ministry and in their civil administration; for they had lately made Acomenticus (a

Reasons for  
union.  
*American  
History Leaf-  
lets*, No. 7.

Rhode  
Island and  
Maine not  
admitted.

poor village) a corporation, and had made a tailor their mayor, and had entertained one Hull, an excommunicated person and very contentious, for their minister." These two extracts show very clearly the light in which the colonists of Maine and Rhode Island were regarded by their fellow English settlers.

73. **Articles of Confederation.**—The Articles should be studied in the original ; a few points only will be noted here. The federal bond was of the loosest description, as each colony retained its "perculiar jurisdiction" (Arts. iii and viii). Each colony sent two representatives or commissioners to the meetings of the Confederation ; this provision was most unfair to Massachusetts, as contributions in men and money were based on the fighting strength of the several colonies ; and she had to provide more men and money than all the rest put together. It was not long (1653) before she refused to be bound by the votes of the commissioners of the other confederated colonies and to take part in an Indian war ; the Massachusetts magistrates voted that they " did not see sufficient ground . . . and therefore dare not exercise our authority to levy force within our jurisdiction." This is the first nullifying ordinance in American history ; but Massachusetts acted on other occasions in an equally high-handed manner. The commissioners possessed extensive functions on paper (Arts. vi and viii), and, when all the colonies were agreed, exercised more power than any other body of men then in America. The Articles also contain (Art. viii) a provision for the return of fugitive servants and escaped criminals, which is generally regarded as the precedent for the fugitive slave laws of a later time. A species of court to settle disputes between members of the Confederation was also provided (Art. xi). The Confederation was of the greatest assistance to all the New England colonies, and not merely to its members ; it gave a weight to their dealings with the Dutch and the Indians which no single colony could have had ; and it carried the New England colonies through the most

Analysis of  
Articles of  
Confederation.  
*American History*  
*Leaflets,*  
No. 7.

dangerous Indian conflict of colonial times, — King Philip's War.

Independent spirit of the New Englanders.

It must not be supposed that the independent spirit which led to the formation of the Confederation was in any way lessened by the success of their Puritan friends in England. On the contrary, the New Englanders used the Puritan triumph in England to forward plans for the self-government of New England. In 1643 the Massachusetts General Court voted to omit the words "You shall bear true faith and allegiance to our sovereign lord King Charles" from the magistrate's oath and did not insert a new form of words acknowledging allegiance to the Long Parliament. At about the same time, some of the leading Puritans in England suggested that any legislation which Massachusetts desired would be enacted by Parliament; but Winthrop declined the offer "lest in . . . after times . . . hostile forces might be in control, and meantime a precedent would have been established." Thus, more than a century before the passage of the Stamp Act, leading men in Massachusetts denied the legislative authority of Parliament over the colony. During the period of the Commonwealth, Massachusetts paid no attention to the Navigation Ordinances; she did not proclaim Cromwell and declined to recognize Richard as Protector, although asked so to do. The Confederation, also, maintained the attitude of an independent state towards the French and the Dutch.

Dutch discoveries, Hudson's voyage. Winsor's *America*; Higginson's *Explorers*, 281-296; *Contemporaries*, I, No. 38.

**74. The Dutch Settlements.** — The people of the Netherlands, or the Dutch as we call them, were then foremost among the trading nations of the world, and the Dutch East India Company was the most successful commercial corporation in existence. Like the French and the English, the Dutchmen also turned their attention to American exploration. In 1609, some Netherland merchants employed Henry Hudson, an English seaman, to sail across the Atlantic in search of a strait leading to India. He first sighted the coast of Maine, and then steering southward reached the Chesapeake. Turning northward, he entered what is now



New York Harbor. Sailing up the river that now bears his name, he went as far as Albany, receiving on the way several parties of Indians with great kindness. At almost the same time Champlain was exploring the lake that bears his name, not one hundred miles away. He, too, met the natives and killed several of them. It happened that the Indians entertained by Hudson and warred on by Champlain belonged to the great Iroquois confederation. From that moment the Iroquois hated and dreaded the French; but they always were most friendly to the Dutch and by them were well treated.

Following on Hudson's voyage, the Netherlanders established trading posts on Hudson River and explored the coast eastwardly as far as Boston Harbor, and southwardly to the Delaware. In 1621, the Dutch West India Company was established to trade in the lands bordering on the Atlantic. The first settlements in New Netherland were Fort Amsterdam on Manhattan Island and Fort Orange on the site of the present city of Albany. These were trading posts. It was not until 1623, that colonists began coming over. New Netherland did not prove attractive to settlers. In 1629, the Dutch West India Company tried to stimulate settlement by the establishment of patroonships or great estates, on which the owner or patroon should enjoy very extensive rights. The most enterprising directors of the company at once sent out agents to seize the best land. One of them actually appropriated the country around Fort Orange. In later years, this system was modified, the trade of the colony was opened, and land was granted in small quantities on the payment of an annual rent.

**75. Governors Kieft and Stuyvesant.**—In 1643, owing to the wretched mismanagement of William Kieft, who had been governor since 1638, the New Netherlanders became involved in a serious conflict with the Indians who lived in the vicinity of Manhattan Island; the colony was nearly ruined and Kieft was recalled. He was replaced by Stuyvesant, an able and energetic soldier, who had lost a leg in the company's service. Stuyvesant's administration was

*Contemporaries*, I, No. 39.

Dutch trading posts, Roberts's *New York*, I, ch. iii.

The patroonships.

Kieft and Stuyvesant, Roberts's *New York*, I, chs. iv, v; Tuckerman's *Stuyvesant*; *Contemporaries*, I, No. 154.

very despotic, as was that of all the Dutch governors. The people of New Amsterdam gained a few privileges of self-government in 1652, but Stuyvesant was able to deprive these concessions of nearly all their value. In his dealings with the neighboring English colonies, he was not so successful. The Dutch claimed as far east as the Connecticut River, which had been discovered by one of their navigators; but the Confederation of New England was too powerful for Stuyvesant; he was obliged to give way and to acknowledge the rights of the English settlers. Attracted by the advantages it offered, many Englishmen emigrated to New Netherland. Among them were some of the most important men of the Dutch colony. They taught their new associates the English hostility towards arbitrary rule, and the fall of New Netherland in 1664 seems to have been hailed with satisfaction by nearly all its inhabitants.

Swedish settlements.  
Roberts's  
*New York*,  
I, ch. vii.

**76. The Swedes on the Delaware.**—The Swedish settlements had their rise in the desire of Sweden's greatest king and one of Europe's greatest men, Gustavus Adolphus, to establish a colonial empire. It was not until after his death, however, that a beginning was made by the formation of a Swedish company, on the model of the Dutch and the English trading corporations. The new colony was planted on the southwestern side of Delaware Bay, on ground claimed by the Dutch. At the moment the Swedes were the foremost military power in Europe. The Netherlanders were practically under their protection, and could hardly refuse a few square miles of unoccupied land in America to such a necessary ally in Europe. In 1648 the Peace of Westphalia put an end to this state of affairs: the independence of the Netherlands was acknowledged by all the important powers; there was no longer any necessity of dealing gently with the Swedish intruders; the Swedish colonists were conquered by Stuyvesant, and their territory again added to New Netherland (1656).

The colonies  
in 1660.

**77. Summary.**—In 1660 the Puritan supremacy suddenly came to an end: Charles the Second was restored to

the throne occupied by his father, and a new page was opened in the history of England and of America. After sixty years of colonizing activity there were in North America the French settlers in the north, few in point of numbers but formidable on account of their organization and because of their influence with the natives — excepting the members of the League of the Iroquois. In the south, the Spaniards maintained a feeble colony in Florida, at St. Augustine, and there were a few Spaniards in the Southwest. On the Hudson and the Delaware the Dutch were supreme. Between the Spaniards and the Dutch, and between the Dutch and the French, were English colonists. They occupied no great extent of territory, but they were more permanently fixed to the soil than were the French, the Dutch, or the Spaniards. They had established English home life and English institutions in their wilderness homes; and they were practically self-governing.

#### SUGGESTIVE QUESTIONS AND TOPICS

##### § 35. FRENCH COLONIZATION

- a.* Give a brief sketch of the career of Henry IV of France.
- b.* What further facts can you ascertain about Champlain?

##### § 36. REVIVAL OF ENGLISH ENTERPRISE

- a.* Give a brief sketch of the reigns of the Tudors.
- b.* Have the voyages of Gosnold, Pring, and Weymouth any real importance in American history? Why?

##### §§ 37-46. VIRGINIA

- a.* Give a connected account of the Plymouth Company; of the London Company.
- b.* Place as headings in note-book, "Slavery," "Representative Institutions," "Limited Power of Congress," and enter under them all fitting matter as you proceed.
- c.* Make a brief digest of English history, 1600-60, and place in parallel columns leading events in American history.
- d.* Compare conduct of Virginia and of Massachusetts during Puritan supremacy. Give causes of difference.

## §§ 47-50. MARYLAND

*a.* What events of vital importance in American history are connected with Maryland's western and southern boundaries?

*b.* What matter in these sections must you enter in your note-book under "Representative Institutions"? What under "Power of Congress"?

*c.* In Congress where does the right of initiative belong? Where in the legislature of your own state? Where in the British Parliament?

*d.* Does the word "toleration" prove that absolute religious freedom did not exist? Give your reasons.

## §§ 51-57, PURITANS AND PILGRIMS

*a.* Puritans, Nonconformists, and Separatists: carefully define and explain.

*b.* What is a "pure democracy"? Does any such exist at the present time?

*c.* The "Pilgrim Compact"; its formation and provisions.

*d.* Trace at length the history of Plymouth to 1643.

## §§ 58-63. MASSACHUSETTS BAY

*a.* Describe the struggle between the aristocratic and the democratic elements in Massachusetts.

*b.* Was John Cotton's declaration identical with the principle embodied in the present Civil Service Law? Give your reasons.

*c.* What in these sections will you note under "Representative Institutions"?

*d.* Do you blame the Massachusetts authorities for expelling Roger Williams or Mrs. Hutchinson? Were the two cases parallel?

## §§ 64-66. RHODE ISLAND

*a.* Roger Williams's place in history. Turn to passages in the Constitution which relate to this matter. How is it arranged in the constitution of your state?

*b.* Give Roger Williams's explanation of "liberty of conscience"; of civil liberty.

## §§ 67-70. CONNECTICUT

*a.* What spirit prompted the settlement of Connecticut? of New Haven?

*b.* Why did not Massachusetts need to draw up a written constitution?

*c.* Compare carefully the reason for the founding of Massachusetts, of the first Connecticut towns, of New Haven. What essential differences can you discern? What common elements?

#### § 71. THE BODY OF LIBERTIES

- a.* Were the English people accustomed to a written code of law?  
*b.* Look up some brief analysis of Magna Charta (*e.g.* Taswell-Langmead), and compare it with the Body of Liberties.  
*c.* Turn to Constitution and find passages which relate to matters in sections of the Body of Liberties noted on margin of § 71. Do the same with the constitution of your state.

#### §§ 72, 73. THE UNITED COLONIES OF NEW ENGLAND

- a.* Were taxation and representation on the same basis in the New England confederation?  
*b.* Place in note-book as headings: "Nullification," "Fugitive Slave Laws," "Colonial Denials of Supremacy of Parliament," and enter all fitting matter as you proceed.

#### §§ 74-76. THE DUTCH AND THE SWEDES

- a.* Give a brief sketch of history of Holland to 1648, and add a briefer sketch of the Thirty Years' War.  
*b.* Consider at length how the fortunes of the world might have been changed had Champlain treated the Iroquois kindly.  
*c.* Do we owe any distinctive elements of our national progress to the Dutch settlers? Prove your statement.

#### HISTORICAL GEOGRAPHY

- a.* Represent in colors upon an Outline Map (1) the details of the Virginia charters (1606, 1609); (2) the boundaries of Maryland (1632); (3) the boundaries of New England (1620).  
*b.* Represent in colors upon an Outline Map the boundaries of the New England colonies; Massachusetts (1629); New Netherland (1660).  
*c.* Make any necessary changes in the map of your own state.

#### GENERAL QUESTIONS

- a.* What matter in this chapter must you enter in note-book under "Representative Institutions"? What under "Power of Congress"?  
*b.* Pick out all statements in this chapter which illustrate the character and the spirit of the colonists of Virginia, of Maryland, of Plym-

outh, of Massachusetts, of Rhode Island, of Connecticut, of New Haven, and of New Netherland. Put them side by side and state the results of your comparison.

*c.* How many examples of federation does this chapter afford? State and compare.

*d.* Give a bird's-eye view of the colonies in 1660.

*e.* Make list of principal men in chapter, with dates; state under each man's name what he did.

*f.* Make a brief conspectus of all charters, showing (1) to whom granted, (2) purpose of grantee, (3) extent of land granted, (4) where governing power resided, (5) fortunes of charter.

#### TOPICS FOR INVESTIGATION BY INDIVIDUAL STUDENTS

See directions under this head at end of Chapter I.

- a.* The founding of Jamestown (§ 39).
- b.* The first American Assembly (§ 42).
- c.* Why did the Pilgrims come to America (§ 53)?
- d.* The Pilgrims, November–December, 1620 (§§ 54, 55).
- e.* The trial of Mrs. Hutchinson (§ 65).
- f.* The voyage of Henry Hudson, 1609 (§ 74).

## CHAPTER III

### A CENTURY OF COLONIAL HISTORY, 1660-1760

#### Books for Consultation

**General Readings.**—Higginson's *Larger History*, 169-191, 203-223; Thwaites's *Colonies*, 50-61, 76-81, 196, 220; Hart's *Formation of the Union*, 2-41; Fisher's *Colonial Era*; Sloane's *French War and the Revolution*; Hinsdale's *Old Northwest*, chs. iii and iv; Fiske's *Civil Government*, 152-158.

**Special Accounts.**—Channing's *United States*, Vol. II; \*Winsor's *America, Memorial History of Boston and Cartier to Frontenac*; the state histories noted under Chapter II; Egle's *Illustrated History of Pennsylvania*; \*Jones's *Georgia*; Wilson's *Memorial History of New York* (city); \*Janney's *Life of Penn*; Larned's *History for Ready Reference*. On French exploration and colonization: Parkman's *Jesuits, Pioneers, and La Salle*; Bourinot's *Canada*; Maurice Thompson's *Story of Louisiana*; Grace King's *New Orleans*. For the expulsion of the French, see: Parkman's *Half Century of Conflict, Montcalm and Wolfe*, and *Conspiracy of Pontiac*; Irving's *Life of Washington* (abridged ed.); \*Dunn's *Indiana*; \*Hibberd's *Wisconsin*.

**Sources.**—Chandler's *Criminal Trials*; Huchinson's *Massachusetts*; Washington's *Autobiography*; Franklin's *Autobiography*; *American History Leaflets*; *Old South Leaflets*; \*Hart's *Contemporaries*, MacDonald's *Documentary Source Book*.

**Maps.**—Hart's *Epoch Maps*, Nos. 3, 4; MacCoun's *Historical Geography*; Winsor's *America and Mississippi Basin*.

**Bibliography.**—*Guide to American History*, §§ 37, 39, 46, 47, 120, 121, 123-126, 142-148.

**Illustrative Material.**—\*Wendell's *Cotton Mather*; Mason's *Robert Cavalier*; Page's *Thomas Nelson*; \*Hallowell's *Quaker Invasion of Massachusetts*; Irving's *Washington*; Lodge's *Washington*; biographies of Franklin, Samuel Adams, Oglethorpe, and others, see *Guide*, §§ 39, 46, 47. Lowell's *Among My Books* ("Witchcraft"); Longfellow's *New England Tragedies and Evangeline*; Whittier's *Pennsylvania Pilgrims*, and *Witch of Wenham*; Irving's *Knickerbocker's History*; Bynner's *Begum's Daughter*; Seton's *Charter Oak*; Cooke's *Stories*

of the Old Dominion; Caruthers's *Knights of the Golden Horseshoe*; Cooper's *Satanstoe*, *Waterwitch*, *Red Rover*, and *Leather Stocking Tales*; King's *Monsieur Motte*; Simms's *Cassique of Kiaway*; Catherwood's *The Lady of Fort St. John*.

#### A CENTURY OF COLONIAL HISTORY, 1660-1760

Clarendon and his colonial policy.

**78. A New Era in Colonization.** — Charles II was restored to the throne in 1660; his leading adviser was Lord Chancellor Clarendon. They found much to condemn in the existing state of affairs in the colonies. The New England Puritans were almost independent of the mother country and none of the colonists paid much attention to the commercial regulations that Parliament had made in the time of the Puritan supremacy. They set to work to revive the navigation laws and to enforce the royal authority in America. The First Navigation Act, passed in 1660, provided that certain colonial products should be carried direct from the plantations to England. These were enumerated in the act and were hence called the "enumerated goods"; among them was tobacco. This policy was extended as time went on; but the colonists kept on disobeying whenever it was their interest so to do.

The Navigation Acts. Winsor's *America*, VI, 5-10. *American History Leaflets*, No. 19.

George Fox and the Society of Friends. Hodgkins's *George Fox*. Winsor's *America*, III, 469-473; Fiske's *New England*, 179-181.

The Quaker Invasion, begins 1656.

**79. The Puritans and Quakers.** — In the Puritan time, many new sects arose in England, among them the Society of Friends or Quakers. Their founder was George Fox, who possessed a clear mind and the ability to express his ideas in language which ordinary people could understand. He taught that God still appears to men and women and reveals to them his will. All men were equal in the sight of God and tokens of respect were due to Him, alone. The Quakers declined to address judges and other officials by their ordinary titles as "Your Honor," etc. They refused to take the oath of allegiance or to swear to speak the truth in court, because the Bible commanded them to "swear not at all." The Puritans held diametrically opposite ideas. They believed that the period of divine revelation had ended and they demanded that all in authority should be treated with



every mark of respect. The first Quakers appeared in Massachusetts in 1656. They addressed the magistrates as "hirelings, baals [priests of Baal], and seed of the serpent." The magistrates were not slow to take up the challenge. They arrested the Quakers and expelled them from the colony. The Commissioners of the United Colonies (§ 73) advised the members of the Confederation to banish all Quakers coming into any one of the four colonies under pain of death in case of return. The Massachusetts Court passed such a law. The Quakers hastened to Boston to put it to the test; four of them were hanged and others were severely punished.

Many writers have tried to justify Massachusetts on the ground that every state has the power to close its boundaries to outsiders and to eject any hostile persons. The English government had delegated these powers to the Massachusetts Bay Company, which undoubtedly possessed the legal right to refuse admission to Quakers or even to hang them,—but was it well to exercise this right? The plain people of Massachusetts disliked these executions and they were carried out only by a display of force.

None of the other New England colonies treated the Quakers so severely. In 1658 the Maryland Council directed all persons in Maryland to swear to be faithful to the lord proprietor or leave the colony upon pain of being treated as traitors. The next year the Virginia Assembly likewise provided by law that Quakers coming into the colony should be banished on pain of death in case of a third return. In New Netherland, Stuyvesant treated them with great harshness, beatings and tortures, but none were put to death.

**80. The English Government and Massachusetts.**—The Quakers complained of the action of the Massachusetts magistrates, and the English government at once interfered. From the outset the Massachusetts rulers had allowed no appeal from their decisions to the courts in England; it seemed now that a case had arisen where the English authorities might compel the colony to permit an appeal.

Fiske's *New England*, 183-190; Chandler's *Criminal Trials*, I, 33-63; *Contemporaries*, I, No. 140-142.

Attempts to justify Massachusetts.

The Quakers in the other colonies.

Massachusetts and England, 1661. Fiske's *New England*, 191-192; \*Frothingham's *Republic*, 49-62.

An order was drawn up directing the Massachusetts Bay Company to send the Quakers to England for trial. But when the order reached Boston the laws had already been modified, the jails emptied of their inmates, and there were no prisoners under accusation to send to England.

The  
judges.  
Fiske's  
*New Eng-  
land*, 192;  
\*Stiles's  
*Judges of  
Charles I.*

A far more serious offense in the eyes of the new rulers of England was the sheltering of two of the judges who had signed the death warrant of Charles the First. These regicides, as they were termed, were seen in Boston by an English ship captain, who reported the matter to the authorities on his return. Orders were at once sent to the colony to seize them and send them to England. They escaped, however, and lived concealed in the New Haven colony, and later in the interior of Massachusetts. The colonial governments showed so much zeal for their arrest, and so much skill in managing their escape, that the English authorities could do nothing in the matter, whatever their suspicions may have been.

Declaration  
of Rights,  
1661.

**81. Massachusetts Declaration of Rights, 1661.** — Soon afterwards, the Massachusetts General Court drew up a Declaration of Rights that might well have been issued one hundred years later at the time of the Stamp Act and the tea tax. It declared that the charter gave to the company full legislative power, provided its laws were not contrary to those of England. Furthermore, the company was directed to defend the colony by sea and by land against all persons who should seek to annoy it. As to the navigation acts, it asserted that "any imposition [which is] prejudicial to the country, contrary to any just law of ours, [that is] not repugnant to the laws of England, to be an infringement of our right." On the other hand, it acknowledged that it had certain duties to perform, to bear allegiance to the king, to protect his person and dominions, and to govern according to the charter.

English de-  
mands, 1661.

Two agents were sent to England to try to smooth over matters. They came back with a royal letter in which the king wrote that the Massachusetts people might make "sharp

laws against the Quakers," for their ideas "were inconsistent with any kind of government." On the other hand, he demanded that the oath of allegiance should be taken, service according to the rites of the Church of England be permitted, and all Protestants of competent estate given a share in the government of the colony. The General Court passed a new franchise law in almost the precise words used by the king, but as the Puritan ministers in the several towns of the colony were to determine whether a man was a Protestant or not, it is not probable that many were enfranchised.

**82. The Commission of 1664.** — The Rhode Island colonists and those interested in the settlement of New Hampshire and Maine were bitter in their complaints against Massachusetts and asked the king for justice. He sent a commission to New England to look into these questions and settle as many of them as possible. As soon as the news of its appointment reached Boston the General Court ordered the fort in the harbor to be strengthened, and confided the charter to a committee for safe keeping. The commissioners several times visited Boston, but without much result. In 1665, they asked the General Court to say yes or no as to whether it recognized the force of the king's commission. The Court replied that it was not its business to decide that question. It had its charter and was obliged to govern according to it. The commissioners themselves then tried to exercise jurisdiction in the king's name, but the magistrates warned all persons on their duty to God and their allegiance to the king to pay no attention to them. Beaten at every step, the commissioners departed from the colony. The next year the king ordered the authorities to send over some of their principal men; but this they declined doing "on suspicion of the authenticity of the letter." The Dutch were in the Thames and blockading London; at the moment the king was powerless.

Royal  
com-  
missioners sent  
to Boston,  
1664.

Failure of  
the commis-  
sioners.

**83. Charters of Connecticut and Rhode Island.** — While this contest had been going on between the king and Massachusetts, Connecticut and Rhode Island had secured from

Connecticut and Rhode Island charters, 1662-63.

him most liberal charters, one granted in 1662 to Connecticut, the other in 1663 to Rhode Island. These were so liberal in their terms that they continued to form the fundamental law of those colonies and states until 1818 and 1842. By these charters the voters in each colony were given nearly complete self-government. They were to elect their own officers and to make their own laws. These were to be conformable to the laws of England. They were not to be sent over for the king's approval, but they might be annulled at any time by the English authorities, if they were contrary to English laws and usages. The Rhode Island charter also contained a provision for religious equality which was not unlike that of the second Carolina charter that was granted in 1665 (§ 91).

The English conquest of New Netherland, 1664. Winsor's *America*, III, 386-390; Channing's *United States*, II, ch. ii; *Contemporaries*, I, 155.

84. **The Conquest of New Netherland, 1664.**—The continued possession of New Netherland by the Dutch was distasteful to England, and its acquisition would greatly strengthen the English colonies on the continent. Regarding the Dutch as intruders Charles II, in 1664, granted the lands included in New Netherland to his brother, James Duke of York and Albany (later James II), and sent over an expedition to occupy the country. The conquest was easily effected (1664), and the terms given to the vanquished were most liberal. Nine years later (1673) the Dutch reconquered New Netherland, but in the next year restored it to England. In 1664, James, with true Stuart liberality, gave the portion lying between New York Harbor and the Delaware to two favorites, Lord Berkeley and Sir George Carteret. The latter had gallantly defended the island of Jersey against the Puritan forces and the province was named in his honor, New Jersey. Throughout New Netherland old Dutch names were changed to English ones, the province and the principal city both being called New York and Fort Orange, Albany. New York grew rapidly; but throughout the whole colonial period, settlement was confined to Long Island and to the banks of the Hudson and to the lower Mohawk. For years the province was

Grants of New York and New Jersey. Hinsdale's *Old Northwest*, 92-96.

governed as a conquered country, there being no representative legislative assembly and the laws being made by the governor with the approval of James and Charles.

**85. Settlement of New Jersey.** — Berkeley and Carteret at once began gathering settlers for their colony. They promised religious freedom and a liberal government like that of Maryland. Some immigrants came across the Atlantic, others came from New England and there were already a few Dutch settlers living on the western side of New York harbor. The conditions under which these different groups held their lands varied greatly and caused much dissatisfaction. The governors of New York also claimed the government of New Jersey for themselves on the ground that James had given only the land, and not the government, to Berkeley and Carteret. There was so much confusion that Berkeley was glad to sell his share to English and Scotch Quakers. They secured the division of New Jersey into two parts taking West Jersey for themselves. But before long they also acquired all of Carteret's lands that had not been granted to private persons. The later history of New Jersey is the story of the gradual union of all these interests and the surrender of the government to the crown. During the first part of the eighteenth century, New Jersey had the same governor as New York with a legislature of its own; but in 1738, a separate governor was appointed and the province became independent. Owing to the frugality and industry of its inhabitants, to its freedom from fear of war, protected as it was by New York and Pennsylvania, and to the fertility of its soil, New Jersey enjoyed great prosperity, perhaps more than any other colony.

**86. William Penn.** — William Penn, who first became interested in American colonization as one of the New Jersey trustees, was the foremost man among the Quakers and one of the most remarkable men of his time. Son of a distinguished admiral of the seventeenth century, he risked all chances of worldly advancement and pecuniary independence for conscience' sake and became a Quaker.

Constitutional History of New Jersey. Winsor's *America*, III, 422-448; *Contemporaries*, I, No. 164.

The Quakers in New Jersey. Janney's *Penn.*, ch. viii.

William Penn. Winsor's *America*, III, 473-476; Janney's *Penn.*

Penn enlarges his colonial interests. Janney's *Penn.*, ch. xii.

Desirous to extend his colonial interests, and wishing to have a colony in which he could try his own ideas of government, William Penn obtained from Charles II and James, Duke of York (1680-82), the Swedish-Dutch settlements on Delaware Bay and a vast region stretching westward from the Delaware through five degrees of longitude to which the name Pennsylvania was given. Of the



William Penn

latter territory William Penn was made proprietary on nearly the same terms on which the Baltimores held Maryland; but the laws of Pennsylvania were to be submitted to the king within five years and he might then annul them. Religious toleration was guaranteed, but provision was made for services according to the rites of the Established Church. Penn's relations with the colonists of what is now the state of Delaware were not laid down in any charter, and this

omission gave rise to trouble in succeeding years. Delaware in 1703 became independent of Pennsylvania so far as the legislature was concerned; but both provinces had the same governor during the colonial period.

Extent of Penn's grant. Janney's *Penn.*, ch. xviii; Hinsdale's *Old Northwest*, 98-104; Fisher's *Making of Pennsylvania*, ch. xi.

**87. Mason and Dixon's Line.**—The boundary disputes of Pennsylvania have been almost endless. The dispute with Maryland began immediately. The plan evidently was that Penn should possess a continuous strip of land on the southern and western shore of Delaware Bay and River, from Cape Henlopen to the northern boundary of Pennsylvania. This territory, so far as it lay south of the fortieth parallel, had been included in Maryland by the charter of 1632; but it was held that Baltimore had forfeited his rights in this region by permitting the Swedes and the Dutch to

make settlements on Delaware Bay. When observations were taken on the spot, it was discovered that there was a gap of some sixteen miles between the northern limit of the Swedish-Dutch colonies, which Penn had obtained by release from the Duke of York, and Pennsylvania, which he had received from the king. The southern boundary of Pennsylvania was the fortieth parallel, which had been the southern boundary of New England under the charter of 1620 and the northern boundary of Maryland under the charter of 1632. Now a most awkward question arose: Penn was determined to retain the control of the navigation of the Delaware system and advanced arguments to show that Maryland had practically no right to any land at all. For years the disputation went on; at last, when both Penn and Baltimore were in their graves, an arrangement was made between their heirs which gave to Pennsylvania, to Delaware, and to Maryland their present boundaries (1732). Two English surveyors, Mason and Dixon, determined the eastern portions of these limits and ran the line westward for some distance (1764-1767). Subsequently the

line was continued to the western boundary of Maryland, and was adopted by Pennsylvania and Virginia as limiting their respective territories. Such was the origin of Mason and Dixon's line, one of the most famous lines in history.

88. **The Northern Boundary of Pennsylvania.**—On the north, Pennsylvania came into contact with Connecticut, Massachusetts, and New York. In the disputes which arose over this portion of Pennsylvania, the arguments which Penn had advanced to restrict Baltimore's grant were used with great force by Pennsylvania's opponents, and in consequence that state includes only two degrees of latitude,

Mason and  
Dixon's  
Line. *Contemporaries*,  
I, No. 77.



Charter of Pennsylvania

Northern  
limits.  
Fisher's  
*Making of  
Pennsylvania*,  
ch. x.

Hinsdale's  
*Old North-*  
*west*, 110-  
118.

instead of three, as the words of the charter seem to indicate. The contention with Connecticut was especially violent. The Connecticut people had good ground for complaint, as their charter, granted in 1662, was clearly infringed upon by Penn's grant of some twenty years later. The dispute, continued throughout the colonial and the Revolutionary period, brought great misery to the dwellers in the Wyoming valley and on the upper Susquehanna, and was only concluded at the time of the Connecticut cession of western lands to the United States (§ 172), by an arrangement which secured to her a valuable tract of land immediately west of Pennsylvania — known as the Western Reserve, which is now included in the state of Ohio.

Penn's  
Indian pol-  
icy. Fiske's  
*New Eng-*  
*land*, 205;  
Stedman and  
Hutchinson,  
II, 227;  
*Contempo-*  
*raries*, I,  
No. 163.

**89. Penn and the Indians.** — William Penn, like Roger Williams and other colonists, was anxious that the natives within the limits of his colony should be treated with justice. Penn's ideas were set forth in a broad way in a treaty with the Indians which was not unlike the agreements between the settlers of New York and the Iroquois, and between the Pilgrims and Massasoit. In all three cases, justice and fair dealing were promised on both sides, and, as a matter of fact, all three agreements were faithfully carried out.

Penn made several other treaties with the Indians, which related more especially to the purchase of land. The best known of these, perhaps, was the so-called "Walking Purchase," by which Penn acquired a tract of land west of the Delaware, extending inland as far as a man could walk in three days. The Quaker proprietor, with a few friends and a body of Indians, walked out the first day and a half in a leisurely fashion; they accomplished about thirty miles, which was as much land as was needed at the moment. Years later, after Penn's death, the other day and a half was walked out, this time in an entirely different spirit. The Pennsylvania authorities then employed the three fastest walkers that could be found, one of whom covered eighty-six miles in thirty-six hours.



90. **Government of Pennsylvania.**—Colonists came to the new province in great numbers, attracted by Penn's reputation and by the promise of religious liberty. He conferred upon them almost complete power of self-government and even abandoned the right to veto any legislation which they might adopt. Grave disputes arose: the colonists did not fulfill their obligations to the satisfaction of the proprietary, and he revoked the grant of self-government. In 1701 Penn granted the Charter of Privileges, which remained the fundamental law of Pennsylvania until the American Revolution.

This document was in reality a written constitution. It provided (1) that no person believing in one God should be molested on account of religion; but (2) only those "who, also profess to believe Jesus Christ the Saviour of the world" could take part in the government, and then only on promising allegiance to the king and fidelity to the proprietary; (3) no person should be disturbed in his property except by legal process; (4) an assembly, consisting of a single house, should annually be elected by the freemen, — which was interpreted to mean taxpayers; this assembly should exercise functions "according to the rights of free-born subjects of England, and as is usual in any of the king's plantations in America"; (5) the proprietary should be represented by a governor and council, who could negative any act of the assembly. The instrument also contained a provision for its amendment — except the clause as to religious freedom — provided the governor and six sevenths of the assembly should concur.

This charter put an end to disputes with the proprietary as to forms of government; but during the greater part of the first seventy years of the eighteenth century there was a fierce controversy over the question of the taxation of the proprietary's lands: the people asserted that these should be taxed like the lands of any private person, while the Penns claimed freedom from taxes on the ground that they were representatives of the king. Benjamin Franklin was

Government,  
Winsor's  
*America*,  
III, 483-489.

Charter of  
Privileges,  
1701.  
*Charters and  
Constitutions*,  
II, 15-36.

Controversies with  
the Penns.

Carolina  
charters,  
1663, 1665.  
Winsor's  
*America*, V,  
290.

sent to England to lay the matter before the home government; in the end, the Privy Council decided in favor of the Pennsylvanians (1759), on certain conditions, which were by no means to the colonists' liking.

91. **The Carolina Charters, 1663, 1665.** — The outburst of colonizing zeal that followed the Restoration of Charles II was not confined to the north; it led also to the founding of a colony south of Virginia which was named Carolina in honor of the king. Among the grantees named in the first charter (1663) were Clarendon, Albemarle, Lord Ashley, who later became the Earl of Shaftesbury, Sir William Berkeley, governor of Virginia, and his brother Lord Berkeley and Sir George Carteret. The new province lay between the thirty-first and the thirty-sixth parallels of latitude and extended from the Atlantic to the Pacific. The northern part of Carolina was within the limits of Virginia and two years later (1665) the northern boundary was pushed one half a degree farther north ( $36^{\circ}30'$ ) to include more of Virginia soil. At the same time the southern boundary was placed two degrees farther south at the twenty-ninth parallel, which crossed Florida to the southward of St. Augustine (map, § 59). The Carolina proprietaries enjoyed about the same powers of government that Lord Baltimore did in Maryland (§ 49). In the second charter, freedom of conscience and of worship was guaranteed to all Christians, provided they did not disturb others in the enjoyment of similar rights.

Limits.  
*American  
History  
Leaflets*,  
No. 16.

Early settle-  
ments.  
Winsor's  
*America*, V,  
287-290.

92. **Settlement of the Carolinas.** — There were some settlers already living on the shores of Albemarle Sound and there may have been a few on the banks of the Cape Fear River. More colonists soon came from Barbadoes and a prosperous settlement grew up in the northern part of the province. It was not until 1670, that the first immigrants came to the southern part of Carolina and settled on the shores of Charleston harbor. They built their first houses on the southern side of the Ashley River. In 1680 they moved across to Oyster Point and founded the city of

Charleston. This stands between the Ashley and Cooper rivers, which perpetuate the family names of Lord Shaftesbury. Owing to the ease of communication with the interior this spot was destined to be the seaport of the southeast, as Manhattan Island was certain to become the commercial center of the north. The new settlement thrived and by the end of the century, notwithstanding troubles with the Indians and with the Spaniards, it was well established.

Charleston, 1680. Winsor's *America*, V, 307-309.

93. **Grievances of the Virginians, 1660-1676.** — The Restoration brought more trouble to loyal Virginia than it did to Puritanical New England. While still in exile, Charles II had given portions of Virginia to those who enjoyed his favor. In 1669, he granted the whole colony to two men, Arlington and Culpeper, who were nearly as disreputable as himself. This made them masters of the province, and the Virginians were obliged to buy them off as well as they could. The new rulers of England also interfered with the tobacco trade and caused a serious diminution in the price of that staple. The Virginians petitioned to the king for relief, but received none. After 1660, the royalist faction in Virginia gained the ascendancy. They made sharp laws against the Puritans and paid no attention to education and very little to religion. Corruption and extortion prevailed. The assembly that was elected in 1660 held on for fourteen years and then enacted a law greatly restricting the right to vote. As the third quarter of the century neared its ending, the Indians became restless all along the coast. In Virginia, Governor Berkeley did nothing to protect the colonists. It was believed that he cared more for the prosperity of the natives than he did for the safety of the settlers, as he received the net proceeds of the duties on the furs that were exported from the colony.

Charles II and Virginia.

*Contemporaries*, I, No. 70.

94. **Bacon's Rebellion, 1676.** — Nathaniel Bacon, an able and popular man, now stepped forward as the leader in the defense of the settlers against the savages. Berkeley at once declared him and his followers to be rebels; this was the signal for a general uprising. The course of events was most com-

Bacon's Rebellion, 1676.

Winsor's  
*America*, III,  
151-153;  
*Contemporaries*, I, No.  
71.

plicated. As long as Bacon with his forces remained in the settled part of the province, he had the upper hand; but as soon as he marched against the Indians, Berkeley regained power. Then Bacon would come back and expel the governor and again take up the chastisement of the Indians. After a few months he died and the excitement came to a sudden end. The most regrettable thing about Bacon's rebellion was that it prevented the granting to the Virginians of a charter like those which the king had given to Connecticut and Rhode Island.

Virginia to  
1700.  
Winsor's  
*America*, V,  
263-265;  
*Contemporaries*, I, No.  
89.

95. **Virginia, 1677-1700.**—Virginia next fell into the hands of a most greedy set of governors, — Lord Culpeper, Lord Howard of Effingham, Sir Edmund Andros, and Sir Francis Nicholson. The only important event of their time was the founding of William and Mary College, named after its royal patrons, the king and queen of England (1692). Its founder was the Rev. James Blair, who desired to establish an institution in which young Virginians might be educated for the ministry of the Established Church. Little was realized in this respect, but the college provided a fair training for those young Virginians who could not go to a Northern college or to England for an education.

King  
Philip's  
War. Fiske's  
*New Eng-  
land*, 207-  
241; *Old  
South Leaf-  
lets*, VIII,  
No. 4.

96. **Overthrow of the Massachusetts Charter.**—The years 1675-76, which were so eventful in the history of Virginia, were even more important in the annals of New England, for then occurred a terrible struggle with the natives, which is known as King Philip's War, from the name of the Indian chief who organized the movement. The contest resulted in the crushing overthrow of the Indians; it also greatly diminished the power of the New England colonies to resist the renewed attacks of their enemies in England. The chief causes of complaint on the part of the English authorities were the nonobservance of the Navigation Acts, the independent attitude of the colonists in King Philip's War, and the purchase of Maine by Massachusetts.

In 1676 Edward Randolph arrived at Boston. He came as the bearer of a letter from the king, in which the monarch

vigorously complained of the action of Massachusetts as to the navigation laws. His further duty was to spy out irregularities in the conduct of the government, on which a suit could be founded for the revocation of the Massachusetts charter. He had no difficulty in discovering many unlawful proceedings, and drew up a report stating the results of his observations. The attack on Massachusetts was part of a general scheme for the consolidation of all the colonial governments, save Pennsylvania and Carolina, under the direct control of the crown. Had the plan been carried out, the whole power of the English-American colonies would have been wielded by one hand. This would have greatly increased the power of England to resist French aggressions, and would also have led to a corresponding diminution in the ability of the colonists to withstand the attacks of king and Parliament. After a long

legal contest, the Massachusetts charter was annulled (1684) and the government of Massachusetts was confided to Joseph Dudley, son of one of the founders of the colony. He was soon replaced by Sir Edmund Andros, once governor of New York.

97. The "Stuart Tyranny in New England." — Sir Edmund Andros was directed to exercise powers in Massachusetts similar to those which the governor of New York possessed. Either by himself or with his council, which was appointed by the king, Andros was to make laws, levy taxes, perform executive functions and, through judges appointed

Renewed attack on Massachusetts, 1676-84. Fiske's *New England*, 253-266.



Sir Edmund Andros

Massachusetts charter annulled, 1684. *Contemporaries*, I, No. 135.

Andros in New England. Fiske's *New England*, 267-271; Wendell's *Cotton Mather*.

*Old South Leaflets*, 2d series.

by himself, try and convict persons charged with disobeying his decrees. He abused his power to seize private property and his methods were most ungracious; but many of his acts which seemed harsh to the Puritan colonists do not appear so severe to us. For instance, he compelled witnesses in court to kiss the Bible when they swore to give true testimony, and he insisted that all those whose land titles were defective should have them confirmed by himself as representative of the king.

The dominion of New England, 1688. *Contemporaries*, I, No. 122.

Steps were also taken to secure the revocation of the Connecticut and Rhode Island charters, but judgment was never recorded against either of them. Nevertheless, Andros took control of both. In 1688, a new commission was given to him, greatly extending the limits of his authority. He was appointed governor of the Dominion of New England which included all the English possessions on the continent, south of the St. Lawrence and north of Pennsylvania. Boston remained the principal seat of government; but a deputy governor, Francis Nicholson, resided at New York. The revocation of the Maryland charter was also in contemplation and the plans of the Stuart monarchs seemed about to be accomplished, when the "Glorious Revolution of 1688" hurled James II from the throne. It may be said, therefore, that the Revolution had as important consequences for America as it had for England

Overthrow of Andros. Fiske's *New England*, 272; *Contemporaries*, I No. 136.

98. The "Glorious Revolution" in America. — The news of the landing of William of Orange, in November, 1688, reached Boston in March, 1689, and the flight of James II was probably known to the colonial leaders not long after. At all events, on the morning of April 18, the town was full of armed men; Andros was arrested and the commander of an English frigate, which happened to be in the harbor, was compelled to strike her topmasts and send her sails on shore. A provisional government was then formed under the old charter, and William and Mary were proclaimed king and queen. Connecticut and Rhode Island re-established their old charter governments.

In New York there was serious trouble, due to the sharp political and religious divisions which prevailed in that colony. The power passed to Jacob Leisler, a German merchant and captain of the trained band of New York. He was a man of force, but he lacked discretion, and he also was opposed by the extreme English faction.

In Maryland, the Protestants, especially those of the Established Church, were opposed to the proprietary's rule. Led by John Coode, they seized the government and sent an address to William and Mary. On the other hand, Baltimore was peculiarly unfortunate: he dispatched a messenger to Maryland directing his governor there to proclaim the new monarchs, but the bearer of this order died while on the way, and the successors of James were not proclaimed.

**99. Policy of the New Government.** — When William and his advisers were able to examine into the condition of affairs in England's possessions beyond the sea, they found themselves greatly perplexed. The case of Maryland was clear enough: they could not allow the province to remain in the hands of a nobleman who did not recognize their authority. A royal governor was sent to Maryland, but the charter was not revoked. In the time of Queen Anne, a Protestant Lord Baltimore regained the jurisdiction. As to Pennsylvania, the government of that province was confided to the governor of New York, but afterwards it was restored to Penn. The Baltimores and the Penns continued to exercise the powers of proprietaries until the American Revolution. In New York affairs did not progress so smoothly. Leisler's enemies gained the ear of the new governor and brought about the conviction of Leisler as a traitor. He was executed; but, afterwards, when the English government understood the facts, it did what it could to atone for the death of one of the best friends of the "Glorious Revolution."

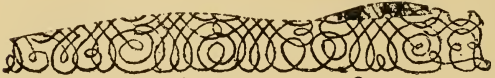
Connecticut and Rhode Island re-established their old charter governments and were not further molested. Massachusetts had shown too much strength to be permitted again to become practically independent. A new charter, usually

"Leisler's Rebellion." *Contemporaries*, I, No. 157; Roberts's *New York*, I, ch. xiii.

William's colonial policy.

The Massachusetts Province Charter, 1691. Fiske's *New England*, 273-278; Winsor's *America*, V, 87-92.

called the Province Charter, was drawn up and issued in 1691. This established a form of government midway between that of an independent colony like Connecticut, and that of a royal province like Virginia. The governor, secretary,



N<sup>o</sup> ( 11. ) 20<sup>d</sup>

**THIS** Indented Bill of Twenty and a Shilling's due from the Massachusetts Colony to the Possessor shall be in value equal to money & shall be accordingly accepted by the Treasurer and Receivers subordinate to him in all Publick payments and for any Stock at any time in the Treasury Boston in New-England the third February the third 1690 By Order of the General Court



Peter Townsend

Com Willm<sup>ts</sup> Cornitie

Tim<sup>th</sup> Sherman

Massachusetts currency, 1690

and treasurer of the new province were to be appointed by the king. The council, however, was to be elected by a body representing the people, subject to the confirmation of the governor. The representatives were also given the initiative



in financial matters, — which gave the skilled politicians of Massachusetts the chance to limit the power of the governor.

Massachusetts, as a province, included New Plymouth, Maine, and the English possessions to the eastward; but New Hampshire was given a government of its own. A form of words was used in the new charter to describe the boundary between these provinces which the English Privy Council, of a later day, interpreted to mean that Massachusetts extended to a point three miles northward of the most southern point of the Merrimac only, instead of to a point three miles northward of the most northern point of that stream, as the old charter had plainly intended. The limits of Massachusetts still extended westward to the South Sea, as they had in the charter of 1629.

100. **Georgia.** — The period from the accession of William and Mary to the first of those events (1760) which led directly to the separation of the colonies from the British Empire, was a time of great material prosperity within the English colonies, and of conflicts with the French on the north and west and with the Spaniards on the south. Only one new province was founded during this period, and the colonies grew rather by developing the resources within their limits than by planting new settlements.

The new province, Georgia (1732), had its rise in the desire of General Oglethorpe and other benevolent persons in England to provide a place in America where those who had been unsuccessful at home might obtain a new start in life. But these charitable people laid down conditions which greatly hampered those whom they wished to benefit: they granted land in too small quantities, and forbade negro slavery. In consequence, the Georgia settlers found it impossible to compete with the Carolinians on the other side of the Savannah River. Unable to own slaves, they hired them of the Carolina slave owners, and in this way slavery was introduced into Georgia. The Spaniards viewed the newcomers with jealousy, and Oglethorpe passed most of his time while in America in conflicts with them. The

Limits of  
Massachu-  
setts.

Character  
of period,  
1690-1760.

Oglethorpe  
and founding  
of Georgia,  
1732.  
Winsor's  
*America*, V,  
361-367,  
387-389.

Georgia charter contained an unusual clause, limiting the existence of the company to twenty-one years. Before that time had expired, the trustees were so disheartened that they surrendered their charter to the crown, and henceforth Georgia was governed as a royal province.

Carolina  
Rebellion,  
1719.

Winsor's  
America, V,  
322-329.

**101. The Carolinas.** — Meantime a great change had come over the Carolinas. The proprietaries' government had become intensely unpopular in the colony. One of the most curious results of their policy was to give an undue amount of influence to the people of Charleston and its immediate neighborhood. The elections to the assembly were held in the open air at Charleston, and the votes were given *viva voce*. The people were anxious to have the colony divided into districts, but this system gave the governors an unusual chance to control elections, and nothing was done. In 1719 the colonists deposed the proprietaries' representative, and a royal governor was sent over. After vain attempts to regain their authority, the proprietaries, save one, sold their rights of government and their title to the undivided lands, in the province to the crown (1729-31).

The  
Carolinas  
to 1760.  
Winsor's  
America, V,  
ch. v.

From the beginning, there had been two centers of settlement and government in Carolina; this division was now recognized, but the line between the two provinces was not run for many years. Under the royal governors, the Carolinas became very prosperous, especially after the founding of Georgia relieved them of danger from Spanish attacks. In 1738 a serious slave insurrection startled the colony; it was put down, and led to the enactment of a most severe system of slave laws. There were also troubles with the Indians, and with a succession of extortionate royal governors; but, on the whole, the Carolinas grew rapidly in strength and resources.

Characters  
of royal  
governors.

**102. Constitutional Progress, 1689-1760.** — The first half of the eighteenth century witnessed a gradual but steady growth in the power of the representative legislative bodies. In this they were greatly assisted by the poor character of the royal governors, who were for the most part men of

broken fortune and of little force. The disputes generally turned on questions of money: the governors desired to have their salaries fixed by law; the assemblies preferred to regard them in the light of payments for services rendered to the colonists. The worst royal representative who ever came to America was probably Lord Cornbury, governor of New York and New Jersey. He was the grandson of the first Earl of Clarendon and cousin to Queen Anne. His first exploit was to steal twelve thousand dollars which the New York assembly had voted for fortifications. The representatives thereupon declined to vote any more money unless it should be expended by officials in whom they had confidence. The Virginians also had a succession of extortionate rulers, from one of whom they obtained the right to appoint the Speaker of their assembly, and from another they wrested the appointment of provincial treasurer. These are only instances of what was going on in all the royal provinces; everywhere the royal authority constantly weakened, and the power of the colonists constantly increased.

Lord  
Cornbury.

103. **French and Indian Wars, 1690-1748.** — The accession of William of Orange to the English throne entangled England in the great struggle between the French monarchy under Louis XIV and the other states of Europe; the contest spread to America, and the colonists were involved in continuous strife with the French and their Indian allies, which continued with hardly a pause for upwards of half a century. The earlier part of this period of strife came to an end in 1713 with the Peace of Utrecht. By it France finally handed over to Great Britain all of Acadia and the northern territories which had been explored by Henry Hudson in 1610. The boundaries of Acadia or Nova Scotia, as the English called it, were very vague. The French asserted that it included only the peninsula that is now known as Nova Scotia, but the British argued that it extended westward to the English settlements in Maine. The treaty also provided that the French Acadians should

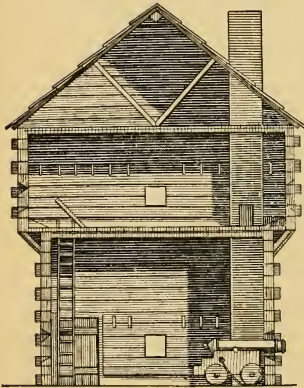
Parkman's  
*Frontenac  
and Half  
Century.*

Peace of  
Utrecht,  
1713.

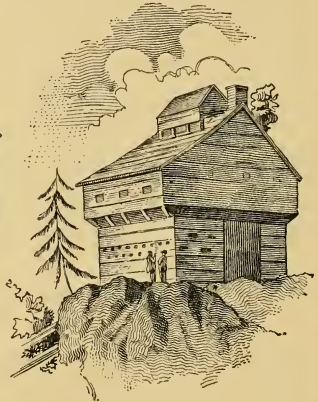
enjoy rights that were not clearly defined and that the fisheries should be open to the subjects of the two monarchs.

Peace of Aix-la-Chapelle,  
1748.

In 1745 Great Britain and France were again at war. The New England colonists under William Pepperrell, with slight support from a British naval force, captured the important military post of Louisburg on the island of



A Block House, Interior



A block House, Exterior

Cape Breton ; but this was restored to the French at the Peace of Aix-la-Chapelle in 1748.

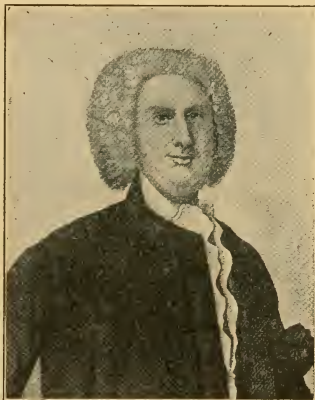
The French on the Mississippi, 1673-81. Winsor's *America*, IV, ch. v; *Old South Leaflets*, VII, No. 2; XI, No. 8. Map in Hinsdale's *Old Northwest*.

**104. Founding of Louisiana.**— During the seventeenth century, the French had gradually extended their explorations westward along the Great Lakes. In 1673 two Frenchmen, Joliet and Marquette, penetrated to the upper waters of the Mississippi, and in 1680 Hennepin discovered the Falls of St. Anthony. The next year Robert Cavalier de la Salle voyaged down the Mississippi to its mouth and returned again to the French settlements in Canada. He then led a French colony to occupy the region about its mouth, but the attempt ended in disaster.

In 1699 another French expedition appeared off the delta of the Mississippi. Its commander was Iberville, and with him was associated Bienville, who remained in the colony as governor. The settlers at first landed on one of the islands to the east of the Mississippi, but later they moved to the shores of Mobile Bay. Later still, in 1718, New Orleans was founded. To counteract this renewed colonizing activity of the French in the south, the Spaniards

Louisiana,  
1699.  
Winsor's  
*America*, V,  
ch. i.

founded the town of Pensacola. Louisiana, as the French termed this southern colony, grew very slowly; the people were frequently on the edge of starvation, and they were attacked by the Indians as the French never were in Canada. In time, however, settlements were made higher up the river, and other colonies were planted on the upper waters of the Mississippi system.



Pepperrell

The next step was to unite Canada and Louisiana by a chain of posts extending down the Ohio River. This attempt brought on war with the English, who had now (1754) begun to direct their attention to the trade of the fertile country immediately west of the Alleghanies.

**105. Expulsion of the French, 1754-1763.** — The building of Fort Duquesne by the French at the confluence of the Alleghany and Monongahela rivers brought matters to a crisis (1754). The English in Virginia protested, and, not being heeded, sent a small army under Colonel Washington

French and  
Indian War,  
1754-63.

Parkman's  
*Montcalm  
and Wolfe* ;  
Winsor's  
*America*, V,  
ch. viii.

to enforce their protest. He was defeated and forced to surrender. This conflict in America rapidly enlarged and soon became merged in a tremendous war which broke out in Europe in 1756 and is known in history as the Seven Years' War. England was now the ally of Frederick the Great of Prussia ; against them was arrayed the mighty power of France, Spain, and Austria. This conflict made many military reputations, — Frederick in Europe, Clive

in India, Wolfe and Amherst in America ; it also brought to power the greatest war minister England has ever produced, — William Pitt. For America it resulted in the retirement of the French from the continent of North America. This arrangement was embodied in a great international agreement known as the Peace



Bienville

Peace of  
Paris, 1763.  
*American  
History  
Leaflets*,  
No. 5 ;  
Hinsdale's  
*Old North-  
west*, ch. v,  
Maps, pp. 62  
and 68.

of Paris of 1763. By this treaty France ceded to Great Britain all her possessions in North America east of the Mississippi and of the island on which New Orleans stands, with the exception of two small islands in the Gulf of St. Lawrence. Spain, on her part, ceded to Great Britain her colony of Florida in exchange for Havana, which the English had occupied during the war. To recompense Spain for this loss, France ceded to her all of the French possessions in America west of the Mississippi and also the island on which New Orleans stands. The treaties further provided that vessels of Spain and Great Britain should enjoy the free navigation of the Mississippi. Moreover, it was agreed that the French colonists in Canada should be allowed the exer-

cise of the Roman Catholic religion "so far as the laws of Great Britain permit." The British monarch, on his part, gave up his claim to lands west of the Mississippi. The importance of this settlement in the history of the English-American colonists can hardly be overstated. Relieved of the pressure from without, which they had manfully withstood for so many years, they were free to develop their material resources and to protest without fear of foreign attack against measures of the British government which threatened their prosperity or their free institutions. At once the English authorities made arrangements for the government of its new dominions, and in so doing trenched heavily on the rights of at least three of the colonies.

**106. The Proclamation of 1763.**—The most important and pressing need was to make provision for the

government of those portions of the new dominions that were already occupied by Europeans. The king therefore issued a proclamation (1763) establishing three new English provinces: Quebec, and East and West Florida. The southern boundary of Quebec was stated to be the forty-fifth parallel from the St. Lawrence River to the highlands which separate "the rivers that empty themselves into the said St. Lawrence from those which fall into the sea" and along those "highlands" to the Bay of Chaleurs. This line should be carefully noted, as it was not merely the southern boundary of Quebec from 1763 to 1774: it was the northern



Wolfe

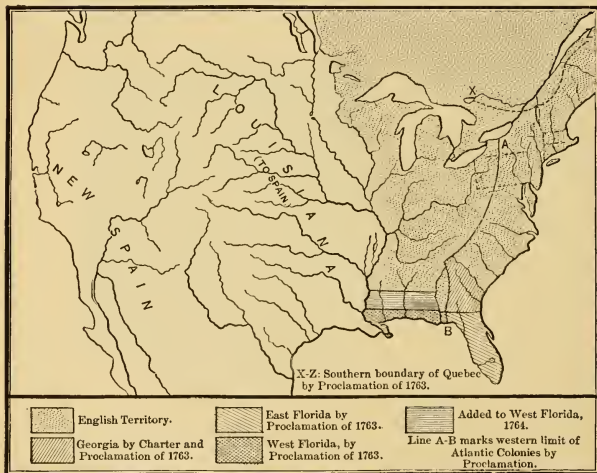
Royal Proclamation of 1763. *American History Leaflets*, No. 5, p. 10; Hinsdale's *Old Northwest*, ch. viii.

Quebec, 1763.

limit of the English colonies when they became independent states (§ 164).

The Floridas, 1763-83.

The northern boundary of the Floridas is also interesting, as it was adopted in the treaty of 1783 to describe the southern boundary of the United States (§ 164). Leaving the Mississippi in latitude thirty-one, the line followed that



The Proclamation of 1763

parallel to the Chattahoochee River, thence down that stream to its junction with the Flint; from this point it ran in a straight line to the source of the St. Mary's and down that stream to the Atlantic Ocean. The Floridas were separated into two provinces by the Chattahoochee, or Appalachicola, as it was called after its confluence with the Flint. The boundary of West Florida was pushed farther north in the commissions issued to the governors of that province,



to include within its limits several settlements on the Mississippi; this line was the parallel ( $32^{\circ} 30'$ ) of the confluence of the Yazoo and Mississippi from the latter river to the Chattahoochee. The territory between East Florida and Georgia, or between the St. Mary's and the Altamaha, which up to this time had been regarded as a portion of South Carolina, was now added to Georgia. Between the Floridas and Quebec, as defined in the proclamation, there stretched a vast region inhabited by Indians, with a few French settlements north of the Ohio; this was for the present reserved to the Indians by a provision of the proclamation which forbade the governors of the colonies on the seaboard to grant lands "west of the sources of rivers which flow into the Atlantic from the west and northwest." This territory had already been granted by the king to companies or individuals: the grantees of Virginia, Carolina, Georgia, Pennsylvania, Connecticut, and Massachusetts. The rights under the first three of the above grants had returned to the crown. The king could do what he pleased with as much of this region as had been included in those grants, but the claims of Pennsylvania, Connecticut, and Massachusetts remained as good as they had ever been.

Georgia enlarged.

Atlantic colonies confined to seaboard.

**175. The Albany Congress, 1754.**—The long series of wars which came to an end in 1763 had tended to bring the several English colonies together. Frequently, it had been necessary to take combined action against the French and their Indian allies, and conferences had been held from time to time from 1684 onwards. The most famous of these meetings was the one held at Albany in 1754, and known as the Albany Congress; but the word "congress," as now used in America, is inapplicable: it was rather a conference or convention, in our political language. The meeting was held by direction of the British Board of Trade and Plantations; its object was the purchase and settlement of lands then in the possession of the natives, and it was also designed to provide some scheme for united

Intercolonial Congress of 1754. Fiske's *Revolution*, I, 7-10.  
\*Frothingham's *Republic*, ch. iv.

The "Albany Plan of Union" (1754). *American History Leaflets*, No. 14.

action in the event of another war with the French. The congress adopted a Plan of Union, always known as the Albany Plan, which was the work mainly of Benjamin Franklin, one of the delegates from Pennsylvania. Many schemes of a similar nature had been proposed before this, but none had received an official sanction such as the Albany Congress may be said to have given to this one. Most of the earlier projects had contemplated the grouping of the colonies into two or three divisions; the Albany Plan provided for a federation of all the colonies for certain specified objects. The functions of the federal body were mainly advisory, as were those of the commissioners of the New England Confederation. These duties were to be performed by a President-General appointed by the crown, and a Grand Council elected by the popular branches of the several colonial assemblies. The weak point in the New England Confederation had been the equal vote of the several colonies, regardless of their size or importance (§73); this defect was now remedied by apportioning the members of the Grand Council among the colonies according to "the proportion of money arising out of each colony to the general treasury." The plan proved distasteful to the colonial assemblies. It was rejected by all of them and was never submitted to the British government for its approval.

Results of Albany Congress.

The Albany Congress was an important step in the process of colonial union, because many of the leading men from the different colonies met together; their discussions increased the sense of the common interest, and aided to diminish the prejudices which the people of many provinces felt toward their fellow-subjects in other colonies. The French wars, by bringing soldiers together from different parts of the continent, also operated in the same direction. Moreover, during the last French and Indian war, Colonel Washington of Virginia journeyed northward to the army headquarters at Boston, to lay before the commander in chief the complaints of colonial officers in the matter of relative rank in the British forces. It was in this way that

his striking figure and dignified presence became familiar to the people of the northern colonies.

**108. Statistics of Population, 1760.** — In 1760 the English-American colonists numbered about one million six hundred thousand souls, including negroes, both slave and free. About one half of this population lived on either side of Mason and Dixon's line (§ 87). There were nearly four hundred thousand negro slaves in the English colonies, three fourths of whom lived in the South. In this way it happened that the white population of the colonies south of Pennsylvania was considerably less than that of the North. Mason and Dixon's line even then divided the country into two well-marked sections: north of it varied industry and free labor prevailed; south of it the cultivation of one or two staples by forced labor was the rule.

**109. Negro Slavery.** — Slavery existed in all the colonies, but it was fast dying out in the North, although there was not any widespread sentiment against it in that section. The northern slave traders were among the most substantial men of their time and place. A few persons had written against it, notably Samuel Sewall, in *The Selling of Joseph*. In New York and New Jersey slavery existed to a limited extent. The slaves were treated in a most lenient manner in both these colonies, except in two instances, when the fear of negro uprisings produced a panic; many were then unjustly hanged or branded, and one was broken on the wheel.

In Pennsylvania there was a more widespread public sentiment against the institution of slavery than in any other colony, as the Quakers found it difficult to reconcile the ownership of human beings with the principles of their religion. Slavery also was unsuited to the agriculture of that province. In Delaware, on the other hand, it flourished and endured until the Civil War.

South of Pennsylvania the case was different. Slaves formed about thirty per cent of the population of Maryland, about forty per cent of that of Virginia, and about sixty per cent of that of South Carolina. Only recently it had been

Numbers.

Slavery in the Northern colonies.

New York Negro Plot. \*Chandler's *Criminal Trials*, I, 213-254.

legally permitted in Georgia, but there it was now making rapid advances. In North Carolina slaves formed a smaller proportion of the population than in either of the colonies on its borders: in one of the western counties of that province, it has been said that no slave was ever owned. Slavery was less suited to the industries of North Carolina than it was to those of South Carolina, and the settlers of the western counties resembled the small farmers of the North in their prejudices and sentiments.

Slavery in  
Maryland  
and Virginia.  
*Contempo-  
raries*, I, No.  
87.

In South  
Carolina.

In Maryland and Virginia the slaves, as a rule, were well treated. The cultivation of tobacco was comparatively easy, the slaves worked under the eye of the owner, they also labored beside the white servants, who formed a large proportion of the working element in the colonies on Chesapeake Bay. The slave code, in so far as it regulated meetings, the possession of arms, and running away, was severe, even authorizing the dismemberment of a slave found abroad at night without a license. In practice, however, the treatment of slaves was humane in both these provinces. In South Carolina the negroes outnumbered the whites. The malarial climate of the rice swamps induced the planters to seek the sea breezes of Charleston during a large part of the year, while the negroes on the rice plantations were left to the oversight of a white superintendent aided by black slave drivers. The conditions under which rice was cultivated were harmful to the negroes also: the labor was severe, and the slaves became rapidly worn out. It was profitable, therefore, to work them to the uttermost during their season of bodily vigor. Constant supplies of new slaves were necessary, and these were procured direct from Africa in northern and in English slave ships. These newcomers were less obedient than slaves born and bred in America, as most of those in Maryland and Virginia were. The severity of the labor and the wildness of the negroes led to constant attempts on their part to escape across the Savannah River to the wilderness of Georgia, and eventually to Spanish Florida. This propensity to run away was met

by laws offering rewards for the arrest or destruction of the fugitive: fifty pounds was given to the captor of a runaway, if brought back alive,—ten pounds only if the scalp was returned; these rewards were for negroes found south of the Savannah River; the ordinary amount paid for a negro's scalp was one pound. The laws were more odious in South Carolina than in Virginia; but the main difference lay not so much in dissimilarity of laws as in the actual treatment of the slaves, which could be much milder in Virginia than in South Carolina.

**110. White Servitude.**—White persons, bound to service for a term of years, formed an important element in many colonies, especially in Pennsylvania, Maryland, and Virginia. Most of those employed in Pennsylvania were Redemptioners, who bound themselves to serve for a limited time, generally four years, to pay their expenses from their old home to the New World. They were usually of a good class of immigrants, and after the end of their time of service became farmers and were merged in the white population of the colony.

White  
servants.

In the provinces on Chesapeake Bay, however, the conditions of white servitude were not so favorable. There many of the white servants were convicts transported from England and bound out to service for long terms of years. This traffic was carried on by authority of acts of Parliament passed in the eighteenth century, which permitted a convict to ask in open court to have his sentence commuted, in the case of the death penalty, to fourteen years' service, while whipping and branding might be commuted by seven years' service; in either case, return to England before expiration of term of service was punishable with death. The people of Virginia and Maryland strongly objected to this inroad of criminals, and sought to limit the evil by passing laws restricting their importation. These laws, however, as well as those limiting the slave trade, were either annulled or vetoed by the king, as being contrary to acts of Parliament.

Convicts in  
Virginia and  
Maryland.

**111. Religion.**—The religious life of the inhabitants of the several colonies was largely determined by the conditions

Religion:  
The Estab-  
lished  
Church.

of settlement. These have already been mentioned; but other considerations had profoundly affected religion, and it will be well to examine briefly the actual state of affairs in 1760. The Church of England was completely established by law in only one colony,—Maryland. No matter what their religious preferences were, all taxpayers in that province were compelled to contribute to the support of the minister of the Established Church. In the Carolinas the church was recognized by law as the state church, but there was complete toleration for all Christians in those colonies. The church was also established in Virginia, but its management was largely in the hands of the planters. The Church of England was weak in the Northern colonies, except in New York, where it was steadily gaining strength.

New Eng-  
land Congre-  
gationalists.

In New England, save in Rhode Island, the Congregational Church was cherished by colonial laws, but, on the other hand, the actual management of religion was in the hands of the local religious authorities. The New England clergy, of whom Jonathan Edwards is the best example, formed a caste almost as completely as did the Virginia planters. In Pennsylvania and Rhode Island religion was absolutely free. In other colonies there was toleration for Protestants, but, except in Pennsylvania, Roman Catholics were debarred from civil rights or subjected to severe penalties.

As the century advanced, the Protestant dissenters became more and more numerous in the Old Dominion. Alarmed at this turn of affairs, the rulers of the colony made stringent laws against them, but in 1760 probably nearly one half of the white population of Virginia was outside of the Established Church. The weakness of the church was due in part to the poor character of many of its ministers. In these circumstances it seemed very desirable that an American bishop should be appointed who could exercise much more effective control than the far-off Bishop of London. As often as this plan was proposed, it was defeated. The American clergy did not want a bishop near at hand, nor did the laymen, especially in Virginia, desire to give up the

control which they exercised over the clergy of the several parishes. The members of the dissenting faiths were filled with alarm: their ancestors had fled from England to avoid the control exercised by bishops and it was of slight use to inform them that an American bishop would have only such civil power as the laws of each colony might give him. They enlisted the sympathies of their fellow-dissenters in England, and no bishop was ever appointed. The Revolution did away with the authority of English law in the United States, and at once all objections to the appointment of bishops were removed (§ 174).

**112. Education.** — Throughout New England, except in Rhode Island, provision was made for the teaching of reading, writing, and elementary mathematics, and the larger towns generally provided instruction of a sufficiently advanced grade to fit students for the New England colleges. The Dutch had provided educational facilities in connection with their religious establishments, and this latter feature proved to be fatal to them after the English conquest. There does not appear to have been any provision for general public instruction in New York in 1760. In New Jersey and Pennsylvania, the Quakers and the Presbyterians endeavored to educate the young. In Maryland there were a few schools supported by general taxation, but they exerted slight influence. The Virginians from time to time had endeavored to relieve their colony of the reproach contained in the well-known boast of the old royalist governor, Sir William Berkeley, that he “thanked God there were no free schools” in the province. Their efforts do not seem to have led to tangible results, for the whole life of Virginia was opposed to general education. The children of well-to-do parents received instruction at the hands of a private tutor or of the parish clergyman; those who could not afford to pay for private tuition for their children taught them as well as they could. William and Mary College was not unlike an English public school of that time, and it furnished the Virginians of the richer class with a good education. Many

Secondary  
education.

Virginians were good classical scholars, and many more had studied deeply the constitutional history of England.

The  
colleges.

There were some half dozen colleges in the colonies: Harvard, Yale, King's (Columbia), New Jersey (Princeton), Pennsylvania, and William and Mary. Their scheme of education was designed for the training of clergymen of one faith or another. None of them was much above the grade of a high school of the present day, but they performed a useful service in keeping alive a love of learning. Only one of them can be regarded as a place of scientific education; this was the University of Pennsylvania, which had been founded by Franklin. Organized on a liberal basis, it grew rapidly, and in five years after its beginning had four hundred students on its rolls.

Law  
and  
medicine.

Medical education was beginning to attract attention, but the only profession which vied with that of the clergy was the law. Its rise belongs almost entirely to the eighteenth century, and it was the generation which brought about the separation from England that gave the legal profession its high standing. It is surprising to note how many men who were prominent in this great movement were lawyers: James Otis, John Adams, Stephen Hopkins, Roger Sherman, John Jay, Thomas McKean, Patrick Henry, Thomas Jefferson, and the Rutledges, to mention no others. They gave to the period a legal aspect which has ever since been one of the distinguishing characteristics of American politics.

#### SUGGESTIVE QUESTIONS AND TOPICS

##### §§ 78-83. NEW ENGLAND, 1660-64

- a.* Give a brief sketch of English history, 1660-1760.
- b.* Place in a note-book, as a heading, "England's Commercial Policy," and enter under it all fitting information as you proceed.
- c.* Compare the commercial policy of England at different periods with that of the United States to-day.
- d.* Compare the policy of Massachusetts as to the Quakers with that of the United States as to immigrants at the present time.



§§ 86-90. PENNSYLVANIA

*a.* Place in note-book, as heading, "Mason and Dixon's line" and enter all fitting information as you proceed.

*b.* Compare the government of Pennsylvania under the charter of 1701 with that of Massachusetts, of Connecticut, of Virginia, and of Carolina at the same time.

§§ 91-92. THE CAROLINAS

*a.* Compare the settlement of Charleston with that of Byzantium.

*b.* Compare "colonial life" in Charleston, in Boston, in Philadelphia, in Williamsburg, and in New York.

§§ 93-96. VIRGINIA

*a.* Justify from the text the byword, "ungrateful as a Stuart."

*b.* Compare the treatment and the actions of the Virginians and of the Massachusetts men in the years 1660-76. Which group of colonists showed the greater political sagacity? Prove your statement.

*c.* Find out all you can about the early years of Harvard College, of Yale College, and of William and Mary College.

§§ 97-100, 102, 103. CONSTITUTIONAL STRUGGLES

*a.* Show by recital of events that an identical struggle was going on in England and in the colonies. What was the nature of this struggle? Describe the government established in Massachusetts under Andros.

*b.* Contrast the Dominion of New England with the New England Confederation and the plan proposed by the Albany Congress.

§§ 98-108. THE COLONIES, 1688-1760

*a.* State carefully the effect of the "Glorious Revolution" upon each colony separately, and its general influence upon the fortunes of English America.

*b.* Compare the steady growth in the power of representative legislative bodies in the colonies and in England from 1688-1760, and give the causes in each case.

*c.* In the quarrels with the royal governors, what important principle was at stake? What effect upon these quarrels would the appointment of the treasurer by the Assembly have?

§ 100. GEORGIA

*a.* Compare Oglethorpe's colony of Georgia with Penn's colony of Pennsylvania.

*b.* What matter in this section should be entered under "Negro Slavery"?

## §§ 103-107. WARS

- a.* Give a brief sketch of the reigns of Louis XIV and Louis XV.
- b.* Place in note-book, as heading, "Important Treaties," noting in each case: (1) date, (2) the concluding powers, (3) why important — note especially boundary provisions, (4) how long observed, (5) how conditions to-day are affected by it.
- c.* Review history of Acadia; compare Acadians as described by Parkman and by Longfellow.
- d.* Consider the wars mentioned in these sections, so far as they are related to America, under the following heads: (1) causes; (2) occasion; (3) strength of the combatants; (4) preliminaries to actual struggle; (5) military operations — briefly; (6) results of war, (*a*) political, especially geographical, representing them in colors upon Outline Map, (*b*) moral; (7) importance in history of the world.
- e.* In what way did this war contribute to bring about the American Revolution?

## § 107. THE ALBANY CONGRESS

- a.* What was the greatest weakness in the Albany plan?
- b.* Why was it rejected? Give your reasons in full.

## §§ 108-112. GENERAL VIEW OF COLONIAL CONDITIONS

- a.* What matter in § 109 should be entered in note-book under "Negro Slavery"? Why?
- b.* What matter in these sections should be entered under "Power of Congress"?
- c.* Show the preparation in colonial times for the later separation of Church and State.
- d.* Seek the educational statistics of the United States and describe the educational condition of each region mentioned in § 112. Do the same relative differences exist in both epochs? Give your reasons.
- e.* As you advance, prove the truth of the statement, "a legal aspect . . . American politics." Place it as heading in note-book. Is it true to-day?

## HISTORICAL GEOGRAPHY

- a.* Upon two Outline Maps represent in colors the different European possessions in North America (*a*) before the Peace of Paris and (*b*) after that settlement.
- b.* Represent in colors upon an Outline Map the English king's division of his American possessions in 1763.
- c.* Represent in colors upon an Outline Map the territory between the Alleghanies and the Mississippi as divided between the king, Pennsylvania, Connecticut, and Massachusetts in 1763.

*d.* Make the necessary changes in your maps on Territorial History and in the map of your own state.

## GENERAL QUESTIONS

*a.* Give a bird's-eye view of the English colonies in 1760, noting: (1) geographical extent of each colony; (2) distribution of population; (3) slaves and servants; (4) institutions (*a*) derived from England, (*b*) adopted from other sources or invented.

*b.* Trace colonial institutions towards division of powers, limited power of legislative bodies. Contrast with contemporary English development towards centralization of power, supremacy of Parliament.

*c.* Make digest of chapter in recitation hour.

*d.* Review all subjects in note-book and prepare each as a continuous recitation.

*e.* Let written recitations be demanded on any points touched in the questions.

## TOPICS FOR INVESTIGATION BY INDIVIDUAL STUDENTS

(See note under this head at end of Chapter I.)

*a.* A summary of the Navigation Ordinances and Acts (§ 78).

*b.* The trials of the Quakers (§ 79).

*c.* Bacon's Rebellion (§ 94).

*d.* The causes of King Philip's War (§ 96).

*e.* Was Leisler a rebel (§ 98)?

*f.* La Salle's Mississippi exploration (§ 104).

*g.* Plans of Union, 1643-1754 (§ 107).

## CHAPTER IV

### INTERCOLONIAL UNION, 1760-1774

#### Books for Consultation

**General Readings.**— Fiske's *War of Independence*, 39-86; Higginson's *Larger History*, 223-249; Fisher's *Struggle for Independence*; Lodge's *English Colonies*, 476-494. On this period in England, Gardiner's *Student's History*, 765-782, or Higginson and Channing's *English History for Americans*.

**Special Accounts.**— Channing's *United States*, III, chs. i-v; Greene's *Historical View*; \* Frothingham's *Rise of the Republic*; Fiske's *American Revolution*; \* Lecky's *England*, III, ch. xii; \* Hildreth's *United States*; Larned's *History for Ready Reference*, under United States and the several states.

**Sources.**— Local Records and Histories, *Guide*, §§ 37, 43; Biographies, *Guide*, § 151, especially Tudor's *Otis*; Hutchinson's *Massachusetts*; Henry's *Patrick Henry*; Niles's *Principles and Acts*; \* Force's *American Archives*; Hart's *Contemporaries*; *American History Leaflets*; MacDonald's *Documentary Source Book*.

**Maps.**— Hart's *Epoch Maps*, No. 5; MacCoun's *Historical Geography*; Winsor's *America*, VI.

**Bibliography.**— *Guide to American History*, §§ 149-152.

**Illustrative Material.**— Lossing's *Field-Book of the Revolution*; Adams's *Three Episodes*; Parton's *Jefferson and Franklin*; Schouler's *Jefferson* (M.A.); Seeley's *Expansion of England*; \* Merivale's *Colonization*; Tyler's *American Literature*; \* Baird's *Huguenot Emigration*; Ann Maury's *Huguenot Family*; John Adams's *Diary*; Winsor's *Memorial History of Boston*; Wilson's *Memorial History of New York*; Egle's *Pennsylvania*; Scharf's *Philadelphia and Maryland*; Campbell's *Virginia*; Jones's *Georgia*; Weedon's *Economic and Social History of New England*; Mahon's *England*, ch. xliii; Hosmer's *Samuel Adams* (S.S.); \* Ford's *True George Washington*, and his *Many-sided Franklin*; Franklin's *Autobiography*; Tyler's *Patrick Henry* (S.S.); Hosmer's *Thomas Hutchinson*; Mrs. Child's *The Rebels*; Cooke's *Virginia* (A.C.); *Youth of Jefferson*; *Fairfax*;

*Doctor Vandyke*; Hawthorne's *Septimius Felton*; Sedgwick's *The Linwoods*; Bynner's *Agnes Surriage*; Longfellow's *Tales of a Wayside Inn*; Irving's *Life of Washington* (abridged ed.); Parkman's *Conspiracy of Pontiac*; Thompson's *Green Mountain Boys*.

#### INTERCOLONIAL UNION, 1760-1774

113. **Change in the Colonial Policy of Britain.**—In the forty years between 1720 and 1760 there had been incessant political strife between the colonists and the representatives of the British government. These disputes had been essentially local and personal, — in regard to such matters as the taxation of proprietaries' lands, the extension of the franchise, the importation of convicts, the raising of troops, the issue of paper money, the organization of banks on insecure foundations, and the establishment of courts of law. Generally the opposition of the colonists had taken the form of a refusal to vote money for salaries or for soldiers until their demands were complied with. Sometimes the colonists had carried their differences to England and had won their point. In other cases the home government had interfered and had forbidden the colonists to do what they wished, as in the case of the Massachusetts land-banks. No serious opposition had been aroused, probably because the colonists felt confidence in the justice of the British government. Moreover, Sir Robert Walpole and his immediate successors had carefully avoided all measures that seemed likely to arouse opposition at home or in the colonies.

In 1760 George III ascended the throne. Born in England, he was ambitious to rule well and to regain for the monarchy the power which the kings had once wielded in the state. To accomplish this he destroyed the power of the old governing aristocracy and appointed men to high offices who would do his bidding. These men tried to ease British taxpayers at the expense of the colonists and the Americans resisted. There was really slight connection between the king's policy in England and this new colonial system; but the opposition by taking up the cause of the

The colonies and Britain before 1760.  
\*Winsor's *America*, VI, 62-68; Fiske's *Revolution*, I, 1-6.

George III and his policy. Fiske's *Revolution*, 38-45; Channing's *United States*, III, ch. ii.

colonists bound them together and made the maintenance of the king's power in England and America dependent one on the other. The conflict with America arose out of an attempt to enforce the trade laws, and the impulse to this movement was given by William Pitt.

Restrictions  
on trade and  
manufac-  
tures. Win-  
sor's  
*America*, VI,  
7-10.

**114. The Colonial System, 1688-1760.**—The principal features of the colonial system before the Revolution of 1688 have been already traced (§ 78). From that time restrictions were gradually increased, and the list of enumerated goods was constantly enlarged. Restrictions were also laid on colonial manufactures which were likely to come into competition with English interests. The earliest of these laws was passed in 1699; it prohibited the exportation of wool or any manufacture of wool from any American colony to any other colony, to Great Britain, or to any foreign country. Later, the iron industry of the colonies was limited to the production of crude iron alone; all the later stages of its manufacture were to be performed in Britain. Regarding the system as a whole, it is impossible to say that it was to the disadvantage of the colonists, for what they lost in one direction, they gained in another. The Virginians, for instance, were forbidden to ship their tobacco to a foreign port, but they were given a monopoly of the British tobacco markets.

The Sugar  
Act, 1733.

The act which might have inflicted hardship was the "Sugar Act" of 1733, providing for the collection of high duties on foreign sugar, molasses, and rum imported into any colonial port on the continent of North America. Had this been carried out, it would have brought disaster to the continental colonies as their prosperity depended in very great measure on the commerce with the West Indies, both British and foreign.

**115. Difficulties in Enforcing the Laws.**—It proved to be well-nigh impossible to enforce these laws. Colonial importers and royal officials combined to evade them to their own profit. During the last war with France, northern merchants kept on trading with the French and Spanish sugar

islands. Pitt ordered the customs officials to do their duty, and, by a display of zeal, they endeavored to atone for their former laxity. It was found to be most difficult to carry out Pitt's instructions: it was not easy to seize goods on which no duty had been paid; it was practically impossible to secure a conviction from a colonial jury. Ordinary search warrants were of little use because they authorized the seizure of specified goods in specified places. The owner of the merchandise was certain to learn that the warrant had been issued and by moving his goods into another warehouse he could save them from seizure.

**116. Writs of Assistance, 1761.**—These were general search warrants which authorized the holder to seize any suspected goods anywhere and to break into houses to search for them. In 1761 the customs officials at Boston applied to the court for new writs of assistance and the merchants employed James



James Otis

Otis to oppose their being granted. From the strictly legal standpoint the case seemed to be in favor of the royal side. Otis, therefore, boldly asserted that Parliament could not legalize tyranny and the use of writs of assistance was often tyrannical. Such a law would be contrary to the British constitution and therefore void. Otis's argument, however weak in point of law, was in harmony with the ideas then prevalent in America. Some months later, the writs were granted by the court and were often used not only in Massachusetts but in some other colonies as well. In 1767 their issue in the colonies was declared to be legal by an act of

Reasons for the issue of Writs of Assistance, Channing's *United States*, III, 1-12.

Otis's speech, *American History Leaflets*, No. 33.

Parliament. The only remedy in the hands of the colonists was resistance by armed force, and for that few colonists as yet were prepared.

Political theories.  
\*Frothingham's  
*Republic*,  
168-170.

**117. Otis's Rights of the Colonies, 1764.**—A few years later Otis embodied his ideas of the rights of the colonists in two essays, entitled: *A Vindication of the House of Representatives* and *The Rights of the Colonies Asserted and Proved*. His arguments in these papers are mainly a mere



Patrick Henry

restatement of the ground assumed by Locke in his *Essay on Government*. Otis asserted that "God made all men naturally equal," and that government was instituted for the benefit of the governed: it followed that if a government were harmful to the people, it should be opposed and destroyed; the colonists were on a footing of complete equality with the subjects of the king living in Great Britain. In conclusion, however, Otis admitted the supremacy of the British Parliament, and thus denied the logical conclusion of his argument. Patrick Henry of Virginia had no such scruples. In his speech on the Parson's Cause he stated the theory of colonial rights in its complete form.

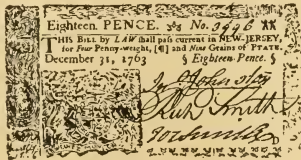
**118. The Parson's Cause, 1763.**—This celebrated case arose out of the exercise by the king of the power to veto acts of the Virginia Assembly. The salaries of the clergy-



men of that province were estimated in tobacco, as was nearly everything else. Sometimes tobacco fell to one penny a pound; at other times it rose to six pence. In 1758 foreseeing a small crop of tobacco and consequently a very high price, the Virginia Assembly passed a law to the effect that all payments due in tobacco might be paid in money at the rate of two pence for each pound of tobacco. This law was known as the Two Penny Act and was to be in force for only one year. The clergymen appealed to the British government to annul it and it was vetoed by the king. This was in 1760. Meantime the church authorities in Virginia had paid the parsons' salaries for the year 1758 in money at the rate of two pence for every pound of tobacco due them. The clergymen sued for the difference between what they had received and the full value of the tobacco. In one of these cases Patrick Henry was employed to oppose the parsons' claims. He was a most industrious young lawyer and had received a good education especially in English legal history.

Putting aside the legalities of the case, Henry declared that government was a conditional compact between the king, stipulating protection on the one hand, and the people, stipulating obedience and support on the other. The Two Penny Act was passed for the good of the people of Virginia, and its veto by the king was a violation of the conditional compact and an instance of misrule and neglect, which made it necessary for the people of Virginia to provide for their own safety. The king had "degenerated into a tyrant and forfeited all right to his subjects' obedience." Nevertheless, under the ruling of the court, the jury must award damages to the parson, but they would satisfy the law

The Parson's Cause, 1763. Fiske's *Revolution*, I, 18; *Contemporaries*, II, No. 37.



New Jersey Currency

Henry's speech. Tyler's *Patrick Henry*, ch. iv.

by the smallest possible award. They assessed the damages at one penny. In this case, and in that of writs of assistance, Henry and Otis merely uttered what many men thought; they had said nothing new, but they had struck a heavy blow at the continuance of a sentiment of loyalty. A heavier blow to that sentiment was inflicted by the British Parliament in the passage of the Stamp Act.

Pontiac's  
Rebellion.  
Winsor's  
*America*, VI,  
688-701.

The new  
British  
colonial  
policy.  
Channing's  
*United States*,  
III, 35-46.

**119. Grenville's Policy.** — The French and Indian War ended with the capture of Montreal in 1760, although the Treaty of Paris was not signed until 1763. The Indians living in the Northwest found it difficult to believe that their friends, the French, had really been beaten. They captured several forts on the Great Lakes, and under the lead of Pontiac blockaded Detroit for several months. This Indian rebellion, and the maintenance of English authority in Canada, demanded the presence of a large force of regular soldiers in the northern colonies and in Canada. The British government thought that the colonists might well shoulder a large part of the expense of those troops. The Quartering Act obliged them to furnish those soldiers who were stationed in the old thirteen colonies with lodging and some of their food without cost to England. According to the old law the duties on molasses were so high that it was more profitable to import it without payment, even at the risk of losing the goods, than it was to pay the duties. Grenville lowered the rates on sugar and molasses in order to do away with the temptation to evade the law and make them produce revenue. He also made new regulations to enforce the Navigation Acts. He decided in addition to tax the colonists directly by an act of Parliament. This aroused indignation from the Penobscot to the Altamaha.

The Stamp  
Act pro-  
posed, 1764;  
passed, 1765.

**120. Passage of the Stamp Act, 1765.** — In March, 1764, Grenville stated in the House of Commons that it might be thought necessary for the colonists to contribute toward the support of the troops stationed amongst them for their protection. He moved a resolution to this effect, which was passed without debate or opposition. He deferred

bringing in a bill based on this resolution, in the expectation that the colonial assemblies might propose some other method of taxation by Parliament, or, perhaps, might vote the necessary funds. Grenville did not believe that the colonists would protest against being taxed by Parliament; but this was precisely what they did. Assembly after assembly petitioned in vigorous language against the proposed measure, but these petitions were not even received by the House of Commons. The act levying stamp duties was brought in and passed without serious opposition, and received the royal assent in March, 1765.

**121. The Stamp Act.** — The act in itself was on the same lines as a law in force in Britain at that time. Legal documents and official papers were to be written on stamped paper, and a stamp was to be placed on several articles, such as printed books, newspapers, and playing cards. Ordinary business papers and receipts for money paid were not included among the articles to be taxed, and the measure was less severe in its operation than the law then in force in Great Britain. It was not intended to draw the money thus raised to England, but to expend it in America in the purchase of food and other supplies for the soldiers. The evil feature of the act as a law was that persons accused of offenses under it might not enjoy the benefits of trial by jury, at the discretion of the prosecuting officer. The Stamp Act was opposed in America, not on its merits as a piece of legislation, but on the ground that “no taxation without representation” was one of the leading maxims of the Constitution of the British Empire and one of the most important rights of the American colonists as Englishmen.

Analysis of  
the act.

**122. Representative Institutions.** — The phrase “no taxation without representation” was familiar to all sections of the British people, but it conveyed very different ideas to those living in Great Britain and to their kinsfolk in the colonies. The British Parliament was composed of two houses, — the Peers, comprising hereditary nobles and the bishops, and the House of Commons. The members of the

“No taxation without representation.”

Representa-  
tion in  
Britain.

latter body were elected, and were supposed to represent all classes of the people. Some of the electoral districts, indeed, contained no inhabitants. In one of these, Old Sarum, it was possible in dry seasons to trace the foundations of old buildings by the color of the grass; in another, Midhurst, the sites of old allotments were marked by stone posts; while one borough "had sunk beneath the waters of the North Sea." Yet each of these returned members to the House of Commons.

Representa-  
tion in the  
colonies.

In the colonies, representation was everywhere apportioned on a territorial basis, which was being constantly changed to suit the altered conditions of the several parts of each colony. As new towns or counties were formed, either by the growth of settlements already made or by the colonization of new regions, the inhabitants of these new divisions sent representatives to the colonial legislatures. This right was regarded as a most valuable one in the colonies. When the English government directed the governor of Virginia to refuse his assent to bills erecting new counties unless the people of the new division would forego their right of representation, it was resented as an act of tyranny.

In the matter of the franchise there was an equally wide difference of opinion. In Great Britain, it depended, for the most part, upon the possession of some peculiar privilege. In the colonies, the franchise was regulated by general rules and was usually given to all free adult white men who possessed a moderate amount of property. In the southern colonies, the suffrage was usually restricted to landowners; but it was easy to acquire land in those colonies, and the qualification, although it resembled the English county franchise in form, had no resemblance to it in fact. In Great Britain, there was no requirement of residence for the representative or the voter. In the colonies, residence was ordinarily required for both the voter and the representative. It was felt that the latter really represented the wishes and interests of those who had taken a part in his election. To the colonist, therefore, the phrase "no taxa-

tion without representation" meant that no tax could be levied except by vote of a legislative body in which a person known to the voter, and in whose election he had taken part, had a seat; but to an Englishman the phrase meant simply "no taxation except by vote of the House of Commons."

123. **English Theory of Representation.**—The English idea of representative government signified representation of all classes of the community, and not at all representation by population. The great mass of Englishmen belonging to any particular class had no vote for a member of the House of Commons, but other Englishmen of the same class had a vote. It was held, therefore, that all the members of that class were virtually represented. It was easy to extend the theory and to argue that the colonists were also represented, inasmuch as merchants interested in colonial trade were represented in the House of Commons. The English idea of the matter was admirably summed up by Lord Mansfield, then Chief Justice of England, in the course of the debates in the House of Lords on the repeal of the Stamp Act. He said: "There can be no doubt but that the inhabitants of the colonies are as much represented in Parliament as the greatest part of the people of England are. . . . A member of Parliament chosen for any borough represents not only the constituents and inhabitants of that particular place, but he represents the city of London, and all the commons of the land, and the inhabitants of all the colonies and dominions of Great Britain." Writers like Jefferson contended, on the other hand, that however true this might be as to Englishmen, it had no application to the colonists, who, unlike the English people, could exert no pressure, either physical or moral, upon the actual electors and the chosen members. The colonists could not understand the theory which held them to be represented in the British Parliament, and they determined to resist the attempt to tax them to the utmost of their ability.

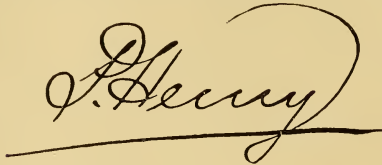
Virtual  
representa-  
tion.

Mansfield's  
speech.  
Adams's  
*British  
Orations*,  
I, 150.

124. **Resistance in America.**—Patrick Henry's speech on the Parson's Cause had given him great popularity. He

The  
Virginia  
Assembly.

was soon elected to fill a vacancy which had occurred in the House of Burgesses, as the representative branch of the Virginia Assembly was termed. He had never before sat in a legislative body, and waited impatiently for one of the more experienced men to propose a formal protest against the Stamp Act; but the leading men were fully employed in dealing with a matter of financial irregularity on the part of the Speaker, who was also the Treasurer of the Province. As the session neared its close and none of the leaders proposed to take any action in regard to the Stamp Act, Henry arose and moved a set of resolutions, which he forced on the attention



of the reluctant burgesses by a most fiery speech. They were all adopted, but the next day, after Henry's departure, the boldest of them was rescinded. The two most important are here given in full:

Henry's  
resolutions.

"*Resolved*, That his Majesty's liege people of this his ancient colony have enjoyed the right of being thus governed by their own Assembly in the article of taxes and internal police, and that the same has never been forfeited, or any other way yielded up, but have been constantly recognized by the King and people of Great Britain.

"*Resolved*, Therefore, that the General Assembly of this colony, together with his Majesty or his substitutes, have, in their representative capacity, the only exclusive right and power to lay taxes and imposts upon the inhabitants of this colony; and that every attempt to vest such power in any other person or persons whatever than the General Assembly aforesaid, is illegal, unconstitutional, and unjust, and has a manifest tendency to destroy British as well as

American liberty." In other words, the Virginia Assembly denied the power of Parliament to legislate in any way on the internal concerns of the Old Dominion.

In August, the names of the stamp distributors were published. At once riots occurred in New Hampshire, Massachusetts, Connecticut, New York, Pennsylvania, and Rhode Island. Before long, every stamp distributor was forced to resign. The rioters at Boston were especially violent, for there the resentment of the people was directed against the customs officials as well as against the stamp officers. Hutchinson, the lieutenant governor and chief justice who had given the decision in favor of writs of assistance, was marked out for the vengeance of the excited people. His house was broken open and his valuable books and papers destroyed. As the stamps and the stamped paper arrived from England, they were stored in the forts or on vessels in the harbor. The first of November arrived when the act was to have gone into effect, and not a stamp could be bought. There was not a man in America who had authority to open the packages and sell the stamps, and in the condition of the public mind then prevailing, no one was willing to take the responsibility of forcing them upon the people. On the contrary, the royal officials were obliged to disregard the act; even the courts were compelled to proceed regardless of the law.

The act nullified.

**125. The Stamp Act Congress, 1765.** — Meantime, in June, on the motion of James Otis, the Massachusetts House of Representatives had invited the assemblies of the other colonies to send delegates to a general meeting or congress to be held in October. On the appointed day, October 7, delegates from all the colonies whose assemblies were in session, except that of New Hampshire, met at New York. The majority of the members were moderate men, and the congress did nothing except to formulate a Declaration of Rights and petitions to the king and to the Houses of Parliament. The Declaration of Rights is important, because it is the first utterance of any consider-

Stamp Act Congress, 1765.  
\* Frothingham's *Republic*, 184-189.

Declaration  
of Rights,  
1765.

able number of the colonies on the questions which were soon to be of supreme importance. After acknowledging allegiance to the "crown of Great Britain," and declaring themselves to be entitled to the same liberties as "his natural born subjects . . . in Great Britain," they assert that the "people of the colonies are not, and, from their local circumstances, cannot be represented in the House of Commons," and that no taxes "can be constitutionally imposed on them but by their respective legislatures"; they also called attention to the clauses of the Stamp Act above noted, as to the trial of cases arising under it in the admiralty courts, and asserted "that trial by jury is the inherent and invaluable right of every British subject in these colonies."

Although the Stamp Act Congress produced slight direct results, its meeting was of the utmost importance. For three quarters of a century the British government had endeavored to unite the colonies in opposition to the French, and had been unsuccessful. Now the colonies came together of their own accord to defend their rights against the encroachments of king and Parliament.

Enforcement  
or repeal.

**126. Repeal of the Stamp Act, 1766.** — The Grenville ministry was now no longer in office. In its place was the Marquess of Rockingham and his followers. The king disliked them as leaders of the Whig aristocracy from whose yoke he was striving to free the monarchy. Rockingham could hope for no help from his royal master, and he had few followers, of whom none were men of mark except Edmund Burke, who was not a member of the government. This weak ministry came into office at the moment when a most serious crisis was impending. There was in addition to the trouble in America a controversy over general warrants in England, which involved issues similar to those that underlay the question of writs of assistance in Massachusetts. As to the Stamp Act, it was difficult to know what to do. In the temper then prevailing in America, it was absolutely impossible to enforce it without an armed



conflict, and there could be no question of modifying the act, as it was well drawn. The colonists objected to being taxed at all by any legislative body in which they held themselves to be unrepresented. In this state of doubt, the Rockingham ministry determined to repeal the act, partly on account of the shrewd observations of Dr. Franklin, then in London as agent for several colonies. They also hoped to gain the support of William Pitt, whose hearty co-operation might have enabled the ministry to maintain itself in power. Pitt denied the right of Parliament to lay internal taxes on the colonies and rejoiced that America had resisted. He sought to draw a line between external and internal taxation, and argued that, although Parliament could regulate trade and raise a revenue, while so doing, it could not lay direct internal taxes on the colonists. The same view was enforced in the House of Peers by Lord Camden, who urged that taxation without representation was against the constitution. Their arguments were ably met in the Commons by George Grenville, and in the Peers by Lord Mansfield, who had the law clearly on their side, although expediency was as plainly with Pitt and Camden. The English merchants petitioned for the repeal of the act, on the ground that the disturbances which it had caused in America were disastrous to colonial trade. Thus urged, and with the means of retreat pointed out by Pitt, the ministers brought in two bills,—one to repeal the Stamp Act, the other declaring that Parliament had power to “legislate for the colonies in all cases whatsoever.” Both bills passed and became law. Thus Parliament upheld the theory of its legislative supremacy, but gave way on a particular point. The colonists, considering that they had won, rejoiced greatly, and no name was more popular with them than that of William Pitt. In reality, however, by the Declaratory Act, Parliament had retained full right to tax the colonists whenever it might seem best. There can be no question that Pitt was wrong in his attempt to separate the taxing power from the general legislative power, and

Pitt's speech, Adams's *British Orations*, 98; *Contemporaries*, II, No. 142.

The Act repealed.

The Declaratory Act. Channing's *United States*, III, 80.

that Mansfield and Grenville were right in asserting that one could not exist without the other.

**127. The Townshend Acts, 1767.**—The yielding to Pitt did not bring to the Rockingham ministry the support of that statesman. On the contrary, he soon became the head of a government which is known as the Chatham-Grafton ministry. William Pitt, now a peer, with the title of Earl of Chatham, was the real leader, although the Duke of Grafton was the nominal head. The other members of the government were drawn from all parties,—followers of Rockingham and Pitt, and even Tories, like Lord North. Indeed, so many elements were represented, that Burke laughingly described it as a bit of “tesselated pavement” and christened it “The Mosaic Ministry.” Chatham almost immediately retired to his country house, the victim of some peculiar malady, which seems to have resembled the “nervous prostration” of our day. Under these circumstances, the most energetic man took the lead, and he was Charles Townshend, Chancellor of the Exchequer or minister of finance. Relying on the Declaratory Act, he proceeded to carry out the new colonial policy, except as to internal taxes. This led to the passing of several bills (1767), which are usually known from their promoter as the Townshend Acts. (1) One act provided for a colonial revenue, to be raised from a tax on wine, oil, glass, paper, lead, painters’ colors, and tea imported into the colonies, the duties to be paid at importation, and (2) the proceeds used to pay the salaries of the governors and judges of the royal provinces, in this way rendering them independent of the votes of the colonial assemblies. (3) Another enactment provided for the appointment of a Board of Customs Commissioners, resident in the colonies, who would be able to exercise effective control of the customs service. (4) Writs of assistance were also declared to be legal, and (5) provision was made for the trial of revenue cases by admiralty courts without juries. (6) At nearly the same time, Parliament suspended the functions of the legislative

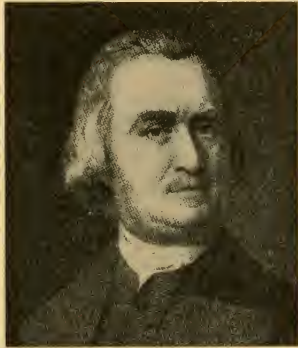
Chatham-Grafton ministry.

The Townshend Acts, 1767. Channing's *United States*, III, ch. iv; Fiske's *Revolution*, I, 28-32.

assembly of New York because it had not made provision for the support of the British regiments stationed in the city of New York, as was required by the Quartering Act. These various enactments raised most serious issues: (1) the constitutional relations of Parliament and the several colonial legislatures, (2) the right of trial by jury, (3) the control of the judiciary and executive by the people, (4) the legality of writs of assistance, and (5) the right of Parliament to tax goods imported into the colonies. The answer of the colonists was not long delayed, nor was it easily misunderstood.

128. Resistance to the Townshend Acts, 1768, 1769. — Non-importation agreements were again proposed, especially by Virginia, but without much effect, and in the *Letters of a Pennsylvania Farmer*, John Dickinson, one of the truest-hearted and

best men of the revolutionary epoch, pointed out "that any law, in so far as it creates expense, is in reality a tax." It was on New England, however, that the new legislation would bear most severely, and it was New England, especially Massachusetts, that took the lead in opposition. In the winter of 1767-68 the representatives voted several petitions and letters, which were the work mainly of Samuel Adams. Among them was a Circular Letter to be signed by the Speaker of the House and transmitted to the other assemblies, notifying them of the votes of Massachusetts and suggesting concerted action, while disavowing any desire for independence. The fact that the Massachusetts leaders felt it necessary to assure

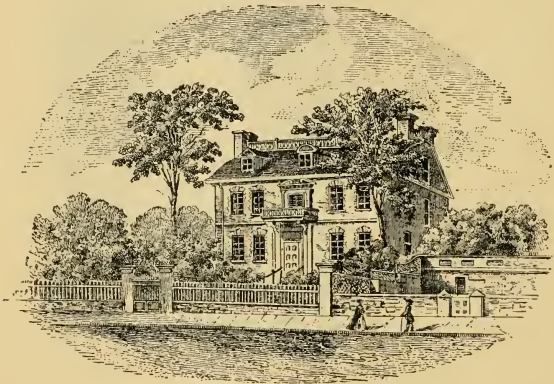


Samuel Adams

The "Farmer's Letters." Fiske's *Revolution*, I, 47.

Massachusetts Circular Letter. Fiske's *Revolution* I, 47-50.

the other colonies that they were not aiming at independence alarmed the colonial secretary. He wrote to Governor Bernard of Massachusetts directing him to order the legislature of that province to rescind the letter ; and in a Circular Letter to the governors of the other provinces he commanded them to dissolve the assemblies of their respective colonies in case they should act in conformity with the invitation from Massachusetts. The House of Representatives of the latter prov-



The Hancock House

ince, by an overwhelming majority, refused to rescind its letter, and the other assemblies grasped the first opportunity to make the cause of Massachusetts their own.

129. Seizure of the *Liberty*, 1768. — The new Board of Commissioners of Customs (§ 127) established their headquarters at Boston, where there was the greatest need of supervision, but where they were certain to be opposed in the exercise of their duty. Presently arrived the sloop *Liberty*, owned by John Hancock, a rich Boston merchant and a very popular man. Charging that madeira wine had

Seizure of  
the *Liberty*.  
Channing's  
*United States*,  
III, 94;  
Fiske's *Revo-  
lution*, I,  
51-53.

been landed from the vessel without the duty being paid, the customs officers seized her. For security she was towed under the guns of the British frigate *Romney*, which was lying at anchor in the harbor. A riot occurred which frightened the commissioners; they fled to the fort in the harbor and wrote to England demanding soldiers and a larger naval force. Before this supplemental force could arrive, however, the Boston people, in town meeting, requested the governor to summon the assembly; on his refusal, they summoned a convention of delegates from the several towns. It met but accomplished nothing except to provide a precedent for the Provincial Congress of a later day.

**130. The Virginia Resolves of 1769.**—To the ever-growing list of colonial grievances, there was now added a threat which, had it been carried out, would have worked great injury to the colonists. In the days of Henry VIII, long before England had a colony or a colonist, Parliament had passed an act authorizing the trial, conviction, and punishment in England of an English subject accused of crimes committed outside the realm. The two houses of Parliament now prayed the king to cause colonists charged with treason to be brought to England for trial, in accordance with the provisions of this ancient statute. The Virginia leaders, ever alive to constitutional matters, were thoroughly converted to the opposition. Washington, one of the most influential and prosperous of their number, as well as one of the wisest, wrote: "No man should hesitate a moment to use arms in defence of so valuable a blessing [freedom]." The Virginia Assembly met on May 11, 1769. Five days later, the burgesses unanimously adopted four resolves, asserting (1) that they, with the council and the king, or his representative, have "the sole right of imposing taxes on the inhabitants" of Virginia, (2) that the inhabitants of the several colonies have the right to petition for redress of grievances, and (3) that it is lawful for them to petition jointly with the people of other colonies. Coming now to the precise matter which had been the occa-

The Virginia  
Resolves,  
1769.

sion of these resolves, the burgesses declared (4) that all trials for any crime whatsoever should be within the colony by known course of law, and asserted that the sending any suspected person beyond the seas for trial is "highly derogatory of the right of British subjects." The Speaker was directed to send copies of these resolves to the other assemblies, and to request their concurrence therein. The governor at once dissolved the Virginia Assembly, but the popular branches of the other colonial assemblies generally adopted similar resolutions—some of them even used the words of the Virginia Resolves.

The colonists  
refuse to  
import  
British  
goods.

**131. Non-importation Agreements, 1769.**—The dissolution of the Virginia Assembly only hastened the crisis. The burgesses met in a neighboring house and signed an agreement binding themselves neither to use nor to import any goods on which a tax was levied by act of Parliament. This document had been drawn up by George Mason; it was presented to the burgesses by George Washington, and among the signatures to it was that of Thomas Jefferson. The other colonies soon adopted similar agreements, and by the end of the year (1769) the non-importation policy was in full operation. The object of the colonists in "boycotting" certain goods, which were either the products of England or were imported through English mercantile houses, was to exert a pressure upon English merchants engaged in colonial trade, and through them to influence the government. This policy proved to be effectual; the merchants petitioned for the repeal of the act, and the government acceded to their wishes. In point of fact, the Townshend duties, instead of producing a revenue, had proved to be a source of expense. Instead, however, of repealing them all, the government retained the duty on tea to serve as a precedent for future parliamentary taxation of the colonists. The Navigation Acts and the trade laws still remained; conflicts with the revenue officers became more frequent, and the colonists regarded with increasing dislike the British soldiers stationed at New York and Boston.

Partial  
repeal of the  
Townshend  
Acts. Fiske's  
*Revolution*, I,  
60-63.

132. The Boston Massacre, 1770. — While the government and Parliament were considering the question of repeal, a serious affray, known as the "Boston Massacre," greatly complicated the situation (March, 1770), although tidings of the disturbance did not reach England until after the partial repeal of the Townshend duties (April, 1770). After the rioting consequent on the seizure of the *Liberty* two regiments of British soldiers were sent to Boston. It is difficult to conceive why they were sent, as two regiments could have offered slight resistance to the soldiery of Massachusetts, and their presence was certain to embitter the already strained relations between the colonists and the British authorities. Early in 1769, blood was shed in an attempt by a party from the *Rose* frigate to press men into the naval service; and a short time after, a boy had been accidentally shot in the streets of Boston. On Saturday night, March 3, a party of soldiers, while off duty, engaged in a conflict with some workmen returning from their labor. The next Monday, March 5, 1770, renewed conflict began with the soldiers, this time with those on duty on King, now State, Street. Before the matter ended, the main guard turned out and the mob was fired upon by the angry and frightened soldiers; four citizens were killed and several wounded. It was evident to the leaders on both sides that a most serious crisis had arisen; in the temper then prevailing, the soldiers must be removed or they would be slaughtered and a conflict with Great Britain precipitated, which was desired at that time by few colonists.

At the head of a committee appointed in town meeting, Samuel Adams waited upon Hutchinson, then acting as governor in the absence of Bernard, and demanded the removal of the troops. Hutchinson offered to remove the regiment which had fired on the people. Adams reported this answer to the town meeting. He soon reappeared and said to Hutchinson: "If you can remove one, you can remove both; there are three thousand people in yonder town meeting; the country is rising; the night is falling,

British soldiers in Boston.

The Massacre. Fiske's *Revolution*, I, 66-72.

Adams and Hutchinson. *Contemporaries*, II, No. 151.

and we must have our answer." Hutchinson promised to send them all out of the town, but it took another town meeting to secure their departure. The officers and men present at the time of the firing were arrested and tried on the charge of murder. They were defended by John Adams and Josiah Quincy, Jr., two patriots, who risked their popu-



Faneuil Hall

larity and influence that the soldiers might have the fullest justice done to them. All were acquitted on the charge of murder by a jury drawn from Boston and the neighborhood; two of them, however, were found guilty of manslaughter and branded in the hand. Probably the issues underlying no other event in American history have been so misrepresented by friends and foes as those relating to this so-called "massacre." The colonists regarded the British army as existing under British law and, therefore, they maintained



that not a soldier could be constitutionally stationed in any colony without the consent of the colonial legislature. This theory was similar to that upon which the opposition to the Stamp Act and the Townshend Acts was based. From another point of view the "massacre" was important, as it showed the danger to the liberty of the subject incurred by the substitution of military for civil power. The event was therefore commemorated in Boston as a victory for freedom, until the adoption of the Declaration of Independence, on July 4, 1776, gave the people of the whole country a day of general rejoicing.

### 133. Local Committees of Correspondence.

— After the removal of the soldiers, affairs in Massachusetts assumed a quieter aspect than they had borne for years. Hutchinson chose this time of quiet to open a discus-

sion with the House of Representatives as to the rights and duties of the colonists. He argued that the position assumed by the colonial leaders was unsound and asserted that they must either submit or become independent. Undoubtedly Hutchinson was right; there was no constitutional mode of redress; the colonists were face to face with the alternative of submission or rebellion and the latter might lead to revolution and independence. Samuel Adams saw at once the opportunity such a debate gave him to call attention to the real issues in controversy. He spread the discussion abroad throughout the whole province by means of town committees of correspondence. At the moment, Massachusetts seemed



Thomas Hutchinson

Local Committees of Correspondence. Fiske's *Revolution*, I, 77-80.

to stand alone. An over-zealous naval officer, by the rigorous way in which he sought to enforce the navigation laws, brought on a crisis that ended in the formation of colonial committees of correspondence, — the second step in the formation of a complete revolutionary organization.

Burning of  
the *Gaspee*,  
1772. Chan-  
ning's *United*  
*States*, III,  
124.

**134. Colonial Committees of Correspondence.** — The *Gaspee* was an armed government vessel commanded by Lieutenant Dudingston of the royal navy. His duty was to patrol Narragansett Bay and connecting waters with a view to the enforcement of the Navigation Acts. One day, while chasing a colonial vessel, the *Gaspee* ran aground and remained immovable on a narrow spit, which has since been called Gaspee Point. In the night men from Providence boarded her, seized the crew, and set the vessel on fire (1772). Instead of passing over the matter as a personal quarrel between Dudingston and the Providence men, the British government determined to avenge it as an insult to the British flag. A Commission of Inquiry was sent to Rhode Island to ferret out the perpetrators that they might be taken out of the colony for trial. The names of those who had a part in the affair were known to a thousand persons at least, but no one could be found to inform the commissioners against them. The commissioners abandoned the inquiry and reported their failure to the government. The Virginia Assembly was in session when the news of the appointment of this commission reached the Old Dominion. Now, as in 1769 (§ 130), the burgesses showed themselves peculiarly alive to any action which looked toward the breaking down of the constitutional safeguards of the liberty of the colonists. Under the leadership of Patrick Henry and Thomas Jefferson, a permanent Committee of Correspondence was appointed to inform themselves particularly of the facts as to the Gaspee Commission, and “to maintain a correspondence with our sister colonies.” Massachusetts, Rhode Island, Connecticut, New Hampshire, and South Carolina appointed similar committees. For the moment the other colonies took no action. The machinery for revolu-

Colonial  
Committees  
of Corre-  
spondence,  
1773.

tionary organization had been discovered, however, and before long the action of the British government as to the tea duty forced all the colonies into line.

135. Colonial Union. — The English East India Company was now in severe financial straits, owing to the wars it was compelled to wage in India, to the extravagance with which the government of that country was administered, to the

The English  
East India  
Company.

## A C A R D.

**T**HE PUBLIC present their Compliments to Messieurs **JAMES AND DRINKER**.----We are informed that you have this Day received your Commission to enslave your native Country; and, as your frivolous Plea of having received no Advice, relative to the scandalous Part you were to act, in the **TEA-SCHEME**, can no longer serve your Purpose, nor divert our Attention, we expect and desire you will immediately inform the PUBLIC, by a Line or two to be left at the **COFFEE HOUSE**, Whether you will, or will not, renounce all Pretensions to execute that Commission?----**THAT WE MAY GOVERN OURSELVES ACCORDINGLY.**

*Philadelphia, December 2, 1773.*

A Tea Handbill

heavy payments it was obliged to make to its shareholders and to the English government, and to the heavy duties levied in England on goods produced in India. The Dutch East India Company was able to undersell its rival, and some of the tea consumed in the colonies was smuggled in from the Netherlands. The English duties on tea amounted to about seventy-five per cent. To help the East India Company, these duties were remitted on all tea exported to Ireland and America. This was done by one of the Townshend Acts, which also levied a new duty of three pence per pound

on all tea landed in the colonies (1767). But this policy was not successful, as the East India Company was obliged to make good any deficiency in the revenue that might result. It was now proposed to allow the Company to export tea to the colonies without any conditions except the duty of three pence, which would still be collected in the colonies. Some one suggested that the easiest way to avoid any conflict with the colonists would be for the company to pay the latter tax in England and add the amount to the price of the tea; but the government was immovable on that point. The colonists refused to have anything to do with the tea that was thus forced upon them, although they would be able to buy it cheaper than the people in England. The vessels bearing tea to Philadelphia and New York were allowed by the authorities to leave port without landing their cargoes. At Charleston the tea was stored until 1776, when it was sold by the Carolinians. At Boston the customs authorities, with the support of Governor Hutchinson, refused to permit the tea vessels to clear outwards unless the tea were first landed. The rules of the customs service prescribed that goods which were not landed, and on which duties were not paid within a certain time, should be seized by the collector and sold to the highest bidder. The Massachusetts men were determined that the tea should not be placed on the market, and it was thrown into Boston harbor by a mob. Not only did this attempt to bribe the colonists into a surrender of their rights fail, but six more colonies appointed Committees of Correspondence. Pennsylvania alone held back; with that exception the colonial union was complete.

**136. Repressive Acts, 1774.**—The determined attitude of the colonists greatly incensed the governing classes in Great Britain, and they decided to punish the turbulent people of Boston and Massachusetts. With this end in view, Parliament passed four acts: (1) closing the port of Boston to commerce; (2) suspending the operation of the charter of Massachusetts; (3) providing for the trial outside of the colony of persons (soldiers and others) who might be

The Boston  
Tea Party.  
Fiske's  
*Revolution*,  
I, 82-93;  
*Old South*  
*Leaflets*, Ger.  
Ser. No. 68.

Massa-  
chusetts  
punished.  
Fiske's  
*Revolution*,  
I, 93-97.

charged with crime committed while quelling riots within the colony; and (4) providing for the quartering of British troops within the province. At about the same time Parliament also passed an act, known as the Quebec Act, which extended the boundaries of that province to the Ohio River and established an arbitrary form of government within it. The rights of holders of grants from the crown were expressly reserved to them in the act, and it is probable that the claims of Massachusetts, Connecticut, and Pennsylvania to lands within the new province would have been recognized. The measure had been long in preparation, and its passage at the present crisis had no relation to the dispute with the colonies south of the St. Lawrence. It was inevitable, however, in the excited condition of the colonists' minds, that they should regard the Quebec Act as aimed against themselves; they saw in it a disposition on the part of the British government to limit the further extension westward of the self-governing colonies. This was a matter which appealed to them all, and was the one thing required, if anything were needed, to unite them against the encroachments of the British government. The repressive acts dealt for the moment with Massachusetts alone; but it was clear that if Parliament could overthrow the constitution of one colony, it could of all, and the interests of all the colonists were really involved. Soon their sympathy was aroused by the sufferings of the people of Boston. New York and Rhode Island proposed that a general congress should be held; the Virginia burgesses appointed a day of fasting, and upon being dissolved for this action, they formed themselves into a convention, appointed a revolutionary Committee of Correspondence, advocated the holding of annual intercolonial congresses, and voted that "an attack upon one colony was an attack upon all British America." The actual call for the congress, however, came from Massachusetts (June 17, 1774).

The Quebec Act, 1774. Hinsdale's *Old Northwest*, 141.

Call of the Continental Congress. Fiske's *Revolution*, I, 100-110.

137. **The First Continental Congress, 1774.** — Delegates to this meeting were chosen by all the colonies save Geor-

gia,— in some cases by the colonial assembly, as in Massachusetts, in others by conventions, as in Virginia; in a few colonies, where no such bodies were in session or could be summoned, the delegates were chosen by the Committees of Correspondence or by the people of the several towns and counties. In New York and Pennsylvania, the moderates and conservatives, or Tories, as they were called, obtained control; in the other colonies, the radicals usually carried the day.

Jefferson's  
"Summary  
View,"  
*American  
History  
Leaflets*,  
No. 11.

The most important document called forth by the contest over these elections was Thomas Jefferson's *Summary View of the Rights of British America*, which was first drawn up in the form of *Instructions to the Virginia Delegates*; but it was too outspoken for the members of the Virginia convention, and was not adopted. In this essay, Jefferson boldly denied the existence of a legislative union between the colonies and Great Britain, and utterly refused to admit the legislative supremacy of the British Parliament, even as to external trade. On the other hand, he declared that the union was simply through the crown, as the union between England and Scotland of the seventeenth century. He enumerated many acts of injustice on the part of the British king and urged the appointment of an American secretary for the colonies.

Members  
of the first  
Congress.

The congress met at Philadelphia on September 5, 1774. Franklin was still in England, and Jefferson was not selected as a delegate by the Virginia convention. With those exceptions, all the ablest men then in political life were present. From Massachusetts came the two Adamses, Samuel, the first American politician, and John, the keen constitutional lawyer. Rhode Island sent her venerable judge, Stephen Hopkins, and Connecticut was represented by Roger Sherman, whose long services in Congress have given him an honored place in American history. John Jay, the first Chief Justice of the United States, came from New York, John Dickinson from Pennsylvania, and John Rutledge from South Carolina. Virginia was represented by a re-

markable group of men: George Washington, whose sound judgment and solid information made him the foremost member of the congress, Patrick Henry, Richard Henry Lee, and Peyton Randolph.

The congress adopted a Declaration of Rights which was not much more radical in tone than that of the Stamp Act Congress, and was much milder than the one advocated by Jefferson in the *Summary View*. The more important work of this congress was the establishment of the American Association, designed to secure the enforcement of a general non-importation and non-consumption agreement. The execution of this policy was no longer to be left to chance: the congress recommended the election of a committee by the county, town, or other local administrative unit in each colony, which should oversee the carrying out of non-intercourse with Great Britain. These local committees were to be supervised by the colonial Committees of Correspondence; the names of all offenders against the agreement should be published; and any colony which declined to enter the association should be regarded as hostile to "the liberties of this country," and denied all intercourse with the members of the association. In this manner, by the union of local and colonial committees under the leadership of continental congresses, a political organization was formed so perfect that it controlled the actions of individuals in all walks of life. Congress adjourned in October, after providing for the assembling of a new congress in May, 1775, unless the grievances of the colonists were redressed before that time.

138. **More Repressive Measures, 1774, 1775.** — An election for members of a new Parliament was held throughout Great Britain towards the end of 1774. The electors, by returning an overwhelming majority for the government, showed that they agreed fully with the king and his ministers in their desire to compel the colonists to obey acts of Parliament. The government at once introduced several bills to carry out their policy of repression. These were

The Decla-  
ration of  
Rights.

The English  
declare  
Massa-  
chusetts  
to be in  
rebellion.

rapidly passed by both houses and became law. By them the New England colonists were cut off from all trade except with Great Britain, Ireland, the West Indies, and the continental colonies of New York, North Carolina, and Georgia; for these last seemed to be more submissive than the others. Massachusetts was declared to be in a state of rebellion, and measures were at once taken to put down the insurrection by force. To this policy, the opposition in the House of Commons, led by Burke and Charles James Fox, offered stout resistance, but their espousal of the colonial cause only deepened the hostility of the king. Chatham's proposals for a more conciliatory policy were set aside with contempt. Instead, Lord North, who was now at the head of the government, suggested that Parliament would not tax the colonists provided they would tax themselves to the satisfaction of Parliament, — a proposition which Burke rightly characterized as offering them "the very grievance for the remedy."

Gage at  
Boston.

**139. Lexington and Concord, April 19, 1775.**— Meantime, in Massachusetts, affairs had come to a crisis. The government of that province, under the new order of things, had been confided to General Gage, the commander in chief of the British army in America, and he had come to Boston at the head of a small force of troops. In September (1774) he summoned the General Court to meet at Salem, the new capital of the province, in the following October, but afterwards put off its assembling, as affairs had taken on a very threatening aspect. The representatives, however, met at the appointed time, formed themselves into a Provincial Congress, adjourned to Cambridge, and assumed the government of the province outside of Boston and other territory controlled by the soldiers. They appointed a receiver-general and advised the town officials to pay their proportions of the public taxes to him and not to Gage's treasurer. The Provincial Congress also began the reorganization of the military forces of the colony, and appointed a Committee of Safety, which, with other committees, performed the

Massa-  
chusetts  
Provincial  
Congress.



administrative functions. The theory under which the radical leaders thus assumed the government was that as Parliament had no constitutional power to suspend the operation of the charter, the government set up under the suspending act was in itself illegal. The charter, according to this idea, was still in force, and as Gage, the king's representative, would not govern according to its provisions, the people of the colony must provide for their own welfare.

Gage, on his part, found himself almost powerless in Boston,—the people would not work for him, and the farmers of the neighboring country would not sell him supplies for his soldiers. Moreover, throughout the province, everywhere drilling and arming were in progress. He determined to disarm the people. His first attempt to seize stores at Salem ended in a ridiculous failure, but no blood was shed. On the night of the 18th of April, he detached a large body of men to seize stores which were said to be concealed at Concord. The march of the troops was to be secret, but fearless riders carried the news of the soldiers' coming to Lexington and to Concord. On the morning of the 19th of April, when the British soldiers reached Lexington, a small body of militiamen was seen drawn up on the town common. They dispersed when the size of the British column was apparent. Some one fired, whether American or Briton will never be known. Several volleys followed; a few Americans were killed and others wounded.

The soldiers pressed on to Concord, to find that most of the supplies had been removed; there, a skirmish occurred with the militiamen, and the homeward march was one continuous conflict. The colonists pursued the retreating soldiers until the guns of the men-of-war anchored off Charlestown gave them protection; the provincials then withdrew and, instead of seeking their homes, encamped for the night at Cambridge, and began the blockade or siege of Boston.

Lexington  
and Con-  
cord, April  
19, 1775.  
Fiske's  
*Revolution*,  
I, 120-128;  
*Old South  
Leaflets*, I,  
No. 3.

## SUGGESTIVE QUESTIONS AND TOPICS

## §§ 113-116. ENGLAND'S COLONIAL POLICY

*a.* What is a "bounty"? Just how is it paid? In the history of the United States what bounties have been paid?

*b.* Look up the subject of "general warrants" in English history. Get a warrant from your town officials, and note its exactness of description. What is the provision of the Constitution as to general warrants? What of the constitution of your state?

## §§ 117, 118. AMERICAN POLITICAL THEORIES

*a.* Read Locke's *Second Essay on Government*. Note its fundamental ideas; watch for their enunciation in American political documents.

*b.* What is the fundamental argument of both Otis and Henry?

## §§ 119-123. AMERICAN AND BRITISH THEORIES

*a.* Was Grenville's contention—that the colonists should obey Acts of Parliament and pay a portion of the expense incurred in their defense—intrinsically just? Give your reasons.

*b.* What are the advantages and disadvantages of a stamp duty? Why should we not have such a tax to-day?

*c.* Why has trial by jury been called "the most democratical of judicial institutions"? Give arguments for and against it. Ask some friend of yours, who is a lawyer, to explain it to you.

*d.* Requirement of residence for elector and for representative. Give the arguments for and against this requirement. How is the matter arranged in the Constitution? in the constitution of your own state? What is the practice in your own city or town or district?

## §§ 124-126. THE STAMP ACT

*a.* Under what heading in your note-book should the "Declaration of Rights" be entered, and why? State the five principles it enunciates.

*b.* State at length and compare the leading points in Pitt's and Mansfield's speeches; in Grenville's and Camden's.

## §§ 127-134. THE TOWNSHEND ACTS

*a.* Enumerate the Townshend Acts, and state what principle of government each one violated.

*b.* Why did these Acts bear most heavily upon New England?

*c.* What was the first step in the formation of a complete revolutionary organization? the second step? the third step? the fourth step?

## §§ 135-139. COLONIAL UNION AND REBELLION

*a.* Were the acts of 1774 "illegal"? Precisely what is meant by "illegal"? Why was the first act declared by Burke to be unjust? The second act has been called the most serious of all the grievances which led to the Revolution; why?

*b.* Compare the Stamp Act Congress, the First Continental Congress, and the Second Continental Congress. Had any of these bodies any legal standing? Prove your answer.

*c.* Compare the "American Association" with associations of the present day; *e.g.* of Railway Employees.

## HISTORICAL GEOGRAPHY

Represent in colors upon your Map of the Proclamation of 1763 the boundaries of Quebec under the Act of 1774, and make any necessary change in the map of your state.

## GENERAL QUESTIONS

*a.* Collect from this and the preceding chapter examples of the irritating effect of the Navigation Acts.

*b.* State the several steps towards colonial union which you have so far met, and note in each the strength or weakness of the federal tie.

*c.* What was the fundamental cause of the separation of the colonies from the British Empire?

*d.* Collect in separate lists all the examples of the four different means of resistance used by the colonists, — protests, riots, non-impotation, congresses.

## TOPICS FOR INVESTIGATION BY INDIVIDUAL STUDENTS

(See directions under this head at end of Chapter I.)

*a.* Where was the first shot fired that "was heard around the world"? Was it a British or an American shot? Sources, *Guide*, 302.

*b.* Compare Jefferson's *Summary View* and the Declaration of Independence (§ 148).

*c.* Destruction of the *Gaspée*. Sources, *Guide*, 300.

*d.* The Boston Massacre (§ 132).

*e.* Compare account of early life of Patrick Henry in Wirt's *Henry* and in Tyler's *Henry*.

## CHAPTER V

INDEPENDENCE, 1775-1783

### Books for Consultation

**General Readings.**— Lodge's *English Colonies*, 492-521; Higginson's *Larger History*, 249-293; Fiske's *War of Independence*, 86-193 and *Civil Government*, 161-180.

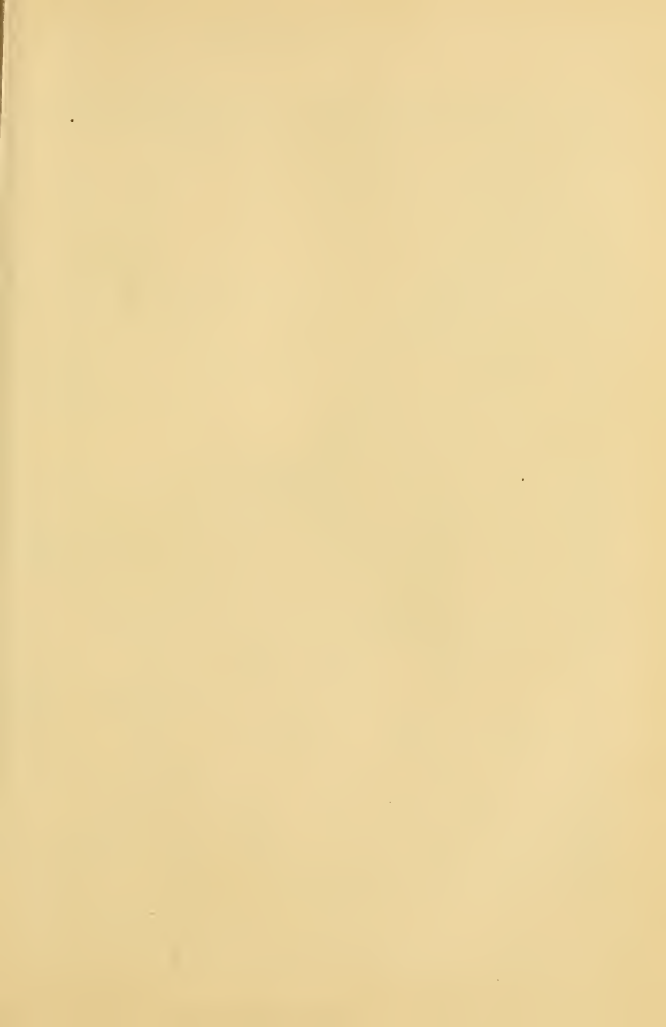
**Special Accounts.**— Channing's *United States*, III, chs. vii-xii; Frothingham's *Rise of the Republic*; Winsor's *America*, VI, VII; Fiske's *American Revolution*; Greene's *Historical View*; \*Bancroft's *United States*; Fisher's *Struggle for Independence*; \*Lecky's *England*, IV, chs. xiv, xv; \*Mahon's *England*; Carrington's *Battles of the American Revolution*; Hosmer's *Samuel Adams*; Morse's *John Adams*; Bigelow's *Franklin*; Lodge's *Washington*; Pellew's *Jay*; Sumner's *Robert Morris*; Schouler's *Jefferson*; Lowell's *Hessians*; Greene's *German Element*; Winsor's *Memorial History of Boston*; Allen's *Naval History of the American Revolution*; Larned's *History for Ready Reference*, under United States and the several states.

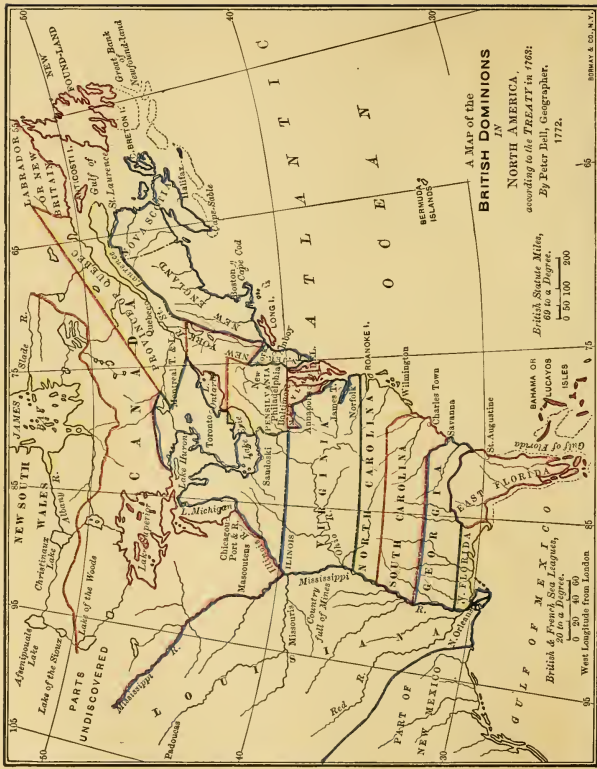
**Sources.**— Biographies and writings of Samuel Adams, John Adams, Burgoyne, Dickinson, Franklin, Greene, Hamilton, Henry, Jay, Jefferson, Lafayette, R. H. Lee, Pickering, Shelburne, and Washington, see *Guide*, §§ 151, 39, 46, 47; *Annual Register*; Chandler's *American Criminal Trials*; Sparks's *Diplomatic Correspondence of the Revolution*; Wharton's *Revolutionary Diplomatic Correspondence*; Hart's *Contemporaries*, II; Donne's *Correspondence of George III and Lord North*; *Journals of Congress*; *Secret Journals of Congress*; Force's *American Archives*; Stedman and Hutchinson's *Library of American Literature*; Niles's *Principles and Acts of the Revolution*; *American History Leaflets*; MacDonald's *Documents*.

**Maps.**— Mac Coun's *Historical Geography*; Carrington's *Battles*; Winsor's *America*; Lowell's *Hessians*; Hart's *Epoch Maps*, No. 6.

**Bibliography.**— *Guide to American History*, §§ 153-157.

**Illustrative Material.**— Roosevelt's *Winning of the West*, II; Longfellow's *Paul Revere's Ride*; Holmes's *Grandmother's Story of Bunker Hill*; Mrs. Child's *The Rebels*; Eggleston's *American War*





A MAP of the  
**BRITISH DOMINIONS**  
 IN  
**NORTH AMERICA,**  
 according to the *TREATY* in 1763:  
 By Peter Bell, Geographer.  
 1772.

British Statute Miles,  
 69 to a Degree.  
 0 50 100 200

WEST LONGITUDE FROM LONDON  
 0 20 40 60 80 100 120

*Ballads*; Moore's *Ballads of the American Revolution*; Sargent's *Loyalist Poetry of the Revolution*; Campell's *Gertrude of Wyoming*; Dunlap's *André*; Freneau's *Poems*; Hopkinson's *Battle of the Kegs*; Cooke's *Bonnybel Vane*; Cooper's *Lionel Lincoln* (Bunker Hill), *The Pilot*, *The Spy*; Bret Harte's *Thankful Blossom*; Cooke's *Virginia*; Hawthorne's *Septimius Felton*; Kennedy's *Horseshoe Robinson*; Paulding's *The Old Continental*; Roe's *Near to Nature's Heart*; Simms's *The Partisan*, *Mellichampe*, *The Scout*, *Katharine Walton*, *The Foragers*, *Eutaw*; Parton's *Franklin and Jefferson*; Lossing's *Field-Book of the Revolution*; \*Parker's *Historic Americans*; Burke's *Speeches on Conciliation with America*; \*Jones's *New York in the Revolutionary War*; \*Lossing's *Life of Schuyler*; \*Rush's *Washington in Domestic Life*; Stillé's *Beaumarchais*; Hale's *Franklin in France*; Sabine's *Loyalists*; Tyler's *Literature of the Revolution*; Sullivan's *Public Men of the Revolution*; Bynner's *Agnes Surriage*; Brackenridge's *Bunker Hill*; Harold Frederic's *In the Valley*; Alsheler's *Sun of Saratoga*.

#### INDEPENDENCE, 1775-1783

140. **Material Prosperity, 1775.** — Notwithstanding the controversies and conflicts described in the last chapter, the years 1760 to 1775 marked a period of great material development. The population of the colonies increased from about sixteen hundred thousand in 1760 to about twenty-five hundred thousand in 1775. Trade and commerce had thriven; for, although the navigation laws and the acts of trade would have borne harshly on the mercantile colonies, had they been enforced, the injury they inflicted was trifling, as they were never carried out. On the other hand, some industries, as the making of indigo, were stimulated by premiums and bounties paid by the British government.

Growth of  
the colonies.

The laws designed to cramp colonial manufacturing prevented the growth of industry and worked great hardship. Among the last of these laws was one which prohibited the export of any machinery or patterns of machinery from England (1770). The aim of this enactment was to prevent the establishment of textile industries in the colonies. Combined with the prohibition of the manufacture of wool

Restrictions  
on manu-  
facturing.

and iron, this act showed a determination on the part of England's rulers to restrict the colonists to agriculture and commercial pursuits. Notwithstanding these prohibitions and restrictions, the colonies were practically self-sustaining in 1775 although the interruption of foreign trade deprived them of articles of everyday use which were not actually necessary to existence and yet cannot be regarded as luxuries.

Reasons for  
the colonists'  
success.

French aid.

Geographical  
features.

**141. Advantages of the Colonists.** — The colonists were greatly inferior in numbers and in resources to the people of Great Britain. That they were able to limit the British to the occupation of a few seaboard towns, and finally to achieve their independence, was due (1) to the defective strategy of the British, (2) to the aid given by the French, and (3) to the nature of the field of operations. As to the first of these, it is not necessary to say much. The British commanders were generally men of second-rate abilities. The distance of the field of operations from the base of supplies added greatly to the expense of the British campaigns, for everything from food for the soldiers to hay for the horses had to be brought from England. Without the aid given by the French, at first in the form of war materials, and later in the shape of liberal contributions of money, a splendid army, and a formidable naval force, the war certainly would not have been brought to a successful termination. The geographical features of the country east of the Alleghany Mountains greatly assisted the successful resistance of the colonists. From north to south, the theater of war measured more than a thousand miles in extent, but from east to west the distance was very much less: in some regions it was not a hundred miles wide. When hard pressed, the colonial armies were nearly always able to retire to inaccessible hilly regions, where pursuit was dangerous, if not impossible. The long, thin fringe of the continent was intersected by large and deep rivers and by arms of the sea: there were a dozen fields of operation in place of one. For instance, the Hudson River, with



Lake Champlain, divided New England from the rest of the continent (§ 6) ; the Mohawk separated the Hudson valley into two distinct parts ; Delaware and Chesapeake bays and the rivers of Virginia (§ 347) made a campaign of invasion south of the Hudson a matter of great difficulty ; and the Carolinas were cut up into several geographical districts by marshes, by large regions of sandy, sparsely



Joseph Warren

(Killed at Bunker Hill)

settled country, and by long deep rivers extremely subject to floods. Portions of this territory were still hardly better than a wilderness : good roads, suitable for the movement of army trains and artillery, were to be found only in the vicinity of the larger towns ; and even these were impassable during a large portion of each year. On the other hand, good harbors everywhere abounded and made the business of the privateer and the blockade runner peculiarly easy.

Siege of  
Boston,  
1775-76.  
Winsor's  
*America*, VI,  
128-134;  
Fiske's  
*Revolution*,  
I, 136-146.

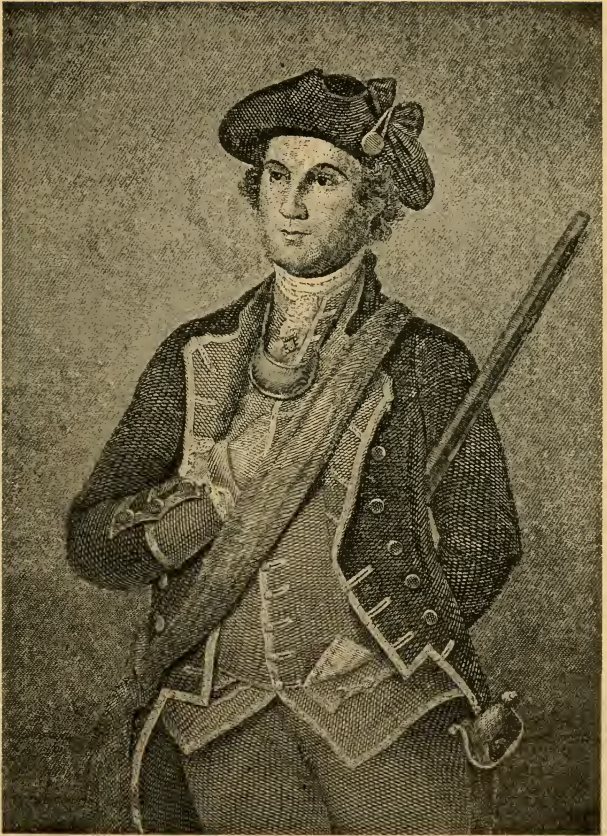
Bunker Hill.  
Winsor's  
*America*, VI,  
134-140.

142. **Bunker Hill, 1775.**—The siege or blockade of Boston lasted for almost eleven months, from April 19, 1775, to March 17, 1776. During those months, a force drawn from all the New England colonies, and, after July, 1775, from the other colonies as well, blockaded the British army. In all this time there was but one action deserving the name of battle,—the battle of Bunker Hill. On June 16, reports reached the colonial headquarters that the British commander intended to seize Dorchester Heights. To divert him from the execution of this plan, the Committee of Safety ordered the seizure of Bunker Hill. On the night of the 16th, Colonel Prescott occupied Breed's Hill, which was nearer Boston. When day dawned, he must have seen that his position was untenable: there were no batteries on the mainland to guard the neck leading to Charlestown. It was possible, therefore, for Gage to station vessels in the Charles and Mystic rivers and concentrate such a fire on the isthmus that no one could cross it; the British could then occupy Bunker Hill and hold the force in the redoubt at their mercy. On the morning of the 17th,

*John Stark*

Stark and his men from New Hampshire hastened to Prescott's succor. Under Gage's orders, five thousand British soldiers, commanded by Howe, Clinton, and Pigott, attacked the Americans in front; they were twice beaten back, and only the failure of the American ammunition made their third assault a success. The British loss on that day was from one thousand to fifteen hundred men; that of the colonists was about four hundred. The Americans were beaten, although they were not captured to a man, as they should have been. Seldom has a defeat proved so inspiring to the vanquished and so disheartening to the victors.

143. **Evacuation of Boston, 1776.**—Meantime, the Second Continental Congress had met at Philadelphia in May (1775), had adopted the army blockading Boston as a national force, and had given it a commander,—Colonel



George Washington, 1772

After a painting by C. W. Peale — the earliest known portrait of Washington

Continental Congress assumes charge of war. Fiske's *Revolution*, I, 132-136; \*Frothingham's *Republic*, 419-431.

Fiske's *Revolution*, 129-32.

Invasion of Canada. Winsor's *America*, VI, 160-167; Fiske's *Revolution*, I, 164-169.

Change of sentiment in regard to independence, 1775-76.

George Washington of Virginia. He assumed direction of the military operations on July 3, 1775, and at once found that he had a most disheartening task before him. A full understanding of the difficulties which beset him can best be learned from his correspondence: his army, based on short terms of enlistment, constantly changed in number and personnel; he had no heavy guns suited to siege operations, and for weeks at a time had no powder, save what the men had in their pouches. Washington was obliged to present a bold front to the enemy, but was unable to undertake any active movement or to explain the reasons for his inaction. In the winter of 1775-76, heavy guns, which had been captured in May, 1775, at Ticonderoga and Crown Point, by men from western New England, were drawn over the snow to his lines, and the capture of a British vessel provided the necessary powder. Now, at last, Washington was able to assume the offensive. In March, 1776, he seized and held Dorchester Heights. The town and harbor of Boston could no longer be held by the British, and on March 17 they evacuated the town, and shortly after left the harbor.

Meantime two columns, led by Richard Montgomery and Benedict Arnold, had invaded Canada. Montgomery perished gallantly under the walls of Quebec. The remnants of these forces were rescued with the greatest difficulty in the spring and summer of 1776.

**144. Growth towards Independence, 1775, 1776.** — In 1776, Washington wrote, "When I took command of the army [July, 1775], I abhorred the idea of independence; now, I am convinced, nothing else will save us." There is every reason to believe that Washington's feelings on this subject were those of a large portion of his countrymen. Between July, 1775, and May, 1776, there was a great revulsion of feeling against the further continuance of the union with Great Britain. This change in the sentiments of thousands of colonists can be traced directly to a few leading causes: (1) the contemptuous refusal by George III of

the "Olive Branch" petition; (2) the formation of the state governments; (3) the establishment of a national organization; (4) the arguments embodied in the writings of Thomas Paine; and (5) the employment of the "Hessian" soldiers by the British government.

In 1775, Thomas Jefferson succeeded Washington as a member of the Virginia delegation. It is not probable that he at once exerted much influence in Congress; but the petition which that body addressed to the king in July, 1775, was much bolder in tone than the preceding petition. Congress now demanded the repeal of "such statutes as more immediately distress any of your Majesty's Colonies." The king refused even to return a formal answer to this "Olive Branch" petition, as the colonists regarded it; instead he issued a proclamation denouncing the colonists as "dangerous and ill-designing men . . . who had at length proceeded to an open and avowed rebellion." As to the effect of this proclamation on the public mind, John Jay wrote, "Until after the rejection of the second petition of Congress in 1775, I never heard an American of any class or of any description express a wish for the independence of the colonies."

145. **The State Constitutions, 1775, 1776.** — Another important step in bringing about the change in sentiment noted in the preceding section was the necessity for making new provisions for government in the several colonies. In some cases, as in Virginia and New Hampshire, the departure of the royal governors left the people without any government; in other cases, as in Massachusetts, resistance to the royal authorities made new arrangements necessary. In the last-named colony, a revolutionary body termed the Provincial Congress had assumed charge of the government of the province. The people, however, were restless, and those in power turned to the Continental Congress for advice. On June 9, 1775, that body voted that as no obedience was due to the act of Parliament altering the charter of the colony of Massachusetts, nor to a governor who would not

Jefferson in Congress.

The "Olive Branch Petition," 1775. Frothingham's *Republic*, 435, 444-447, 451.

Effect of the king's answer.

Changes in local government.

Massachusetts.

govern according to the charter, he should be considered as absent and the colonists advised to proceed under the charter without a governor "until a governor of his Majesty's appointment will consent to govern the colony according to the charter." The condition of affairs in New Hampshire was different, as that province had no charter to fall back upon: Congress therefore voted in her case (November, 1775), "That it be recommended to the provincial convention of New Hampshire to call a full and free representation of the people . . . [to] establish such a form of government as in their judgment will best produce the happiness of the people, and most effectually secure peace and good order in that province, during the continuance of the present dispute between Great Britain and the colonies." Both Massachusetts and New Hampshire proceeded in accordance with the advice of Congress. It will be noticed that Congress in these votes provided only for a temporary arrangement and evinced no desire for independence.

New Hampshire.

Advice of Congress, 1776.  
\*Frothingham's *Republic*, 496-498.

By May of the next year, the temper of Congress and of the people had undergone a radical change. On May 15 (1776) Congress recommended "the respective assemblies and conventions of the United Colonies, where no government sufficient to the exigencies of their affairs hath been hitherto established, to adopt such a government as shall in the opinion of the representatives of the people best conduce to the happiness and safety of their constituents in particular, and of America in general." Among the first colonies to act under this suggestion was Virginia, which was at the moment governed by a convention elected by the people. It adopted (June, 1776) a constitution which consisted of three parts: a Bill of Rights by George Mason, a Declaration of Independence by Thomas Jefferson, and a Frame of Government. The first of these contains an admirable exposition of the American theory of government, equaled in that respect only by the Declaration of Independence of July, 1776, and by the Bill of Rights drawn by John Adams and prefixed to the Massa-

Early state constitutions.

chusetts constitution of 1780. The clause in the Virginia Bill of Rights declaring for freedom of religion was the earliest enunciation on that subject during the Revolutionary era. None of these early constitutions was submitted to the people for ratification, with the exception of that of Massachusetts (1780), which was also drafted by a body especially chosen by the people for that purpose. The South Carolina constitution, on the other hand, was merely an act of the legislative body. Connecticut and Rhode Island proceeded under their seventeenth-century charters, with scarcely any changes at all.

**146. Organization of a General Government.**—Still another thing which turned the thoughts of the colonists in the direction of independence was the establishment of a general government. The First Continental Congress (1774) resembled the Stamp Act Congress (1765) in being simply an advisory body. The Second Continental Congress was at first an advisory body; but the march of events speedily compelled it to assume and exercise sovereign powers: in June, 1775, it took charge of the general defense of the colonies, set on foot an army, and drew up regulations for its government; it established "a Committee of Correspondence with our friends abroad" (November, 1775), and from that time assumed the exclusive management of foreign affairs; it also issued paper money to provide for the payment of the soldiers and for supplying the army with provisions. In fine, it exercised in the colonies functions which, up to that time, had been performed by the British government.

The attention of the people was especially directed toward the subject of independence by the arguments set forth by Thomas Paine in a remarkable pamphlet entitled *Common Sense*. In this paper, he maintained in simple and convincing language that reason dictated independence, because it was improbable that foreign nations would intervene on the side of the colonists so long as they continued to acknowledge allegiance to the king of Great Britain.

Authority of  
the Conti-  
nental  
Congress.

Thomas  
Paine's  
writings.

Fiske's  
*Revolution*,  
I, 173; *Con-  
temporaries*,  
II, No. 186.

Many people were still lukewarm on this matter, when the announcement reached America that the British government was preparing to employ foreign soldiers to crush resistance in the colonies.

The Hessians.

147. **The Hessians.** — In the long category of grievances which forms so striking a feature of the Declaration of Inde-

## T H E

# AMERICAN CRISIS,

## NUMBER I.

BY THE AUTHOR OF COMMON SENSE.

**T**HESE are the times that try men's souls: The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of his country; but he that stands it *now* deserves the love and thanks of

(Reprinted in *Old South Leaflets*, IV, No. 4)

Winsor's  
*America*,  
VII, 18-24.

pendence, is the "transporting [of large] armies of foreign mercenaries" to overwhelm the colonial forces. It was not exactly fair to call them mercenaries, as it was not the soldiers who sold their services to a foreign government, but their princely masters, for whom, indeed, the word "mercenary" is far too mild. These German veterans were hired by the British government from the Landgrave of Hesse-Cassel and other German princes. The terms of the contracts for the hiring of the men were peculiar, one



of them making it more profitable for the soldiers to be killed in America than to return home wounded. In all, they numbered about thirty thousand, eighteen thousand of whom arrived in 1776, mostly from Hesse-Cassel; for this reason they were generally known as Hessians. To the British authorities there seemed nothing peculiar in employing them: the British king was a German prince, although he himself had been born in England; in the continental wars in which Great Britain had borne a part in the preceding half century, it had always been customary to hire German troops. The only difference between the two cases was that there the soldiers were employed to fight against their own flesh and blood, sometimes soldiers from the same state being loaned to both sides; now, however, they were used by the British government to kill English people who happened to live beyond the ocean. This difference, however, was a great one and the opposition in Parliament endeavored to convince the government of the danger of employing them, but in vain: the acquisition of a body of splendid troops at a low rate was viewed by the mass of Englishmen with rejoicing. They were good soldiers, better suited perhaps to the cultivated lands of Europe than to the wilderness of America, but they rendered good service from a military point of view. From a political point of view, however, their employment was a terrible blunder. Thousands of colonists who had hesitated about consenting to independence were now convinced of the necessity of that measure; tens of thousands were converted to the necessity of the policy which culminated in the French Alliance: the king had called the Germans to his aid, why should not the colonists accept the help proffered by their ancient enemies, the French? In short, by June, 1776, the radical party in the colonies was prepared to advocate separation from the home land.

**148. The Declaration of Independence.** — The Virginia convention took the lead in this movement and (May, 1776) instructed its delegates in Congress to propose a declaration

Lee's  
Resolutions.  
June, 1776.

of independence. In compliance with these instructions, on June 7, Richard Henry Lee, the chairman of the Virginia delegation, moved three resolutions, of which the first is here given in full: "That these United Colonies are, and of right ought to be, free and independent states, that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved." The other resolutions provided for the formation of a confederation between the new states and for the establishment of alliances with foreign powers.

The Declaration of Independence.  
Higginson's *Larger History*, ch. xi;  
Fiske's *Revolution*, I,  
191-197;  
Schouler's *Jefferson*.

The first resolution was briefly debated at the time; but it was plain that many members were not then willing to vote in favor of it, either because they had not made up their own minds on the subject, or because they did not know how their constituents viewed the matter; its further consideration was therefore postponed until July 1. Meantime a committee, composed of Thomas Jefferson, Benjamin Franklin, John Adams, Roger Sherman, and Robert R. Livingston, was appointed to draft a declaration for consideration in case the resolution should be adopted. Jefferson's *Summary View* and his *Virginia Declaration of Independence* clearly marked him out as the person most fitted to formulate the ideas which were then uppermost in the minds of the radicals. Without reference "to book or pamphlet," he wrote out the rough draft of the Declaration. "I did not consider it as any part of my charge to invent new ideas altogether, and to offer no sentiment which had never been expressed before." In point of fact, there are no ideas in the Declaration which had not long been in print. The first part of it is an exposition of the political theories which underlie the American system of government; these were gathered by the men of the Revolution, from Otis to Jefferson, mainly from John Locke's immortal *Essay on Government*. Jefferson was so familiar with Locke's essay, that in some cases he repeated the actual words of the great philosopher, as, for example, in the sen-



tence, "But when a long train of abuses." The idea of the natural equality of man was taken directly from Locke and has no relation to the French school of philosophy. The student should be especially careful to guard against one of the common errors in American history, that the Declaration declares men to be free and equal, as there is no such statement in the document; the words are: "All men are created equal." The rough draft, as it came from Jefferson's pen, contained a strong statement against the slave trade. The phraseology was carefully revised by Franklin and Adams and the other members of the committee, and reported to Congress on June 28. On July 1, Lee's first resolution was taken from the table and debated at length. In the discussion which followed, it was defended by John Adams, while the arguments on the other side were ably stated by John Dickinson, who, sturdy patriot that he was, could not bring himself to acquiesce in independence. On July 2, the resolution was adopted, all the states voting in the affirmative save New York, and within a couple of weeks her delegates were instructed to assent to it. The Declaration, as reported by the committee, was then taken up, carefully considered, and greatly improved in many respects; but the clause denouncing the slave trade was struck out. Notwithstanding all these alterations, the Declaration as adopted on July 4 was substantially, with the exception above noted, as it was written by Jefferson. It was then referred back to the committee, that the language of the amendments and of the original might be made harmonious. A few copies were printed and published on July 5, authenticated with the signatures of the president and secretary of Congress. Subsequently (August 2, 1776), the Declaration, engrossed on parchment, was signed by the members of Congress present at the time of the signing, and two signatures were added later. The story of the document has been related at length because there is no more curious misconception in American history than the one which attributes the signing of the Declaration of Inde-

Independence voted,  
July 2, 1776.

Adoption of  
the Declaration,  
July 4,  
1776.

Signing of  
the Declaration,  
August 2, 1776.  
\*Winsor's  
*America*, VI,  
268.

pendence to July 4. The greater part of the Declaration is taken up with the enumeration of a "long train of abuses," which justified the colonists in renouncing allegiance to the British crown; a careful study of that portion of the document would in itself give an insight into the history of America during the first three quarters of the eighteenth century.

**149. Campaign of 1776.** — The scene of conflict was now transferred to New York. Sir William Howe, General Gage's successor, was able to bring into the field about twice as many men as Washington could muster for the defense of that important seaport. The Americans were gradually forced backward until they were divided into two bodies, — one in the Hudson valley, north of New York, barring the further progress of the British up the river, the other on the western side of the Delaware, guarding the crossings of that important stream. The British army occupied the intervening region. This was the darkest hour of the Revolution: the American army was rapidly dwindling away; poverty was staring Congress in the face; and the forces of the king, abundantly supplied with all that was necessary for their comfort, were flushed with victory. In these circumstances, Washington conceived and executed a movement which in its conception and in its execution showed the highest military skill. At Trenton, on the eastern bank of the Delaware, was a British outpost of about one thousand men, mostly Hessians. Crossing the Delaware on Christmas night (1776), Washington surprised and captured nearly the whole detachment. Cornwallis, with a strong force, was immediately sent against him; but Washington gained his rear, and, after a sharp engagement at Princeton, went into camp on the hills of New Jersey. His presence there compelled the British to abandon nearly all their outposts in that state, and to concentrate their forces within reach of New York.

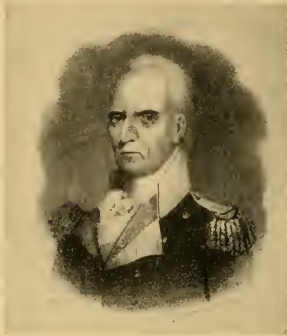
**150. Campaign of 1777.** — The British plan of campaign for 1777 included two separate movements, — the capture

Struggle for the Hudson. Winsor's *America*, VI, 275-291; Fiske's *Revolution*, I, 200-228.

Trenton. Winsor's *America*, VI, 370-379; Fiske's *Revolution*, I, 229-238.

Plan of  
campaign,  
1777.

Capture of  
Philadelphia,  
1777.  
Winsor's  
*America*,  
VI, 380-393;  
Fiske's  
*Revolution*,  
I, 299-308,  
312-324.



General Stark

of Philadelphia and bringing the army in Canada southward to reënforce the British at New York. The first part of the plan was successfully accomplished: Howe, with the greater part of the main British army, sailed from New York to the Chesapeake, marched overland to the Delaware, and, after

an action at Brandywine Creek, compelled Washington to retire up the Schuylkill. The British then occupied Philadelphia and captured the forts below the city. Washington, on his part, attacked a portion of the British army at Germantown, near Philadelphia, but was compelled to retire. The withdrawal of so many soldiers from New York left Clinton, who commanded there, too

weak to afford effective assistance to the army coming from Canada.

Burgoyne's  
campaign.  
Winsor's  
*America*,  
VI, 291-314;  
Fiske's  
*Revolution*,  
I, 260-298,  
308-311, 324-  
337.

The command of this force was intrusted to General John Burgoyne. At first he enjoyed a gleam of success, for the Americans abandoned Ticonderoga without striking a blow. When he began his march from Lake Champlain and Lake George to Albany on the Hudson River, his misfortunes began. It took him fifty days to march seventy-five miles. The delay was of the utmost importance to the Americans, as it gave New England militiamen time to leave their homes and gather on the line of the British advance. General Horatio Gates was now placed in command of the force opposing Burgoyne. Disasters now crowded fast on the British. Stark with men from western Massachusetts and New Hampshire overwhelmed a detachment sent to



seize supplies at Bennington; and St. Leger, marching to Burgoyne's aid from Canada by the line of the Mohawk, was obliged to turn back. On September 19, the British army, advancing southward on the west bank of the Hudson, encountered a strong force of Americans at a clearing in the forest known as Freeman's Farm. After a fierce encounter, the Americans retired to the main body on Bemis Heights, and Burgoyne threw up entrenchments where he was. On October 7 the Americans attacked the British, one party, led by Benedict Arnold, penetrating to the center of the enemy's position. Unable to advance, and suffering for provisions, the British endeavored to make their way back to Canada. When they again reached the crossing-place of the Hudson, a strong force of Americans was found posted on the eastern bank. Further retreat was impossible; no aid could reach them from New York, and the British laid down their arms (October 17, 1777).

The terms of their surrender were embodied in an agreement or convention, known as the Saratoga Convention. According to this, the British troops were to march to Boston and there embark on transports, to be furnished by the British government, on condition that they should not again serve in North America until exchanged. This agreement was most disadvantageous for the Americans, since the soldiers might be, and probably would be, used in Europe against allies, as the French, who might come to the colonists' aid, or they could be stationed in garrisons in the British Isles, or the West Indies, and the soldiers already in those garrisons transferred to America. This convention should never have been made, but once having been concluded, should have been carried out by both parties. The British, however, did not keep to the spirit of the agreement: public property, which rightfully belonged to the captors, was not given up, and Burgoyne uttered some rash words to the effect that the convention had been broken by the Americans. The Americans understood from this that the British government would not regard the convention as binding. Congress

The Saratoga Convention, 1777.

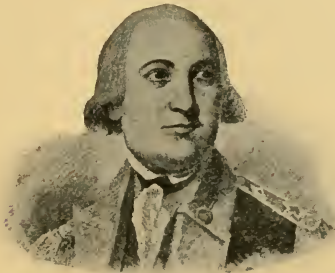
\*Winsor's *America*, VI, 317-323; Fiske's *Revolution*, I, 339-344.



seized this opportunity to avoid giving up the captured soldiers. After a winter passed in the vicinity of Boston, the "convention troops" were marched to the interior of Pennsylvania and Virginia and remained there during the war.

151. **The Conway Cabal, 1777, 1778.** — One of the earliest results of the capture of Burgoyne's army was an attempt to displace Washington, with a view to the appointment of Gates in his stead. At the present time, few Americans doubt the pre-eminent qualities of Washington; to foreigners as well,

Conspiracy to displace Washington. Fiske's *Revolution*, II, 32-43. Sparks's *Washington's Writings*, V, app. vi; Lodge's *Washington*, I, 210-220.



Steuben

he stands foremost as the embodiment of patriotism, common sense, and honesty; and his campaigns attest his military capacity. To many men of the Revolutionary epoch, he did not appear in so favorable a light. Disaffected officers and suspicious members of Congress united to disparage his actions. They naturally gathered to Gates as their chosen leader, and he was weak enough to listen to their advances. The matter soon came to the knowledge of Washington, and that was the end of it. This dark intrigue, known as the Conway Cabal from one of the leading actors in it, is well worth studying by all those who desire to see under the surface of the Revolutionary period, to discover the sordid

nature of many acts of so-called patriotism, and to view many of the Revolutionary heroes as they really were.

In point of fact, the winter following the victory on the upper Hudson was the most critical period of the Revolution, excepting the last three months of the preceding year (1776). The sufferings of the army at Valley Forge are described in every history of that time; but it is only from Washington's own words that an adequate idea of them can be gathered: "To see men without clothes to cover their nakedness, without blankets to lie on, without shoes (for the want of which their marches might be traced by the blood from their feet) . . . is a proof of patience and obedience which, in my opinion, can scarce be paralleled." And again: "For some days there has been little less than a famine in camp. A part of the army has been a week without any kind of flesh. . . . Naked and starving as they are, we cannot enough admire the incomparable patience and fidelity of the soldiery." At one time, no fewer than two thousand eight hundred men were unfit for duty for want of shoes or clothing; the terrible sufferings of those months knit the soldiers together into one compact army. During that winter, also, Baron Steuben, a Prussian veteran, drilled them so admirably that when they again took the field, the troops of the Continental Line, as the more permanent organizations were called, were as good as any to be found in the world.

**152. The French Alliance, 1778.**—Commissioners from the United States had been at Paris since 1776; they were Silas Deane, Arthur Lee, and Benjamin Franklin, to mention them in the order of their arrival. Deane found the French government willing to assist the Americans with arms and supplies, but it insisted that the business should be carried on secretly. Burgoyne's surrender convinced the French that the Americans were likely to maintain their position. They were now willing to intervene openly in the dispute. Under these circumstances, negotiations were easily brought to a conclusion, and treaties of commerce and alliance between the United States and France were

The winter at Valley Forge, 1777-78. Fiske's *Revolution*, II, 25-32, 51-56.

Aid from France, 1778. Winsor's *America*, VII, 43-49; Fiske's *Revolution*, II, 9.

signed early in 1778.<sup>1</sup> By the first of these treaties France acknowledged the independence of the United States and entered into commercial arrangements with the new nation. The treaty of alliance stipulated that in case war should break out between France and Great Britain in consequence of the friendly attitude of France, that country and the United States should make common cause against Great Britain, and that neither party should make a truce or peace without first obtaining the consent of the other. The two governments mutually guaranteed their possessions in America forever against all other powers and made arrangements for the division of territory which might be conquered from Great Britain outside of the limits of the United States.

**153. Lord North's Conciliatory Proposals, 1778.** — The

British government at once declared war against France, and the treaty of alliance came into operation. Chatham proposed to withdraw the British armies from the United States, use all its strength against France and Spain, in case the latter power should join in the contest, — when these were humbled, the Americans could be dealt with. The king, however, would not intrust the government to Chatham, but suggested that he might take office under Lord North. That compliant minister, on his part, astonished his supporters by bringing in a new Declaratory Act, under which Parliament abandoned



General Wayne

Chatham's and North's proposals, 1778. Winsor's *America*, VII, 49-52; Fiske's *Revolution*, II, 4-9, 11-24.

the right to "impose any duty, tax, or assessment whatsoever . . . only such duties as it may be expedient to impose for the regulation of commerce, the net produce of such duties to be always paid and applied to and for the use of the colony in which the same shall be levied." Commissioners were appointed to negotiate with the Continental Congress on these terms. The day for halfway measures was past, and nothing came of the attempt. The war continued, but from this time on the British assumed the defensive in the Northern states.

Battle of  
Monmouth,  
1778 ;  
treason of  
Charles Lee.  
Winsor's  
*America*,  
VI, 397-400 ;  
Fiske's  
*Revolution*,  
II, 58-72.

**154. Treason of Charles Lee, 1778.** — The first military result to flow from the French alliance was the withdrawal of the British army from Philadelphia across the Jerseys to New York. Washington determined to strike the British while on the march. The command of the attacking force he intended to confide to Lafayette, who, young as he was, had shown marked military ability. Unfortunately, Charles Lee, a renegade Englishman, who had been captured by the British in 1776, returned from captivity in time to claim the command of the advance by right of seniority. The Americans overtook the British army near Monmouth ; Lee ordered his men to retire when victory seemed to be theirs. At that moment Washington reached the front, saved the army, and assumed so threatening an attitude that Howe's successor, Sir Henry Clinton, without waiting for daylight, resumed his march "by the light of the moon," — to use his own phrase. Lee was tried by court-martial and dismissed from the army ; there is now little question that he had entered into treasonable communications with the British authorities.

Wayne's  
assault on  
Stony Point.

Monmouth was the last important engagement in the North ; thenceforward the British contented themselves with plundering expeditions, whose only result was to keep alive a keen sense of injury on the part of the Americans. The latter performed one brilliant exploit, — the capture of a British stronghold, Stony Point, on the Hudson. The movement was carefully planned by Washington and splendidly executed by the Light Infantry of the Line under Anthony Wayne, one of the most dashing commanders of the war.

155. **Arnold's Treason, 1779-1780.** — Benedict Arnold, the hero of Quebec and Saratoga, was careless of money and given to lavish expenditure. His habits had aroused the distrust of Congress, and other men of less ability and less experience had been promoted over his head. Washington exerted all his influence in Arnold's favor, and as soon as a wound received at Saratoga permitted, he was given the command at Philadelphia. There he became acquainted with many persons who were hostile to the American cause, and misused his official position for purposes of private gain. He was tried, convicted, and sentenced to be reprimanded by Washington. In performing this unpleasant duty, the commander in chief said: "Our profession is the chastest of all; even the shadow of a fault tarnishes the lustre of our finest achievements. . . . I reprimand you for having forgotten that in proportion as you have rendered yourself formidable to our enemies you should have been guarded and temperate in your deportment towards your fellow-citizens. Exhibit anew those noble qualities which have placed you on the list of our most valued commanders. I will myself furnish you . . . with opportunities of regaining the esteem of your country." To enable him to do this, Washington appointed Arnold commander of West Point, the most important station of the Americans on the Hudson.

Benedict Arnold.  
\*Winsor's  
*America*,  
VI, 447-468;  
Fiske's  
*Revolution*,  
II, ch. xiv.



Lafayette

Arnold already had been in correspondence with the

André  
captured,  
1780.

British authorities, and probably he asked for this command that he might have something of value to betray to his new employers. At all events, the negotiations went on until the capture of John André, the British agent in the affair, disclosed all. Arnold escaped to New York and received his promised reward of office and money, although he had not performed his part of the nefarious bargain. After the war, he lived in England, one of the most despised men in the world.



Birthplace of Nathan Hale

His trial,  
Chandler's  
*Criminal  
Trials*, II,  
157-265;  
Winsor's  
*America*,  
VI, 467, 468.

Far more interesting is the discussion which has arisen over the execution of John André. To understand his career, the student should compare his motives and his actions with those of Nathan Hale, a noble American, whom the British hanged as a spy, or with those of two young foreigners, Alexander Hamilton and the Marquis de Lafayette. André was an agreeable young man who knowingly placed himself in the position of a spy, and suffered the penalty of death without flinching, as hundreds of men have



THE  
 REVOLUTIONARY WAR  
 IN THE SOUTH  
 ROMNEY & CO., N.Y.

suffered before and since. There was nothing remarkable in his career ; it was only by a bold stretch of the imagination that one could have held him worthy a place in Westminster Abbey, among the heroes of the English race ; and nothing save the sickliest sentimentalism could have induced an American to erect a monument to his memory on American soil. After his capture, André's status was examined by a very competent Court of Inquiry, presided over



General Greene

by Nathanael Greene ; among its members were Steuben, a Prussian veteran, and Lafayette, a general officer in the French army. It is idle to contend that their finding was not sound. André passed the American lines in disguise, under an assumed name, with papers betraying military secrets concealed in his boots. He had a pass from Arnold, giving safe conduct to John Anderson ; the document was conceived in fraud, was used for a fraudulent purpose,

and could not for a moment have protected André against Arnold's commanding officer.

**156. The Southern Campaigns, 1776-1781.** — The British had early directed their attention to the conquest of the South. In the winter of 1776, while the siege of Boston was still in progress, Sir Henry Clinton and Admiral Parker had led an expedition to the conquest of Charleston. Their ignominious failure and the conflict in the North had diverted the British from any further attempts in that direction, until toward the close of 1778, by which time they

The war in the South, 1776-82. Winsor's *America*, VI, 168-172 and ch. vi; Fiske's *Revolution*, II, ch. xiii, and ch. xv to p. 268.



seem to have become convinced that the South would offer less resistance to invasion than had been encountered in the North. In this opinion events showed that the British were right. The Southerners were able to make slight opposition to the well-equipped forces which captured Savannah in 1778 and invaded South Carolina in 1779. Indeed, so hopeless did resistance at one time appear, that Governor Rutledge of South Carolina drew up a letter in which it was proposed that the latter state should remain neutral, leaving the contest to be decided by the other states. In 1780, Clinton again appeared before Charleston. On this occasion he captured that town, and the British, under Cornwallis, soon overran the greater part of South Carolina. At the same time, other expeditions from New York under Phillips and Arnold began the conquest of Virginia. Toward the end of 1780, Nathanael Greene assumed direction of the defense of the South. By a series of remarkable campaigns, he compelled the British to yield up the greater portion of the Carolinas and Georgia and to retire to Charleston and Savannah. These results were accomplished by Greene with a handful of trained soldiers of the Continental Line and large bodies of local militia. The leading events of these campaigns in the southernmost colonies were Clinton's attack on Charleston (1776), the capture of Savannah (1779), the capture of Charleston (1780), Gates's defeat at Camden (1780), the battle of King's Mountain (1780), Morgan's remarkable defeat of Tarleton at the Cowpens (1781), the battle of Guilford Court House (1781), Hobkirk's Hill (1781), the siege of Ninety-six (1781), and the battle of Eutaw Springs (1781).

**157. The Yorktown Campaign, 1781.**—After the battle of Guilford Court House, Lord Cornwallis appears to have come to the conclusion that the permanent conquest of the Carolinas was impossible as long as Virginia was in the hands of the Americans and able to send men and supplies to the Southern armies. So he directed his march to Virginia from Wilmington, whither he had repaired after his unavail-

Cornwallis  
in Virginia,  
1781.  
Winsor's  
*America*, VI,  
496-500;  
Fiske's  
*Revolution*,  
II, 268-272.

ing contest with Greene. In Virginia he found a small British force under Phillips and Arnold; the former died almost immediately, the latter he sent to New York. Lafayette was also in Virginia with a small but highly efficient body of men, one of the divisions of Light Infantry of the Continental Line. He had originally been ordered to that region in the hope of entrapping Arnold; now, he and Cornwallis marched up and down Virginia until Cornwallis went into quarters at Portsmouth for the summer. Later, he removed his army to Yorktown, in obedience, as he supposed, to the orders of Clinton.

Up to this time, the co-operation with France had produced slight effect upon the contest beyond diverting the attention of the British from America, and securing the evacuation of Philadelphia. A French force under Rochambeau had reached America in the summer of 1780, but it had been neutralized by the necessity of remaining at Newport, the place of debarkation, to protect the vessels which brought it over from a British fleet that had immediately blockaded them. In the summer of 1781, De Grasse, the commander of the French fleet in the West Indies, sent word that he would sail northward during the hurricane season and reach the Chesapeake in September; his stay would be limited to a few weeks, and he hoped that something substantial might be accomplished; he refused to try to cross the bar off New York, and added that he would bring a division of the French army from the West Indies. Washington had long desired to capture New York, but De Grasse's refusal to attempt the entrance of the harbor forbade that; on the other hand, Cornwallis in his isolated position at Yorktown could be easily captured by the overwhelming force at Washington's disposal, should all go well. Everything worked for the American cause: Rodney, the British admiral in the West Indies, on bad terms with Clinton and interested in the plunder of St. Eustatius, instead of following De Grasse, sent a division of his fleet; the French army at Newport joined Washington

Siege and capture of Yorktown, 1781.  
Winsor's *America*, VI, 500-507;  
Fiske's *Revolution*, II, 273-290.

at New York, and the march was so well managed that Clinton believed the threatened siege of New York to be actually begun, when in reality the allies were crossing the Delaware on their way southward. De Grasse reached the Chesapeake at the appointed time, fought an action with the British fleet which compelled the latter's return to New York, and again entered the Chesapeake, to find the French vessels which had escaped from Newport safely riding at anchor. Besieged by more than twice his own numbers, and cut off from succor from New York, Cornwallis surrendered Yorktown and his army on October 19, 1781. This royal disaster closed military operations on the continent.

**158. Naval Warfare.**—The part played by American seamen in the conflict has been too little studied and appreciated by our historical writers. The navies of the separate states and of the United States performed many most important services in the cause of liberty; but where so much obscurity exists, it is difficult to mention the names of particular individuals without doing injustice to other less well-known but equally deserving sea fighters. Among those whose exploits are recorded with tolerable certainty are Manly, of the Massachusetts navy, Wickes, who first carried the national flag across the Atlantic, Paul Jones, who captured the British ship *Serapis* after a most gallant fight, Commodore Hopkins, and Commodore Tucker. More important than the achievements of these men of the regular navies were those of the privateers, who pursued their hazardous calling with great success, and materially affected the rates of insurance on British merchant vessels.

**159. Congress and the Army, 1775-1782.**—From the outset there was always great difficulty in securing the requisite number of soldiers and in keeping up a disciplined force: the people were usually ready to turn out for a few weeks at a time; but enlistments for a term of years were hard to obtain, and the new recruits were undisciplined and not to be relied upon in action. One army had been disbanded and another formed while the siege of Boston was in prog-

The war on the water. Winsor's *America*, VI, ch. vii; Fiske's *Revolution*, II, ch. xii.

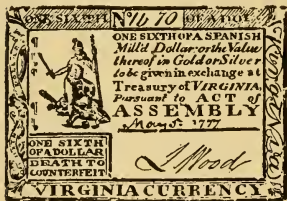
Allen's *Naval History of the Revolution*.

Difficulty in securing soldiers. Fiske's *Revolution*, I, 242-248; *Critical Period*, 101-103.

ress. Washington was most inadequately supplied with soldiers during the campaign of 1776; but in the closing months of that year Congress reluctantly authorized the formation of a permanent force,—the Continental Line. It most unwisely left the recruiting of the soldiers, and even the appointment of the regimental officers, to the several states. The inevitable result was that the quotas of some states were never filled, and many of the officers were most inefficient,—were not “fit to be shoeblacks,” to use Washington’s own words. Once organized and drilled, the soldiers of the Line became a splendid force, able to encounter successfully their own number of the veterans of

Great Britain or of Germany. Then began an arduous struggle to see that justice was done to them.

The people entertained an unreasonable jealousy of a permanent military force, and the feeling found full representation in Congress.



Virginia currency

Washington protested against it with all the arguments suggested to him by the necessities of the situation. “In other countries,” he wrote at one time, “the prejudice against standing armies exists only in time of peace, and this because the troops are a distinct body from its citizens . . . it is our policy to be prejudiced against them in time of war, though they are citizens.” The soldiers suffered every hardship, were half-starved for long periods of time, were ill provided with clothing, and were always inadequately paid, sometimes not paid at all for months. The officers’ expenses constantly exceeded their incomes, and their families at home were left in great destitution. At one time they threatened to resign in a body, at another the soldiers broke out into open mutiny. Washington exerted his influence to

Dislike of  
a regular  
army.

Hardships of  
the soldiers.

the utmost and secured from Congress a bounty for the soldiers in the shape of grants of land, and for the officers half pay for life to those who should serve until the close of the war. But the first Congress under the Articles of Confederation annulled these votes upon the unworthy pretext that nine states had not assented to the vote, as the Articles demanded, but only a majority, as had been sufficient under the rules of the Old Congress. The officers then offered to compromise for full pay for seven years. As the conclusion of the war drew near, the anxieties of the soldiers increased; for they knew that when once disbanded they would be in no position to enforce their reasonable demands.

**160. The Newburg Addresses, 1783.** — In this condition of uncertainty, the soldiers turned to Washington, and some of the more unstable among them talked of making him king. This proposition was actually suggested to him; he spurned it in a manner which has separated him from all other successful leaders in civil strife since the days of the Roman republic. "No occurrence," he said, "in the course of the war has given me more painful sensations than your information of there being such ideas existing in the army, as you have expressed, and I must view with abhorrence and reprehend with severity."

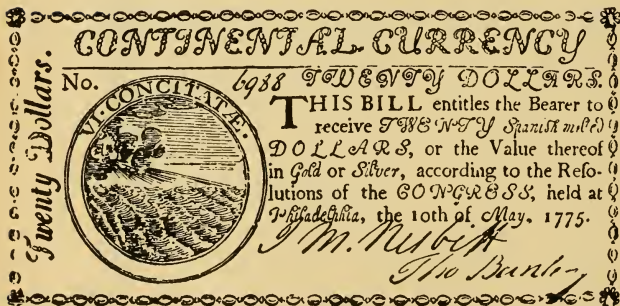
The officers' and soldiers' pay was now years in arrears; in March, 1783, the matter came to a head. While the army was encamped at Newburg on the Hudson, an address was published anonymously, calling a meeting of officers to consider the best means of bringing their claims to the attention of Congress. It was written in inflammatory language, advising, among other things, that the army should not disband on the conclusion of peace unless their grievances were in the meantime redressed. Fortunately, Washington was at hand. With his customary tact, he summoned a meeting himself. Addressing the assembled officers in the most sympathetic language, he procured the abandonment of the proposed mode of action, and then he used his influence to the utmost to secure justice for those

Proposition  
to make  
Washington  
king.

Newburg  
Addresses,  
1783.  
Fiske's  
*Critical  
Period*, 106-  
112.

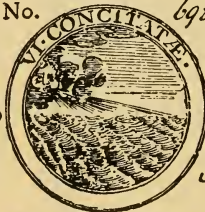
who so fully trusted him. This he was able to do with the greater effect, because he himself had steadfastly refused to receive any remuneration for his services beyond the payment of his necessary expenses. Congress voted full pay for five years in such obligations of the government as other creditors received; how much this really amounted to is not known. The hardships of the soldiers and the insufficiency of the means placed in Washington's hands for carrying on the conflict were due in great measure to the poverty of Congress.

161. **Finances of the Revolution.**—At the beginning of the conflict, when enthusiasm was at its highest, the Con-



## CONTINENTAL CURRENCY

No. 6988 TWENTY DOLLARS.



THIS BILL entitles the Bearer to receive TWENTY Spanish milled DOLLARS, or the Value thereof in Gold or Silver, according to the Resolutions of the CONGRESS, held at Philadelphia, the 10th of May, 1775.

*J. M. Ruben*  
*The Banker*

Continental currency

Financial  
affairs.  
Winsor's  
*America*,  
VII, 69-72.

tinental Congress had not asserted the right to levy taxes: it simply called upon the several colonies and later states to pay their proportions of the general expenses. This the states as a whole had never done. Congress necessarily had recourse to the plan of issuing paper money, to be redeemed by the states, — which never did redeem it. Other means of raising money were lotteries and loans, both of which brought in something, though much less than was urgently needed. Ultimately, Congress adopted the expedi-

ent of paying for supplies in loan-office certificates which bore interest, and in requiring the states to furnish specific supplies, since they would not pay money. The funds which really made it possible to continue the struggle after 1777 were obtained from foreign governments, mainly from France, and from individual capitalists in Holland.

It is easy for the historical writer of the present day to condemn the Continental Congress for not seizing the taxing power at the beginning and for issuing large quantities of practically irredeemable paper money. It should be remembered, however, that the leaders of Congress in 1775 and 1776 were among the most skillful statesmen the country has ever had; they were much better able to judge of the temper of the people than is the student of the present day, and they had to reckon with a powerful opposition in nearly every state. Moreover, the rapidly depreciating paper currency was really a species of tax; it was probably the only form of general taxation the people would have endured.

**162. The Loyalists.** — The Continental Congress and the several state legislatures were unable to adopt more energetic measures, owing, in part at least, to the fact that large portions of the people were either opposed to the contest with Great Britain or were half-hearted in its prosecution. The people may be considered as divided into three portions: the radicals, who supported the movement enthusiastically; and the conservatives, who opposed it as much as they could; between these two extremes was the great mass of the population, who cared little which way the matter went provided they were left in peace. As is always the case, in times of disturbance, the radicals, being the most aggressive, exercised power and attracted attention out of all proportion to their numerical importance. It is of course impossible to state the numbers of these sections respectively or to give an accurate idea of the proportion each bore to the whole. Some very competent students believe that the radicals were in a minority: it is certain that in some parts of the country the conserva-

Criticisms  
on the con-  
duct of  
Congress.

The Tories.  
\*Winsor's  
*America*,  
VII, 185-214.

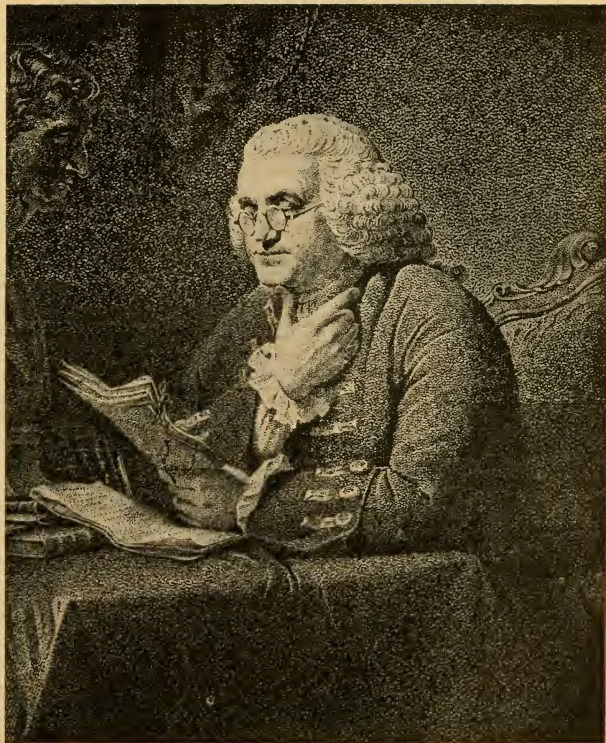
tive element was at least equal in point of number to the radical section and was fully as aggressive; this was the case in South Carolina, in Pennsylvania, in New York, and in portions of Massachusetts. Many loyalists fought actively on the king's side; they formed regiments, as Ferguson's Riflemen, who were destroyed at King's Mountain, and the Queen's Rangers, who accompanied Arnold to Virginia. The most celebrated of these warlike loyalists was Benjamin Thompson, a native of Massachusetts; after the war he went to Europe, became one of the most important scientific men of the time and received the title of Count Rumford from the king of Bavaria. The active loyalists were regarded with hatred by the Revolutionary leaders: Washington stigmatized them as "detestable paricides," and words were insufficient to exhibit Franklin's detestation of these devoted adherents of the British monarch. On the other hand, a great deal of the bitterness displayed by the loyalists was the direct result of the severity with which they were treated by the radicals. Of late years, there has been a disposition to regard their loyalty with more leniency and some students even regret the harsh measures which drove them from the country.

The patriot leaders and the loyalists.

Fall of the North Ministry, 1782. Fiske's *Critical Period*, 1-45.

**163. Peace Negotiations of 1782.** — The disaster at Yorktown not merely brought hostilities in America to a sudden close, it also put an abrupt termination to the king's system of government in Great Britain. Lord North, who had long been anxious to leave office and had remained only from a misplaced feeling of loyalty to his royal master, now resigned and the king was obliged to summon Rockingham and the other leaders of the opposition and place the government in their hands. The two secretaries of state in the new ministry were Charles James Fox and the Earl of Shelburne. They were the real leaders of the government, and were not on good terms. Fox hated and distrusted Shelburne, and there was some ground for his dislike; the latter, indeed, was regarded by men of that time as a trickster. At all events, Shelburne seems to have





Benjamin Franklin

At the age of sixty, after a painting by Martin

Propositions  
for peace,  
1782.  
Winsor's  
*America*,  
VII, 96-106.

been sincerely desirous of peace with America. He opened communications with Dr. Franklin, whom he had known well during the latter's residence in England before the war. This, coming to the ears of Fox, confirmed his suspicions of Shelburne's fidelity and he seized the opportunity afforded by Rockingham's death to resign with his friends; then Shelburne became the head of a reconstructed ministry.

The instructions to the American commissioners required them to proceed in conjunction with the French government. The commissioners appointed were Dr. Franklin, minister to France; John Jay, minister to Spain; John Adams, who had official business in Holland; Henry Laurens and Thomas Jefferson. The last did not cross the ocean and Laurens was captured on the voyage and was a prisoner in the Tower of London during the period of important negotiations. The first communications were with Dr. Franklin, who was soon joined by Jay. The former had lived long in France, had been regarded as one of the "lions" of the day, and had a firm faith in the honesty and good will of the French government. Jay's experience in Spain had led him to believe that the Bourbon powers (France and Spain) were using the American war to further their own interests, especially those of Spain. Jay thought that he had sufficient evidence to justify the conclusion that these governments were opposed to the extension of the United States beyond the Alleghanies and preferred to have the British retain the territory between the Ohio, the Great Lakes, and the Mississippi, to having it handed over to the new republic. He also thought that France was opposed to having the Americans share in the rights to the fisheries under the Treaty of Utrecht, and that Spain was similarly opposed to giving them a share in the free navigation of the Mississippi, secured to England in the treaty of 1763. John Adams, when he reached Paris, agreed with Jay; the commissioners broke their instructions and negotiated directly with Great Britain, without the knowledge of France.

The "Preliminary Articles" which should form a treaty

Jay's suspi-  
cions of  
France and  
Spain.





when a general peace should be made between Great Britain and the United States were signed on November 30, 1782. Dr. Franklin communicated them to the French government with so many soothing assurances, that France acquiesced in them. September 3, 1783, the Definitive Treaty was signed at Paris on the same day that treaties between Great Britain and France and between Great Britain and Spain were signed at Versailles; in this manner, the terms of the alliance with France were technically complied with. It is necessary to examine in detail the treaty between the United States and Great Britain, as on its provisions depended in great measure the relations between those powers for many years.

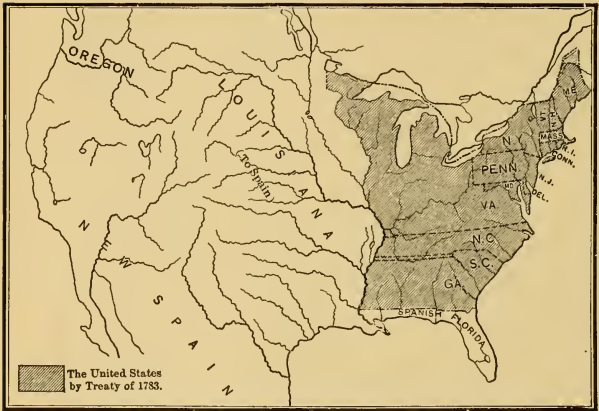
**164. The Treaty of Peace, 1783.** — The boundaries of the new nation were to be those of the English colonies according to the treaty of 1763 and the king's Proclamation of that year (§ 106). Thus the Mississippi to the thirty-first parallel was to be the western boundary. The southern boundary was the northern boundary of the Floridas according to the Proclamation,—the thirty-first parallel, from the Mississippi to the Chattahoochee, then down that river to its junction with the Flint, thence in a straight line to the source of the St. Mary's, and thence to the sea. This was the line contained in both the Preliminary Articles and the Definitive Treaty. A separate and secret article, appended to the former, provided that in case Great Britain should win back the Floridas from Spain, which had overrun them, the southern boundary of the United States between the Mississippi and Chattahoochee rivers should be the parallel of thirty-two degrees and thirty minutes. This had been the northern boundary of West Florida in the commissions of the governors of that territory. It is important to note this because Great Britain, as a part of the general settlement of 1783, ceded to Spain "the Floridas" without any statement of boundary. Spain argued that this gave her West Florida as it had been governed for twenty years; the United States contended that the thirty-first parallel

The Preliminary Articles, 1782. Winsor's *America*, VII, 137-145.

The Definitive Treaty, 1783. Winsor's *America*, VII, 163-165; McDonald's *Documentary Source Book*, No. 52.

Boundaries,

was the southern boundary of the United States designated in the treaty of 1783 and thus limited Florida on the north. The matter was finally arranged to the satisfaction of the United States in 1795 (§ 204), but only after long and harassing disputes. The treaty of 1783 provided also that the navigation of the Mississippi River, which was then supposed to rise north of the Great Lakes, should be free to both



The United States, 1783

parties. This right had been guaranteed to Great Britain in 1763. Spain, however, tried to evade the carrying out of its obligations, and this too led to much irritation (§ 175).

The northern boundary of the United States, as far west as the St. Lawrence, was the southern boundary of Canada, according to the Proclamation of 1763 (§ 106). From the point where the forty-fifth parallel reached the St. Lawrence, it followed the channel of that river, the Great Lakes, and connecting waters to the northwest corner of the Lake of the Woods, and thence due west to the source of the

Mississippi. The settlement of this line gave rise to innumerable disputes, which were not finally set at rest until 1842 (§ 297).

The British government had been solicitous that the United States should make some provision for the loyalists. This was a matter on which Franklin, at all events, held very decided opinions, — nor were the other commissioners willing to accede to such a proposition. They consented, however, to the insertion of a meaningless provision that Congress would “recommend” the states to pass relief acts. The recommendation was made in due course and was entirely unheeded; not only unheeded, but some states actually increased the severity of their measures against the loyalists. Parliament, however, made fairly liberal provision for their maintenance. The loyalists.

Another subject, and one which gave rise to many disputes later on, was what should be done as to debts owed by individuals to British creditors at the beginning of the conflict. It was finally decided that these debts should be payable at the close of the war. There was no way of enforcing these obligations until the formation of the government under the Constitution (1789); the non-observance of the treaty in this respect gave rise to much trouble (§ 201). Debts.

Still another difficult point was the question of the fisheries. Of course any one had the right to sail to the banks of Newfoundland and there fish out of sight of land and far away from the limit of jurisdiction recognized by international practice. To make this fishing really valuable, as it was then carried on, it was necessary to have the right to do certain things within the limit of jurisdiction, — to secure bait, for instance, or to dry the fish on the unsettled coasts. These rights had been shared between the subjects of Great Britain and France according to the provisions of the Peace of Utrecht, and also of the later treaty of 1763. The Americans, feeling that the new settlement was in the nature of a division of the Empire, thought The fisheries.

that the fisheries should be shared between the American and the British fishermen, as they had been shared between the subjects of King George living in America and in Britain before the war. This was certainly a great concession for Great Britain to make, but after considerable controversy it was finally included in the treaty.

Washington's letter to the governors.  
Fiske's *Critical Period*, 53;  
*Old South Leaflets*, Gen. Ser. No. 15.

**165. Problems of Peace.**—The United States were now independent, but the problems which confronted the American people were no less arduous of solution than the securing of their independence had been. The stress of war had failed to unite them into one nation; would the time of peace be any more fortunate? In a circular letter to the state governors (June, 1783) Washington referred to these fears in language which showed him to be not merely a military leader but a statesman as well. A few sentences from this letter, which should be read by every student, will be a fitting close to this chapter. "It is yet to be decided," he wrote, "whether the revolution must ultimately be considered as a blessing or a curse.

" . . . This is the moment to establish or ruin their [the American people's] national character for ever. . . . There should be lodged somewhere a supreme power to regulate and govern the general concerns of the Confederated republic, without which the Union cannot be of long duration."

#### SUGGESTIVE QUESTIONS AND TOPICS

Bring to class a topical analysis of the history of England and of France, 1775-83.

#### §§ 140-144. THE BEGINNING OF THE CONTEST, 1775-76

*a.* Compare the strength of the combatants as to (1) material and moral resources, (2) unanimity of opinion, (3) naval and military discipline, (4) physical condition of theater of war.

*b.* In view of the nature of the theater of war, what military policy would commend itself to the Americans? to the British? Give examples of the defective strategy of the British.



## §§ 145-148. INDEPENDENCE

- a.* What does the election of Jefferson to the Second Continental Congress prove? Give your reasons.
- b.* Why does the formation of the state constitutions mark an epoch in the history of the world?
- c.* Compare the first constitution of Virginia with the present constitution of your state.
- d.* Read the first and the last paragraphs of the Declaration of Independence. Did those who voted for that Declaration have in mind the formation of one nation or of thirteen nations?
- e.* Why has the Declaration been called the political Bible of America?

## §§ 149-152, 155-159. MILITARY AFFAIRS

- a.* Describe the British plan of campaign and American resistance in 1776, in 1777, in 1778, in 1779, in 1780, and in 1781, noting in each case the strength of the opposing armies, physical condition of theater of war, results of campaigns, and qualities shown by opposing commanders.
- b.* State the importance of each of the following events: the Saratoga Convention, the Conway Cabal, the execution of André.
- c.* Sketch Greene's Southern campaigns, noting especially the part played by the Southern militia.
- d.* Represent upon an Outline Map the important military movements in the South from November, 1780, to November, 1781.

## §§ 152, 153. THE FRENCH ALLIANCE

- a.* What matter in this chapter must you enter in your note-book under heading, "Important Treaties"?
- b.* Compare the services to the cause of independence of Washington and of Franklin.
- c.* Were Lord North's conciliatory proposals a total surrender of Great Britain's colonial system? Give your reasons.

## §§ 160-162. INTERNAL AFFAIRS

- a.* Give historical grounds for the aversion of the Americans to a permanent army.
- b.* Place as heading in note-book, "Financial History," and enter under it all fitting matter as you proceed.
- c.* Can you suggest any moral objection to the position of the American loyalists? How do you justify Washington's and Franklin's attitude toward the loyalists?

## §§ 163-165. PEACE

- a. Discuss the treatment of France by the United States at the time of the peace negotiations.
- b. Look up Jay's previous training and character and weigh carefully the value of his conclusions as opposed to those of Franklin.
- c. What claim upon the United States had the loyalists?
- d. Washington's Circular Letter to the State Governors. What circumstances favorable to the political happiness of the American people does Washington enumerate? What four essentials to the existence of the United States as an independent power does he state? Quote his words which show his views about centralization of power, the right of secession, the full discharge of the national debt, pensions. What other later issues in the history of the United States are touched in this letter?

## HISTORICAL GEOGRAPHY

- a. Represent in colors upon an Outline Map the boundary provisions of the treaty of 1783, using your Map of 1763 as a basis; put also upon it in dotted line the possible boundary indicated by the "secret article" of 1782. What different boundary disputes arose over the provisions of this treaty? When and how settled? Mark the final boundaries under these agreements on this map.
- b. Make any necessary changes on your maps of Territorial Possessions and on the map of your state.

## GENERAL QUESTIONS

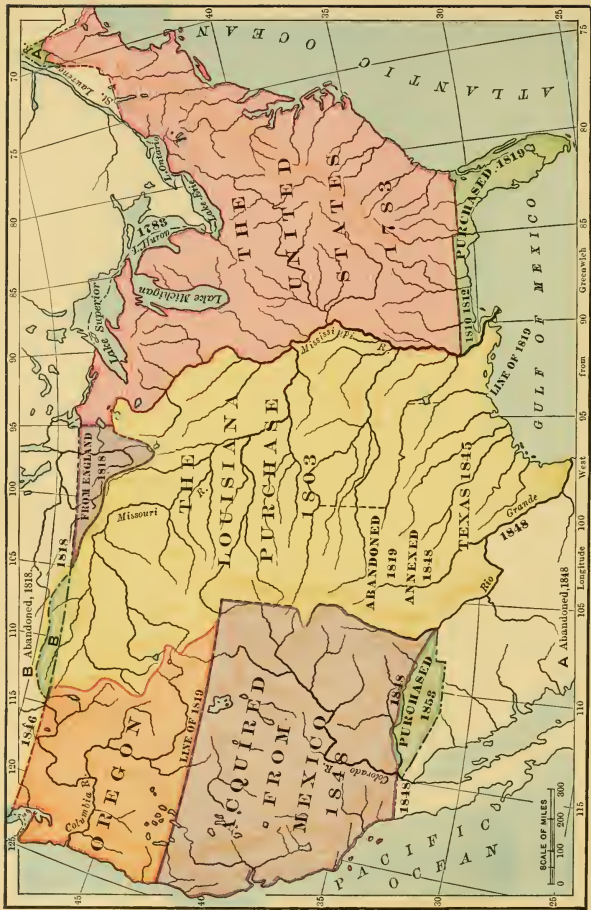
- a. Carefully define the following words: state, nation, federation, confederation.
- b. Compare the American Revolution with the Puritan Rebellion, with the Revolution of 1688-89, with the French Revolution, and with the Civil War.

## TOPICS FOR INVESTIGATION BY INDIVIDUAL STUDENTS

(See note under this head at end of Chapter I.)

- a. The battle of Trenton (with a plan), *Guide*, 305.
- b. The battle of Bennington (with a plan), *Guide*, 306.
- c. The Monmouth campaign (with a plan), *Guide*, 306.
- d. Was André a spy? *Guide*, 307.
- e. The battle of the Cowpens (with a plan), *Guide*, 309.
- f. Naval warfare of the Revolution, § 158.





No. IV. TERRITORIAL ACQUISITIONS, 1783-1853

A marks portion of Maine which was abandoned in 1842, p. 438

## CHAPTER VI

### THE CONSTITUTION, 1783-1789

#### Books for Consultation

**General Readings.** — Johnston's *American Politics*, 3-18; Walker's *Making of the Nation*, 1-73; \* Frothingham's *Rise of the Republic*, 569-610; Fiske's *Civil Government*, 186-267.

**Special Accounts.** — \* Winsor's *America*, VII; \* Von Holst's *Constitutional History*, I; Lodge's *Washington*, II; Schouler's *United States*; \* McMaster's *People of the United States*, I; Fiske's *Critical Period*.

**Sources.** — Biographies and writings of Washington, Madison, Hamilton, Jay, Franklin, J. Adams, Gouverneur Morris, Rufus King, Mason, Henry, R. H. Lee, Gerry, for titles see *Guide*, §§ 39, 46, 47; *Journals of Congress*; *Journal of the Convention*; Madison's *Notes*; Elliot's *Debates*; *American History Leaflets*; *Old South Leaflets*.

**Maps.** — Hinsdale's *Old Northwest*, Nos. vi-ix; Winsor's *America*, VII, App. 1.

**Bibliography.** — *Guide to American History*, §§ 158, 166-175.

**Illustrative Material.** — Landon's *Constitutional History*; \* Tucker's *History of the United States*; Gay's *Madison*; Morse's *Franklin*; \* G. T. Curtis's *History of the Constitution*, or his *Constitutional History*; \* Bancroft's *History of the Constitution* or his *United States* (last revision), VI; \* Story's *Commentaries*; \* Thayer's *Cases on Constitutional Law*; Hamilton's *Federalist*; R. H. Lee's *Letters of a Federalist Farmer*; Scharf's *Maryland*; Cutler's *Ordinance of 1787*; Dunn's *Indiana*; Hinsdale's *Old Northwest*; Roosevelt's *Winning of the West*, III; Sumner's *Finances of the Revolution*; Pomeroy's *Constitutional Law*; Hinsdale's *American Government*; \* Fiske's *American Political Ideas*, ch. ii.

### THE CONSTITUTION, 1783-1789

166. **Nationalism and Particularism.** — At the beginning of the Revolution it seemed as if public opinion was favor-

Feeling of nationality, 1774-76. *Contemporaries*, II, No. 153.

Tendency toward particularism.

able to the formation of a national government. On the first day of the meeting of the Continental Congress, Patrick Henry asserted that the colonial governments were destroyed, and asked, "Where are your landmarks, your boundaries of colonies? . . . The distinctions between Virginians, Pennsylvanians, New Yorkers, and New Englanders are no more; I am not a Virginian, but an American." The question of the mode of voting in Congress was then under discussion, and Henry proposed that the freemen of the several colonies should be represented according to numbers. As there was then no way to ascertain the population of the several colonies, this could not be done. Congress decided that each colony should have one vote. Until the end of 1776, the Continental Congress occupied the most commanding position of any governmental body in America: the people of the several states asked its advice as to the regulation of their affairs and followed its recommendations (§ 145). After that year, Congress lost much of its authority, and the state governments, once formed, rapidly gained the respect of the people. This change of sentiment was partly due to the fact that the state legislatures soon acquired the right to appoint the delegates of the state in Congress; but it was due more especially to the fact that the local legislatures were more under the control of the people than was Congress. It was in these circumstances that the Articles of Confederation were drawn up and sent to the states for ratification.

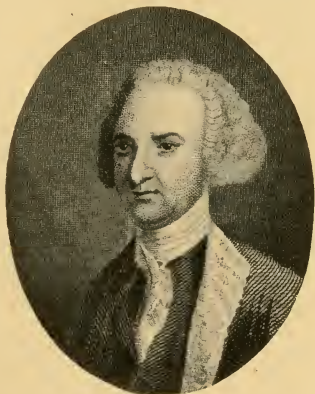
Franklin's plan. *American History Leaflets*, No. 20.

**167. Formation of the Articles of Confederation.** — The earliest draft of a plan for a federal union was made by Franklin, and was read in Congress on July 21, 1775. In June, 1776, Richard Henry Lee of Virginia coupled with the resolution of independence another for the formation of Articles of Confederation (§ 148). It is possible that the expectation was that the declaration and the frame of government would form one instrument, as was later the case in Virginia. A "grand committee," consisting of one member from each colony, was appointed to devise a plan of union; it reported through its chairman, John Dickinson

in the middle of July. The matter was discussed at intervals until November, 1777, when the Articles were adopted and sent to the states. They vary in form and language from Dickinson's draft, but resemble it very closely in all essential features. It will be well, perhaps, to note a few of the differences between Franklin's draft and the report of the committee. Franklin provided for the regulation of "general commerce" by the Congress; this was confided to the states in Dickinson's draft, except in so far as commerce was affected by treaties entered into by Congress. In Franklin's scheme representation in Congress was to be distributed among the states in proportion to their population, and each delegate was to have one vote; in the committee's report a state might send as many delegates as it chose between two and seven, but each state should have only one vote. Franklin provided for amendments by vote of a majority of the state assemblies; Dickinson required the consent of all the state legislatures to any change, and thereby made change impossible.

168. **The Articles of Confederation.**—The best, in fact the only, way to understand the new arrangement for government, and to comprehend its place in the history of the United States, is to study with care the document itself and to compare it with the Articles of Confederation of the

Articles of Confederation, adopted 1777. Fiske's *Critical Period*, 90-101; *American History Leaflets*, No. 20; *Old South Leaflets*, Gen. Ser. No. 2.



John Dickinson

The Articles of Confederation, and other plans of federal Union.

*American History Leaflets*, Nos. 7, 8, 14, 20.

The Articles compared with the Union of England and Scotland.

New England colonies (§ 73) and with the Albany Plan of Union (§ 107) on the one side, and with the Constitution (§ 182) on the other. It is also very helpful, but more difficult, to study it in connection with the governmental arrangements of Great Britain after 1603, and before the Act of Union of 1707, and with the actual constitution of the kingdom after that time. During the first of these periods England and Scotland had the same king; each kingdom, however, had its own legislative body and its own system of laws; the Act of Union brought about a change in this latter regard, the two kingdoms henceforth having one legislative body and one system of laws. In the former time, for instance, the colonies, by the navigation acts, could no more trade with Scotland than they could with France; in the latter time, Scotland and England were regarded as one country as far as colonial trade was concerned. The first form of union is known as a personal union; the latter is usually termed a legislative union. Before the Revolution the colonies had denied that there was a legislative union between the several colonies and the home state. They maintained that the Union was merely a personal union through the king, to whom all owed allegiance. In their endeavor to find some means of replacing the discarded authority of Britain, they constructed a government which should have the power which they had contended belonged to the British government, and no more. Under the Confederation each state possessed its own legislative body and its own system of laws; Congress took the place of the British king and exercised very nearly the same authority that the colonists had contended belonged to that monarch. For instance, Congress could make war and conclude peace, and maintain an army and navy, but it could not tax the people of the several states, and had no power to compel obedience in a state or an individual. It turned out to be utterly impossible to carry on the central government under this system.

**169. Importance of the Articles of Confederation.**—The Articles are contemptible as a scheme of government; but



the fact of their adoption was one of the half-dozen most important events in the history of the United States. The people of the thirteen states, who were struggling together for independence, might have formed one government or thirteen governments, or any number of governments between one and thirteen, as they saw fit; that they preferred to live bound together by even the loosest tie, showed a spirit of nationalism which was certain to lead to better results. Before condemning the men of 1776 for drawing up such an absurd scheme, it is well to remember that they had no experience to guide them: never before had a confederation of the size of the United States even been proposed; never before had any one tried to write out on paper a constitution for such a federation. The adoption of the Articles terminated one of the most serious crises in the history of the United States. The gravity of the occasion may easily be gathered from the fact that it was nearly four years ere the legislatures of the thirteen states gave their consent to the new form of government. The principal reason for this delay was the dispute which had arisen as to the disposal of the land between the Alleghanies and the Mississippi.

170. **Claims to Western Lands.**—In 1763, the king had forbidden the governors of the colonies on the seashore to grant to settlers any lands west of the Alleghanies. In 1774, Parliament had annexed all of this western territory north of the Ohio River to the province of Quebec (§ 136). In 1776, when the colonies declared themselves to be independent states, they set up their old claims to western lands regardless of king or Parliament.

Under her old charter of 1629 Massachusetts claimed all lands west of the settled portions of New York, between the parallels of points three miles north of the source of the Merrimac and three miles south of the source of the Charles. Connecticut based her claim on the charter of 1662, which had never been formally annulled. This gave her, she contended, a clear title to all lands south of the Massachusetts line as far as the latitude of New York City. The state of

Gravity of  
the crisis,  
1777-81.

Claims to  
western  
lands.  
Fiske's  
*Critical  
Period*,  
187-195;  
Winsor's  
*America*,  
VII, app. i.

Claims of  
the states.

New York had no claim under any charter, but the Iroquois had given a deed of cession of all their lands to the governor of New York as representative of the king. This included all the western land north of the Tennessee River, as the Iroquois had pretended to exercise authority over the Indians living in this vast region. It was now urged that this cession had been made to the governor of the colony of



General G. R. Clark

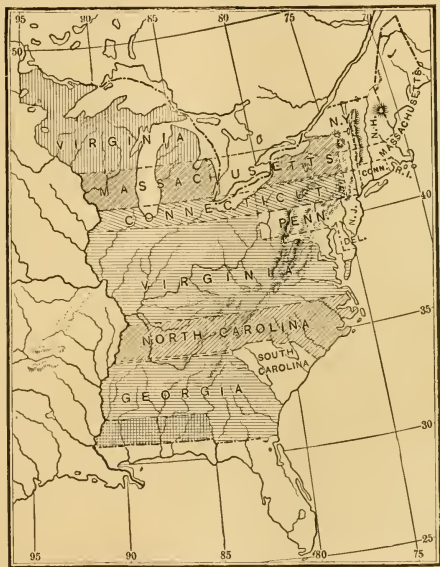
Clark's western campaign, 1778-79. Winsor's *America*, VI, 716; Thwaites's *How Clark Won the Northwest*.

Claims of Georgia.

colonists from Virginia had begun the occupation of the region now included in the state of Kentucky. The Carolinians claimed lands south of the Virginia line and north of the parallel of the Savannah River, under the charters of 1663 and 1665 as modified by the Georgia grant of 1732 (§ 100). Georgia claimed land under the charter of 1732, which had been limited in point of time and had been surrendered to the crown in 1751. She further contended that the Proclamation of 1763, which added to her domains the land lying

New York, and that the state of that name succeeded to the rights which the Iroquois had once possessed. Virginia, on her part, claimed nearly the same land, under the charter of 1609, which had been annulled in 1624 (§§ 40, 44). She also contended that her soldiers, led by a Virginia officer, George Rogers Clark, and paid out of the Virginia treasury, had conquered this territory from the British (1778-79). Already

between the Altamaha and St. Mary's rivers (§ 106), really gave her a title to all the land south of her charter limits and north of the Floridas — as far west as the Mississippi River!



Claims and Cessions

171. **Value of these Claims.** — It is impossible to say anything definite as to the value of these claims. It is probable that the claim of Connecticut and that of Massachusetts, as far as they rested upon the charter of 1691, would have been recognized as good in law. None of the other claims appears to have much weight; that of Virginia, by conquest, was the strongest. But the right of any one state to claim

Value of these claims.

lands conquered by her troops while engaged in the Revolutionary War could not be defended on grounds of good morals, especially as Virginia had seldom fulfilled her military and financial duties to the United States.

Position of the other states.

The other states — New Hampshire, Rhode Island, New Jersey, Pennsylvania, Delaware, and Maryland — could advance no claims to western lands by grant from the king, by conquest from the British, or by cession from the Indians. They contended, however, that if this territory should come into the possession of the United States at the conclusion of peace with Great Britain, it should be used for the benefit of the people of all the United States, and not for the enrichment of the people of a few states.

Articles ratified by several states.

**172. The Land Cessions.** — The Articles of Confederation were very favorable to the interests of the smaller states: Delaware, New Jersey, and Rhode Island might justly think that they would gain more benefit under the Articles than they could hope for from the sale of their share of western lands. Pennsylvania, also, was not much interested in the question, as she still held thousands of acres of unsettled land within her borders. The case of Maryland, however, was very different: her soldiers had played a gallant part in the defense of the country, although British armies scarcely touched her soil; but she had no means, save taxation, to pay them for their services. Virginia had already set on foot a scheme to reward her soldiers by grants of western lands, and Pennsylvania might easily do the same from the lands within her borders. Maryland had no such resource; she might well ask if she were being treated with justice. She refused to ratify the Articles until this great wrong was redressed, and thus brought the matter to public notice. Congress declined to enter into an examination of the relative merits of the several claims, and suggested that all the claimant states should cede the lands claimed by them to the United States, to be administered in the interests of the whole people. New York led the way in making the cession as requested,

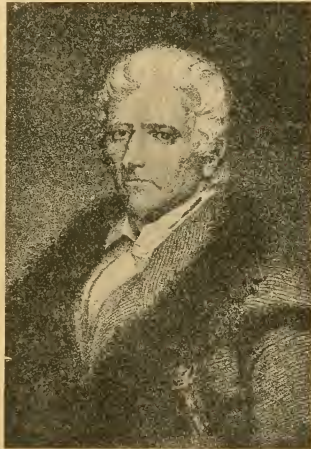
Maryland refuses to ratify.

Cessions by the states.  
\*Winsor's *America*, VII, app. i.

and Virginia promised to do so on certain conditions. Con-  
fiding in the good will of the other claimant states, Maryland  
withdrew her opposition to the ratification of the Articles of  
Confederation (March, 1781), and they went into force not  
long afterwards. New York.

One after another the states followed the example set by  
New York and transferred their claims to western lands to  
the United States.

Virginia (1784) in  
making her grant re-  
served the jurisdiction  
and title to lands in  
Kentucky; she also  
retained certain lands  
north of the Ohio,  
which had already  
been promised to her  
soldiers. Massachu-  
setts (1785) aban-  
doned all title to lands  
west of Pennsylvania.  
Connecticut (1786)  
ceded the lands  
claimed by her, ex-  
cept a strip one hun-  
dred and twenty miles  
in length lying di-  
rectly west of Penn-  
sylvania: this was



Daniel Boone

Virginia.

Massa-  
chusetts and  
Connecticut.

called the Connecticut or Western Reserve, and the pro-  
ceeds of the lands thus reserved were used for educational  
purposes in Connecticut; in 1800, she ceded her rights of  
jurisdiction in this tract to the United States. South Caro-  
lina (1787) abandoned her claim to a little strip twelve miles  
wide lying just south of North Carolina. North Carolina  
(1790) ceded her claim to jurisdiction over what is now  
Tennessee, but she had already granted away most of the

The Caro-  
linas and  
Georgia.

land. Finally, in 1802, Georgia followed the other states, and ceded her claims to the vast tract between her present western boundary and the Mississippi River. Long before this, by the treaty of 1783, Great Britain had abandoned her right to this whole western region.

Policy of  
Congress as  
to western  
lands.  
Schouler's  
*United  
States*, I,  
108-113.

**173. The National Domain.**— In suggesting that the states should transfer their claims to the United States, Congress (1780) had also proposed that the western lands should be “disposed of for the common benefit and be formed into distinct republican states, which shall become members of the federal union.” Congress and the states seem to have agreed to regard this land as national property, to be used for national purposes, and its possession by the United States as a whole worked powerfully for the continuance of union. In the pre-revolutionary days, the crown had the disposal of ungranted lands within the empire; Congress regarded itself as the successor to the crown, and accordingly undertook the management of the public domain of the United States.

Ordinance  
of 1785.  
Fiske's  
*Critical  
Period*,  
196-198.

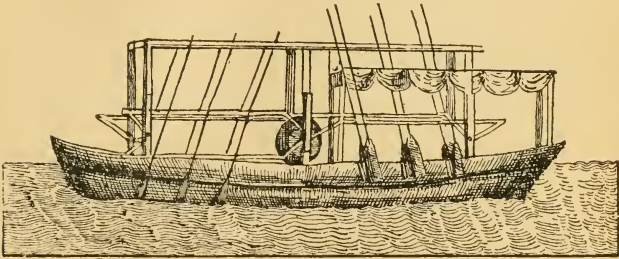
In 1785, after the New York and Virginia cessions, but before the Massachusetts and Connecticut cessions, the Congress of the Confederation passed an ordinance, or law, for the government of the territory north and west of the Ohio River. This Ordinance provided for the ultimate formation of several new states. When formed, these states were to have republican governments and be admitted to the Confederation. The Ordinance originally contained a clause prohibiting slavery after the year 1800, in the western country north of the thirty-first parallel, but this had been omitted before the final vote; its origin may be directly traced to Jefferson. Little was done to organize the territory under this Ordinance; but the cession by Connecticut (1786) again brought the matter to the attention of Congress. Meantime, the Ohio Company had been formed in New England. It offered to buy a large tract from Congress and to begin settlement immediately. It also wished for the establishment of a strong government in the western

Ordinance  
of 1787.  
Fiske's  
*Critical  
Period*, 202-  
207; Cooley's  
*Michigan*;  
*Old South  
Leaflets*, Gen.  
Ser. No. 13;  
MacDon-  
ald's *Docu-  
ments*, No. 4.

country. Congress replied by passing the Ordinance of 1787, the most important piece of general legislation of the Confederation epoch.

This Ordinance applied only to the territory northwest of the Ohio and provided for the ultimate formation of from three to five states out of that territory. In the first instance, Congress was to appoint the governor, judges, and military officers of the new territory; the governor and the judges

Importance  
of the  
Ordinance.



*Plan of Mr Fitch's Steam Boat*

*From the Columbian Magazine, 1786*

were to possess legislative powers, subject to the veto of Congress. As soon, however, as the free male inhabitants of full age should number five thousand, they should elect delegates to a House of Representatives. This body, with a governor and council appointed by Congress, formed the territorial Assembly. It possessed full legislative power, provided the laws were not contrary to certain conditions laid down in the Ordinance, and could appoint a delegate to Congress, who, however, had no vote in that body. Whenever the population should increase to sixty thousand, the territory, or a portion of it, might be admitted to the Confederation on a footing of equality with the original states. Settlers in this new region were guaranteed civil rights, as,

for example, the benefit of the writ of *habeas corpus*, trial by jury, bail, and moderate fines and punishments; laws impairing the obligation of prior contracts were forbidden, education was encouraged, and proper treatment of the Indians secured. The three most important provisions of the Ordinance are those which provided for the equal distribution of the property of persons dying without a will, prohibited the molestation of any person on account of religion, and forbade slavery absolutely and forever except as a punishment for crime, — with a provision for the restoration of fugitive slaves.

This Ordinance was in reality a constitution for colonies to be planted on the national domain. It provided for them colonial governments on terms similar to those which the colonists had claimed for themselves before 1776; it guaranteed equal civil rights to the settlers; and promised them full political rights as soon as their numbers justified an expensive form of government. For the first time in modern days, colonists and dwellers in the home land were to regard one another as equals.

As the United States has acquired new land, territories have been organized on this model, with the omission in many cases of the clause relating to slavery. The new communities formed on the national domain have been termed territories and states. The use of these words, with the liberality of the policy outlined above, has disguised the fact that during the present century the United States has been the greatest and most successful colonizing power in the world.

The question of the power of Congress to pass this Ordinance has given rise to much discussion. Southern writers generally have held that it was void and of no effect; but the matter is really of little importance, as the first Congress under the Constitution re-enacted it. The precise nature of the Ordinance has also been disputed; but usually it has been held that it was in the nature of a contract between Congress and the people of the several states, which could

Importance  
of the  
Ordinance.

Legality  
of the  
Ordinance.



not be changed except with the consent of both parties to it.

174. **Social Progress, 1780-1789.** — The liberal and enlightened provisions of the Ordinance of 1787 were the outcome of a great social movement which began before the Revolution and continued long after it. Old barriers were everywhere swept away. In 1777 the people of Vermont, in their constitution, declared against slavery; in 1780 John Adams wrote the words of the Massachusetts Bill of Rights, which declared that "all men are born free and equal," and three years later the Massachusetts Supreme Court interpreted this clause to mean that no person could be legally held as a slave in that commonwealth; and (1780) Pennsylvania adopted a system of gradual emancipation. Indeed, when the Constitution went into effect (1788), of all the states north of Mason and Dixon's line New York and New Jersey alone had not taken measures to free the slaves within their limits. During this period (1783-89) all the states except South Carolina and Georgia had restricted or abolished the slave trade from abroad and from neighboring states.

Similar progress had been made as to religion. Most of the state constitutions declared for complete religious freedom. In many states, however, Roman Catholics were still excluded from office, and in Massachusetts the dissenting faiths found it practically impossible to obtain the rights which the constitution of that state seemed to allow them. Laws against the Roman Catholics, which had been on the statute books of the colonies since the seventeenth century, were repealed, and the Episcopal Church was disestablished in Virginia and Maryland. The evangelical faiths were organized on a national basis, and bishops were secured by the Episcopalians, the Methodists, and the Roman Catholics.

The conditions on which the franchise was conferred were also made more liberal: many states substituted a qualification resting on the payment of a tax for the much higher property qualification of the colonial period. Laws to encourage the formation of great estates by giving to the eldest

Social progress, 1780-89. Fiske's *Critical Period*, 69-89.

Slave emancipation. Fiske's *Critical Period*, 71-76.

Growth towards religious freedom. Fiske's *Critical Period*, 76-87.

The franchise liberalized. Fiske's *Critical Period*, 69-71

son of a deceased parent the whole, or the larger part, of the property were either greatly modified or entirely repealed. In fact, from the point of view of the history of society, this period was one of great progress; in other respects it was the most distressful period in the nation's history.

Relations  
with Great  
Britain,  
1783-89.  
Fiske's  
*Critical  
Period*, 119-  
133, 138-142.

175. **Foreign Relations, 1783-1789.** — In the later years of the war large quantities of goods had been imported from France, Holland, and Spain. These importations continued after the peace, and other goods came in from England. For the moment, the people had no means of paying for a large portion of these. They strove to rebuild their commerce with the foreign and British West Indies. They had a good measure of success in this and by 1788 had recovered their commercial position. The British government opened the ports of the mother country to American ships and American products, but endeavored to close the ports of her remaining British American colonies to shipping of the United States. Up to 1788, they had not found the means to do this effectually, although they had done enough to arouse irritation. Under the Articles of Confederation, Congress had no power to make counteracting regulations, and, having nothing to give in return, could not compel the British government even to enter into negotiations for a commercial treaty. In all this, the British government proceeded in strict accordance with its rights, although the inexpediency of its actions is clear; but in other respects, it violated the known rules of international law. The treaty of peace of 1783, for instance, required the British to evacuate all military posts held by their forces within the limits of the new states, and not to take away private property; but the British authorities refused to hand over the posts in the northwest, and declined to make compensation for slaves taken away at the time of the evacuation of Charleston and New York. On the other hand, Great Britain had ground for serious complaint against the United States: the treaty required that no legal obstacles should be placed in the way of the collection of debts contracted

before the war ; but the states refused to abolish existing obstacles and placed new ones in the way of the collection of debts by British creditors. Congress had no coercive power : it could only expostulate with the members of the Confederation and excuse their actions to the British government as well as it might.

Weakness  
of Congress.

With Spain also there were several disputes. She refused to recognize the thirty-first parallel as the southern boundary of the United States and she maintained that "the Floridas" ceded to her by Great Britain in 1783 were the Floridas as they had been governed by British officials (§ 106). The Spanish government was also anxious to do away with the right of the Americans to the free navigation of the Mississippi, which now flowed for two hundred miles through Spanish territory (§ 164) ; but this matter did not interest any large body of the people on the Atlantic seaboard. On the other hand, there were many persons who desired commercial intercourse with Spain and with the Spanish colonies. This privilege the Spanish were willing to grant on condition of the abandonment of the free navigation of the Mississippi. Congress therefore authorized Jay, who represented the nation in foreign affairs, to negotiate a treaty on this basis. Even Washington attached slight importance to the matter ; Jefferson, however, wrote from Paris that such a policy would bring about the separation of the Eastern and the Western states. He was right, for the protests from Kentucky and Tennessee became so strong that the project was abandoned. Foreign relations were in this condition when the organization of the government under the Constitution gave the United States power to make its treaties respected at home and to hamper foreign commerce by levying discriminating duties.

Relations  
with Spain,  
1783-89.  
Fiske's  
*Critical  
Period*,  
208-213 ;  
Winsor's  
*America*,  
VII, 222-  
223.

**176. Financial Problems, 1783-1786.** — Within two years after the close of the conflict, the pressure of poverty was felt throughout the country as it had not been during the progress of the war itself. Business confidence disappeared, and in almost every state the debtor class clamored for some

Depreciated  
paper money  
and "stay  
laws."

Fiske's  
*Critical  
Period,*  
162-176.

form of repudiation of their debts. They especially demanded the emission of paper money resting on little or no foundation save the credit of the state governments. A currency of this description was known to depreciate rapidly, and one advocate of such a plan proposed to embody a scale of depreciation in the act authorizing the printing of the bills, — a dollar to be worth four shillings on January 1, three shillings on April 1, and two shillings on July 1. In at least one state all persons were required to accept paper money issued by the state under pain of losing the right to vote and a fine of one hundred pounds. Those who owed money also demanded the enactment of laws to delay the collection of debts — stay laws, as they were termed — and “tender laws,” which permitted a debtor to offer goods, at certain rates, in discharge of his debts. Most of the states, except New Hampshire, Massachusetts, and Virginia, yielded to the popular clamor and issued large quantities of paper money. The most famous legal decision of the Confederation period arose in Rhode Island out of the refusal of a butcher named Weeden to part with his meat in exchange for paper money offered in payment by a would-be purchaser. The latter, whose name was Trevett, sued Weeden, and the case came before judges who were annually appointed by the legislature. They showed dauntless courage. Although entirely dependent on the legislature which had passed this act, they refused to hear the case, thus practically annulling the law.

Trevett vs.  
Weeden.

177. **The Critical Period, 1786, 1787.** — The lack of business confidence, which was mentioned in the last paragraph, was due in great part to a growing determination among the people to prevent by force the collection of debts by process of law. This led to armed conflicts in North Carolina and Massachusetts. In the latter state the rebels, led by Daniel Shays and Job Shattuck, prevented the judges from holding court in three corners of the state; at one time it seemed as if the state government might be overwhelmed. The movement was put down, but the rebels, fleeing to other states, everywhere found shelter. The

Shays's  
Rebellion.  
Fiske's  
*Critical  
Period,*  
177-186;  
Winsor's  
*America,*  
VII, 227-  
231.

crisis was so threatening that Congress began to make preparations to raise an army, — on account of an Indian war, so it was said, but really to intervene in case the insurrection assumed formidable proportions. In addition to these troubles within many of the states, relations between them were by no means harmonious.

One of the greatest obstacles to harmony was the arrangement whereby each state managed its own commercial affairs. Many states sought to protect the interests of their own citizens, entirely regardless of the interests of other states, and, indeed, sometimes at the cost of their neighbors. For instance, New York endeavored to protect her farmers against the competition of the agriculturists of New Jersey; and when Massachusetts proposed to pass legislation to protect her shipowners and merchants against British competition, other New England states at once took measures to thwart her to their own advantage. By the end of 1786, it was evident that unless something were done radically to amend the Articles of Confederation, civil war would surely break out.

**178.** Attempts to amend the Articles. — Before all the states had ratified the Articles of Confederation, their weakness had been recognized, and an attempt had been made to amend them. The first proposition (1781) was to give Congress the power to increase the revenues of the general government by laying duties on imports to the extent of five per cent *ad valorem*. In the course of a year, twelve states assented to the proposition; but Rhode Island refused. As the consent of all the states was necessary to an amendment (§ 167), the proposition failed of adoption. Two years later (1783), Congress suggested that it should be given power to levy duties on imports, partly specific and partly *ad valorem*, the duties to be collected by state officials appointed by Congress. Again twelve states assented to the proposed change, but this time New York declined to consent, and this proposition also fell through. In fact, all attempts to amend the Articles failed, and Con-

Selfish  
policy of  
the states.  
Fiske's  
*Critical  
Period*, 144-  
154.

Attempt to  
amend the  
Articles,  
1780-87.  
Fiske's  
*Critical  
Period*,  
142, 218.  
*American  
History  
Leaflets*,  
No. 28.

gress was not able to pay even the everyday expenses of the government. The country was rapidly drifting toward civil strife, when a convention met at Philadelphia (May, 1787) to propose a series of changes in the fundamental law of the Confederation. The meeting of this convention was the result of the labors of a few men, notably of James Madison and Alexander Hamilton, and they were greatly aided by disputes which had arisen over the commercial relations of the states bordering on Chesapeake Bay.

Proposals  
for a con-  
stitutional  
convention.  
Fiske's  
*Critical  
Period*,  
214-222.

**179. Genesis of the Federal Convention.**—Constitutional conventions are now part of the ordinary machinery of American government; before 1787 they were hardly known. The Massachusetts constitution of 1780 had been framed by a convention composed of delegates especially elected for that purpose, but all the other state constitutions of the Revolutionary period had been the work of legislative bodies (§ 145), although some of them had borne the designation of conventions. The articles of Confederation had been drafted by the Continental Congress and ratified by the state legislatures (§ 167). Many suggestions had been made for the holding of a general convention to frame a new constitution, and Massachusetts, in 1785, had directed her delegates in Congress to propose a general revision of the Articles. Nothing had come of these suggestions, and the Federal Convention was due to entirely different causes.

Alexandria  
Convention,  
1785.

The southern boundary of Maryland was the southern bank of the Potomac River (§48), but practically all the commerce of that river had its origin in Virginia. On the other hand, the "caples of the Chesapeake" were both in Virginia, but a very large proportion of the shipping which passed in or out of the bay was bound to or from Baltimore. It happened also that the tariff policies of the two states were very dissimilar. In short, there were constant disputes about these matters. Several times attempts had been made to adjust these differences, but without success. In 1785, commissioners from Virginia and Maryland met at Alexandria and adjourned their conferences to Washington's mansion of Mount Vernon,

near by. The discussions of the commissioners, among whom were James Madison and George Mason, soon extended to the desirability of similar tariffs and commercial regulations for all the states interested in the navigation of Chesapeake Bay and connecting waters. In their report, they suggested the appointment of a joint commission every second year to consider these topics. The Maryland Assembly at once fell in with the scheme, and invited Pennsylvania and Delaware to appoint commissioners. In Virginia, a fierce contest arose: it appeared that the Virginia commissioners had exceeded their instructions, which they had never seen. The matter had gone so far, however, that Virginia could hardly draw back; in the end, she proposed that commissioners from all the states should meet at Annapolis and consider the trade and commerce of the United States as a whole. The representatives of only five states appeared at the opening of this convention (1786), although others were on their way. Instead of waiting for them, and proceeding with the business for which the meeting had been summoned, the delegates present passed a resolution providing for another convention to amend the Articles of Confederation, to be held at Philadelphia in 1787. Six states, including Virginia and Pennsylvania, appointed delegates to this new convention before Congress could bring itself to approve the plan and recommend its adoption to the states. On the same day that this vote was passed, although ignorant of its passage, Massachusetts appointed her delegates, and, Congress having spoken, the other states, except Rhode Island, fell into line.

**180. The Federal Convention. 1787.** — When the members of the convention met for the first time at Philadelphia (May 25, 1787), it was at once apparent that, with few exceptions, the strongest men in the United States were there. New Hampshire was not represented at the beginning of the discussion, Rhode Island was not represented at all, and of the Revolutionary leaders, John Adams, Samuel Adams, John Jay, Patrick Henry, and Thomas Jefferson were not

Annapolis  
Convention,  
1786.  
Schouler's  
*United  
States*, I,  
25-31.

Calling of  
the Federal  
Convention.

Delegates  
to the  
Convention.

Fiske's  
*Critical  
Period*,  
222-229;  
Schouler's  
*United  
States*, I,  
39.

present. With these exceptions, however, the men who had shown the greatest ability in the management of affairs or in knowledge of men were there. The oldest and ablest of them was Benjamin Franklin, whose connection with the Albany Plan of Union (§107) and with the

*James Madison*

formation of the Articles of Confederation has already been described; he was to recognize the critical moment and to suggest a compromise which made the adoption of the Constitution a possibility.



Gouverneur Morris

The most prominent figure in the assemblage was George Washington, who was already "first in the hearts of his countrymen." He was chosen to preside over the convention; his name, therefore, seldom appears in Madison's *Notes*; but just before the end he made an important suggestion, which was at once adopted. Washington and Franklin made few speeches, but they exerted great influence in smoothing away differences, and

their presence was an inspiration to the other members. Moreover, their approval of the Constitution in its final form gave to the plan a place in the eyes of large masses of the people which it otherwise would not have had. In addition to Washington, the Virginian delegation contained George Mason, James Madison, and Edmund Randolph, and besides Franklin, Pennsylvania was represented by James Wilson, a great constitutional lawyer, Robert Morris, the financier of the Revolution, and Gouverneur Morris, to whom the Constitution mainly owes its clear and simple language. Delaware



sent John Dickinson, who had reported the Articles of Confederation. Connecticut sent her veteran statesman, Roger Sherman, who had served in nearly every Congress, Oliver Ellsworth, and William S. Johnson. Massachusetts was represented by four able and experienced men: Elbridge Gerry, Caleb Strong, Nathaniel Gorham, and Rufus King. New York sent Alexander Hamilton, New Jersey, Governor Patterson, and South Carolina was represented by the two Pinckneys and John Rutledge. These were the foremost men in that remarkable assemblage, but all the members were men of mark, of experience, and of ability.

The convention met daily, with brief adjournments to facilitate the work of committees, until September 17, when it finally adjourned. Its discussions were secret, and it was not until long afterwards, when Madison's *Notes* were printed, that the difficulties which surrounded its deliberations were known.



**181. Nature of the Constitution.** — The best way to reach a thorough knowledge of the nature of the Constitution is to read Madison's *Notes*. The student will at once notice the straightforward character of the debates of the convention, and will be impressed with the patriotism and the good sense of its members. It is surprising to observe how little they relied upon theoretical considerations, and how much they confided in the test of experience. The Constitution is, in reality, a most skillful adaptation of the best features of the existing state constitutions to the needs of a federation. A few things in it were necessarily new, for the problem to be settled was new. An historical student familiar with colonial history and with the constitutions of the Revolutionary epoch can find precedents for nearly all its more important features. Instead of having been "struck off at a given time from the brain and purpose of man," as Mr. Gladstone declared, it was the result of the experience of the English race in Britain and in America. The idea of a written constitution was not new; every

Genesis of  
the Con-  
stitution.  
Winsor's  
*America*,  
VII, 237-246;  
\*Bryce's  
*Common-  
wealth*  
(abd. ed.),  
chs. iii, xxv,  
xxviii, xxxix.

Fiske's  
*Civil  
Government*,  
ch. vii.

colonial government had been regulated in conformity with a written document, — a charter or a commission and its accompanying instructions. The origin of the Supreme Court can be found in the authority exercised by the Privy Council in annulling colonial acts which were contrary to the fundamental laws and usages of England, to a charter, or to a commission. The veto power exercised by the President was drawn from the constitution of Massachusetts. The idea of the Electoral College was derived from the Maryland constitution. There is no more truth in the remark of Sir Henry Maine, that the Constitution is "a modified version of the British Constitution," than there is in the saying of Mr. Gladstone mentioned above. The principal new points were the attempt to form a detailed written constitution for a federation, and its submission to the people for ratification.

Plans for a  
new Con-  
stitution.  
Fiske's  
*Critical  
Period*,  
232-249;  
Schouler's  
*United  
States*, I,  
41-45.

**182. The Great Compromises.** — It is hardly correct to describe the convention as divided into parties; it is true, however, that parties were formed on nearly every important question, and that oftentimes the same states would group themselves together on several propositions. The first division came about at the very beginning, when Edmund Randolph, in the name of the Virginia delegation, introduced a plan which was mainly the work of Madison and had received the sanction of Washington. This scheme, known as the Virginia plan, provided for the formation of a national government with a legislative body, or Congress, of two houses, in both of which representation should be based on population; the scheme also contemplated that the executive and judicial officers should be appointed by the Congress. This plan would have placed the government in the hands of the larger states, and it was fiercely attacked by the delegates from the smaller states. The latter, however, were in the minority; for, as we have seen, Rhode Island was never represented at all, and New Hampshire's representatives did not arrive until July 23. By this time the convention had settled many of the main

features of the plan, and the majority of New York's delegation had retired in disgust at the evident intention of the convention to override the wishes of the smaller states, — it must be remembered that New York was then regarded as one of the smaller states. The representatives of these states then supported a scheme brought forward by Patterson of New Jersey, and known as the New Jersey plan. This provided for the continuance of the existing government, but gave Congress power to regulate commerce, to raise revenue, and to coerce the states. These were the most important schemes presented to the convention; but Hamilton read a plan for a strong centralized government in which the states would have little power. He knew that such a plan "was very remote from the ideas of the people," and offered it only as a statement of his own views on the matter. Charles Pinckney of South Carolina also presented a plan, which resembled the Virginia scheme in general outline but was much more detailed. The contest turned on the Virginia and New Jersey plans, and the former was adopted as the basis of a new constitution. For a time it seemed as if the smaller states would withdraw, but finally, through the efforts of Roger Sherman and Benjamin Franklin, a compromise was effected which gave the states equal representation in the Senate and proportional representation in the House of Representatives.

The next question was the apportionment of representatives in the lower house. Slavery still existed in the South; should slaves, who had no vote, be counted in estimating the representation of that section in Congress? And what should be done as to direct taxes, — should these be apportioned among the states according to their total populations, or should the slaves be omitted from this estimate? This matter was finally compromised by providing that both representation and direct taxes should be apportioned among the states according to a ratio which should be ascertained "by adding to the whole number of free persons, including those bound to service for a term of years, and excluding

Compromise  
on repre-  
sentation.  
Fiske's  
*Critical  
Period*,  
250-253.

The "federal  
ratio."  
Fiske's  
*Critical  
Period*,  
256-262;  
*Old South  
Leaflets*,  
Gen. Ser.  
No. 70.

Indians not taxed, three fifths of all other persons," namely, slaves. This provision was called "the federal ratio," and, so far as it related to representation, greatly increased the political power of the slave owners.

Compromise  
on the slave  
trade. Fiske's  
*Critical  
Period*, 262-  
267.

The third great compromise also turned on the question of slavery: the New Englanders, largely interested in commerce, were anxious that Congress should be given power to protect American shipping interests against foreign competition by means of discriminating duties, navigation acts, or other similar measures; the Southerners, fearful lest this power would be used to prohibit the slave trade, resisted. The South Carolinians were especially sensitive and Rutledge even declared that the question of whether "the Southern States shall or shall not be parties to the union" depended upon the mode in which this matter was arranged. In the end, Congress was given power over commerce, but was forbidden to prohibit the slave trade before 1808, though it might levy a tax of ten dollars on each slave imported. This qualification proved to be valueless, as no tax of the kind was ever voted by Congress (§ 197). These compromises were on vital points; but the element of compromise entered into the settlement of nearly every section of the Constitution. It will be well now to glance at a few of the leading features of that great instrument.

The Con-  
stitution.  
*American  
History  
Leaflets*,  
No. 8.

**183. A Government of Checks and Balances.**—The only way to grasp the real meaning of the Constitution is to read it carefully several times and to memorize the more important sections of it. An analysis of the document is inadequate, for the Constitution is itself only a summary. In this section and in those which follow, a few only of the more important considerations which have affected its life will be stated.

"Checks  
and bal-  
ances."

One of the first things to strike the reader is the endeavor of its framers to establish "a government of checks and balances." Three great departments are provided: the legislative, the judicial, and the executive.

Each is given power to defend itself against the encroachments of the other two, and each acts as a check on the others. The Constitution framers had good reason to attempt the accomplishment of this difficult purpose. In the old colonial days, which most of them remembered, the governors of the royal provinces had exercised all three functions, greatly to the dissatisfaction of the colonists; and the legislative body of Great Britain had held the supreme power. To avoid establishing a government which could develop into either of these forms, the framers of the Constitution sought to give each department its due share of power, and to prevent any one department from making itself supreme. For instance, the executive power is vested in the President; but he also exercises important legislative functions in his veto, and judicial power in his right to pardon. The legislative power is lodged in Congress, but the Senate acts as an advisory council to the President, — without its consent no important appointment can be made and no treaty ratified. The judicial power is intrusted to the Supreme Court and inferior courts; but, as no law can be enforced which the Supreme Court declares to be unconstitutional, the Supreme Court, in fact, exercises supreme legislative functions. Finally, the House of Representatives, by means of its initiative in taxation, exercises a most effectual control over the executive department.

184. **The Legislative Power.** — The legislative power is confined to certain subjects enumerated in the Constitution, and is further restricted by the first ten amendments, especially by the tenth, which declares that “the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.” The Supreme Court is the authorized interpreter of the fundamental law, and it has construed the Constitution in the broadest possible way. Following these decisions, Congress has exercised powers, many of which were probably never dreamed of by the

The legislative powers. \*Bryce's *Commonwealth* (abd. ed.), chs. ix-xx; Fiske's *Civil Government*, 212-222.

framers of that instrument or by the members of the ratifying conventions, whose votes gave it the force of law. Acts of Congress are "the supreme law of the land," unless the Supreme Court declares them unconstitutional, and hence null and void. In the exercise of this extensive grant of power, Congress can pass no *ex post facto* laws, but the prohibition to enact legislation "impairing the obligation of contracts" applies only to the states and does not affect the Congress of the United States.

Limited  
power of  
the states.

The states, on the other hand, are forbidden (Art. i, § 10) to enter into negotiations with foreign states, to coin money, emit bills of credit, make anything except gold and silver a tender in payment of debts, pass any law impairing the obligation of contracts, grant titles of nobility, lay imposts, — except to secure the enforcement of inspection laws, maintain an army or navy in time of peace, or engage in war unless actually invaded.

Functions  
of the  
Supreme  
Court.  
\*Bryce's  
*Common-  
wealth* (abd.  
ed.), ch. xxi;  
Fiske's  
*Civil  
Government*,  
250-254.

**185. The Supreme Court.** — In place of long, detailed descriptions of the powers granted, the framers of the Constitution used general descriptive phrases and then gave Congress (Art. i, § 8) power to pass laws "necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the United States, or in any department or officer thereof." Among other things, Congress is authorized "to regulate commerce with foreign nations and among the several states," and "to lay taxes, duties, imposts, and excises to pay the debts and provide for the common defence and general welfare of the United States." It must be evident to every student that when such general phrases are used in the organic law, the body which has the final decision as to their meaning possesses the most important and weighty functions in the state. This tribunal is the Supreme Court, whose members are protected from molestation, as they hold their offices during good behavior, and receive salaries "which shall not be diminished during their continuance in office." The Supreme Court, too, unlike other federal

Position of  
the Supreme  
Court.

courts, exists by virtue of the Constitution, and cannot be abolished by act of Congress. Its judges, therefore, are independent of all men to an extent not known elsewhere. The court has no initiative, and is not consulted before the passage of a law; its functions are confined to cases "arising under the Constitution"; and it has no common-law criminal jurisdiction. The Supreme Court has always regarded the Constitution in the light of a fundamental law, to be interpreted according to the mode sanctioned by the law. Upon these decisions the development of the country has depended to a much greater extent than would at first sight appear. Recurring to the phrases given at the beginning of this section, it will at once be seen that upon the interpretation of such a phrase as "commerce between the states," "Congress shall have power," and "necessary and proper," the whole framework of government depends. Does the third of these limit the function of Congress to the passage of such laws only as are absolutely essential to the carrying out of the powers granted by the Constitution, or does the phrase "necessary and proper" mean convenient? Does the clause "Congress shall have power to tax" mean only that Congress may levy a tax, or does it mean that Congress may legislate on any subject connected with taxation, for instance, establish a national bank because such an establishment conduces to the easy collection of taxes? Or, to take another case, does the authority "to regulate commerce" mean simply that Congress can secure for the commerce of one state free entrance into another state, or does it mean that Congress may regulate railway fares and determine what kind of couplings for freight cars shall be used by railroads which run through more than one state? The Supreme Court has generally adopted the broadest views on questions of this kind; and thus has arisen the doctrine of "implied powers," conferring on the government of the United States every function which may be convenient for the exercise of any power that the Constitution has conferred on the general government.

Importance of the interpretation of the Constitution. Winsor's *America*, VII, 251-255; \*Bryce's *Commonwealth* (abd. ed.), chs. xxii-xxiii, xxxi.

Genesis of political parties. Schouler's *United States*, I, 60; Johnston's *Orations*, I, 77.

States' rights doctrine.

Theory of national existence.

**186. Political Parties.** — Around this question of constitutional interpretation there was waged a political controversy which lasted from the formation of the government to the outbreak of the Civil War. The party which has been in the minority in the country, as a whole, has been strong in separate states, and usually has been strong in a group of states in some one section. For example, the Republicans were predominant in the Southern states in 1798, the Federalists, in New England in 1814, and the Democrats, in the Southern states in the time of the contest over the extension of slavery. The party which has been in a minority for any length of time has usually adopted that theory of constitutional interpretation which would confer on one state the right to block the action of the general government. The theory on which this interpretation has rested was that the Constitution was a "compact" between "sovereign states." To protect the rights of the states from invasion, it was essential that the Constitution should be strictly construed to preserve to the states every power not expressly conferred by it on the central government. This States' rights doctrine was held by the Republicans in 1798 and 1799 (§ 209), by the New England Federalists in 1814 (§ 247), by Calhoun and the South Carolinians at the time of the nullification episode (§ 282), and by the leaders in the secession of 1860-61 (§ 330).

The party which has controlled the national government has generally maintained the opposite doctrine: that the Constitution was the framework of a national government formed by "the people" of the whole United States acting in its sovereign capacity. According to this theory, the Constitution should be interpreted to give the central government whatever powers were convenient as aids to the carrying out of its functions. In this way originated the doctrine of implied powers (§ 185). This theory of a liberal interpretation of the organic law was held by Hamilton and his party at the organization of the government (§ 198), by Jefferson when in power (§ 236), by Marshall throughout



his long tenure of the chief justiceship (§ 254), by Webster in his reply to Hayne (§ 281), and by Lincoln and the Republican party.

The wording of the Constitution is indefinite in many respects, but this indefiniteness has been far from being a disadvantage. On the contrary, it has proved to be a source of strength; for the Constitution has been capable of interpretation according to the varying wishes of the people and the circumstances of the times. This has contributed to the stability of the government, which has been further strengthened by the slowness with which new ideas and interpretations can be acted upon and by the natural conservatism of the American people.

**187. Stability of the Constitution.**— It is true that the framers of the Constitution provided a mode by which the instrument might be amended (Art. v); but the method which they devised for this purpose has proved difficult in practice. More than seventeen hundred amendments have been proposed in an official manner, but only seventeen have become part of the organic law. This number might be reduced still further, as the first ten amendments are in the nature of a Bill of Rights, and were adopted at one time; three others relate to one subject, and were the outcome of the Civil War. If the first ten are regarded as one, and the last three also as one, it may be said that the Constitution has been changed only five times by process of amendment. Furthermore, it is well to note that between 1804 and 1865 not a single amendment was adopted.

Another cause which has greatly contributed to bring about this stability, is the slowness with which a political party can gain control of the machinery of the government. At the outset, the Federalists, who had secured the adoption of the Constitution, obtained possession of all three departments; the great revolution which occurred in 1800 gave the mastery of the executive and the legislative branches to the Republicans, but the judiciary remained in the control of the Federalists for a generation. The only example of

Process of amendment.

Slowness of change.  
\*Bryce's  
*Commonwealth* (abd. ed.), chs. xxx, xxxiii.

a sudden change in the policy of all three departments occurred in 1861, at the beginning of the Civil War, and that was caused by the refusal of the Southerners any longer to take part in the management of the affairs of the nation. This slow movement of the political machinery is due mainly to the different terms of office of the executive, of the members of the two houses of Congress, and of the justices of the Supreme Court. The last hold their positions for life, and as fast as they die or resign, their places are filled by the President with the consent of the Senate. The members of the latter body are chosen by the people of the several states, and serve for six years—one third retiring biennially. The President holds office for four years; he is elected indirectly by the people, but in choosing him the people of the smaller states have more influence in proportion to their numbers than have the voters of the more populous states; this is owing to the fact that in the electoral college no state has fewer than three votes. Moreover, when no candidate for the presidency has received a majority of all the electoral votes, the choice devolves upon the House of Representatives, voting by states. The President may, therefore, be the choice of a minority of the people, and this has happened more than once, as, for example, in 1824. The representatives are chosen for two years by the voters of the several states, and their number was apportioned among the several states according to "the federal ratio" (§ 182) until the adoption of the Thirteenth and the Fourteenth amendments abolished slavery, but each state, regardless of its population, has at least one representative. It will be seen from this brief statement that before the Civil War the people of no state were represented in any branch of the general government according to population or voting strength. And even now, since the adoption of the Fourteenth Amendment, they are so represented only in one portion of the three great departments. A minority of the people, therefore, has frequently controlled the government and directed the policy of the nation. Moreover, it

Disproportionate representation.

has often happened that the President and Congress have represented two divergent views of political action. Even when this has not been the case, the President and the representatives have often stood for one party, while the Senate has been in the hands of the other party, and has been able to thwart the wishes of a majority of the voters of the country. These arrangements have made legislation difficult, and have prevented sudden changes; but they have contributed most strongly to maintain the stability and strength of the government.

188. **The President.**—“The President of the United States,” to use the official title conferred on the chief magistrate by the Constitution, occupies a peculiar position among rulers of modern times. Representing the whole people and all the states as no other man represents them, he enters upon the discharge of his duties after taking a solemn oath “to preserve, protect, and defend the Constitution of the United States” (Art. ii). In peaceful times, he acts merely as the chief magistrate of the nation, being obliged to gain the consent of the Senate to all important appointments and to treaties concluded with foreign powers. He is otherwise free; for although he may consult the heads of the great departments, he need not heed their advice. In the interpretation of his powers as chief executive and as commander in chief of the army and navy, he acts upon his own responsibility. It is true that the Senate passed a vote of censure on Jackson (§291), but Jackson’s reply defending the independence of the executive department was conclusive. The Supreme Court has also interfered to control the President (§290), but it has no power to enforce its decisions as against the chief executive. The President can be impeached by the House of Representatives and convicted by the Senate, but only for “treason, bribery, or other high crimes and misdemeanors,” and only with the consent of two thirds of the senators present (§383).

In time of war, especially of civil war, the President’s powers have no limit; he may exercise functions resem-

Functions  
of the  
President.  
\*Bryce’s  
*Common-  
wealth* (abd.  
ed.), chs. iv-  
viii, xxiv;  
Fiske’s  
*Civil  
Government*,  
224-240.

bling those of a dictator. For instance, Lincoln issued the Emancipation Proclamation (§ 359) by virtue of these "war powers." The President is obliged "to defend the Constitution" and to secure the "faithful execution of the laws." To attain these objects he may, at his discretion, use the whole army and navy of the United States. He can act without consultation with any one — unless he so desires — and he concerns himself only with the violators of the laws, no matter who they may be.

**189. Ratification of the Constitution, 1787, 1788.** — Congress had authorized the Federal Convention to propose amendments to the Articles of Confederation whose ratification, under the Articles, would require the consent of all the thirteen states. The framers of the Constitution had proceeded in an entirely different spirit: the first resolution adopted by them declared that "a national government ought to be established." In submitting the result of their labors to Congress, they stated: "In all our deliberations . . . we kept steadily in view that which appears to us the greatest interest of every true American, the consolidation of our Union, in which is involved our prosperity, felicity, safety, perhaps our national existence." Furthermore, they proposed a method of ratification of the new instrument which was in itself unconstitutional — according to the Articles — and in opposition to the vote of Congress under which they had acted: they recommended to Congress that the new instrument of government should be voted on by conventions elected by the people of the several states for this express purpose, and that the consent of nine states should be sufficient for the establishment of this Constitution "between the states so ratifying the same." Congress carried out the wishes of the convention in this regard, and voted (September 28, 1787) to transmit the Constitution "to the several legislatures, in order to be submitted to a convention of delegates chosen in each state by the people thereof." It is important to note this process in detail, as the Constitution begins with the words: "We the people

End of the  
Convention.  
*Old South  
Leaflets*,  
Gen. Ser.  
No. 1, p. 17;  
Schouler's  
*United  
States*, I,  
61-79.

Process of  
ratification.  
Fiske's  
*Critical  
Period*,  
306-345.

of the United States, . . . do ordain and establish this Constitution." But what does the phrase "We, the people of the United States," signify? On the one hand, it has been maintained that the state conventions were used merely as a convenient means for ascertaining the will of the people of the United States as a whole; on the other hand, it has been urged that the people of the several states, each sovereign in itself, ratified the Constitution. If this latter were the correct view, it would necessarily follow that a state which had acceded to the Constitution could withdraw from the new union by simply holding another convention and repealing the ratifying ordinance.

Another point to which attention should especially be called is the fact that the mode of ratification was contrary to the existing constitution, — the Articles of Confederation, — which required the consent of the legislatures of all the states to its amendment. Yet now (1789) eleven states, or "the people of the United States" living in eleven states, by ratifying the Constitution formed a new union, and left the two hesitating states to get along as well as they could. Bearing all these facts in mind, it is to a study of the debates of the ratifying conventions that the student must turn to obtain a true conception of the intentions of the makers of the organic law. "The Constitution," said Madison in 1796, "as it came from the convention was nothing more than the draft of a plan; nothing but a dead letter, until life and validity were breathed into it by the voice of the people speaking through the several state conventions which accepted and ratified it."

Breach of  
the Articles  
of Confederation.

Between December, 1787, and June, 1788, ten states ratified the Constitution; New York followed in July, and only Rhode Island and North Carolina had not ratified at the time of Washington's inauguration. The period extending from the publication of the report of the convention to the ratification of New Hampshire and Virginia, the ninth and tenth states (June, 1788), was one of the most critical and momentous in the history of America. The friends of the

Opposition to ratification. Winsor's *America*, VII, 247-251.

Constitution termed themselves Federalists, and called their opponents Anti-Federalists; but these terms hardly described the positions of the contending parties. Patrick Henry was probably the ablest opponent of ratification; he declared himself to be in favor of a federal form of government, and objected to the proposed Constitution because it would establish "one great, consolidated, national government of all

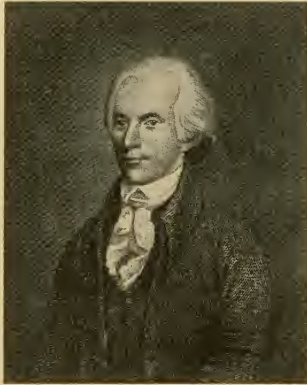


Stratford House, Westmoreland, Virginia. Birthplace of R. H. Lee

the people of the states." Other honest, high-minded, and patriotic men opposed ratification because they desired a more democratic form of government than the one proposed by the Convention. Another most weighty objection to the scheme lay in the omission of any clear statement of the rights of the people. The question at issue, however, was the acceptance of the proposed Constitution, or anarchy and civil war. It was absolutely necessary to ratify the Constitution as it stood; but those opposed to it were, in a measure, satisfied by the suggestion of amendments which might be made as soon as the new government should be organized.

The government was no sooner organized than Congress put such of these suggestions as it approved into the form of ten amendments, which were promptly ratified and declared in force, November, 1791. These amendments provide that (Art. ix) "the enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people," and (Art. x) that "powers not delegated to the United States, . . . nor prohibited by it to the States, are reserved to the States or to the people." The other eight amendments provide for the separation of church and state, protect the freedom of the press and of petition, guarantee trial by jury, and, in general, provide the safeguards for personal liberty which are to be found in the Bills of Rights of the Revolutionary epoch.

Amend-  
ments of the  
Constitution.



Richard Henry Lee

Had these amendments been part of the Constitution when it was laid before the ratifying conventions, they would have gone far to remove the objections of men like Patrick Henry and Samuel Adams. Their importance can hardly be overestimated, and it should always be carefully borne in mind that the Constitution, as originally framed by the Federal Convention, was practically never in operation.

Importance  
of the first  
ten amend-  
ments.

Alexander Hamilton had slight confidence in the efficacy of the Constitution to provide a stable government for the

Extracts in  
*Old South  
 Leaflets*, V,  
 No. 7, Gen.  
 Ser. No. 12.  
*Old South  
 Leaflets*, V,  
 No. 6.

country ; but he recognized that it was the only organic law which could be established and that it was far better than the Articles of Confederation. He, therefore, used all his influence and his great talents to secure its adoption. As one means of instructing public opinion, he wrote a series of articles which were printed in the newspapers under an assumed name. These, with a few others from the pens of John Jay and James Madison, were afterwards gathered into a volume entitled the *Federalist*. This treatise is to-day the best commentary on the Constitution and should be studied by all who desire to have a thorough understanding of its provisions. The best statement of the views of the opponents of ratification were the *Letters of a Federalist Farmer*, by Richard Henry Lee, and the speeches of Patrick Henry in the Virginia Ratifying Convention. For many years, it was customary for historical writers to ridicule the arguments put forward by Patrick Henry, R. H. Lee, George Mason, Samuel Adams, and George Clinton. More recently, there has been a disposition to study the history of this memorable epoch in a fairer spirit, and to do justice to the patriotism and ability of these leaders of public opinion.

The Constitution has proved deficient in a few respects : for instance, it contains no provision to enable the general government to acquire new territory. Many writers have deplored the concessions which were made to the slave owners ; but the great difficulties of the time in dealing with that grave problem should be remembered. When all has been said, however, the Constitution remains the most marvellous written political instrument that has ever been made. It was designed by men familiar with the mode of life of the eighteenth century, to provide an escape from the evil conditions of that time, and to furnish a practicable form of government for four millions of human beings inhabiting the fringe of a continent. It has proved, with few exceptions, sufficient for the government of ninety millions, living in forty-eight states, covering an area imperial in extent, and under circumstances unthought of in 1787.



SUGGESTIVE QUESTIONS AND TOPICS

§ 166. NATIONALISM AND PARTICULARISM

*a.* Define nationalism; distinguish it from the principle of nationality; define particularism.

*b.* Methods of representation: distinguish between local representation, national representation, representation according to population; give arguments for and against each method.

§§ 167-169. THE ARTICLES OF CONFEDERATION

*a.* Discussion of the text: Arts. i, ii, iii. Discuss minutely the phraseology of the title and the first three articles as to the bearing of their significant words and provisions upon nationalism; compare with the Declaration of Independence and with the Constitution.

Article V. State objections to one national legislative house and prove their validity; to annual elections to such a legislative body; to payment of its members by the states individually.

Article VIII. What provision fatal to federal authority does this article contain? Prove your answer.

*b.* Collect the matter of the articles under the following heads and compare it with similar matter in the Constitution: Form of government (territory, finance, commerce, foreign relations, peace and war, enforcement of laws). Division of power between federal and state authority. Express limitations, prohibitions, and obligations.

*c.* Recite the clauses of the Constitution which remedy the defects of Arts. ii and ix, of v, of vi, of viii, of xiii.

§§ 170-173. THE PUBLIC DOMAIN

*a.* Point out the peculiar hardships of Maryland's position, and comment upon her conduct.

*b.* What two principles enunciated by Congress in 1780 became the foundation of the territorial system of the United States?

§ 174. SOCIAL PROGRESS

*a.* Describe and give arguments in favor of the freehold qualification for suffrage. Discuss as basis for suffrage: property, education, manhood, birth. What restrictions upon suffrage exist to-day in your state? in your city or town?

§§ 175-178. FOREIGN AND DOMESTIC AFFAIRS

*a.* Pick out the clauses in the Articles which prevented Congress from making "counteracting regulations."

*b.* Place in note-book as headings: "Secession," "Theory of States' Rights," "National Theory," and enter under each all fitting material.

*c.* Quote the clauses of the Constitution which "gave the United States power to make its treaties respected at home and to hamper foreign commerce by levying discriminating duties." Why should we not levy discriminating duties to-day?

*d.* Look up Gresham's Law and illustrate it by matter in § 176. Can a legislative body fix the value of money? Look up the history of the French *assignats*.

*e.* Draw a parallel between the condition of the United States in 1783-86 and in 1893-96 under the following heads: uncertain standard of value, movement of the currency medium, resulting condition of currency, effects upon confidence, decision of the people.

*f.* Enumerate the reasons for which the years 1786, 1787, are called "The Critical Period." Which was the most important? Why?

#### §§ 179, 180. THE FEDERAL CONVENTION

*a.* Put as heading in note-book, "Influence of Commercial Questions in shaping the History of the United States"; review colonial history and enter all fitting matter; as you advance make new entries.

#### §§ 181-189. THE CONSTITUTION

*a.* Read the Constitution sentence by sentence and try to find in your knowledge of colonial history and of colonial documents precedents for each provision.

*b.* Enter in note-book as three separate heads the Three Compromises of the Constitution and trace their history as you advance. What amendments affect these compromises, and how? Had the first compromise any good points except making federation possible? Do you think that compromise makes a good foundation for a government?

*c.* What is meant by a "government of checks and balances"? Point out the checks and balances of the Constitution; note especially how far participation of power as well as division of power exists.

*d.* What are the joint powers and privileges of the two Houses? What the special powers of each House?

*e.* Point out in what respects the Supreme Court has an authority undreamed of in the ancient world and unrivaled in the modern world. How is it given control and guarded from interference? How is the authority of the Court maintained? What is its weak point? Explain in what respects the decisions of the Supreme Court have aided in the development of the United States.

*f.* Put in note-book as heading, "Minority Control of Government"; enter instances with explanations as you proceed.

*g.* What is the present ratio of representation to population? What states at present have a smaller population than is expressed in the ratio? What effect upon our development has their representation?

*h.* In how many respects were the acts of the Federal Convention revolutionary?

*i.* Who ratified the Constitution, each state singly or the people acting for convenience in groups?

*j.* Draw an imaginary picture of results if the North had not compromised on slavery. Can you justify the action of the North?

#### HISTORICAL GEOGRAPHY

*a.* Represent upon an Outline Map the western claims and the actual cessions to the United States of Massachusetts, Connecticut, New York, Virginia, the Carolinas, and Georgia.

*b.* Make any necessary changes in the map of your state.

*c.* Explain by recitation the map and changes you have made.

#### GENERAL QUESTIONS

*a.* Has the Constitution established a federal government or a national government?

*b.* Distinguish between "inherent," "delegated," and "implied" powers and tell when each kind exists.

*c.* Point out in the Constitution the powers "delegated," "prohibited," or "reserved."

*d.* Which country, the United States or Great Britain, has the more conservative constitution? Why?

*e.* Our self-control in allowing laws made by representative bodies to be annulled by the Supreme Court has been much admired: how do you account for this self-control?

#### TOPICS FOR INVESTIGATION

(See directions under this head at end of Chapter I.)

*a.* Compare Franklin's Plan with the Albany Plan and with the Constitution (§§ 167, 107, 183).

*b.* Compare the Articles of Confederation with the other plans and with the Constitution.

*c.* Make a topical analysis of the Articles; do the same with the Constitution.

*d.* Make a topical analysis of the Ordinance of 1787; note especially points of resemblance to the Constitution (§ 173).

*e.* Make a topical analysis of the several attempts to amend the Articles (§ 178).

*f.* Compare the arguments of Madison and of Henry (§ 189).

*g.* Show how far the Constitution meets the requirements of Washington's letter to the governors (§§ 165, 183).

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As preparation for the next chapter study the lives of Washington, John Adams, Thomas Jefferson, and Alexander Hamilton, under the following heads: personal appearance, temperament, mental endowments, moral nature, social position, political principles, popular regard, influence in shaping United States history.

## CHAPTER VII

### THE FEDERALIST SUPREMACY, 1789-1800

#### Books for Consultation

**General Readings.** — Johnston's *American Politics*, 19-54 ; Higginson's *Larger History*, 309-344 ; Hart's *Formation of the Union*, 141-175 ; Walker's *Making of the Nation*, 73-167.

**Special Accounts.** — Wilson's *Presidents* ; Lodge's *Washington* ; Sumner's *Hamilton* ; Schouler's *Jefferson* ; Pellew's *Jay* ; \* McMaster's *United States* ; Schouler's *United States* ; \* Von Holst's *Constitutional History* ; Bassett's *Federal System* ; Stanwood's *Presidency* ; \* Taussig's *Tariff History* ; Larned's *History for Ready Reference*. Larger biographies of the leading statesmen, *Guide*, § 39.

**Sources.** — Cooper and Fenton, *American Politics* ; *American History Leaflets* ; Johnston's *American Orations* ; *Old South Leaflets* ; Stedman and Hutchinson, *Library of American Literature* ; MacDonald's *Documentary Source Book* ; Benton's *Abridgment* ; Williams's *Statesman's Manual*. Writings of the leading statesmen, *Guide*, §§ 46, 47.

**Bibliography.** — *Guide to American History*, 176-185.

**Illustrative Material.** — A. L. Lowell's *Essays on Government* ; Upham's *Timothy Pickering* ; Austin's *Gerry* ; Flanders's *Chief Justices* ; Sullivan's *Familiar Letters* ; Maclay's *Journal* ; J. Adams's *Diary* ; Shaler's *Kentucky* ; Drake's *Making of the West* ; Roosevelt's *Winning of the West* ; *American History told by Contemporaries*.

Brackenridge's *Modern Chivalry* ; Brown's *Arthur Mervyn* ; Cooke's *Leather Stocking and Silk* ; Kennedy's *Swallow Barn* ; Arlo Bates's *Old Salem* ; "A Girl's Life Eighty Years Ago" in *Scribner's Magazine*, May, 1887 ; Goodrich's *Recollections of a Lifetime* ; Gayarré's *Aubert Dubayet*.

### THE FEDERALIST SUPREMACY, 1789-1800

**190. Washington elected President.** — The Federal Convention made its report to Congress in September, 1787, and the ninth state, New Hampshire, voted to ratify the Con-

Dilatoriness  
of Congress,  
1789.

stitution on June 21, 1788 ; but it was not until April 30, 1789, that George Washington took the oath of office as first President of the United States. The Congress of the Confederation had set an earlier date, March 4, for the inauguration ; but the men of that day were accustomed to being late. It was not until another month had passed away that a quorum of both houses of the first Congress under the Constitution was in attendance to count the electoral ballots, and ascertain the choice of the electors for President and Vice-President.

Election of  
Washington.  
Schouler's  
*United*  
*States*, I, 79;  
\*Stanwood's  
*Presidency*.

No one had the slightest doubt as to the fittest man for the presidency ; every elector voted for Washington. That great man was now in his fifty-eighth year. One of the richest men in America and the foremost leader of the Virginia aristocracy, he represented the best elements in American society of that time ; for the framework of society was still aristocratic, although the tendency was distinctly toward democracy. In politics, Washington can scarcely be said to have belonged to any party at this time. He had entered most heartily into the plan for the formation of a national government ; but he was not a man to think deeply on theories of government. He was rather a man of action and an administrator. The necessity of the hour was a stronger central government : to attain that important object, Washington was anxious to use every proper means at his command and to employ the services of leading men of all shades of political belief.

Adams and  
Hamilton.  
Schouler's  
*United*  
*States*, I,  
80-82.

191. **John Adams elected Vice-President.** — For second place there was no such unanimity of opinion as in the case of Washington. The foremost candidate was John Adams of Massachusetts. He had been one of the leaders in the earlier days of the Revolution, and had later represented the United States abroad, especially in England. Unfortunately, he had written a book in which, among other things, he suggested that "the rich, the well-born, and the able," should be set apart from other men in a Senate. The proposal to elevate "the rich" and "the able" did not

arouse much opposition ; but the use of the phrase "the well-born" greatly injured Adams's popularity. As the Constitution then stood, each elector voted for two persons without stating which of them he wished to be President. The one who received most votes should be President, provided he received a majority ; the person receiving the next highest number should be Vice-President. The elevation of "the well-born" would have been most welcome to Alexander Hamilton ; but he conceived the idea that Adams might receive more votes than Washington, and intrigued to prevent it. The scheme became known to Adams, and proved to be the beginning of a long and unfortunate quarrel, which had most serious consequences for the party of which Adams and Hamilton soon became the chiefs.

*John Adams*

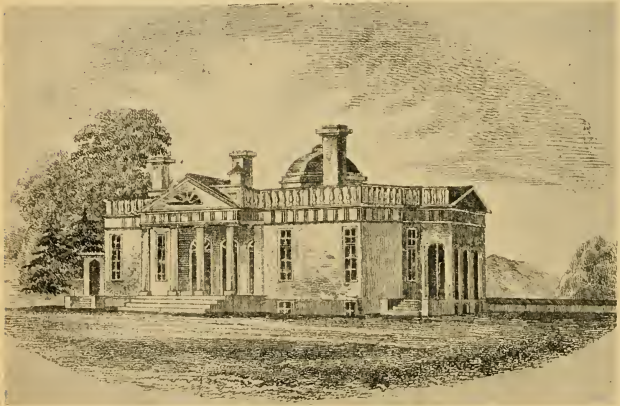
192. *Political Tendencies, 1789.* — There were no political parties in the United States in 1789 ; but the political leaders and the voters were divided in precisely the manner in which they had been during the contest over the ratification of the Constitution. No sooner was the task of reorganization begun than these different views showed themselves. Two men were soon recognized as the leaders of these opposing camps, and may be considered as representing in their own persons the ideas that were held by the two political parties in the earlier portion of our history under the Constitution. The first of these tendencies expressed itself in the desire to promote the welfare of the individual, to give him greater political power, more comforts in life, greater intelligence, and in general to raise the more ignorant and ruder portion of society. The second declared itself in the wish to make the welfare of the individual depend on the growth of the nation and to rely for support on "the well-born," the intelligent, and the richer portion of the community. With the former of these tendencies was identified Thomas Jefferson, Washington's

Political tendencies.

Thomas  
Jefferson.  
Schouler's  
*United  
States*,  
I, 189;  
\*Morse's  
*Jefferson*.

Secretary of State; with the latter, Alexander Hamilton, Washington's Secretary of the Treasury.

Thomas Jefferson, the author of the *Summary View* and the *Declaration of Independence* and representative of the United States in France, was now in the prime of life. In many ways he was one of the most extraordinary men America has produced. An aristocrat by birth and breed-



Monticello, Jefferson's mansion

ing, the owner of slaves, and the designer of and dweller in one of the most elegant mansions of that day, he was the leader of democracy, the champion of the rights of man, and the persistent, though powerless, advocate of slave emancipation. When President, he seemed to enjoy shocking the prejudices of very particular persons: Washington had established stately ceremonies, Jefferson conducted official gatherings on the principle of "pell-mell" — each guest doing pretty much as he pleased; Washington had driven in coach and four to and from the halls of Congress, Jeffer-



son rode on horseback, unattended, from the White House to the Capitol and hitched his horse with his own hands in a neighboring shed. More curious still, Jefferson, a man of unpractical ideas, was the shrewdest political leader of his day. Shy, reluctant to attend crowded meetings, and without magnetism, he led the masses and won the greatest popularity in one of the most difficult periods of our history. In person Jefferson was tall, six feet two inches in height, with sandy hair and a most sunny countenance. He was ungainly in figure and seemed always "to be jumping out of his clothes," and he sat or reclined on one hip in a manner which impressed at least one keen observer who has described him.

Unlike Jefferson in every respect, Alexander Hamilton was small in stature and was always well-dressed. A great administrator and capable of attracting men by his personal qualities, he led his party to a most crushing defeat. His success in organizing the machinery of the government entitles him to the gratitude of the nation, and the part he played in securing the ratification of the Constitution gives him a foremost place in the annals of the United States. He deserves the more credit for this, perhaps, because he had no faith that the new Constitution would provide a sufficient government for the country. In 1802 he wrote: "Perhaps no man . . . has sacrificed or done more for the present Constitution than myself; and, contrary to all my anticipations of its fate . . . I am still laboring to prop the frail and worthless fabric. . . . Every day proves to me more and more this American world was not made for me." In these sentences may be found the reason for the political failure of Hamilton and his friends. He had no sympathy with the desires of the masses for self-improvement. He had no confidence in their ability to conduct successfully the affairs of the country. In one noted phrase he stated the reason of his failure as a political chief. It was at a dinner when, replying to some remark that had been made, Hamilton declared: "Sir, your people is a great

Alexander  
Hamilton.  
Schouler's  
*United  
States*,  
I, 186;  
Sumner's  
*Hamilton*.

beast." But it was the people that must govern under the Constitution, or republican government was a failure. Far otherwise was Jefferson's view of the people. In a letter written in 1787 he said: "I am persuaded that the good sense of the people will always be found the best army. They may be led astray for a moment, but will soon correct themselves." The Federalist party endeavored so to frame the governmental machinery that a minority of the people could govern the majority; the attempt ended in disaster.

Washington's inauguration, 1789.  
Schouler's  
*United States*, I,  
84-90;  
*Old South Leaflets*, V.  
No. 8, Gen. Ser. No. 10.

193. **Washington's Inauguration, 1789.** — Washington "bade adieu," to use his own words, "to Mount Vernon, to private life, and to domestic felicity; and with a mind oppressed with more anxious and painful sensations than I have words to express," set out for New York to take the oath of office as the first President of the United States. The cheers which greeted him on his journey did not lessen his sense of the deep responsibilities which surrounded him. His inaugural was especially solemn: he addressed "fervent supplications to that Almighty Being who rules over the universe . . . that His benediction may consecrate to the liberties and happiness of the people of the United States, a government instituted by themselves, . . . and may enable every instrument employed in its administration to execute with success the functions allotted to his charge."

Fears of  
monarchical  
tendencies.  
Schouler's  
*United States*, I,  
126-140.

Colonial customs and traditions derived from English precedents were still, the rule. Washington, inclined to be stiff and formal, instituted a rigid ceremoniousness in official intercourse which seemed little like republicanism. During the recesses of Congress, he traveled around the country in an almost regal fashion. Everywhere he was enthusiastically received: at one place he was greeted with "God bless your reign"; at another he was hailed as "Columbia's Savior." At Boston, however, John Hancock, governor of Massachusetts, endeavored to uphold the dogma of state sovereignty by refusing to make the first call; but usually the stiffest Anti-Federalists forgot their constitutional scruples and heartily joined to do honor to "The



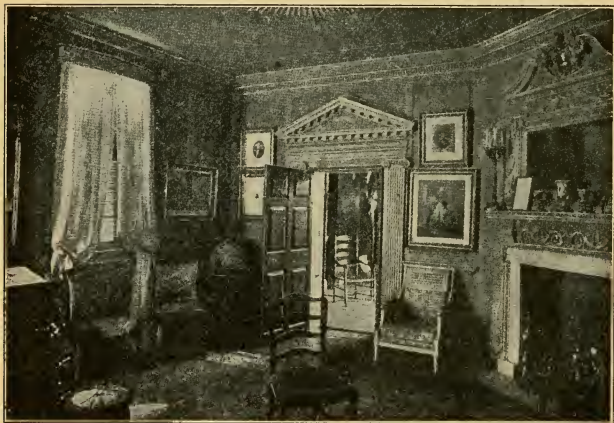
George Washington

After a mask made from the living face, 1785

President." All these things, however, when coupled with Hamilton's well-known predilection for a government modeled on that of Great Britain in the days of the unreformed Parliament, convinced many men that the restoration of the monarchical form was the aim of the Federalists. Probably the charge was not true in any case.

First Tariff  
Act, 1789.

**194. Organization of the Government.** — On April 8, weeks before Washington took the oath of office, Madison intro-



A room at Mount Vernon

Schouler's  
*United  
States*, I,  
96-102.

duced a resolution in the House of Representatives which led to the first debate upon protection, and finally to the formation of the first tariff act. This law, which Washington signed shortly after the inauguration, proved insufficient to provide the necessary funds, and the rates were increased in 1790 and again in 1792. A Tonnage Act, which was passed at about the same time, provided for a discrimination in favor of goods imported in American vessels and

excluded foreign vessels from the coastwise trade. It was further suggested that vessels flying the flags of nations not having commercial treaties with the United States should be taxed more heavily than vessels belonging to more friendly countries. This bill was aimed especially at the foreign shipping interest ; but the influence of merchants engaged in commerce with Great Britain was exerted to defeat the proposal, and the attempt was abandoned.

Congress then turned its attention to the organization of the new government. Five administrative departments were created : the state department, which at first had to do with both home and foreign affairs ; the treasury ; the war department, which also managed the trifling naval affairs for the next few years ; the department of justice, at the head of which was the Attorney-General ; and the post office. The heads of these departments were appointed by the President with the consent of the Senate, but they were removable by him without action by the Senate (see § 188) ; it had been proposed to make the Secretary of the Treasury responsible to Congress, but this proposal had been abandoned. The first four of these departmental heads acted as the President's advisers ; the Postmaster-General remaining for the present outside of what was termed the cabinet. In thinking of this organization and using the words "advisers" and "cabinet," the student should always carefully bear in mind that the President is not obliged in the smallest degree to follow their advice or even to ask it. Congress further made provision for the appointment of collectors of the customs, district attorneys, and other officials to carry on the business of the government.

Congress also provided for the organization of the Judiciary. The Supreme Court comprised a Chief Justice and five Associate Justices, and thirteen district courts were established. Between the district courts and the Supreme Court were the circuit courts, three in number ; they were held by justices of the Supreme Court and the judges of the district courts. Provision was made for

Executive departments organized. Schouler's *United States*, I, 103-106.

The Judiciary organized. Schouler's *United States*, I, 107.

the appointment of the necessary officials, as marshals, who held office for four years ; in this latter enactment, some students see the germ of the spoils system which was later developed by the extension of this limited tenure of office to all of the less important positions in the executive branch (§ 280).

Hamilton's report on finances. Schouler's *United States*, I, 144-149; MacDonald's *Documentary Source Book*, No. 55.

**195. Hamilton's Financial Measures.** — In January, 1790, Hamilton, the new Secretary of the Treasury, presented to Congress an elaborate report on the public credit, which should be carefully studied by all who desire to understand Hamilton's clear insight into financial matters, and to appreciate, at their full value, the great services he rendered to his adopted country. It appeared that the United States, as the successor of the Confederation, owed

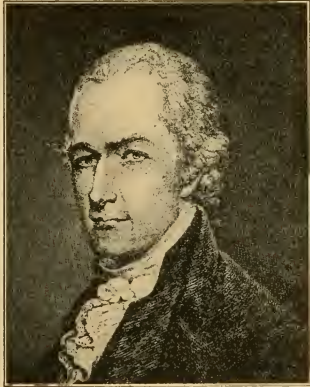


Mrs. Alexander Hamilton

about fifty-four million dollars in principal and accrued but unpaid interest. Eleven millions of this was owed abroad. As to this portion, which was generally termed the "foreign debt," all agreed with the secretary that it should be paid in full according to the terms of the original contracts. As to the larger portion, which was owed to citizens of the United States, — the "domestic debt," as it was called, — there was no such unanimity of opinion. There had been hardly any market at all for these obligations ; holders had been fortunate to sell their holdings at one fifth of the face value. Hamilton proposed to fund this part of the debt at par ; but to this proposal there was much opposition. It was argued that this arrangement would be unjust to the original holders of these certificates who had received them in payment for

Hamilton's plan.

supplies furnished to the Revolutionary armies, or for services rendered to the country at the time of its greatest need. Madison suggested that the present holders should be paid the highest market price for their certificates, and that the difference between that amount and the face value of the bonds should be paid to the original holders. Hamilton insisted, however, that to secure the credit of the new government it was essential that the full face value of the certificates should be paid to those who possessed the legal title. This was sound practical sense, and Hamilton's plan was adopted. A further part of the secretary's scheme provided that the United States should



Alexander Hamilton

assume and fund, as a part of its own debt, certain portions of the debts of the several states. On this question, however, the interests of the North and of the South were different, as, for one reason or another, the Northern states were burdened with much larger debts than were the Southern states. The measure commended itself to Hamilton and to those who thought with him, because its carrying out would interest a large number of persons in the stability of the new government, and would compel the United States to exercise extensive powers of taxation; but this centralization of power was disliked by those who viewed with jealousy the subordination of the states to the federal government. North Carolina ratified the

Assumption  
of state  
debts.  
Schouler's  
*United  
States*, I,  
149-152.

Constitution in November, 1789, her representatives took their seats in Congress in time to vote against the project, and it was defeated by a small majority (April, 1790). The issue now became bound up with the decision of another question, — the permanent seat of the national capital.

Site of the federal capital. Schouler's *United States*, I, 152-154.

**196. The National Capital and Assumption.** — Toward the close of the Revolutionary War three hundred Pennsylvania soldiers had surrounded the building in which Congress held its sessions, and demanded the immediate redress of their grievances. The executive council of Pennsylvania was appealed to, and declined to interfere to protect Congress from annoyance. It was largely owing to this that the framers of the Constitution inserted a provision in that instrument which gave the federal government complete control over a district ten miles square, within which a national capitol and other buildings might be erected. The question of the precise location of this small district does not appear to be a matter of much importance in these days of rapid transit. In 1790, however, the Potomac was, to all intents and purposes, as far from Boston as San Francisco is nowadays and Philadelphia was much more inaccessible to the South Carolinian than Denver is at the present time. The Southern members of Congress were anxious to have the permanent seat of government on the Potomac, and the Pennsylvanians were equally desirous that Philadelphia should be the temporary seat of government while the necessary buildings were in the process of construction on the Potomac. Many Northern members, who had slight interest in this matter, were deeply concerned in the success of the project of assumption of the state debts; they believed that the Pennsylvanians, who had voted against the latter measure, had made a bargain of some kind with the Southerners. The friends of assumption, therefore, procured the insertion of Baltimore instead of Philadelphia as the site of the temporary capital, and this bill came to a sudden stop.



It was at this time that Jefferson lent his aid to the successful prosecution of a scheme, the recollection of which annoyed him ever after: he yielded to a suggestion of Hamilton's that they should bring about a compromise, and induced enough Southern members to vote for assumption to carry that measure, while Hamilton, on his part, procured enough Northern votes to pass the Potomac-Philadelphia bill. The Assumption Act, in its final form, was a much less satisfactory measure than Hamilton's original plan. The latter had provided for the assumption of balances of the debt of each state after the sum due by the states to the United States had been ascertained; the law, as passed, provided, however, for the assumption of a certain part of state debts mentioned in the act; in some cases it turned out that the amount thus assumed was much too large.

197. **The First Slavery Debates, 1789, 1790.** — The years between the close of the Revolutionary War and the formation of the government under the Constitution saw the abolition of slavery in several Northern states and the formation of plans for gradual emancipation in others (§ 174); it may truthfully be said that the Northerners were opposed to the perpetuation of slavery, although it should also be stated that the intensity of this feeling varied greatly in different parts of the North. Many of the leaders of Virginia — as Washington, Jefferson, and Mason — shared in this opinion. South of the Old Dominion, the case was widely different. The South Carolinians had threatened to stay out of the Union unless their demands as to slavery and the slave trade were complied with (§ 182), and the North Carolinians, in ceding their claims to western lands to the United States (1790), stipulated that Congress should make no laws affecting slavery in the territory thus ceded.

The first slavery debate in Congress arose on the motion of a representative from Virginia that the constitutional tax of ten dollars per head should be levied on all slaves imported into the country. The representatives of the

Hamilton's compromise.  
Schouler's  
*United States*, I,  
154-156.

Slavery debates,  
1789-90.  
Schouler's  
*United States*, I,  
156-163.

Proposal to tax imported slaves, 1789.

states farther south defended slavery in the abstract, and accused the Virginians of selfishness in advocating the proposed tax, the effect of which would be to raise the price of Virginia slaves, as they would be in demand in the South and would be purchased of the Virginians by the Carolinian and Georgian planters. The proposal was dropped at that time in consideration of Southern votes for the protective tariff, and, as a matter of fact, no tax was ever levied on slaves imported.

Antislavery  
petitions,  
1790.

The next year the question again came before Congress, this time in a form much more objectionable to the slave owners. In February, 1790, memorials were presented from the Yearly Meeting of the Society of Friends and from the Abolition Society of Pennsylvania, whose president was Benjamin Franklin. These petitioners prayed Congress to use its constitutional powers to "promote mercy and justice" toward the negro, and to "remove every obstruction to public righteousness," especially in respect to slavery. The Southerners assailed the memorialists with immense energy; they scented danger from afar, and the matter came up when their passions were thoroughly aroused by the debates on assumption and on the site of the new capital. The most violent of the Southern spokesmen was William Jackson of Georgia, an immigrant from England, whose vehemence in harangue has probably never been exceeded in American deliberative assemblies. The House referred the memorials to a committee, and upon their report another debate occurred. Ultimately a few very mild statements were entered on the journal of the House; among them was a declaration to the effect that Congress had no authority to interfere with slavery within the states. The subject was then dropped.

First  
Fugitive  
Slave act,  
1793.

Three years later (1793) the slaveholders secured the passage of an act to carry out the provision of the Constitution (Art. iv) that persons "held to service or labor in one state . . . escaping into another . . . shall be delivered up on claim of the party to whom such service or labor

may be due." Fugitive slaves had already been restored to their masters; but this act aroused the resentment of many persons in the North, and the first case which arose under it showed how difficult it is to carry out national laws when they are contrary to the sentiment of the people of a state. In this instance, Massachusetts, where the fugitives were found, did not nullify an act of Congress in public meeting; but it proved to be practically impossible to execute an undoubtedly constitutional law within her borders.

In 1792, Kentucky was admitted to the Union as a slave state; Vermont had been admitted as a free state the year before. The northern boundary of Virginia and Kentucky, from the Pennsylvania line to the Mississippi, was the Ohio River, which in this way served as a boundary between the free states and territories of the North and the slaveholding states and territories of the South. The Ohio forms practically a continuation of Mason and Dixon's line; indeed, the latter term was frequently used to designate simply the line between the free and the slave states.

198. **The Excise and the Bank, 1791.** — The third and last session of the First Congress was held at Philadelphia. Two measures then passed were of exceeding interest: a bill for raising revenue from an internal revenue tax or excise, and a bill establishing a national bank. It will be remembered that Hamilton had valued the plan for the assumption of state debts because it would necessitate the extension of the government's taxing power to other sources of revenue than taxes on goods imported from foreign countries, and thus would bring into the hands of the federal government the great sources of public income. When the assumption scheme was passed, he proposed that an excise tax of twenty-five cents per gallon should be levied on all whiskey manufactured in the United States. This rate was very low, and the tax would not bring in much revenue; but its enforcement would accustom the western frontiersmen to federal taxation and to the presence of

Mason and  
Dixon's line  
in the West.

The Excise  
and the  
Bank, 1791.  
Schouler's  
*United  
States*, I,  
173-177.

federal officials, and it would make the levying of heavier taxes in the future much easier. The bill was stubbornly fought in the House; it was passed against the protests of several state legislatures, and it produced a rebellion,—the Whiskey Insurrection of 1794. Hamilton's principal object was accomplished, however; the federal government had exerted its powers to levy internal taxes and had shown its power to suppress rebellion.

First Bank of  
the United  
States.

Hamilton had long favored the establishment of a national bank. Indeed, during the Revolutionary War, he had written to Robert Morris proposing such an institution on the ground that it would enlist in that movement the influence and interest of men of means and position. He now laid before Congress the plan of a national bank, resembling in many ways the Bank of England. An establishment of this description would make easier the collection and disbursement of the public funds. He therefore maintained that it would be constitutional under the clause which authorized Congress "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers," among which was the power "to lay and collect taxes . . . to pay the debts" of the federal government.

Constitution-  
ality of the  
measure.  
Schouler's  
*United  
States*, 1,  
176-177.



This view of the force of the words "necessary and proper" was disputed in Congress, especially by Madison. When the bill came before Washington for his approval, he asked the written opinions of his advisers. Jefferson argued that the power to charter a bank was nowhere granted to Congress by the Constitution, and that, according to the Tenth Amendment (§ 184), all powers not delegated to the national government were reserved to the states or to the people. This opinion and that of Hamilton are well worth reading, as they give an admirable idea of the two modes of interpreting the Constitution. After some hesitation, Washington approved the bill, and twenty-five years afterward Madison,

as President, signed a similar bill. The capital of the new bank thus brought into existence was ten millions, and was all subscribed for within two hours. Two parties had been formed in the cabinet, however, and from this time on, Jefferson and Hamilton, to use the words of the former, were "pitted against each other every day in the cabinet, like two fighting cocks." Jefferson placed himself at the head of the elements of opposition, and with marvellous skill welded them into a powerful party.

**199. Rise of the Republican Party.**—Jefferson maintained that Hamilton had under his orders in Congress "a corrupt squadron" of members, who were willing to do his bidding and were well paid for their complacency. There were also dark stories in circulation of swift sailing vessels dispatched by Hamilton's friends to Southern ports, bearing agents who bought up the certificates of indebtedness at a low rate, before the news of the funding of the debt could reach those far-off regions. Whether these stories were true or false, it is undoubtedly true that the shrewd men of business in the North, who were mostly of Hamilton's party, made large profits out of the funding operations, at the expense, to a considerable extent, of the Southern people.

The financial measures of the new government were very successful, and their success alarmed and irritated many persons besides Jefferson. They all led to a great increase in the power of the central government and to a corresponding diminution in the power of the state governments. The latter organizations were familiar to the great mass of the people, who understood little of the problems of finance, which had been so admirably solved by the Secretary of the Treasury. They felt a distrust toward the growing power of the federal government, and were disposed to insist on an interpretation of the Constitution which should be favorable to the continued authority of the states.

Jefferson, personally, was not opposed to the existence of a strong national government; as President, he certainly

Jefferson  
founds  
Republican  
party.  
Schouler's  
*United  
States*, I,  
217-233,  
234-237.

Distrust of  
the gov-  
ernment.  
*Contem-  
poraries*, III,  
Nos. 85, 86.

never hesitated to use whatever powers the Constitution could be construed to give him, and some powers, indeed, which no construction could read into that document (§ 228); but he objected strenuously to the exercise of those functions by Hamilton and his allies. With his love of individual liberty, he saw the government every day trenching more and more on the rights of the individual. He thought he saw a determination to build up a strong government resembling a monarchy, if not a monarchy itself. He lost no opportunity to bring the charge of monarchical tendencies home to his opponents; for himself, he stood for republican principles, and the party which gathered about him gradually assumed the name of Republican. Hamilton and his followers continued to bear the designation—so ill befitting them—of Federalists,—a name which had proved powerful in the struggle for the ratification of the Constitution.

The party  
press.

Jefferson was the first to recognize the power to be exercised by the newspaper press. Through his influence was established the *National Gazette*, edited by Philip Freneau, a literary man of ability, who occupied the position of clerk in Jefferson's department. A furious attack was at once begun on Hamilton and the Federalists, in which even Washington was not spared. Their defense was feebly essayed by the *Gazette of the United States*.

Influence of  
the French  
Revolution  
on America.  
Schouler's  
*United  
States*, I,  
262-279.

200. **The Neutrality Proclamation, 1793.**—On the first day of February, 1793, the French Republic declared war against Great Britain, and began a conflict full of danger to the United States as well as to the people of Europe. Indeed, from this time until 1823, the history of the United States was largely influenced by the course of events on the other side of the Atlantic, and at times it may even be said to have been dominated by European political complications. Jefferson had been United States minister at Paris at the outbreak of the French Revolution; he had left France almost immediately afterward, and had therefore been personally acquainted with the French Revo-

lution only in its earlier and better period. He sympathized with the efforts made by the French revolutionary leaders to exalt the rights of the individual as against the control of government; that was precisely what he was laboring to bring about in America. Hamilton, on the other hand, distrusted the people, hated democracy, and had no sympathy for France. The cabinet was therefore divided on this question as well as on others, and for precisely the same reasons. This was the more unfortunate as the position of the government was full of peril. The Treaty of Alliance with France (§ 152) provided that each party should guarantee to the other its territorial possessions in America. According to the letter of the treaty, therefore, the United States was bound to defend the French West India Islands against British attacks. Washington laid the case before his advisers and asked whether the treaty was still in force, in view of the overthrow and execution of the French monarch with whom it had been made. Jefferson replied that it was still in force. According to the political theories contained in the Declaration of Independence, which form the basis of the American political system, the government of a country is merely the instrument by which the sovereign power, the people, carries on its affairs. Bearing this in mind, it is difficult to see how he could have given any other answer. To Hamilton, however, to whom governments were everything and the people nothing, the case seemed to be equally clear on the other side. Political expediency, nay, the existence of the United States, demanded that she should not take sides in the tremendous conflict now approaching. Recognizing this, Washington decided to issue a proclamation of neutrality defining the position of the United States, and warning all American citizens against committing hostile acts in favor of either side (April 22, 1793). This proclamation is of the very greatest importance in the history of the country, as it was then first definitely laid down as a policy that the United States was to hold apart

The  
Neutrality  
Proclamation,  
1793.  
Mac-  
Donald's  
*Docu-  
mentary Source  
Book*,  
No. 56.

from the wars and politics of Europe. It proved to be very difficult to carry out in practice, and the difficulty was not in any way lessened by the conduct of the French agent in the United States, the "Citizen Genet."

Genet in  
the United  
States.

Genet landed at Charleston on April 8 and at once began to fit out warlike expeditions, as if the United States were French soil: he armed privateers, commissioned them, and directed their masters to send prizes into United States ports for condemnation. He then set out for Philadelphia, and his journey resembled a triumphal progress. Clubs were formed on the model of the Jacobin Club of Paris, and extreme democratic ideas were zealously cultivated. Fortunately, however, Genet was a very imprudent man, and soon mixed himself up in actions which justified the government in asking for his recall. This request was at once granted; for the party that had sent him to America was no longer in power in France, but had been replaced by a much more radical element. Curiously enough, it does not appear that Genet, or Fauchet his successor, called upon the government to fulfill the provisions of the treaty, — a demand which would have been very awkward to meet.

The Federalists at once endeavored to disgrace their opponents by calling them democrats; and the Republicans charged the Federalists with leanings toward England, and branded them as the British party. There was some truth in this latter contention, as the Federalist party was strong in the commercial centers of the North, whose trade was mainly with Great Britain. Notwithstanding their fierce and growing dissensions, Jefferson and Hamilton both implored Washington to serve another term; he was unanimously re-elected, and John Adams again became Vice-President (1792).

Controversy  
with Great  
Britain,  
1783-93.

201. **Relations with Great Britain, 1783-1793.** — The treaty of peace of 1783 had secured the independence of the United States and had given it adequate boundaries; but it had left unsettled many weighty questions, and some of its more important provisions had not been faithfully ob-



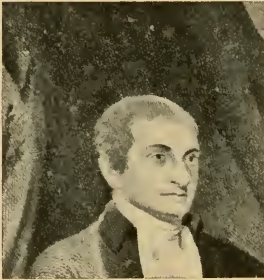
served. For instance, legal obstacles had been placed in the way of the collection of debts incurred before the Revolution (§ 175), and Great Britain had refused to surrender many posts in the northwest, whose retention was a standing threat to the settlers in that region. The British had also taken away large numbers of slaves contrary to the treaty, according to the American interpretation of it (§ 175). The controversy had reached a dangerous point, where slight additional irritation on either side might easily lead to war; and, on the other hand, the United States was now in a position to enforce its treaty obligations.

Meantime, the war between France and Great Britain had given rise to another cause of complaint. In May, 1793, the French ordered the capture and condemnation of neutral vessels carrying provisions to British ports, on the ground that provisions were contraband of war, or goods which could not be supplied to a belligerent except at the risk of seizure by the other belligerent. The British government soon adopted a similar policy. In those days there also existed an agreement between the leading European powers to the effect that a neutral could not enjoy in time of war a trade which was prohibited to it in time of peace. This was called the Rule of War of 1756, or, more briefly, the Rule of 1756. The Americans were not allowed to trade with the French West Indies in time of peace, but as soon as the war broke out those ports were open to them. In November, 1793, the British put this rule in force against American shipping. As the Americans were not permitted to trade with the British West Indies, this action practically closed the commerce of that region to them. With the outbreak of the war, another and even more irritating contention arose over the right of the British to stop American vessels on the high seas and remove from them British seamen for service in British men-of-war; the more serious phase of this impressment controversy will be considered later on (§ 233). Affairs had reached a point where war seemed certain. In March,

France,  
Great  
Britain, and  
the Neutrals,  
1793.

1794, Congress laid an embargo for thirty days on shipping in American ports, which was afterwards extended for another thirty days. A bill was also brought in providing for non-intercourse with Great Britain, and was defeated in the Senate only by the casting vote of the Vice-President. A word from Washington, and the nation would have cheerfully plunged into war.

Jay's Treaty,  
1794.  
Winsor's  
*America*,  
VII, 466-  
471;  
Schouler's  
*United  
States*, I,  
304-311.



John Jay

202. Jay's Treaty, 1794. — Washington determined to

make one more effort to settle these questions peaceably; he appointed John Jay, Chief Justice of the United States, minister to Great Britain to negotiate a new treaty. Probably a better choice could not have been made. Jay had had much experience in diplomatic affairs, was a man of the highest honesty, and one of the least self-interested men

in public life. After a long and difficult negotiation, he signed a treaty (1794) whose publication at once aroused fierce animosity in the United States. By this instrument the British government agreed to turn over the posts on June 1, 1796; joint commissions were to be appointed to settle the question of debts, the indemnity for the negroes who were taken away, and to determine boundary disputes on the northeastern frontier; but on the questions of neutral trade and impressment the British government would not yield. The most objectionable provision of the treaty was the twelfth article. This opened the ports of the British West Indies to American vessels, provided that they were under seventy tons, and on the further condition that during the continuance of the treaty (twelve

years) the United States would not export molasses, sugar, coffee, cocoa, or cotton to any part of the world.

203. **Ratification of Jay's Treaty, 1795.** — The announcement of the terms of the treaty was the signal for an outburst of indignation. A stuffed figure of Jay was burned, the British flag was dragged in the dirt, the British minister was insulted, and Washington was abused in language that he declared "could scarcely be applied to a Nero, to a notorious defaulter, or even to a common pick-pocket." It was only with the greatest difficulty that the Senate could be induced to give its consent to the treaty without the twelfth article. In the House of Representatives there was also a fierce conflict, for money was needed to carry out the provisions of the treaty. After a long debate,

the House passed a resolution calling on the President for the papers relating to the negotiation. This demand Washington refused, on the ground that the House of Representatives was not a part of the treaty-making power. Finally, the House gave way, largely in consequence of pressure brought to bear upon Northern members by their constituents in the commercial centers of the North; and by a vote of forty-eight to forty-one the necessary appropriation bills were passed. The best that can be said of Jay's treaty is that it postponed the second war with Great Britain for many years. The immediate consequence was to increase the feeling of dissatisfaction with the Federalists. Even in Virginia, Washington lost much of his former popularity; the legislature



Mrs. John Jay

Controversy over its ratification. Schouler's *United States*, I, 323-329; Johnston's *Orations*, I, 84-130.

of that state refused to pass a vote of undiminished confidence in its greatest son.

Controversy  
with Spain,  
1783-95.  
Winsor's  
*America*,  
VII, 476.

204. *Relations with Spain and France, 1794-1797.* — According to the treaties of 1763 and 1783, the United States enjoyed the right to the free navigation of the Mississippi (§ 164) and had a strong claim to territory as far south as the thirty-first parallel (§ 175). It proved to be very difficult to secure possession of the land bordering on the Mississippi south of the Yazoo, as the Spaniards contended that Britain, in ceding to her "the Floridas," had ceded them with the boundaries under which they were actually governed at the time of the Spanish occupation (§ 175). The Spaniards also intrigued with the settlers in Kentucky and Tennessee. The right of the United States to the free navigation of the Mississippi could not well be denied, but the free navigation of the great river was of slight value unless the Americans possessed the further privilege of using some portion of the river's banks within Spanish territory for the purpose of transferring cargo from river-going craft to vessels capable of navigating the ocean. In 1795, Thomas Pinckney negotiated a treaty with Spain, by which that power agreed to designate "a place of deposit" within her territory where goods might be stored free of duty while awaiting transshipment, and she acknowledged the claim of the United States as to the boundary to be valid; but it was several years before the posts within the territory thus conceded were handed over to the United States. With France matters did not proceed so satisfactorily.

Treaty of  
1795.

Controversy  
with France.  
Winsor's  
*America*,  
VII, 471;  
Schouler's  
*United  
States*, I,  
332-341.

The French government was greatly exasperated by the conclusion of the treaty with Great Britain, as war between that power and the United States was thereby made improbable. The American minister at Paris, James Monroe, a Virginian of the Jeffersonian school, instead of doing his utmost to smooth away these feelings of resentment, seems to have shared them himself; he also made no attempt to press the claims of America for damages for the unjustifiable seizure of vessels by the French. Washington recalled

him, and sent in his place Charles C. Pinckney of South Carolina, whom the French government refused to receive (February, 1797).

**205. Washington's Farewell Address, 1797.**—Toward the close of his second term, Washington decided to retire from the presidency, and by declining to be a candidate for reelection, set a precedent which was followed until 1912. He announced this determination in a masterly Farewell Address, which is still full of instruction for the American people. He earnestly besought his countrymen to foster the government recently established and to preserve the public credit. As

to the outer world, he wished his



fellow-citizens first of all to be Americans, and to avoid taking sides with foreign nations: "It is our true policy to steer clear of permanent alliances with any portion of the foreign world. . . . I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy. . . ."

"Harmony and a liberal intercourse with all nations are recommended by policy, humanity, and interest."

**206. Election of John Adams, 1796.**—The choice of Washington's successor proved to be a matter of some difficulty. Jefferson was the undoubted leader of the Republicans, and he became their candidate. There was no such unanimity of opinion among the Federalists: Hamilton was the real leader of the party, but he was very unpopular and could not possibly have been elected; John Jay would have been Hamilton's choice for the place, but his connection with the negotiation of Jay's treaty made him an impossible candidate. Under the circumstances, John Adams was the only candidate whom the Federalists could put forward with a fair chance of success. But Hamilton sought by an unworthy political trick to secure the election to the first place of Thomas Pinckney,

Washington's retirement. *Old South Leaflets*, Gen. Ser. No. 4; Stedman and Hutchinson, III, 162.

Election of 1796. Schouler's *United States*, I, 342, 347-349; \*Stanwoods' *Presidency*.

the nominal candidate for the vice-presidency. Adams was popular with the rank and file of the Federalist party, although he was disliked by some of the leaders. The result was that to insure the choice of Adams, a number of Federalist electors threw away their second votes, and thus brought about the election of Jefferson to the second place instead of Pinckney. Jefferson, indeed, showed the most unexpected strength, and Adams was chosen President by three votes only over his Republican rival,—the votes being seventy-one for Adams and sixty-eight for Jefferson. The Federalists kept control of the Senate, but the moderate Republicans held the balance of power in the House of Representatives.



Election of 1796

Adams, at the outset of his administration, made the fatal blunder of retaining Washington's official advisers in office. Hamilton had long since retired from

the cabinet, and the heads of departments were men of fair abilities only, and could easily have been replaced. They regarded Hamilton as their chief and intrigued against Adams from the beginning to the end of his term of office. Beset by these difficulties at home, Adams had a most arduous task in the settlement of the troubles with France.

**207. Breach with France, 1796-1799.**—The new President had scarcely assumed office when news arrived that Pinckney had been sent away from Paris. Adams determined, however, to make another effort to renew friendly relations with the former ally of America. He appointed a

Commiss-  
sioners sent  
to France,  
1797.

commission, consisting of Elbridge Gerry, a Massachusetts Republican, John Marshall, a Virginia Federalist, and Charles C. Pinckney, the rejected minister, to go to France and endeavor to preserve peace with the French Republic, now under the government of the Directory. The commissioners met with a most extraordinary reception at Paris (October, 1797). Agents came to them whose names were disguised in the dispatches under the letters X, Y, and Z. They demanded money as the price of receiving the Americans. This was refused, and the commissioners were directed to leave France. An attempt was made, however, to negotiate separately with Gerry, who was regarded as representing the Jeffersonian party. News traveled slowly in those days, and it was March, 1798, before Adams communicated to Congress the failure of this ill-starred commission. In June the President closed a message to Congress with the assertion that he would "never send another minister to France without assurances that he would be received, respected, and honored as the representative of a great, free, powerful, and independent nation."

Instantly, there was a change of feeling in Congress. The Federalists gained control of both houses, and pushed forward preparations for defense. A new army organization was begun, with Washington in nominal command; but the real direction of military affairs was intrusted to Hamilton, who was forced on the President by Washington as the price of his own co-operation. The building of a navy, which had already been begun during recent disputes with the piratical states of northern Africa, was now pushed on with vigor. Many of the new vessels did excellent service. In their home policy, however, the Federalists committed grave blunders.

**208. Alien and Sedition Acts, 1798.** — These acts were the outcome of an exaggerated fear of the Republicans on the part of the Federalists; even Washington, who was now a strict party man, whatever he may have been in his earlier years, proposed to prevent Republicans from joining the

Schouler's  
*United States*, I,  
358-367.

The X, Y, Z  
affair.  
Schouler's  
*United States*, I,  
385-398;  
*Contemporaries*, III,  
No. 99.

Preparations  
for war.  
Schouler's  
*United States*, I,  
415-422;

Restrictive  
legislation,  
1798.

Schouler's  
*United  
States*, 1,  
404-410;  
*American  
History  
Leaflets*,  
No. 15.

army of which he was the head. The first law against aliens was the Naturalization Act (June 18, 1798), raising the period of residence preliminary to naturalization from five to fourteen years. The second law (June 25, 1798), which is usually cited as the Alien Act, authorized the President to order any aliens "he shall judge dangerous to the



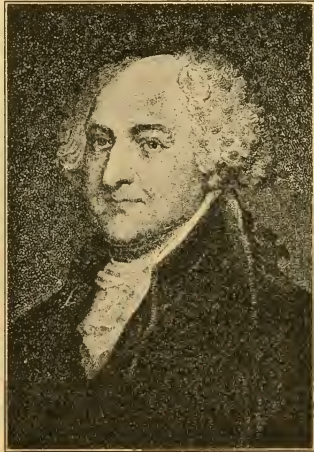
Mrs. John Adams

peace and safety of the United States, or shall have reasonable grounds to suspect are concerned in any treasonable or secret machinations against the government thereof, to depart out of the territory of the United States"; or he might, at his discretion, grant an alien a "license to . . . remain within the United States for such time as he shall judge proper, and at such place as he may designate," under such bonds as he may

think fit, and he might revoke the license at any time. An alien returning could be "imprisoned so long as, in the opinion of the President, the public safety may require." The third law directed against aliens, which is generally cited as the Second Alien Act, authorized the President in time of war "to arrest, restrain, secure, and remove as alien enemies all natives or subjects of such hostile nation or government as are not actually naturalized." The Sedition Act (July 14, 1798) made it a crime punishable "by a fine not exceeding five thousand dollars and by imprisonment during a term of



not less than six months nor exceeding five years" for any persons to "unlawfully combine" with intent to oppose any measure of the government or to impede the operation of any law, or to intimidate any government official. Furthermore, any person who should write, print, utter, or publish anything, or cause anything to be so written or uttered, with intent to defame the government of the United States, or to excite unlawful combinations, should be punished by a fine not exceeding two thousand dollars and by imprisonment not exceeding two years. The Alien Act was to be in force for two years and the Sedition Act until March 3, 1801, the end of Adams's term. These Alien and Sedition Acts were modeled on similar laws which had recently been passed in England, and, with the Naturalization Act, were aimed principally against the Republican politicians and newspaper writers, many of whom were foreigners. These laws were opposed in the House of Representatives by the Republicans, ably led by Albert Gallatin, an immigrant from Switzerland; but their opposition was unavailing. Adams seems to have taken slight interest in the matter; he never acted under the alien acts, but they cannot be said to have been entirely inoperative, as two or three "shiploads" of aliens left the country rather than incur



John Adams, after a painting by Stuart

Effects of  
these laws.

the risk of remaining. The Sedition Act was put into force several times, notably against Callender, a Republican newspaper editor. Every prosecution under the act was given the greatest publicity by the Republicans and lost hundreds, if not thousands, of votes to the Federalists. Jefferson also adopted the old revolutionary expedient of legislative resolves, in order to bring the harsh measures of the Federalists prominently before the people.

Kentucky  
Resolutions,  
1798.  
*American  
History  
Leaflets*,  
No. 15;  
Schouler's  
*United  
States*, I,  
433-436.

209. **Virginia and Kentucky Resolutions, 1798, 1799.** — The Kentucky Resolutions, which were the first to be adopted, were introduced into the legislature of that state by Mr. Breckinridge; their real author, however, was Jefferson. His original draft contained the logical conclusions from the premises of the argument which went beyond what the Kentucky legislators were ready to place on record in 1798. In 1799, however, they had reached the necessary pitch of indignation to adopt the whole of Jefferson's argument. There are other differences between Jefferson's draft and the resolutions as voted either in 1798 or 1799. It will be convenient to consider the two sets as one, and to note one or two of the changes from the original writing. The Resolutions of 1798 open with the statement "that the several states composing the United States of America are not united on the principle of unlimited submission to their general government; but that by compact under the style and title of a constitution . . . they [1] constituted a general government for special purposes, delegated to that government certain definite powers . . .; and that wheresoever the general government assumes undelegated powers, its acts are unauthoritative, void, and are of no force: [2] That to this compact each state acceded as a state, and as an integral party, its co-states forming as to itself, the other party . . . [3] that as in all other cases of compact among parties having no common judge, each party has a right to judge for itself, as well of infractions as of the mode and measure of redress." The Resolutions then proceed to state that the acts enumerated in the preceding

section and an act to punish frauds committed on the Bank of the United States, which was passed in June, 1798, are altogether void and of no force, as they were contrary to the Constitution and the amendments.

Jefferson's original draft had contained the further statement "that every state has a natural right in a case not within the compact (*casus non fœderis*) to nullify of their own authority all assumptions of power by others within their limits." This statement was omitted from the Resolutions of 1798; it appears in those of 1799 in an even stronger form: "That the several states who formed that instrument [the Constitution] being sovereign and independent, have the unquestionable right to judge of the infraction [of that instrument]; and *that a nullification, by those sovereignties, of all unauthorized acts done under color of that instrument, is the rightful remedy.*"

The Virginia Resolutions were drawn by Madison and were much milder in tone. They termed the Constitution, however, "a compact," and called upon the other states to join with Virginia in declaring the Alien and Sedition Acts unconstitutional. These Resolutions and the Kentucky Resolutions of 1798 were communicated to the other states. They evoked strong condemnation from the legislatures of the Northern states and received no support from those of the Southern states. It is difficult to say what remedy Jefferson and Madison desired to see adopted; probably nothing more than a new constitutional convention; certainly they had no desire to see the Union dissolved, and in all probability wished to do nothing more than to place the compact theory of the Constitution before the people in a clear and unmistakable manner. In this they succeeded, and the Resolutions undoubtedly did much to turn the current of public opinion against the authors of the Alien and Sedition Acts.

A letter which Hamilton wrote to Mr. Dayton, the Federalist Speaker of the House of Representatives, contains an enunciation of the extreme Federalist view,

Kentucky  
Resolutions  
of 1799.  
*American  
History  
Leaflets,*  
No. 15.

Virginia  
Resolutions,  
1798.  
*American  
History  
Leaflets,*  
No. 15.

Hamilton's  
letter to  
Dayton.

and may be regarded, in some measure, as an answer to the Kentucky and Virginia Resolutions. Its author advocated the cutting up of the states into small divisions, for the purpose of increasing the number and power of the federal courts. He also suggested the adoption of an amendment to the Constitution, giving Congress the power to divide the larger states into two or more states. He further advised the retention of the army on its present footing, even if peace should be made with France. At this moment, Adams reopened negotiations with France, and by concluding a treaty with that country, put an abrupt ending to the dreams of Hamilton and his friends and widened the breach in the Federalist party beyond possibility of repair.

France  
draws back.  
Schouler's  
*United*  
*States*, I, 429.

**210. Treaty with France, 1800.** — The publication of the X, Y, Z correspondence caused great excitement among the governing circles in France. Talleyrand, who had been at the bottom of the intrigue, saw that he had gone too far, and tried to draw back; he caused a message to be conveyed to Vans Murray, American minister to the Netherlands, that if the United States would send another envoy to France, he would be "received as the representative of a great, free, powerful, and independent nation." Adams grasped eagerly at the opportunity to bring peace to his country. Without consulting his cabinet, he nominated Vans Murray as minister to France. The Federalist leaders in the Senate, amazed at this change of front, seemed determined to reject the nomination, when Adams substituted a commission consisting of Oliver Ellsworth, Jay's successor as Chief Justice, Patrick Henry, and Vans Murray; and these nominations were confirmed. Henry, now old and infirm, declined to serve, and William R. Davie of North Carolina, another Southern Federalist, was appointed in his stead. Adams also seized the first opportunity to dismiss the most treacherous of his advisers, and substituted John Marshall in place of Timothy Pickering as Secretary of State.

Napoleon Bonaparte, as First Consul, was now at the head of affairs in France. The Commissioners were well received, and a French commission, at the head of which was Joseph Bonaparte, Napoleon's brother, was appointed to negotiate with them. In many respects, the treaty thus concluded was satisfactory to both parties; but Napoleon declined to pay for American property seized by the French government or by its agents during the recent troubles, or to consent to the formal abandonment of the treaty of 1778. These subjects were reserved for future negotiations. The United States Senate refused to ratify this part of the arrangement. Ultimately, it was agreed that the United States should give up its contention as to the payment of claims, and Napoleon consented to regard the treaty of 1778 as no longer binding.



Timothy Pickering

In this way, by the action of the Senate, the United States became bound, at least morally, to compensate its own citizens for French spoliations committed prior to 1800, which were thus bartered away for the final renunciation of the treaty of 1778 with its formidable guarantee of the French West India possessions. It is only within recent years, however, when legal proof has become almost impossible, that Congress has consented to pay these "French spoliation claims."

**211. The Election of 1800.** — The presidential election of 1800 was fought with great vigor and with great bitterness

Treaty of  
1800.  
Schouler's  
*United  
States*, I,  
441-447,  
451-456, 488.

The French  
Spoliation  
Claims.

Presidential campaign of 1800. Schouler's *United States*, I, 472-476, 479-486; \*Stanwood's *Presidency*.

Hamilton's intrigues.

of language and temper. John Adams, by his honest and patriotic policy, had saved the country from a disastrous war, and had deeply offended the leaders of the Federalist party. He was still popular with the people, who recognized his fearless honesty and remembered his great services during the Revolution. He became the Federalist candidate for the presidency because there was no one else to

nominate with any chance of success. Hamilton, instead of accepting his candidacy with good grace and supporting the party candidate with all his strength and influence, embarked on a course of petty intrigue, similar to the intrigues of 1788 and 1796, which have been already described (§§ 191, 206). Charles Cotesworth Pinckney of South Carolina was the Federalist candidate for second place. It was proposed that the South Carolina electors should vote for Pinckney and Jefferson, in the expectation that the votes thus



Election of 1800

withdrawn from Adams and given to Jefferson would return Adams to second place and bring in Pinckney as President. The latter honorably refused to be a party to such a transaction. Hamilton also sought to discredit Adams by writing a long dissertation to show his unfitness for the office of chief magistrate. This paper was based on information furnished by Oliver Wolcott, who had succeeded Hamilton as Secretary of the Treasury. The Republicans obtained a copy and gave it the widest publication. The Federalists were probably doomed to failure, as the heavy taxes made

necessary by the preparations for war, and the hatred which the prosecutions under the Sedition Act had aroused, had converted thousands to the Republican side. That party was now thoroughly organized by Jefferson and the other leaders, especially Aaron Burr, a disreputable politician, who had been nominated for the vice-presidency because he controlled the votes of New York. When the electoral ballots were counted, it was found that Jefferson and Burr had each received seventy-three votes; Adams, sixty-five; and Pinckney, sixty-four. As the Constitution then stood, the electors did not state their preference for President, and in case of a tie the House of Representatives, voting by states, must elect one of the two highest, President.

It happened that the Federalists were in a majority in the House, both as ordinarily constituted and when voting by states. Enraged at their defeat, and embittered beyond all measure with Jefferson, they determined to thwart the will of the people and elect Burr; for there was no question as to which candidate the Republicans desired to have President. This was against the advice of Hamilton, who distrusted and hated Burr even more than he did Jefferson. Thirty-six ballots were necessary before the Federalists could bring themselves to acquiesce in Jefferson's election, and even then they refused to vote for him, and permitted him to be chosen only by absenting themselves. The Federalists lost greatly by this political maneuver. Once in power, the Republicans proposed an amendment to the Constitution revising the method of choosing the President and Vice-President (§ 229).

212. **The Judiciary Act, 1801.**—Defeated in the election, the Federalists “retreated into the Judiciary as a stronghold.” The Judiciary, as it was established at the time of the organization of the government, was more than sufficient for the transaction of all the business that was likely to come before it for many years. Nevertheless, the Federalists, after the results of the election were known, pushed through Congress an act greatly enlarging it and providing

Election of Jefferson by the House. Schouler's *United States*, I, 492-500.

The Judiciary Act, 1801. Schouler's *United States*, I, 500.

many new and valuable places to be filled by the President of the defeated party. The Constitution forbids a member of Congress to accept an office which has been created, or the emoluments of which have been increased, during his term as a member of that body. This requirement was now evaded by promoting many district judges to the new positions, and filling the vacancies thus created by the appointment of members of Congress. One of Adams's judicial appointments deserves a fuller mention. Oliver Ellsworth, Jay's successor in the chief-justiceship, resigned, and John Marshall was nominated in his stead. He was at the moment acting as Secretary of State and for a few days performed the duties of both offices,—a combination of executive and judicial functions not contemplated by the Constitution. He proved to be the ablest legal luminary America has yet produced. For thirty-five years he remained at the head of the Supreme Court, continuing in that branch of the government the broad constructive theories of constitutional interpretation maintained by the Federalists.

Adams's  
"midnight  
appoint-  
ments."

Adams also filled up every vacant office in the government, and Marshall was still busy countersigning commissions when the hour of twelve struck on the night of March 3, 1801, and the Federalist supremacy came to an end. At dawn the next morning Adams set out for his home in Quincy, Massachusetts, without waiting to greet his unwelcome successor.

## SUGGESTIVE QUESTIONS AND TOPICS

### §§ 191-198. ORGANIZATION OF THE GOVERNMENT

*a.* Put as a heading in note-book "Party Government"; begin its outline with the following heads: definition of party; why are political parties necessary? trace origin and growth of party government in the United States; discuss organization of parties; describe the present political organizations in your state; ought a citizen to attach himself to a party? what are Independents and what political



value have they, if any? what political value has a "regular" party man, if any?

*b.* State the fundamental principles held by the first two great political parties; are these principles party issues to-day?

*c.* Compare Washington's Inaugural Address with that of the present chief magistrate under the following heads: personal tone, specific statement, declaration of political principles, self-effacement, English style. Account for difference.

*d.* State the legal relations of the cabinet officers to the President; to Congress. Compare with British cabinet system.

*e.* Was the declaration that "Congress had no authority to interfere with slavery within the states" binding on future Congresses?

#### §§ 200-204. FOREIGN RELATIONS

*a.* Bring to class a brief digest of the history of Great Britain and France, 1783-1801.

*b.* Review the services of France to the United States, 1776-83, and then discuss her treatment by the United States at this period.

*c.* Why does the Neutrality Proclamation mark an epoch in United States history?

#### § 205. WASHINGTON'S FAREWELL ADDRESS

Enter in your note-book Washington's views touching the following points: the continuance of the Union, sectional parties, combinations and associations, changes in Constitution, federal authority, party spirit, encroachments by departments, public education, national antipathies and attachments, European alliances. Watch the course of the narration to see how far Washington's warnings were prophetic.

#### §§ 206-210. JOHN ADAMS'S ADMINISTRATION

*a.* What is the significance in United States history of French relations at this time?

*b.* What are the features of the present Naturalization Act?

*c.* Under what headings in note-book must matter in § 209 be entered? Why are the "compact theory" and "nullification" spoken of as premise and conclusion? Why is Madison called the "Father of the Constitution"? Has his testimony in the Virginia Resolutions as to the nature of the Constitution any value? Carefully define interposition, nullification.

#### § 211. ELECTION OF 1800

*a.* Breach in Federalist party: causes; describe and criticise conduct of opponents; results.

b. Explain the original method of election of President and state its advantages and disadvantages; what changes were made by the Twelfth Amendment? How far were they improvements? What method would you recommend, and why?

#### GENERAL QUESTIONS

a. Consider the Federalist party under the following heads: prominent men, theory, services, errors; why was it natural and fortunate that such a party should at first direct the destinies of the United States? Why natural and fortunate that it should fall?

b. Look up Principles of Neutrality, Principles of Consular Powers.

c. Enter in note-book list of constitutional questions which arose during this period.

#### TOPICS FOR INDIVIDUAL INVESTIGATION

a. Summarize Hamilton's statements of foreign debt, domestic debt, state debts; define his attitude toward each, and summarize his reason (*Guide*, § 177).

b. Explain the Funding Bill (*Guide*, § 177).

c. Explain the compromise over Assumption (*Guide*, § 177).

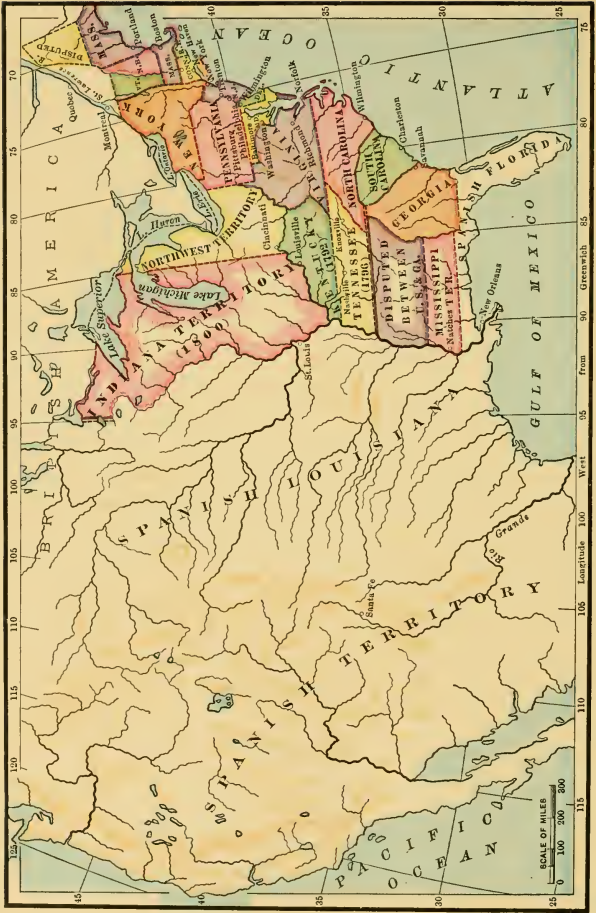
d. Summarize Hamilton's argument on the constitutionality of the United States Bank; summarize Jefferson's argument (*Guide*, § 178).

e. Summarize the leading speeches on Jay's Treaty.

f. Summarize the repressive acts of 1798.

g. Summarize the Kentucky Resolutions, the Virginia Resolutions.





No. V. THE UNITED STATES, 1800

## CHAPTER VIII

### THE JEFFERSONIAN REPUBLICANS, 1801-1812

#### Books for Consultation

**General Readings.** — Johnston's *American Politics*, 55-77; Higginson's *Larger History*, 344-365; Hart's *Formation of the Union*, 176-206; Walker's *Making of the Nation*, 168-229; Schouler's *United States*, II, ch. vii.

**Special Accounts.** — Wilson's *Presidents*; Schouler's *Jefferson*; Morse's *J. Q. Adams*; Gay's *Madison*; Adams's *John Randolph*; Roosevelt's *Winning of the West*; Larned's *History for Ready Reference*; Schouler's *United States*; Channing's *Jeffersonian System*; Maurice Thompson's *Louisiana*. Larger biographies of the leading statesmen, *Guide*, § 39.

**Sources.** — Cooper and Fenton, *American Politics*; Stedman and Hutchinson, *Library of American Literature*; Benton's *Abridgment: American History Leaflets*; Williams's *Statesman's Manual*; Adams's *New England Federalism*. Writings of the leading statesmen, *Guide*, §§ 46, 47; MacDonald's *Documentary Source Book*.

**Maps.** — MacCoun's *Historical Geography*; Hart's *Epoch Maps*; Winsor's *America*.

**Bibliography.** — *Guide to American History*. §§ 186-190.

**Illustrative Material.** — McMaster's *United States*; Maclay's *United States Navy*; Goodrich's *Recollections*; Dwight's *Travels*; J. Q. Adams's *Diary*; Parton's *Burr, Jackson, and Jefferson*; Schuyler's *American Diplomacy*; Sullivan's *Familiar Letters*; Basil Hall's *Voyages and Travels*; Drake's *Making of the West*.

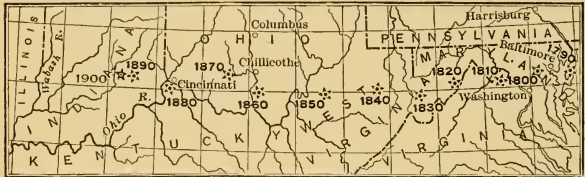
Bynner's *Zachary Phips*; Hale's *Man Without a Country* and *Philip Nolan's Friends*; Paulding's *Diverting History of John Bull*.

### THE JEFFERSONIAN REPUBLICANS, 1801-1812

213. **American Ideals, 1800.** — Before 1800, the American people seemed to stand still, as if lost in the traditions and prejudices of the past. The great political overturn

Rise of American inventive genius.

which some writers call the Revolution of 1800, marks the point of time when this indifference gave way to an outburst of mental activity and to a fertility of invention that, in the life of one generation (1800-30), changed the American people into the energetic race it has ever since been. It lost much of its natural opposition to that which is new and prepared to take advantage of the great opportunities which the application of modern invention to the natural wealth of the United States placed within reach. At the same time, the American people sought to elevate the intellectual and the material position of the average citizen. These



Movement of the center of population

tasks were difficult, the laborers were few, and a less hopeful race might well have been dismayed at the work before it.

Numbers,  
1800.  
North's  
Century of  
Population  
Growth.

214. **Population in 1800.**—The census of 1800 gives the total population of the United States as about five millions (5,308,483), in comparison with a population of four millions in 1790, and fifteen hundred thousand in 1760. At the beginning of the century the population of the British Islands was some fifteen millions, and that of France, over twenty-seven millions. These five million Americans were scattered over nearly three hundred thousand square miles of territory, that being the "settled area" according to the census. At least two thirds, or three and one half millions, lived on tide water, or within fifty miles of it. The remainder inhabited the slopes of the Alleghanies or the new settlements in the Northwest Territory,

Kentucky, and Tennessee, which were then frequently spoken of as "The West."

The growth of this latter region had been wonderful for those days, before the time of steam. In 1790 there were about one hundred and eleven thousand settlers in the West; their number had increased in ten years to three hundred and seventy thousand, distributed as follows: in Kentucky, two hundred and twenty thousand, including forty thousand slaves; in Tennessee, one hundred and five thousand, of whom fourteen thousand were slaves; and in the Northwest Territory, forty-five thousand, all free.

Settlement  
of the West.

The center of population was near Baltimore, but it had already advanced forty-one miles on its westward march,—in 1790 it had been twenty-three miles east of Baltimore, and now it was eighteen miles west of that city. The inhabitants of the original thirteen states and of Vermont were distributed somewhat as follows: north of Mason and Dixon's line (§ 87) there were nearly two million seven hundred thousand, including one hundred thousand slaves; south of that line there were two million two hundred thousand, of whom nine hundred thousand were slaves. The white population of the South was therefore just one half of that of the North. The state which possessed the largest slave population was Virginia, with three hundred and fifty thousand slaves, in a total population of nearly nine hundred thousand; in South Carolina there were thirty thousand whites and seventy thousand blacks.

Distribution  
of popula-  
tion.

The American people has usually been regarded as of English origin, and, as a matter of fact, that race was the most numerous and the most important; and American institutions have their source mainly in English institutions, as developed in colonial days. The first three quarters of the eighteenth century had witnessed a great immigration from Europe to America; but from 1775 to 1800 few immigrants landed on the shores of the United States. Many men who played prominent parts in the formation of the

Racial  
elements.

Constitution and in the organization of the government were born outside the limits of the United States. For instance, the three great financiers, Robert Morris, Alexander Hamilton, and Albert Gallatin, were foreign born; James Wilson, who contributed powerfully to secure the ratification of the Constitution was a Scot, and William Jackson, the defender of slavery, was an Englishman. But, with the exception of those foreigners who were already on the soil in 1775, the citizens of the United States in 1800 were born in America. They were descended from all the nations of northwestern Europe, and it will be interesting to note the racial origins of the inhabitants of the several sections. In New England and Virginia, there was less of the non-English element than in any other portion of the country; but even in New England there were descendants of Scots banished by Cromwell after the victories of Dunbar and Worcester, of Scotch-Irish immigrants from the north of Ireland, and of Huguenots who had fled from France at the revocation of the Edict of Nantes. In the newly settled portions of Virginia there were often descendants of Scotch-Irish immigrants and of German Protestants. But taking the New England states and Virginia as a whole, it may fairly be said that the bulk of the people were of English extraction.

New  
England  
and  
Virginia.

The Middle  
states.

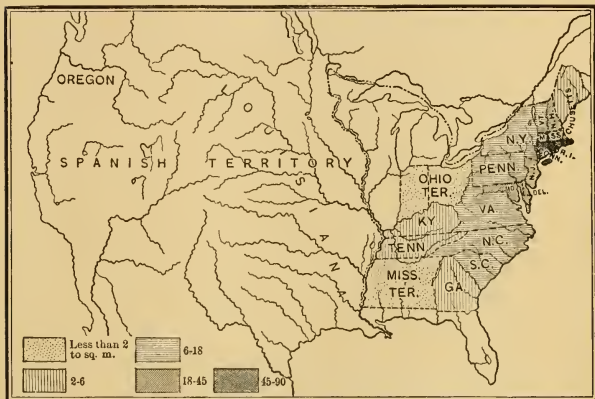
In the Middle states there was the greatest diversity of population. New York City, originally settled by the Dutch, contained people of many races even as far back as the outbreak of the Revolutionary War; on the banks of the Hudson and the Mohawk, there were large German settlements. In Pennsylvania and Maryland were people of many races and religions, and in the extreme south were large numbers of Germans, French, Scots, and Scotch-Irish. These various races were all drawn from the two great branches of the Aryan stock, — Germanic and Keltic, — which have always shown the greatest power of living side by side. They lived happily together on American soil,



and, by a process of growing together, laid the foundation of a strong aggressive race, the American people, which came into existence in the epoch between the inauguration of Thomas Jefferson and the election of Andrew Jackson.

215. **Analysis of the Population.**—The collection of large portions of the populace in cities and towns had

Cities and towns.



Density of population, 1800

scarcely begun. Only about five per cent of the total population can be regarded as urban as distinguished from rural. This part of the people was gathered into eleven cities and towns, only five of which — Philadelphia, New York, Baltimore, Boston, and Charleston — would now be regarded as urban. Philadelphia, the largest of them, contained seventy thousand inhabitants. It was the finest city in America, and patriotic Americans regarded it as surpassing Paris and London in elegance: the principal streets were lighted, many of them were paved, a system

of drainage was already devised, and water was furnished to the inhabitants by wooden pipes from a pure source of supply outside the city. New York, with sixty thousand inhabitants, was behind Philadelphia in introducing improvements, but, even in 1800, it must have been an agreeable place of residence; the houses then stood near together on the southern end of Manhattan Island, and Broadway was a fashionable drive. Baltimore, the third in point of population (twenty-six thousand), was situated south of Mason and Dixon's line; but it was a Pennsylvania seaport fully as much as a Maryland town, as it absorbed most of the commerce of the Susquehanna valley. Boston, with twenty-four thousand inhabitants, was a thickly built little town with narrow streets and a thriving commerce. Charleston contained twenty thousand souls, and bore a distinctively Southern aspect; it controlled the rice trade, and was the place of residence of the wealthy planters of South Carolina. Providence, Savannah, Norfolk, Richmond, Albany, and Portsmouth, each contained between eight and five thousand inhabitants. Washington, the new capital, had been recently occupied; it was hardly a village, except on paper, and contained only the Capitol, the White House, two departmental buildings, and a few boarding houses; the public buildings were still uncompleted; Mrs. Adams found the audience room of the White House convenient for drying clothes, and the representatives met in a temporary building erected in the middle of the unfinished Capitol.

Area.

**216. Various Statistics.** — The area of the United States was about eight hundred thousand square miles (849,145), of which only three hundred thousand were partially occupied. • The total valuation of the United States was estimated to be about eighteen hundred million dollars, or about three hundred and twenty-eight dollars per head of the population.

Exports and imports.

Notwithstanding the obstacles placed in the way of the West India trade, and the dislocation of commerce, owing

to the breach with France, the country was prosperous, and foreign trade had increased in a marvellous manner. The exports, excluding bullion, were valued at over twenty million dollars in 1790, and at over seventy millions in 1800. The imports had increased at a still more rapid rate; in 1790 they were valued at twenty-five millions, in 1800 at over ninety millions.

**217. Occupations of the People.** — Agriculture was the principal occupation of the people, although the commerce of the Northern states was of great importance. Manufacturing had been begun, but as yet was in its infancy, and the fisheries remained a source of great proportional wealth. Wheat and other food grains were largely exported from the middle group of states, including those on Chesapeake Bay; New Jersey produced more than any other. In 1791, more than six hundred thousand barrels of flour and one million bushels of wheat were exported, and about double that amount in 1800. The soil and climate of New England were unsuited to agriculture on an extensive scale, but potatoes, onions, turnips, and carrots flourished and formed an important article of export to the West India Islands, whenever they were open to American commerce. Tobacco and rice were the great staples of the Southern states, and with naval stores and indigo were the most valuable exports of that section; the cultivation of cotton for export was just beginning to attract attention.

Foreign commerce was thriving in 1800, and vessels flying the flag of the United States had already visited every sea; most of these merchant ships were very small, seldom exceeding four hundred tons, and the largest vessel in the navy measured only fifteen hundred tons. Coastwise navigation was still uncertain and dangerous, but more vessels were employed, and departures and arrivals were more frequent and more punctual. The use of steam for motive power had as yet attracted slight attention: in 1803 there were probably only five steam engines in the country. Three years later (1806) Robert Fulton began the con-

Industries.

Commerce.

Robert  
Fulton.  
Hubert's  
*Inventors*,  
ch. ii;  
Thurston's  
*Fulton*.

struction of his steamboat, amid the jeers of suspicious and incredulous onlookers. The age of steam was near at hand.

The manufacture of iron had been begun in early colonial days, but its successful development had been prevented by the repressive policy of the British Parliament. There were a few iron mills in Pennsylvania, and the manufacture of small articles, as nails, was actively carried on as a



Robert Fulton

household industry in New England. The vast mineral resources of the United States were practically untouched.

Cotton  
culture and  
manufacture.

**218. Cotton Culture and Manufacture.**— One of the things which impresses the student of the colonial and early constitutional periods is the commercial and political intimacy which then existed between mercantile New England and rice-growing South Carolina. The planters of the latter colony were the customers of the slave dealers of the North, and the commerce of the Southern colony and state was largely in the hands of New England shipowners and merchants. The first thirty years of the nineteenth century

saw a great revulsion of feeling in these two sections, the cause of which may be summed up in one word, — cotton : the Northerners began to manufacture cotton and desired to be protected from English competition ; the Southerners began to grow cotton in large quantities for export, and came to regard the protective system as hostile to the prosecution of their industry. By fastening slavery on the



*Eli Whitney*

cotton-growing states, this industry also dominated the politics of the second third of the century.

The successful adaptation of the steam engine to the moving of machinery was closely connected in England with great improvements in the machinery for spinning and weaving : Hargreaves invented the spinning jenny in 1767 ; two years later (1769) Arkwright produced the drawing frame ; Crompton followed with the mule spinner in 1784 ; and Cartwright with the power loom in 1785. These

Improvements in spinning and weaving machinery.

great inventions stimulated the manufacture of cotton cloth in England and vastly increased the demand for cotton, which was then supplied by Egypt and India. Cotton had been grown in small quantities in the Southern colonies since the middle of the seventeenth century, and had been used for the making of coarse clothing in the South. In 1786 the results of cotton raising were sufficiently favorable to induce Madison to assert, "There is no reason to doubt that the United States will one day become a great cotton-producing country." The great obstacle to the realization of this expectation was the expense incurred in the separation of the fiber from the seed. This process had to be tiresomely performed by hand, and labor was expensive, even in the South. Notwithstanding these adverse conditions, the cultivation of cotton proceeded. In 1790, the South produced two hundred thousand pounds of cotton, and in the next year (1791) exported one hundred and eighty-nine thousand pounds. Two years later (1793), Eli Whitney, a Connecticut schoolmaster, then residing in Georgia, invented an arrangement by which the cotton fiber was drawn by saw teeth through openings too small to admit of the passage of the seed, and thus multiplied the capacity of one slave in cleaning cotton about three hundred fold. Whitney's invention gained billions of dollars for the Southerners; he himself was mobbed when he sought to enforce his right to the production of his cunning brain. The exportation of cotton now increased with marvellous rapidity: in 1800 nearly twenty million pounds, worth five million dollars, were exported, an amount which was exactly doubled in three years, and, by 1824, the amount had increased to one hundred and forty-two million pounds, worth twenty-two million dollars.

The manufacture of cotton cloth in the United States proceeded more slowly. Parliament (1774) forbade the exportation of machinery, or any patterns of machinery, for the spinning or weaving of cotton. Spinning machinery, however, was set up in the United States, at Beverly

Whitney's  
cotton gin,  
1793.  
Hubert's  
*Inventors*,  
ch. iii.

Rise of  
cotton  
manufacture  
in America.

and Bridgewater in Massachusetts, Pawtucket in Rhode Island, Norwich in Connecticut, and at Philadelphia, but it was of slight efficiency. In 1790, Samuel Slater, an Englishman, who had worked as an apprentice to Arkwright, came to America. In partnership with Brown and Almy, two Providence men, he reproduced from memory Arkwright's machinery, and set it up in a small mill which his associates had started two years before. Other spinning mills were soon erected, but in 1812 there was no machinery for weaving in the country. Its introduction was due to Francis Cabot Lowell of Boston, who visited England, studied the process of manufacture, and returned with many new ideas, but without patterns or machinery. He had observed keenly, however, and in company with Patrick T. Jackson devised a power loom. In 1813, with the assistance of Nathan Appleton, they built a small factory at Waltham, near Boston, and began the spinning and weaving of cotton in one factory for the first time in history. From these small beginnings, the industry soon grew into large proportions.

Samuel  
Slater.

F. C. Lowell.

**219. Slavery.**—In a preceding chapter, the gradual spread of emancipation in the North has been mentioned (§ 174). Since the adoption of the Constitution, New York had joined the other Northern states in providing for the gradual emancipation of the negro, and in 1800 New Jersey was the only state north of Mason and Dixon's line which had not provided for the freeing of the slaves. She, too, passed a gradual emancipation act in 1804. Of all these states, Massachusetts and Vermont alone declared slavery to be illegal; in the other states, the process of emancipation was so slow, that in 1840 there were still one thousand one hundred and nine negroes legally held in bondage in the North; Massachusetts, Maine, Vermont, and Michigan were the only states in which there were no slaves.

Process of  
emancipa-  
tion in the  
North.

In the South, there were several emancipation societies in 1800, and many men expected or hoped for the speedy extinction of slavery in that part of the country. There were then nearly a million slaves in that section, and the

Emancipa-  
tion in the  
South.

increasing profitableness of cotton culture put an end to projects of emancipation. The price of slaves in the cotton states began to rise; states which had prohibited the importation of slaves repealed the prohibitory statutes; and the Virginians, who had been anxious to bring about emancipation in 1789, began to lose interest in the matter now that they saw a profitable market for their surplus slaves in the states to the southward. The great expansion of the cotton industry increased the wealth of the country, but in so far as it fixed slavery on the nation, it can be regarded in no other light than as a terrible evil, — for the ill wrought by slavery cannot be overestimated.

Influence of  
slavery.

It was not only in its evil influence on the society in which it flourished that slavery worked injury to the country; it divided the nation into two hostile sections, whose interests and modes of thought speedily became antagonistic. This division was due in part to the fact that those portions of the West-situated north of the Ohio River were peopled mainly by emigrants from the older Northern states on the seaboard, and those states lying south of that river were settled almost entirely by colonists from the South, who migrated thither with their slaves. A large part of Kentucky and Tennessee was composed of mountainous regions, and was outside of the cotton belt. These states, therefore, although tolerating slavery, developed on different lines from the cotton-growing states south of them.

Improvements in  
transport.  
Fiske's *Critical Period*,  
60-63.

220. **Internal Communication.** — Slight improvements had been made in transportation since the days when the first congressmen journeyed to Philadelphia. The roads in the vicinity of the larger towns and those forming the mail route, which extended from Maine to Georgia, had been improved. It now took twenty days to carry the mails from the Kennebec to the Savannah, and twenty-two days from Philadelphia to Nashville, Tennessee. Coaches ran from Boston to New York three times a week, and occupied three days on the journey, and a coach ran from New York to Philadelphia, occupying nearly two days in going



from the Hudson to the Delaware. South of Philadelphia there was a good road as far as Baltimore; south of that point it was bad and dangerous. Beyond the Potomac, the roads rapidly decreased in safety and number, until south of the James the traveler was compelled to have resort to horseback; a coach which ran from Charleston to Savannah was the only public conveyance south of the Potomac. In fact, it may be said without much fear of exaggeration, that San Francisco, for all practical purposes, is nearer to New York at the present day than Washington was in 1800.

221. **Intellectual Life.** — The intellectual life of the people was at a standstill. Philadelphia remained the literary center of the country, but there was backwardness even there. Franklin and Rittenhouse, who had given it its prominence in science, were both dead, and had left no one to fill their places. A small group of literary men, of whom Philip Freneau is the best known, produced the most creditable literary work of the day. At New Haven, the Dwights, Timothy and Theodore, with Joel Barlow, strove to establish a literary center; their success may be gathered from a perusal of their principal works, — Barlow's *Columbiad* and Timothy Dwight's *Greenfield Hill*; the latter's *Travels in New England and New York* is one of the most instructive books of the time. The great literary masterpieces, save the classics, were scarcely studied at all: Shakspeare was dreaded in New England, a German book could not be bought in Boston, nor was there one in the library of the college at Cambridge; Schiller and Goethe were unknown even in Pennsylvania, except possibly in translations. The literary men who were to give reputation to American letters during the next half century were not yet out of school: Washington Irving was a lad of seventeen, James Fenimore Cooper a boy of eleven, and William Cullen Bryant a child of six.

The zeal for education which had been so marked at an earlier day (§ 112) had greatly diminished. In the awakening of the Revolutionary period, there had been much

Torpidity of intellectual life.

Stedman and Hutchinson, III, 463.

Decline of education.

enthusiasm on the subject, but it had since died out. A system of public instruction had been established in Rhode Island and in New York, the latter in 1795; but it was already declining in 1800. The colleges had not improved their methods of teaching or enlarged the scope of their instruction; they had slight hold on the community, and fewer students attended them than in the earlier years. The medical schools at Philadelphia and Boston were the only institutions in the country where any appreciable attention was paid to science.

Encouraging signs.

In only two respects was American mental activity creditable,—in the production of state papers and in works of art. The political documents of this epoch were well written and logically constructed: students of politics and politicians of all grades and parentage have necessarily had resort to these admirably expressed documents, which have thus served to keep the English of America unusually pure.

The other respect in which the American people gave a sign of latent power was in art. Gilbert Stuart, Benjamin West, Washington Allston, with Copley and Malbone, formed a body of artists of whom any nation might well be proud. They received their training in England, and achieved most of their renown there. We must now turn to a study of the political history of Jefferson's administrations.

Cause of the fall of the Federalists.

**222. The Federalists and the People.**—The fall of the Federalists was due to the old-fashioned ideas of the party leaders, and to their failure to understand the nature of republican institutions. Hamilton's opinion of the people has been already stated (§ 192), but other leading men in the party were of nearly the same mind. For example, Theodore Sedgwick was accustomed to speak of the people as "Jacobins and miscreants," and George Cabot held "democracy to be the government of the worst."

The abuse of political opponents which so painfully marked the opening years of the government under the



Thomas Jefferson  
From an engraving by W. Holl

Abuse of  
political  
opponents.

Constitution was not confined to Republican denunciation of Federalists. On the contrary, Jefferson was the mark of abusive reproaches from the pens of newspaper editors and the tongues of orators and ministers. One Federalist editor for a time habitually wrote of Jefferson and Gallatin as "the knaves," "the cold thinking villians . . . whose black blood runs temperately bad." Theodore Dwight, one of the New Haven literary coterie (§ 221) and the historiographer of the Federalists, expressed the opinions of many men of that party in the following remarkable sentences spoken on July 7, 1801: "We have now reached the consummation of democratic blessedness. We have a country governed by blockheads and knaves. . . . Our surnames, the only mark of distinction among families, are abolished. . . . Can the imagination paint anything more dreadful? Some parts of the subject are indeed fit only for horrid contemplation." On the other hand, Hamilton, who asserted that he had "as much reason to hate Jefferson as any man," predicted that his administration would be cautious and moderate, — a prediction which was abundantly justified by the facts.

Jefferson's  
first inaugu-  
ral, 1801.  
Schouler's  
*United  
States*,  
II, 1-4;  
Johnston's  
*Orations*, I,  
147-163;  
*Contempo-  
raries*, III,  
No. 106.

**223. Jefferson's Inaugural.** — Jefferson was indeed anxious to moderate the feelings of asperity which had been aroused by the Alien and Sedition Acts, and the attempt to thwart the wishes of the people by electing Burr President. With a few friends he walked from his boarding house to the Capitol, took the oath of office, and read his inaugural address. "The sum of good government," he declared to be "a wise and frugal government which shall restrain men from injuring one another, [and] shall leave them otherwise free to regulate their own pursuits." Above all, he desired conciliation, saying, "We are all Republicans, we are all Federalists," and declared "absolute acquiescence in the decisions of the majority [to be] the vital principle of republics." He then proceeded to lay down the broad lines of his policy as follows: "Equal and exact justice to all men, of whatever state or persuasion, religious or politi-

cal ; peace, commerce, and honest friendship with all nations, entangling alliances with none ; . . . economy in the public expense, that labor may be lightly burdened ; the honest payment of our debts, and sacred preservation of the public faith ; encouragement of agriculture, and of commerce as its handmaid ; the diffusion of information, and arraignment of all abuses at the bar of public reason ; freedom



Albert Gallatin

of religion, freedom of the press, and freedom of the person. . . . Should we wander from them [the above principles] in moments of error and alarm, let us hasten to retrace our steps and regain the road which alone leads to peace, liberty, and safety." In a letter written a few months later (May 26, 1801) he said: "To preserve the peace of our fellow-citizens, promote their prosperity and happiness, reunite opinion, cultivate a spirit of candor, moderation, charity, and forbearance towards one another, are objects calling for the efforts and sacrifices of every good man and patriot."

Jefferson's  
heads of  
departments.

224. **The Civil Service.** — Jefferson was very fortunate in the selection of his leading advisers. He placed Madison at the head of the State Department and Gallatin — inferior



John Marshall

After a painting by Inman

only to Hamilton as a financier — at the head of the Treasury. The new administration found the government offices filled with Federalists, owing in great measure to the proscription of the Republicans by Adams, and by Washington

during the later years of his presidency. Among these office-holders were some of Jefferson's most bitter opponents, men who might in all justice be said to have exercised "offensive partisanship" or "industrious opposition," as he termed it, during the recent struggle. One of these was Goodrich, formerly a representative from Connecticut, where Federalism was especially rampant. He had resigned his seat to accept from President Adams the position of Collector of Customs at New Haven. Jefferson removed him and appointed in his place a man named Bishop, whose son had recently defended Republicanism in an address before the literary societies of Yale College. The matter was made the occasion of the most furious abuse of the new President.

Jefferson was especially indignant at what he termed "the indecent conduct [of Adams] in crowding nominations after he knew they were not for himself," and at the enlargement of the Judiciary Department, out of all proportion to its work and after the results of the election were known. Congress, when it met, repealed the act establishing these new courts, and Jefferson refused to deliver commissions which Adams and Marshall had left signed at the moment of their hasty departure from office. Chief Justice Marshall, in the case of *Marbury vs. Madison*, which was brought to compel the delivery of one of these commissions, forgot that the legality of his own act was partly in question, and while dismissing the case on technical grounds, declared as his opinion that Jefferson's proceeding was "not warranted by law, but violative of a legal vested right." Jefferson naturally paid no attention to such an expression of opinion, and both he and Marshall were too cautious in temperament to proceed farther.

In addition to these removals, and others for which reasons were assigned, Jefferson, in the course of the first fourteen months of his administration, made sixteen removals without giving reasons, in order, in all probability, to make room for Republicans. These dismissals must be

Removals  
from office.  
Schouler's  
*United  
States*,  
II, 6-12.

Repeal of the  
Judiciary  
Act.  
Schouler's  
*United  
States*,  
II, 25.

Effect of  
Jefferson's  
policy as to  
the civil  
service.

deplored, as they furnished the precedent for the wholesale removals by Jackson. But Jefferson was far from using the civil service as a reward for party services, as it was used in Jackson's time. Indeed, he pointedly refused, on more than one occasion, to appoint party workers to office.

**225. The Judiciary Department.** — This great branch of the government remained in the hands of the Federalists, although many judges of that party were "legislated out of office" by the repeal of the Judiciary Act of 1800. In 1803, after the Republicans had been in control of the other branches of the government for two years, they first used the process of impeachment, the means provided in the Constitution to get rid of incapable and ill-behaved judges. The first case was that of a district judge, whose drunkenness while in discharge of his office was fully ascertained, and the Senate convicted the accused. The second case was the impeachment of Samuel Chase of Maryland, one of the justices of the Supreme Court. Chase's demeanor while presiding at Callender's trial had resembled that of a seventeenth century judge, and his comments on the conduct of the other two branches of the government delivered, while sitting on the bench, would now be considered indecent. The impeachment was badly managed, however: John Randolph of Roanoke, one of the most dramatic figures in American history and a man of brilliant talents, conducted the case on behalf of the House; but he was no match in a legal contest with a trained lawyer like Chase, who was assisted, moreover, by the ablest lawyers in the country. Besides, Chase had deserved well of the nation from his patriotic behavior during the Revolution, however unbecoming his harangues may have been in a judge. Two thirds of the senators were not willing to vote him guilty, and the prosecution failed (1805). It should be stated that this impeachment seems to have been undertaken against the desire and advice of the President.

Impeachment of Chase. Schouler's *United States*, I, 460, II, 86.



226. **Financial Policy.**—Between 1792 and 1801, the national debt had increased from seventy-seven million to nearly eighty-three million dollars. The deficits which gave rise to this increase were caused by extraordinary expenses in connection with Indian wars and with the breach with France. The income of the government had grown in a marvellous manner from a little over three and one half millions to more than ten and one half millions; but the expenditures had increased even faster, and slightly exceeded the receipts in 1800. About three millions were devoted to the payment of interest on the national debt, not far from six millions were spent on the army and navy, and the remainder was expended on the civil and the diplomatic service. Jefferson and Gallatin at once sketched a financial policy which would lead to retrenchments in all branches of the government, to a lightening of the burden of taxation on the people, and to a considerable reduction of the public debt. The great increase in expenditures had been for warlike purposes, especially for the navy. The army was now reduced nearly one half, but the navy was more difficult to deal with. If Jefferson could have had his way, he would have tied the war ships to the most convenient wharves, under the immediate eye of the department, where they “would require but one set of plunderers to take care of them.” As it was, the number of vessels in commission was reduced from twenty-five to seven. Reductions were also made in the civil expenditures at the time; but, later, it was found necessary to increase them. The internal revenue taxes were repealed, but the increase from the imposts more than made up for this loss of revenue. Between 1801 and 1809, the debt was reduced from eighty-three millions to forty-five millions, notwithstanding the expenditures incurred in the acquisition of Louisiana and in the prosecution of the naval wars against the Barbary powers.

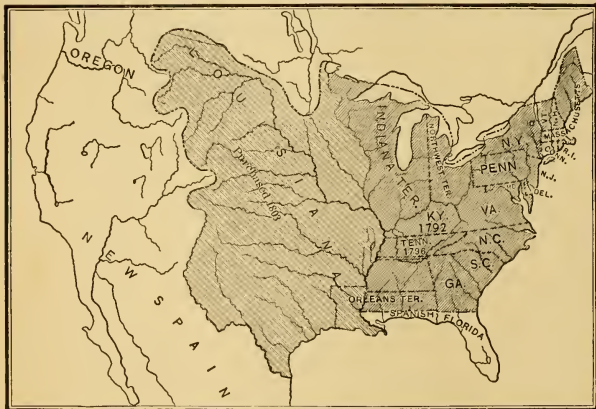
Financial policy. Schouler's *United States*, II, 22-24.

Retrenchments.

227. **The Louisiana Purchase, 1803.**—France had ceded the colony of Louisiana to Spain, in 1763 (§ 105). In

Louisiana  
ceded by  
Spain to  
France, 1800.  
Schouler's  
*United  
States*, II, 40.

1800, by the Treaty of St. Ildefonso, Spain returned it to France, then under the rule of Napoleon. The announcement of this change of ownership awakened great indignation in the United States, for as long as Louisiana was in the hands of Spain, a weak and declining state, little fear was felt of the growth of a powerful colony west of the Mississippi River. Even Jefferson, averse to war



The United States, 1803

Excitement  
in America.  
*Contem-  
poraries*,  
No. III.

and friendly to the French, was aroused, and wrote to Robert R. Livingston, then American minister at Paris (April, 1802): "There is on the globe one single spot, the possessor of which is our natural and habitual enemy; . . . The day that France takes possession of New Orleans fixes the sentence which is to restrain her [France] forever within her low-water mark. It seals the union of two nations, who, in conjunction, can maintain exclusive possession of the ocean. From that moment we must marry ourselves to the British fleet and nation." While affairs were in this condi-

tion of tension, news arrived that the Spanish governor at New Orleans had withdrawn "the right of deposit" (§ 204), presumably that the colony might be handed over to France free of all incumbrances. The Westerners were wild with excitement, as this meant the practical blocking of their only route to the markets of the world. Jefferson at once directed Livingston to buy the strip of coast extending eastward from the Mississippi and including New Orleans. He also appointed Monroe special envoy to conduct this negotiation and other important business with foreign governments. Livingston pressed the matter on the attention of the French government, but without avail. Suddenly Talleyrand, who was once again foreign minister, inquired if he wished to buy the whole of Louisiana. At this moment Monroe reached Paris. The Americans had no instructions to acquire this vast territory, but they decided to exceed their powers. Negotiations went rapidly forward, and they concluded a treaty by which the United States acquired Louisiana for fifteen million dollars, of which three and three quarter millions were to be used to pay claims of Americans for spoliations committed by France since 1800. Napoleon is said to have declared that "this accession of territory establishes forever the power of the United States, and gives to England a maritime rival destined to humble her pride"; but the real reason for Napoleon's sudden change of front has never been ascertained.

228. *Questions arising out of the Purchase.* — Three questions of great importance are interesting in this connection: (1) the constitutionality of the measure, (2) the limits of Louisiana, and (3) the effect of the purchase on the development of the United States. For years Jefferson had proclaimed that under the Constitution the federal government possessed such powers only as were expressly delegated to it in that instrument. By no possible interpretation could the broadest constructionists have found the power to acquire territory even implied in any grant of power in the Constitution. The President at once declared that the

Purchased by the United States, 1803. Winsor's *America*, VII, 478-480; Roosevelt's *West*, IV, ch. vi; Schouler's *United States*, II, 49-58.

Constitutionality of the purchase. Johnston's *Orations*, I, 180-204; *Contemporaries*, III, No. 113.

transaction was "an act beyond the Constitution," and that an amendment would be necessary. On reflection, however, this was seen to be impossible. Many things might happen before an amendment could be adopted: Napoleon might change his mind, or the British might seize Louisiana, as war was about to break out between France and Great Britain. The treaty was ratified as it stood, and Jefferson consoled himself with the thought that he was carrying out "the will of the people." The Federalists thought otherwise and opposed ratification with all the means at their command; some of them even proposed that the Federalist states should secede from the Union.

Limits of the purchase.

The territory ceded by France was described in the treaty as "the colony or province of Louisiana, with the same extent as it now has in the hands of Spain, and that it had when France possessed it, and such as it should be after the treaties subsequently entered into between Spain and other powers." These were the terms of the cession by Spain to France, and more definite boundaries could not be obtained from Barbé-Marbois, the French negotiator of the treaty. But what did they mean? New Orleans was plainly comprised in the acquisition, but did Louisiana, as thus described, include West Florida, which the government was anxious to obtain, and Texas, about which it then cared nothing? The United States immediately asserted that it included West Florida, but to this assertion Spain would not agree, and France refused to interfere. The orders issued by the French government when it expected to take possession of the country for itself have been recently discovered, and show that France and Spain understood the words in the Treaty of St. Ildefonso, which were used in the cession to the United States, to exclude West Florida and to include Texas.

Effects of the purchase.

The population of the ceded domain numbered about fifty thousand, of which more than one half were negro slaves. This addition of a new center of slavery must be considered as a disadvantage outweighing many advantages,

more especially as the slavery of Louisiana resembled that of South Carolina. A large portion of the territory thus purchased lay west of the one hundredth meridian, that is, beyond the region of abundant rainfall. The settlement of this region, with the inevitable result of recurring failure of harvests, has given rise to many problems extremely difficult of solution. But when all has been said in its disfavor, the purchase of Louisiana was one of the most fortunate events in the history of the United States.

229. **The Twelfth Amendment, 1804.**—As the presidential election of 1804 drew near, the leading men in both parties resolved to amend the Constitution in such a manner as would prevent the recurrence of another scandal similar to the attempt to elect Burr President in 1800. The result was the Twelfth Amendment, declared in force in 1804. The old machinery of presidential electors was originally invented to lessen the supposed ill effects of popular election, and to give a less democratic cast to the government. One would think that the Republicans would have seized the opportunity afforded by revision and have discarded such an aristocratic institution. Since 1804 the forces of democracy have completely triumphed over this bit of constitutional machinery,—not an elector has voted against the wishes of the party which elected him. This device made it easier, however, to give the smaller states a share in the election of the highest officers in the nation out of all proportion to their population or importance. The great change brought about by this amendment consisted in having the electors vote for President and Vice-President on separate and distinct ballots. This has prevented the recurrence of scandals like that of 1800; but it has led to the nomination of inferior men to the second place, which was not likely to have happened under the older system, as it was then uncertain which of the party's candidates would be chosen President. The amendment further provided that in case no candidate for the Chief Magistracy should receive

Change in mode of electing President. Stanwood's *Presidency*; Schouler's *United States*, II, 67.

a majority of all the electoral votes cast for President, the House of Representatives, voting by states, should elect one of the three having the highest number of votes (§ 264).

Jefferson  
reelected,  
1804.  
\*Stanwood's  
*Presidency.*

There was no question of Jefferson's election in 1804: he received one hundred and sixty-two votes, to only fourteen given to Charles C. Pinckney, the Federalist candidate for first place; even Massachusetts and New Hampshire gave their votes to Jefferson.

Aaron Burr.

**230. Burr's Conspiracy and Trial, 1804-1807.**— Aaron Burr, the Vice-President, had aroused the resentment of the Republicans by his dealings with the Federalists in 1800. George Clinton, another New York Republican, was put forward in 1804 as Republican candidate for this office, and was elected. Driven from the Republican party, Burr had allied himself with the Federalists of New England and had offered himself as an independent candidate for the governorship of New York. He was defeated, owing largely to the efforts of Hamilton, whom he now challenged to fight a duel and killed at the first shot. Hamilton's untimely death in the prime of manhood aroused the moral sentiment of the people of the Northern states and put an end to dueling in that part of the country; it made Burr an outcast and impelled him to undertake a most desperate venture. It is impossible to say what he expected to accomplish: at one time he seems to have had in mind the founding of an empire in Texas and Mexico, which should descend to his daughter, Theodosia; at another time, the venture took the shape of the formation of a new republic in the country west of the Alleghanies. Burr gathered arms, ammunition, and men and descended the Mississippi towards New Orleans, where he expected to receive the aid of General Wilkinson, the United States commander in Louisiana. For some time Jefferson took no notice of his movements, but finally issued a proclamation for his capture; Wilkinson hesitated as to whether he should betray his country or his friend, and in the end decided to sacrifice Burr. The latter abandoned his companions and endeavored to

He kills  
Hamilton.

Burr's  
Conspiracy,  
1805-6.  
Schouler's  
*United  
States*, II,  
133-138,  
139-141.

escape from the country to Spanish Florida. He was captured at a frontier town and taken to Richmond for trial before the federal Circuit Court.

John Marshall, the Chief Justice, presided at the trial. Among other things, he ordered the President to attend as

Burr's trial,  
1807.



Theodosia Burr

a witness with the records of the War Department. Jefferson refused to heed the summons, but offered to send any papers which might be necessary. Even Federalist writers condemn this action of Marshall. The trial ended abruptly,

as the Chief Justice declared that an overt act of treason must be first proved, and then Burr connected with it. The Constitution defines treason as consisting "only in levying war against them [the United States], or in adhering to their enemies, giving them aid and comfort." Burr had never been in a position to levy war, and the prosecution for treason stopped at that point; nor was the government able to convict him of misdemeanor.

Relations  
with Great  
Britain,  
1800-3.

**231. Attacks on Neutral Trade, 1800-1808.** — Jay's treaty had fully justified its existence by securing partial immunity from British hostility to American commerce during the struggle between Great Britain and France which ended in 1802 by the conclusion of the Peace of Amiens. During this time, the Americans were able to prosecute a most thriving trade with the Spanish and French West Indies. The British refused to permit the Americans to carry West Indian produce from the Spanish and French islands direct to Spain and France; but they had no objection to such commerce when pursued indirectly through some United States port, provided the foreign goods were landed on a wharf and duty paid. Under these circumstances American trade flourished greatly, and this prosperity continued during the earlier years of the war against Napoleon, which began in 1804.

Change in  
British  
policy, 1805.

This successful commerce had aroused the jealousy of English shipowners, and they implored the younger Pitt, who was now Prime Minister, to put an end to the favors granted America; and there were not wanting persons to argue that the action of the Americans was so beneficial to England's enemies as to be "war in disguise." Pitt decided to enforce the "Rule of War of 1756" (§ 201) to the letter, and thus put an end to all American trade to the West Indies. The British vessels made seizures right and left, and, as a matter of fact, Great Britain practically began war against the United States (1805).

The conflict between Great Britain and Napoleon had now reached a point where it seemed impossible for the



leading combatants to attack one another: Napoleon was supreme on the continent of Europe, and Britain was undisputed mistress of the seas. The belligerents thereupon endeavored to injure one another indirectly; but the real sufferers during this later time were the American ship-owners, whose vessels were almost the only neutral ships on the ocean.

232. **Decrees and Orders, 1806-1810.** — Napoleon began the contest by closing the recently captured ports of Hamburg and Bremen to British commerce, thus cutting off a profitable trade between Great Britain and Germany. The British government retaliated by declaring a blockade of the coast of the continent from Brest to the Elbe (May 16, 1806), which was enforced only between the Seine and Ostend. Napoleon replied to this by the issue of the Berlin Decree (November 21, 1806), declaring the British Islands to be "in a state of blockade." He also forbade all trade in British goods throughout the lands under French control, which soon included all of continental Europe except Norway, Sweden, and Turkey.

Jay's treaty was about to expire by limitation, and it was found impossible to induce the British government to enter into a new agreement on a reasonable basis. On December 1, 1806, Monroe and William Pinkney signed, on behalf

French and British decrees and orders, 1806-10. Schouler's *United States*, II, 151-160.

Treaty with Great Britain, 1805 Winsor's *America*, VII, 480.

*James Monroe*

of the United States, a new treaty, which contained many stipulations dishonorable to their country, among them a provision that the "Rule of War of 1756" would not be enforced in respect to goods upon which a two per cent *ad valorem* duty had been paid, on condition that no part of the duty had been returned as a "drawback." Neither impressment of American seamen nor indemnity for British seizures were mentioned. Furthermore, the American negotiators consented to receive a note to the effect that

the British government would not consider itself bound by the provisions of the treaty unless the United States would resist the enforcement of the Berlin Decree. Jefferson sent the treaty back to Great Britain without formally laying it before the Senate.

British  
Orders in  
Council,  
1807.

Early in the next year (January 7, 1807) the British government issued an Order in Council closing to neutral commerce the ports of the continent, save those limited regions that were not under French control. Later (November 11, 1807), another Order in Council authorized the seizure of any neutral vessel while on a voyage to any of the closed ports, unless such vessel had first touched at a British port. In the Milan Decree, Napoleon retorted by authorizing the seizure of any vessel that had entered a British port (December 17, 1807). As the British controlled the ocean and Napoleon the continent of Europe these decrees meant the destruction of the American carrying trade. With Great Britain, moreover, the United States had another cause of grievance, — the controversy as to impressment.

American  
naturaliza-  
tion papers.

**233. The Impressment Controversy, 1793-1807.** — The contest with France had hardly opened in 1793 ere British naval captains began stopping American vessels on the high seas, and taking seamen from them for service in the British navy. Some of the sailors impressed in this manner were subjects of the British crown, but many more were men who had given up their allegiance to Britain, and had become naturalized citizens of the United States or of some one state. Moreover, it was impossible to distinguish an Englishman from a native-born citizen of the United States, and many Americans were impressed, notwithstanding their statements as to the place of their birth. As the war progressed, the British practically blockaded the more important American ports and removed seamen from outgoing vessels before they had lost sight of land. Two very important questions at once arose: the "right of search" and the value of naturalization papers.

The "right  
of search."

The American government denied the right of foreign

cruisers to stop American vessels on the high seas for any purpose whatsoever except to ascertain their nationality. This position the United States maintained forever afterwards (§§ 297, 350). But Great Britain paid no heed to the American protests. The American system of naturalization was based on acts of Parliament: the first of these, which was passed in 1740, provided that foreign Protestants residing in the colonies for seven years and taking certain oaths should enjoy full civil rights in the colonies and many important privileges in Britain itself: the colonial assemblies, too, had passed acts for the naturalization of foreigners in the several colonies, oftentimes after a very brief period of residence, and the British government had not repealed or disallowed these acts. The naturalization system of the United States in 1807 was a reproduction of this colonial system, with the important exception that there was no longer a religious qualification. The British authorities, however, would not recognize it as in any way lessening the allegiance due from a British-born person to the British crown. There was undoubtedly some justification for the view British officers held as to naturalization; for in some states it was only necessary for a deserter from an English ship to appear before the official in charge of the matter in order to receive naturalization papers. Under these circumstances, whole crews deserted, and many vessels were detained in port in consequence. The real cause of these desertions was to be found in the hardships of the British naval service,—the lack of good food and quarters, the harshness of the discipline, and the low rate of wages paid to the sailors. These hardships were so great that the British seamen preferred to expatriate themselves rather than serve on British men-of-war. The British government, however, was not prepared to take this view and preferred to press British seamen wherever found.

234. *The Outrage on the Chesapeake, 1807.*—The matter reached a crisis on June 27, 1807, when the British ship

The  
*Chesapeake*  
and the  
*Leopard*,  
1807.  
Schouler's  
*United*  
*States*,  
II, 163;  
*Contempo-*  
*raries*,  
III, No. 119.

*Leopard* fired on the American *Chesapeake*, boarded her, and removed from her decks three American citizens and one British subject. Jefferson at once issued a proclamation ordering all British war vessels out of the waters of the United States, and forbidding any intercourse with them or the furnishing them with any supplies. He also demanded redress, but attempted to couple with the *Chesapeake* outrage the whole question of impressment. The British authorities, on their part, disavowed the admiral by whose orders the outrage had been committed, but refused to give up impressment. While affairs were in this critical condition, the Order in Council of November, 1807, was issued. It is hardly conceivable that such a question should have been made the basis of party action, yet the Federalists denounced the President's proclamation as favoring the French, and the Northern merchants protested against anything being done that savored of hostility to Great Britain.

The  
embargo,  
1807.  
Schouler's  
*United*  
*States*, II,  
178-199.

**235. Jefferson's Embargo Policy, 1807, 1808.**—In April, 1806, at the time of the enforcement of the "Rule of War of 1756," Congress had passed an act forbidding the importation of goods from Great Britain or the British colonies after November 15, of that year. This limit was further extended, and the prohibition did not go into effect until December, 1807. By that time, however, Jefferson deemed sterner measures necessary, and recommended an embargo. Congress at once fell in with the President's wishes and passed an act forbidding American vessels to leave the ports of the United States for foreign ports, and prohibiting foreign vessels to sail except with the cargo actually on board. Embargoes were no new thing in the history of the United States; they had hitherto been for limited periods and had been regarded as precursors of war, although no war had followed (§ 201). The policy of commercial restriction had been often used with great effect, as at the time of the Stamp Act and the Townshend duties (§ 131). Able and far-seeing men, as Sir John Seeley and Edward

Atkinson, have recognized the fact that commerce, so far from making for peace among mankind, has been the cause of many of the great struggles of modern days. Jefferson's idea was to revive the policy of the Revolutionary epoch and to put a pressure on Great Britain and France by restricting their dealings with the United States. But circumstances were changed: the American people were no longer united, as they had been in the earlier time; and it proved to be impossible to enforce the embargo policy in America. Even the Enforcement Act of 1808 proved of little value. This act required the owners of coasting vessels before the cargo was placed on board to give bonds to six times the value of the vessel and, if necessary, obliging them to land the goods in the United States. This requirement indicated one method of evasion of the Embargo Act, by vessels clearing for a coastwise port and then sailing to a foreign port. Another clause of the Enforcement Act was designed to prevent the evasion of the law by carrying goods overland to Canada or New Brunswick. This section authorized collectors of customs to seize goods "in any manner apparently on their way toward the territory of a foreign nation or the vicinity thereof." Even this severe measure could not secure the enforcement of the embargo; it led, however, to resistance to federal authority on Lake Champlain and threatened to lead to more formidable armed resistance in New England.

The Enforcement Act,  
1808.

**236. Effects of the Embargo.**—It is difficult to say precisely what effect the embargo had, either at home or abroad. It probably hastened a commercial crisis in Great Britain, which would have occurred had there been no embargo. This crisis affected the working classes of Britain, but as they had no political power their wishes for a change in England's commercial policy passed unheeded. The rulers of Britain regarded the embargo as rather beneficial to her interests, inasmuch as it operated to weaken the Republican party in the North and to increase the strength and energy of the Federalists.

Effect of the embargo on Great Britain.

On France.

Napoleon welcomed it and made it the excuse for two more decrees: one of them, issued at Bayonne (1808), directed the seizure of all American vessels, on the ground that no ship flying the flag of the United States could legally navigate the seas; the other decree, issued at Rambouillet (1810), ordered the confiscation of vessels then in French hands.

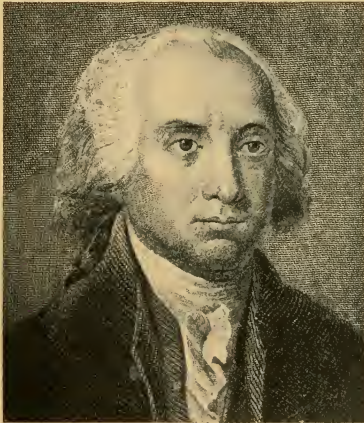
On America.

In America, the embargo pressed heavily on Jefferson's political supporters, the tobacco planters of Virginia, as large portions of their tobacco crops were unsalable. Many planters were ruined; others were seriously crippled. The shipowners of New England and the Middle states saw their ships lying idle when rates of freights were at the highest point. They evaded the law as long as they could, and at length, when forced to desist, they turned their attention to manufacturing. From a constitutional and political point of view, the embargo worked a positive benefit, as the attempts to enforce it compelled the Republicans to resort to the implied powers under the Constitution, and to adopt almost the ground occupied by the Federalists in 1798, which Jefferson and Madison had so strongly condemned in the Kentucky and Virginia Resolutions. By January, 1809, it was evident that to avoid civil strife the embargo policy must be abandoned. Madison had meantime been elected President (November, 1808), and to him Jefferson confided the initiation of a new policy.

Non-  
Intercourse  
Act, 1809.  
Schouler's  
*United  
States*, II,  
207-219.

237. **The Non-Intercourse Act, 1809.**—In February, 1809, it became known that Madison was in favor of a removal of the embargo in the following June; but no sooner was the subject of repeal brought forward in Congress, than it was decided to repeal the embargo law at once. In its place was substituted a non-intercourse law. This would still prohibit commerce with Great Britain and France, but would, on the other hand, permit it with the few countries not under the control of either of the belligerents. The new policy, which was a better method of carrying out Jefferson's commercial theories, went into

operation on the day of Madison's inauguration, March 4, 1809. Instantly, there was a great revival in the carrying trade; for, although Russia had now joined France in the continental system, Spain and Portugal were now free. This period witnessed a complete breaking down of the ordinary rules of international and commercial honesty.



James Madison

Napoleon gave licenses without number to British vessels to bring goods sorely needed by his soldiers into continental ports, while American papers, forged for the purpose, and also British protections, were openly sold in London. The neutrals profited most by this reign of commercial distress and corruption; the gains of American shipowners were enormous, although American vessels were constantly captured by the belligerents.

238. **The Erskine Treaty, 1809.**—At first, fortune appeared about to smile on Madison; a new British minister,

Treaty with  
Great  
Britain, 1809.  
Madison's  
*United  
States*,  
II, 313.

Mr. Erskine, appeared at Washington, and concluded a treaty obliging Great Britain to withdraw the Orders in Council. Madison thereupon suspended non-intercourse with Great Britain. But Erskine had exceeded his instructions; the British government disavowed him, refused to ratify the treaty, and Madison was obliged to proclaim a renewal of non-intercourse with that country. The next British envoy

was named Jackson. He proceeded to insult Madison, accusing him of having deceived Erskine, and repeated the accusation. Madison declined to communicate further with him and sent him home.

On May 1, 1810, Congress substituted for the Non-Intercourse Act a modified commercial policy, which was contained in a bill known as Macon's Bill, No. 2, from the name of the member who in-



Mrs. Madison

troduced it. This law provided for the immediate cessation of non-intercourse; but in case one of the belligerents should revoke his decrees or orders, and the other should not, non-intercourse should be proclaimed against the refractory country. Both France and Great Britain promised to change their policy as soon as the other changed his. But that was all they would do. So the offensive decrees and orders continued, and so, too, did non-intercourse.

**239. Declaration of War, 1812.**—In the gathering gloom of a May evening (1811), the American frigate *President* and the British sloop of war *Little Belt* found themselves near together. Owing to some mischance, not now clearly discernible, they fired on each other, and the *Little Belt* was badly crippled. This affair induced the American

Macon's  
Bill, No. 2.

The  
*President*  
and *Little  
Belt*.  
Maclay's  
*Navy*, I, 314.



people to feel more kindly about the *Chesapeake* outrage, and reparation was accepted without a settlement of the whole question of impressment, which in this way remained to keep alive a spirit of resentment toward the British nation. Another cause of ill feeling was the ever-recurring Indian troubles in the West, some of which were plainly traceable to British intrigues. The most formidable of these was a revolt set on foot by an energetic Indian chief named Tecumthe or Tecumseh, who had formed a strong Indian federation. Gathering a small force of regulars, and volunteers from among the settlers of the West, William Henry Harrison marched to the principal Indian town on Tippecanoe River and inflicted a crushing defeat on the Indians (1811). Tecumthe joined the British, and thus justified the suspicions of the Western settlers.

Another cause of the approaching conflict was the tone of self-satisfied superiority with which the British government and people were accustomed not merely to look upon the American people, but to speak of them, and even to address representatives of the United States government. For example, Lord Liverpool, at the moment Prime Minister, declared in 1813 from his place in Parliament that America "ought to have looked to this country as the guardian power to which she was indebted not only for her comforts, not only for her rank in the scale of civilization, but for her very existence." The impressment controversy was now at its height, and British hostility to American commerce was as keen as ever. Bearing all these things in mind, it is not to be wondered at that the United States declared war against Great Britain; it is indeed remarkable that the outbreak of hostilities was postponed until 1812.

The declaration of war was the work of a new set of political leaders, whose influence for good or evil was to dominate American politics for the next forty years. Foremost among them was Henry Clay, born in Virginia, but now living in Kentucky; perhaps no American politician has ever had a more faithful band of followers or has ever

Cause of the  
War of 1812.  
Johnston's  
*Orations*,  
I, 205-215.

Declaration  
of war, 1812.

Henry Clay.  
Schouler's  
*United  
States*,  
II, 372;  
Schurz's  
*Clay*.

John C.  
Calhoun.  
Von Holst's  
*Calhoun*.

Daniel  
Webster.  
Lodge's  
*Webster*;  
Schouler's  
*United  
States*,  
III, 298.

shown worse judgment. Henry Clay entered the House of Representatives for the first time in 1811, and was at once elected Speaker. Another of the newcomers was John C. Calhoun of South Carolina; at this period he was an ardent advocate of nationalization and of devoting the federal resources to the promotion of the general welfare of the people, — especially, he advocated a policy of protection to “young industries.” Subsequently, he became the champion of the other side, and by his fearlessness and powerfully logical faculties set forth the cause of states’ rights in the clearest and most forcible manner. Two years later, Daniel Webster of New Hampshire, the third of this group, entered Congress.

Clay represented the unrest of the Western people and their desire for the conquest of Canada. With the aid of other new men, he forced from the reluctant President his consent to a declaration of war against Great Britain. It is said that Madison was given to understand that his renomination for the presidency depended on his agreeing to this policy; it is certain that he was drawn into the conflict against his wishes; but the New England Federalists always called it “Mr. Madison’s War.”

### SUGGESTIVE QUESTIONS AND TOPICS

#### §§ 213–222. THE UNITED STATES IN 1800

*a.* What relations can you trace between the American Revolution, the French Revolution, and the “Revolution of 1800”?

*b.* What means did the American people take “to elevate the intellectual and material position of the average citizen”?

*c.* How do you account for the fact that the white population increased much more rapidly in the free states than in the slave states?

*d.* What is meant by saying that “the American people came into existence” in the period extending from 1800 to 1829?

*e.* What are the two most important stocks of the human race? Name the chief branches of the Aryan stock, and the principal contributions to civilization made by each.

*f.* Where besides in America have important amalgamations of Ger-

manic and Keltic races taken place? What complementary qualities do these two races possess?

*g.* Has any other material force so controlled the history of the United States as cotton?

#### §§ 223-226, 229-230. DOMESTIC AFFAIRS

*a.* Read and compare the first inaugurals of Washington, Jefferson, and Lincoln.

*b.* Place as heading in note-book "Spoils System and Civil Service Reform." Who began the system of partisan appointments?

*c.* How does the Constitution define treason? Define as precisely as you can the following phrases: "levying war," "against them," "their enemies," "adhering to," "aid and comfort." Can one of the United States be guilty of treason? Is civil war treason?

*d.* Look up the history of Massachusetts 1800-15: do you regard it as creditable? Give your reasons.

#### §§ 227-228. THE LOUISIANA PURCHASE

*a.* Sketch the ownership of Louisiana under the following heads: discovery, settlement, cession of 1763, "right of deposit," retrocession to France.

*b.* Why were the Federalists opposed to the Louisiana Purchase? Discuss the effects of the purchase upon the West, the South, the East, the general government.

*c.* Does the "general welfare" clause empower the federal government to acquire territory? Under what clause of the Constitution can you find such power?

#### §§ 231-239. FOREIGN RELATIONS

*a.* State the specific purpose of each hostile commercial ordinance of the two belligerents.

*b.* Describe Great Britain's impressment policy. What reasons can you suggest for her refusal to recognize the validity of American naturalization papers?

*c.* The embargo: discuss its constitutionality; its effect on constitutional development. What industrial revolution did it forward in New England?

#### HISTORICAL GEOGRAPHY

*a.* Make all necessary changes in your maps, and justify these changes by recitation.

## GENERAL QUESTIONS

a. Mention, with some account of their contents, the chief political documents of this epoch (1783-1812). Give a brief sketch of the careers of their authors.

b. Subjects for reports based on secondary material: (1) What is the relation between the growth of manufacturing enterprises and the growth of cities? (2) Compare the factory agitation in England with the emancipation movement in America. (3) Thomas Jefferson: his personal influence over his official advisers, over Congress; contrast his theoretical language and his practical conduct; discuss his honesty, his statesmanship; describe his influence in retirement and the influence of his name. (4) John Marshall: his career; instances of collision between the Judiciary and the Executive; the cases which form epochs in constitutional history; (5) trace the history of free and slave territory to 1819.

c. Compare the momentous changes in the political life of the United States between 1801 and 1809.

As preparation for the next two chapters study the following questions:

a. Taxation: arguments for and against direct taxation; should direct taxation be levied on capital, on income, or on expenditure? should the same percentage be levied on all equal amounts? what forms of indirect taxation are the most eligible? give Mill's seven practical rules for indirect taxation; under which class does excise come? customs duties? is it desirable to defray extraordinary public expenses by loans? state reasons.

b. Look up in Mill's *Political Economy* the passage which says that protection may be justifiable under certain conditions, and apply it to the United States in 1816, 1824, 1833, 1842, 1857, 1861, 1897, and 1913.

c. Place in note-book the two headings, "Protection," "Free-trade," and enter fitting matter under them as you proceed.

d. Read Fawcett's *Free-trade and Protection* and Hoyt's *Protection vs. Free-trade*, and compare the arguments.

## CHAPTER IX

### WAR AND PEACE, 1812-1829

#### Books for Consultation

**General Readings.** — Johnston's *American Politics*, 77-108; Higginson's *Larger History*, 365-442; Hart's *Formation of the Union*, 203-262; Walker's *Making of the Nation*, 230-273.

**Special Accounts.** — Schouler's *United States*; Wilson's *Presidents*; \* Von Holst's *Constitutional History*; \*H. Adams's *United States*; Morse's *J. Q. Adams*; Gay's *James Madison*; Von Holst's *John C. Calhoun*; Lodge's *Daniel Webster*; Bassett's *Andrew Jackson*; Taussig's *Tariff History*; Turner's *The New West*; Larned's *History for Ready Reference*. Larger biographies of the leading statesmen, *Guide*, § 39.

**Sources.** — Writings of the leading statesmen, *Guide*, §§ 46, 47; Benton's *Abridgment*; Williams's *Statesman's Manual*; Johnston's *American Orations*; Young's *Customs-Tariff Legislation*; Taussig's *State Papers*; Stedman and Hutchinson, *Library of American Literature*; MacDonald's *Documentary Source Book*.

**Maps.** — MacCoun's *Historical Geography*; Hart's *Epoch Maps*, Nos. 7, 8, 10, 11; Winsor's *America*; Walker's *Statistical Atlas*; Scribner's *Statistical Atlas*.

**Bibliography.** — *Guide to American History*, §§ 191-199.

**Illustrative Material.** — \* McMaster's *United States*; Lossing's *Field-Book of the War of 1812*; Armstrong's *War of 1812*; Roosevelt's *Naval War of 1812*; Maclay's *United States Navy*; Cooper's *United States Navy*; James's *Naval History of Great Britain*; Coggeshall's *American Privateers*; Goodrich's *Recollections*; Sullivan's *Familiar Letters*; J. Q. Adams's *Diary*; Bishop's *American Manufactures*; King's *New Orleans*; Barnes's *Yankee Ships*; Quincy's *Figures of the Past*; Hunt's *Forty Years of Washington Society*.

Hildreth's *The Slave*; Longstreet's *Georgia Scenes*; Paulding's *Lay of the Scottish Fiddle*; Freneau's *Poems*.

### WAR AND PEACE, 1812-1829

**240. Nature of the Conflict.** — Perhaps no conflict has ever been undertaken with so little thought as to the means

Lack of  
preparation  
for war.

of carrying it to a successful termination as the War of 1812. The excise tax of the Federalist period had been repealed and nearly all the income of the government was derived from the customs revenue, which at once dwindled as imports declined. At first, Congress was unwilling to augment this diminishing revenue by imposing direct taxes; but in 1813 the increasing pressure of the war overcame even Republican scruples, and Congress imposed direct taxes on such articles as furniture and watches, and even on slaves. Congress also levied an excise. The war cost from thirty to forty millions for each year that it was waged; but the total revenue never exceeded ten millions per year. These deficits had to be made good by borrowing. As the war progressed, the credit of the government constantly declined, until finally loans were effected at far below their face value.

The military forces were very ineffective. The Republicans had steadily opposed keeping up an efficient military organization. The war was very unpopular in the North, whence most of the soldiers and money were necessarily drawn, as that was the most populous and the richer portion of the country. This dislike of the war appeared when the government endeavored to summon the militia to take part in the invasion of Canada. The Constitution authorized Congress to "provide for calling forth the militia" for three specific purposes: "to execute the laws of the Union, suppress insurrections, and repel invasions." The governors of Massachusetts, Connecticut, and New Hampshire refused to send militia out of their respective states, and the governor of Vermont recalled the Vermont militia when it was sent outside of the limits of the state. The old difficulty (§ 159) of enlisting men in the regular army for the war or for a term of years at once recurred. Bounties were offered in vain, and even the enlistment of minors, without their parents' consent, was resorted to. Had the contest continued much longer, resort would probably have been had to a draft. In these circumstances it was fortunate

that the British prosecuted the war but feebly during the years 1812 and 1813.

**241. Campaigns of 1812-1814.**—The invasion of Canada was begun with an ignorance and contempt of the necessities of the campaign that augured ill for success. It ended in failure (1812). On the other hand, the victory of the Americans under Commodore Oliver H. Perry, on Lake Erie (1813), made impossible an English occupation of American territory, and left the combatants practically where they were at the outbreak of hostilities.

The campaign of 1814 was much more vigorously managed by both combatants. On the American side abler men came to the front. One of them was Jacob Brown, a New York militia general, who had been bred a Quaker, as had Nathanael Greene. He had never seen service in the field, but possessed energy and courage; and he was ably assisted by his subordinates, Winfield Scott and Eleazer Ripley. He accomplished nothing in the way of conquest, but repelled all attempts at invasion in his part of the field. Indeed, one of the battles of his campaign, Lundy's Lane, where a small body of Americans withstood the onslaught of a body of British veterans, was a most creditable affair, especially as it occurred in the darkness, which is peculiarly trying to soldiers who have not had years of experience. The British undertook a counter invasion of the United States by way of Lake Champlain; but McDonough's victory gave the control of the lake to the Americans, and the British retired to Canada (1814).

The summer that saw this victory witnessed also the disgraceful flight of the Americans from Bladensburg, and the unjustifiable burning of the public buildings at Washington by the British under General Ross and Admiral Cochrane. A subsequent attack on Baltimore was gallantly repelled by its American defenders, with considerable loss to the assailants.

**242. The British Defeat at New Orleans, 1814, 1815.**—By this time it had become evident that British success in

Invasion of  
Canada,  
1812-13.  
Winsor's  
*America*,  
VII, 382-385,  
387-392.

Failure of  
British  
invasion,  
1814.  
Winsor's  
*America*,  
VII, 393-  
400;  
Schouler's  
*United  
States*,  
II, 397, 446.

Winsor's  
*America*,  
VII, 396;

Burning of  
Washington,  
1814.  
Winsor's  
*America*,  
VII, 400-402.

New Orleans, 1814-15. Winsor's *America*, 403-404; Schouler's *United States*, II, 457, 485-491.

the interior of the North was uncertain until the control either of the Great Lakes or of Lake Champlain was in their hands. The capture of New Orleans offered the best chance of permanent conquest: it was within reach of the sea, was far removed from the thickly settled part of the United States; and its possession would give the British important and far-reaching influence in the whole Mississippi valley. Pakenham, one of Wellington's Peninsular commanders, was given a formidable body of troops and ordered to attempt its capture; with him co-operated a large naval force.

New Orleans, 1814-15. King's *New Orleans*, ch. xi.

The command of the defense of the lower Mississippi and neighboring regions was confided to Andrew Jackson of Tennessee. At first he seems to have misjudged Pakenham's purpose, and delayed preparations for defense until it was almost too late. At last, when he was convinced that the British general designed to seize New Orleans, he made every possible preparation to repel the attack; in this he was greatly aided by the peculiarities of the country around New Orleans, which will be described when we reach Farragut's capture of that city (§ 351). Pakenham attacked vigorously, though with small military skill; he was repulsed with great loss to his army. The last assault on the defenses of New Orleans was made on January 8, 1815, two weeks after the signing of the treaty of peace at Ghent. A month later (February 11, 1815), the British captured an American fort on Mobile Bay, their only success during this arduous campaign.

The navy. Winsor's *America*, VII, 378; Roosevelt's *Naval War of 1812*.

243. **The War on the Sea, 1812-1815.** — On the land, where their numbers gave them an advantage, the Americans were on the whole unsuccessful; on the water, where their guns were outnumbered one hundred to one, they won successes which still render the War of 1812 memorable in naval annals. At the beginning of the conflict, the British navy comprised over one thousand vessels, of which two hundred were line of battle ships of two or three decks; there was not even one two-decker in the United States navy.



Moreover, the American vessels were not merely inferior in size to the British, there were very few of them, — seventeen vessels in all. Three of them, the *United States*, *Constitution*, and *President*, were large, heavy frigates rated as “forty-fours,” and there were also four smaller frigates and several sloops of war and brigs.

The government deemed it unwise to send these vessels to sea to be captured by the fleets of Great Britain, and decided to use them as guard ships at the principal ports. A difficulty at once presented itself, however, for the vessels were not in the ports designed for them; and it was necessary to send them to sea to enable them to perform even this limited duty. Among the first to leave port was the *Constitution*, commanded by Captain Hull. On her way from the Chesapeake to New York harbor, her designated place of duty, she was sighted by a British squadron of five ships and chased from July 17 to July 20. In the end, Hull saved his ship and found refuge at Boston. Sailing thence, with no new orders, he cruised about for two weeks, until August 19, when he sighted the British frigate *Guerrière* in the Gulf of St. Lawrence. The combat which followed has been made the subject of so much apology on the part of British writers that it is well to bear in mind the comparative size of the two ships. Mr. Henry Adams thus states the facts in his authoritative *History of the United States during the Administrations of Jefferson and Madison*. The American frigate was one hundred and seventy-three feet long and forty-four feet wide; she carried thirty-two “long 24’s” and twenty “32 lb.” carronades, or fifty-two guns in all. Her sides were very solid for a ship of her class, but notwithstanding the extra weight she was very fast. The *Guerrière* was one hundred and fifty-six feet long and forty feet wide; she carried thirty “long 18’s,” two “long 12’s,” and sixteen “32 lb.” carronades, or forty-eight guns in all. She was not so strongly built as her opponent, nor so fast, and she threw a much lighter broadside. Both Captain Hull of the *Constitution* and

Naval  
conflicts.  
Winsor's  
*America*,  
VII. 379-382,  
386.

Captain Dacres of the *Guerrière* were skillful, brave men, and the crews of both ships were well trained, although the *Guerrière's* crew had been longer together. In thirty minutes after the first gun was fired, the British frigate lay helpless on the water, with seventy-nine of her crew killed or wounded. The *Constitution*, on the other hand, suffered trifling loss or damage, and was ready for another combat. On October 17 the American sloop of war *Wasp* met the British brig *Frolic*. The *Wasp* threw a lighter broadside than the *Frolic*, and, although rigged as a ship, was only six feet longer. In forty-three minutes after the beginning of the combat, the *Frolic* was a wreck, with ninety of her crew of one hundred and ten killed and wounded. In both cases the result was due to the superior practice of the American gunners and to the fact that the charges of powder used by the British were less than those used by the Americans for guns of the same caliber. It is said that shot from the *Guerrière* rebounded harmlessly from the sides of the *Constitution*, and the guns of the *Frolic*, more than equal in weight to those of the *Wasp*, produced, comparatively speaking, no impression on her antagonist.

Effects of  
these victo-  
ries.

The effect of these victories was tremendous. For a century and a half the British had enjoyed undisputed supremacy on the ocean; ship for ship, they had encountered the navies of France and Spain, and had been almost uniformly successful. Instead of seeking the true cause for these defeats, in the light armaments of their vessels and in the character of their impressed crews, the British public magnified the *Constitution* into a "line of battle ship in disguise," and suggested that in future it would be best for British frigates to sail in company. There were many other naval actions during the contest which are described at length in the histories of the war and need not be mentioned here. As the conflict progressed, the blockade of the American ports became closer and closer; few of the national vessels gained the open sea, and those that did were gradually captured. In the later years, the privateers

almost alone displayed the flag of the United States on the ocean.

**244. The Privateers.** — Mr. Henry Adams has suggested that it would have been better policy for the United States to have used the national vessels to destroy the merchant vessels of England. Men-of-war capturing British merchantmen would have destroyed them ; the privateers, whose interest was to make money from the sale of prizes, sent them home, and about one half were recaptured. As it was, the privateersmen dealt a terrible blow to Britain's commerce. In the course of the war they captured more than two thousand five hundred British vessels, some of them within sight of the coast of England. Rates of insurance on British vessels rose to almost prohibitory figures, even for the shortest voyages. English merchants and ship-owners whose self-seeking had largely contributed to bring on the war, now besought the government to conclude peace ; to this end McDonough's victory on Lake Champlain powerfully contributed.

The  
commerce  
destroyers.

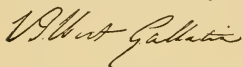
**245. Negotiations for Peace, 1812-1814.** — From an international point of view, the War of 1812 was a terrible misfortune. Great Britain was then engaged in a deadly struggle with the military despotism that threatened to overwhelm popular freedom wherever it existed in the world. No doubt Napoleon had dealt a beneficial blow to feudal institutions, but he had already done all the good that he was likely to do in that way. In 1812 the cause of humanity and civilization demanded his overthrow. True policy dictated the alliance of Great Britain and the United States to destroy the master despot of the age. Instead of joining together against the common enemy, they came to blows, but this was the fault of Britain's rulers, not of the American people.

Mistaken  
policy of  
England.

Four days after the declaration of war against Great Britain, Napoleon and the Czar renewed their former enmity, because Russia would no longer close the Baltic ports to neutral commerce. The Czar at once offered to mediate between Great Britain and the United States, whose

The Czar  
intervenes.  
Winsor's  
*America*,  
VII, 483.

conflict could not fail to weaken the opposition of the former to Napoleon. Madison grasped at the proffered good offices of Russia, and appointed commissioners to represent the United States; but Great Britain would not accept this mediation. The British government could not afford to appear unmindful of the wishes of the Czar, its most powerful ally against Napoleon, and announced its willingness to negotiate directly with the United States; but it was not sincere in its desire for peace, and the commissioners did not come together until the summer of 1814. The Americans were five in number; among them were Albert Gallatin, John Quincy Adams, son of John Adams, and Henry Clay. To the absence of Clay from Congress has been attributed much of the extraordinary imbecility of that body during this period.



Albert Gallatin, John Quincy Adams, son of John Adams, and Henry Clay. To

the absence of Clay from Congress has been attributed much of the extraordinary imbecility of that body during this period.

Negotiations  
for peace,  
1814.  
Winsor's  
*America*,  
VII, 484-487.

It is likely that the British government chose this moment to begin negotiations in the expectation that the successes of her armies in 1814 would induce the Americans to cede to Great Britain a strip of territory south of the Great Lakes. Brown's energetic defense of the posts on those lakes, and the collapse of the invasion by way of Lake Champlain, put an abrupt ending to these hopes, and the British negotiators were ordered to conclude the treaty as soon as possible. The treaty was signed at Ghent on December 24, 1814, before the fate of Pakenham's expedition was known, and even before the conflict which usually goes by the name of the battle of New Orleans had taken place.

Treaty of  
Ghent, 1814.  
Schouler's  
*United  
States*, II,  
477-485.

246. **The Treaty of Ghent, 1814.**—The treaty provided for a restoration of conquests by both parties, and for the appointment of commissions to arrange the outstanding boundary disputes between the two powers and to settle some other matters of difference. The important issues which led up to the war were not even mentioned in the treaty of peace. The Orders in Council had been withdrawn before the conflict began, and the rights of neutrals

had ceased to be an issue of vital moment since the fall of Napoleon. The successes of the American cruisers had contributed materially toward the settlement of the questions of impressment, the right of search, and blockades; they never again became serious in the sense that they were before 1812. The British commissioners at Ghent had contended that the fishery privileges accorded to the citizens of the United States in the treaty of 1783 had terminated the moment war had broken out between the two nations. The Americans declared, on the contrary, that the articles in that treaty relating to the fisheries, having once gone into operation, were not affected by a subsequent war, any more than were the provisions relating to boundaries. On the other hand, they argued that the clause in the earlier treaty, granting the free use of the Mississippi to British subjects (§ 164), had ceased to operate the moment war began. As no agreement could be reached on these points, further consideration of them was deferred until a more convenient opportunity. The news of the conclusion of peace and of Jackson's victory at New Orleans reached Washington at almost the same moment. The Republican party at once regained its former place in the people's esteem. To this consummation also the Federalists strongly contributed by a most inopportune display of hostility to the administration and to its policy.

247. **The Hartford Convention. 1814. 1815.** — Six days before Jackson repelled Pakenham's last assault at New Orleans, the Hartford Convention adjourned. To understand this movement, we must examine at some length the course pursued by Massachusetts during the war. In the first place, it must be understood that New England had borne its full share in the conflict, notwithstanding the great unpopularity of the war in that section and the contest over the militia. To make this fact clear, it is only necessary to compare the parts borne by Virginia and by Massachusetts. The latter contained, according to the census of 1810, about seven hundred thousand inhabit-

Discontent  
in New  
England,  
1812-14.

ants; Virginia is credited in the same census with nine hundred and seventy thousand inhabitants, of whom five hundred and fifty thousand were negro slaves. In accordance with the federal ratio (§ 182), Virginia sent to Congress twenty-three members, Massachusetts twenty. The latter state furnished four times as much money for the support of the conflict as Virginia, and contributed more men to the armies of the United States during the war — apart from sailors on national vessels and in privateers — than did the states of Virginia, North Carolina, and South Carolina combined. On the other hand, the government withdrew its garrisons from the Massachusetts seaboard forts and harassed what was left of her commerce with an embargo.

Opposition  
to the ad-  
ministration,  
1813-14.

The leading men of New England had no confidence whatever in the Southern and Western politicians who guided the policy of the government. They felt keenly the slights put upon New England, and resented the acts of the administration, many of which were of doubtful constitutionality, to say the least. They had recourse to the precedents of pre-revolutionary times, and followed in the footsteps of the leaders of the Republican party in 1798-99. The legislatures of Connecticut and Massachusetts passed laws directly in conflict with the act of Congress providing for the enlistment of minors, and subjected to fine and imprisonment those engaged in carrying the law into practice. On February 18, 1813, a committee of the Massachusetts legislature reported that "the sovereignty reserved to the states [in the Constitution] was reserved to protect the citizens from acts of violence by the United States. . . . We spurn the idea that the sovereign state of Massachusetts is reduced to a mere municipal corporation. . . . When the national compact is violated, and the citizens of the state are oppressed by cruel and unauthorized law, this legislature is bound to interpose its power and wrest from the oppressor its victim." The campaign of 1814 brought no relief to New England; the British,

who in the earlier years of the war had forborne to attack that section, now waged active hostilities on the New England coast. They seized the eastern towns in Maine, levied contributions on many seaboard places, and bombarded Stonington in Connecticut. October of that year found the New Englanders in a sterner frame of mind than before. The legislature of Massachusetts suggested that a conference of delegates of the New England states should be summoned, to propose such measures as were "not repugnant to their obligations as members of the Union." The conference, or convention, as it was ordinarily termed, was held at Hartford (December, 1814, to January, 1815). It adopted resolutions suggesting that the New Englanders should be permitted to defend themselves and should therefore retain a reasonable portion of the federal taxes assessed upon them. It also suggested certain amendments to the Constitution, and laid down the constitutional doctrines applicable to the matter in language which must have sounded most unpleasantly familiar to Jefferson and Madison :

"In cases of deliberate, dangerous, and palpable infractions of the Constitution, affecting the sovereignty of a state and liberties of the people ; it is not only the right but the duty of such a state to interpose its authority for their protection. . . . When emergencies occur which are . . . beyond the reach of the judicial tribunals, . . . states which have no common umpire must be their own judges and execute their own decisions" (compare § 209).

It was often the fate of the Federalist party to propose action either too early or too late. The commissioners sent to Washington to arrange for a reasonable division of the proceeds of the federal taxes reached the capital to find peace declared. They hastened home amid the jeerings of the Republican press.

**248. Results of the War.** — The war cost the American people the lives of thirty thousand men, and as many more were wholly or partly incapacitated from leading happy,

The  
Hartford  
Convention,  
1814-15.  
Schouler's  
*United  
States*, II,  
469-476;  
Mac-  
Donald's  
*Documentary  
Source Book*,  
No. 70.

Cost of the  
war.

vigorous lives. The national debt rose by leaps and bounds, until in 1816 it amounted to one hundred and twenty-seven million dollars; about one hundred millions of this sum was an absolute increase of the debt. The actual money cost of the war was much greater, and was probably not less than two hundred million dollars. On the other side of the account, there was absolutely nothing material to show for this great expenditure of human life, this amount of human suffering, and this mass of treasure.

Results of  
the war.  
Schouler's  
*United  
States*, II,  
492, 501;  
Johnston's  
*Orations*, I,  
219.

Indirectly and unconsciously there was a gain not to be measured in human lives or in dollars: the American people ceased to be provincial and began to appreciate its oneness, it began to feel and to act as a nation. Before this time American politics had been dominated by European politics, — there had been British parties and parties favoring France. The War of 1812, and the economic changes consequent on the restoration of peace in Europe, completely changed these conditions. Northern capitalists competing with the manufacturers of Britain forgot their former friendships; on the other hand, the cotton planters of the South found in the British manufacturers their best customers; they, too, became forgetful of their former hatred of all things British. Furthermore, the pressure of the conflict compelled the federal government to adopt measures which even Hamilton would have feared to suggest, while the Federalists, soon to disappear as a party, became the champions of strict construction. In this way democracy and nationalism grew together. The War of 1812 has been often and truly called the Second War of Independence, which should be understood to mean not merely independence of other nations, but of the conditions of colonial life.

New  
economic  
conditions.

249. **Altered Industrial Conditions, 1816.** — On the return of peace it at once became evident that new economic forces had come into existence. These new factors in national progress were to exert a powerful influence on the course of politics and to determine the positions to be assumed



by political leaders. It will be well to consider this subject with some care.

During the period of commercial restriction and of war, the Northern capitalists had been obliged to find new means of employment for their idle funds, which could no longer be profitably invested in the shipping interests. They turned their attention to manufacturing enterprises and established the textile industries of the North. As soon as peace was concluded, British manufacturers sought to regain their former profitable markets in the United States. They sent immense quantities of goods to the American ports, and the Northern manufacturers saw the markets for their cottons, woolens, and iron rapidly slipping from them. They could not return to the shipowning industry to advantage, as the general peace which now prevailed brought their vessels into competition with those of all the maritime nations of Europe. They appealed to Congress for aid in the shape of a protective tariff, which would preserve the home market to them. One result of this appeal was the Tariff Act of 1816. A more important outcome of this change in the economic development of the country was the extinction of the Federalist party. It was now powerless to aid the Northern mill owners in securing the requisite legislation; they turned for aid to the Republicans, and the Federalist party, abandoned in the house of its friends, disappeared as a political organization.

250. **Early Tariff Legislation, 1789-1815.**—The act for raising revenue, passed in 1789, had for one object “the protection of manufactures,” but the rates levied in that act were too low to give an effective impulse to young industries. It should also be said that the country was not then prepared for the establishment of manufacturing enterprises on an extended scale. Subsequent acts had increased the rates of taxation on imports, and had thereby given added protection. This was especially true of a law passed in 1812 for doubling all the duties; but these later acts were designed to provide revenue—whatever protection

Protection,  
1789-1815.

they afforded was incidental. The embargo and non-intercourse laws had also operated to give protection, and so had the high rates of freight which the commercial policy of Great Britain and France made inevitable. The War of 1812 had added to the encouragement afforded by these earlier restrictions on commerce, and in 1815 the textile industries of the North may be considered to have been established.

Growth of manufacturing industries, 1800-15.

**251. Growth of Textile Industries, 1800-1815.**—The development of the manufacture of cotton was extraordinary. In 1803 there were four cotton factories in the country; five years later there were fifteen mills, with eight thousand spindles. By 1811 the number of spindles had increased tenfold, to eighty thousand, and in 1815 there were five hundred thousand spindles in operation. The home consumption of cotton tells the same story of rapid growth: in 1800 American manufacturers used five hundred bales; in 1815 they consumed ninety thousand bales. The question which came before Congress in 1816 was whether this rapidly growing industry should be crushed by foreign competition or should be permitted to live. If the latter course commended itself to Congress, the best way to secure it was to lay so heavy a duty on foreign cotton cloth that its importation would be unprofitable.

The case was somewhat the same as to the woolen and iron industries, although the story of their rise is not so striking as that just related of the cotton manufacture.

Calhoun and Webster on protection.

**252. Tariff Act of 1816.**—Congress was still controlled by the politicians who had urged on the declaration of war in 1812. At this period in his career Calhoun was in favor of a strong nationalizing policy. "Let us make great permanent roads . . . for . . . defense and connecting more closely the interests of various sections of this great country," he said in 1816, and he strongly advocated protection "to encourage . . . domestic industry." Even Jefferson declared that the manufacturer and the agriculturist must stand side by side. On the other hand, Webster, represent-

ing the shipping interests of Boston, strongly opposed protection, and John Randolph sounded an unheeded note of warning when he declared that the proposed tariff would bear heavily "upon poor men and slaveholders."

The act as it was passed (April 27, 1816) imposed a duty of about twenty per cent on all cotton and woolen goods imported from abroad, and specific duties on salt and iron imported. In addition, "the minimum principle" was adopted. This provided that no duty on cotton and woolen goods should be less than six and one quarter cents per yard. As this rate was far more than twenty-five per cent of the price of coarse fabrics which were worn by slaves in the South, the tariff was unfavorable to the interests of Southern slaveholders.

Tariff Act of  
1816.

**253. Monroe's Administrations, 1817-1825.** — In 1816 a presidential election was held. Following the example set by Washington and Jefferson, Madison declined to be a candidate for a third term, and James Monroe of Virginia was elected President. In earlier life Monroe had been an advanced democrat, but his ardor had cooled. He had forgotten many of Jefferson's early teachings, and had become almost, if not quite, as much in favor of building up a strong central government as any Federalist had been. As a diplomatist, Monroe had served long abroad, but had not gained great success; in 1806 he had put his name to a treaty with Great Britain which Jefferson would not even submit to the Senate (§ 232). Monroe had then retired into private life, from which he had come at Madison's request to take the position of Secretary of State. During the War of 1812, he had shown unexpected strength; he had resisted unwise popular demands and had risen above the position of the ordinary party chief. He was a man eminently fitted to lead the nation in the peaceful times which were now approaching. Party spirit declined, and Monroe was re-elected President in 1820 with only one vote lacking, that withheld by a New Hampshire elector who was determined — so the

Monroe  
elected  
President,  
1816.

story goes — that Washington should be the only man unanimously elected to the presidency.

Policy of  
nationaliza-  
tion.

254. **The Policy of Nationalization.** — Monroe fell in with the popular demand for nationalization, for protection, and for public improvements. The Tariff Act of 1816 had been passed with the aid of votes from all sections of the country. The new leaders of the Republican party

adopted the prevalent ideas of nationalization, and the Supreme Court, in a series of remarkable decisions, prepared the way for the carrying out of the new policy. One of these decisions was given by Chief Justice John Marshall, in the case of *McCulloch vs. Maryland*. The case arose out of the attempt of the state of Maryland to tax the Second United States Bank,

Marshall's  
decisions.



James Monroe

which was chartered in 1816. In delivering the decision of the court, the Chief Justice said in substance: A national bank is an appropriate means to carry out some of the implied powers conferred on the national government by the Con-

stitution. If the end is within the scope of the Constitution, all means which are plainly adapted to that end, and which are consistent with the spirit of the organic law, are constitutional. A similar course of reasoning would have upheld

the constitutionality of the tariff and perhaps internal improvements as well. In other decisions the Supreme Court greatly restricted the functions of the states, as in the case of *Fletcher vs. Peck* and in the Dartmouth College case, where the clause of the Constitution (Art. i, § 10) forbidding the states to pass any law impairing the obligation of contracts was held to mean that the state of Georgia could not revoke grants of land fraudulently obtained, and that the state of New Hampshire could not modify a charter granted to a corporation before the Revolution. In these and other decisions, the power of the states was greatly diminished, and that of the United States in the same measure increased.

This great increase of authority to the national government and the complete change of attitude of the dominant party on questions of interpretation of the Constitution, was due in part to the rapid settlement of the West. Six states were admitted to the Union between 1816 and 1821, of which five were west of the Alleghanies, and one of them, Missouri, west of the Mississippi. The Westerners desired better means of transport, and looked to the general government to construct roads and canals and to improve rivers and harbors; they desired, too, to have some of their products protected, as hemp and wool. One of Madison's last acts as President had been to veto a bill devoting fifteen hundred thousand dollars, which the Second United States Bank paid for its charter, to the construction of roads and canals and the improvement of rivers. Madison, like Jefferson, favored internal improvements; but, like Jefferson, he believed them to be beyond the powers conferred on the general government by the Constitution; an amendment would be necessary to make such acts legal. Monroe took a similar view, and in 1822 vetoed a bill for the repair of the Cumberland road, which had been built out of the proceeds of the public lands. In the next year (1823) the first step was taken in the appropriation of money by Congress for the improvement of harbors, but the matter did not assume important proportions until after the close of Monroe's second term.

Settlement of  
the West.

Relations  
with Great  
Britain,  
1815-18.

Commercial  
convention,  
1815.

Treaty of  
1818.  
Winsor's  
*America*,  
VII, 489.

255. **Relations with Great Britain, 1815-1818.** — The Treaty of Ghent had ended the war with Great Britain, but it had left many important questions to be decided by future negotiations. These were at once begun. The British government, although not in precisely a conciliatory frame of mind, was more reasonable than it had ever been before. In 1815 it consented to a commercial convention which opened a portion of the British West India trade to American vessels; the convention also contained an important provision designed to secure the abolition of discriminating duties and charges in either country against the vessels and goods of the other. This arrangement was limited to four years, but was extended for ten years longer in 1818. In the latter year an important treaty was negotiated in regard to the fisheries and the northern boundary of the United States. With regard to the fisheries, the United States consented to give up some of its rights under the treaty of 1783; Great Britain, on her part, recognized the remainder as being permanent in character; she also gave up her rights to the navigation of the Mississippi. The northern boundary was to follow the forty-ninth parallel from the Lake of the Woods to the Rocky or Stony Mountains, as they were then termed. The United States in this way abandoned a small portion of Louisiana and acquired a valuable bit of territory in the basin of the Red River of the North. (Map No. IV.) As to Oregon, or the region lying between the Rocky Mountains and the Pacific, north of the Spanish possessions in California, no agreement as to division could be reached. It was arranged, therefore, that both Great Britain and the United States should occupy it jointly for ten years.

An attempt was also made to come to some conclusion in regard to the suppression of the African slave trade; but agreement was impossible, owing to the divergent ideas of the two governments as to the "right of search," since the United States refused to permit British men-of-war to stop and search vessels flying the American flag.

256. **Relations with Spain, 1810-1819.** — It will be remembered that the desire of the United States to acquire West Florida and New Orleans had brought about the Louisiana Purchase, which Spain had steadily maintained did not include West Florida (§ 228). In 1810 and 1812 the United States had seized a portion of that province, but had left the remainder and East Florida in the hands of Spain. This matter gave rise to constant irritation; Spain refused to recognize the title of the United States to West Florida or to sell East Florida. The American government, on its part, held fast to the territory it had seized and endeavored to buy the eastern province. East Florida was of slight value to Spain, and the Spanish government was so beset with difficulties in Europe and America (§ 258) that it could not properly govern any of its American possessions. East Florida was used by all sorts of fugitives from the United States, — white, black, and red. It was also a convenient base for the organization of smuggling expeditions into the United States. The situation was especially grave as to the Indians, for whenever those in Georgia and Alabama rebelled, they fled across the frontier to Florida and received shelter and assistance from its inhabitants. In 1818 General Jackson pursued a body of marauding Seminoles across the boundary. Finding that they were aided by the Spanish settlers at St. Marks and Pensacola, he seized those two places. While in Florida he also executed two British subjects, Arbuthnot and Ambrister, who appeared to be intriguing with the natives against the United States.

Jackson's raid aroused discussion in the cabinet: John Quincy Adams, Monroe's Secretary of State, defended it; all the other members of the administration disapproved it; one of them, John C. Calhoun, Secretary of War, proposed that Jackson should be tried by a court-martial for insubordination, but nothing was done.

257. **The Florida Treaty, 1819.** — Negotiations had been in progress for some time for the purchase of East Florida, or, as we may now call it, Florida, and the settlement of

Relations with Spain, 1810-19. Winsor's *America*, VII, 497, 543.

Jackson invades Florida, 1818. Schouler's *United States*, 111, 57-93.

Purchase of Florida, 1819.

Winsor's  
*America*,  
VII, 499.

The line of  
1819.

all existing disputes with Spain. The negotiations were brought to a conclusion by a treaty which was signed at Washington (1819) and was ratified in 1821. By this instrument, Spain ceded Florida to the United States and abandoned all claim to lands lying east and north of the following line : beginning at the mouth of the Sabine River, this line followed that stream to the 32d degree of latitude,



The United States, 1819

thence due north to the Red River, and along that river to the one hundredth meridian ; from that point the line ran due north to the Arkansas, and followed the southern bank of that stream to its source, thence northward or southward, as the case might be, to the forty-second parallel and along that line to the Pacific Ocean. The United States abandoned its claim to lands south and west of this line and agreed to pay five million dollars to American citizens who had claims against Spain for property which had been wrongfully seized. The effect of this settlement was that the United States



acquired Florida and gave up Texas. The letters which were written by John Quincy Adams during his long negotiation are of great importance in diplomatic history. Singularly enough, it was reserved for his grandson, Henry Adams, to prove conclusively that the United States had a perfect title to Texas.

The Florida treaty was signed on February 22, 1819, and was ratified by the Senate without opposition or delay. Spain, however, postponed ratification for nearly two years. At last, in 1821, the agreement was completed. Jackson was appointed governor of the new territory of Florida, which was admitted to the Union as a state in 1845. Those portions of the old province of West Florida which were seized in 1810 and 1812 were added to the states of Louisiana, Mississippi, and Alabama, giving the two latter access to the Gulf of Mexico.

258. **The Spanish-American Colonies, 1808-1822.**—The Spanish-American colonies in South and Central America and Mexico had originally thrown off their allegiance to the Spanish monarch when Napoleon thrust his brother on the Spanish throne (1808), but on the restoration of the old monarchy they had returned to their obedience to the sovereign of Spain. In the interval they had enjoyed freedom of trade with other nations. Spain again imposed the old colonial system; her colonists again rebelled (1816), and the government of the mother land was too weak to compel submission. The ten years following the final downfall of Napoleon in 1815 were a period of great unrest among the nations of Europe. In 1820 the Spaniards themselves rebelled against their restored monarch. Under these circumstances the Spanish colonists were able to maintain their independence, and by 1822 revolutionary governments had been established in every Spanish colony on the American continents.

The elements of revolutionary unrest in Europe had caused the European monarchs to form a "concert" termed the "Holy Alliance," to do "each other reciprocal serv-

Ratification  
of the treaty,  
1821.

Rebellions in  
the Spanish  
colonies,  
1808-22.  
Schouler's  
*United  
States*, 111,  
25-36.

The Holy Alliance.  
Schouler's  
*United States*, III,  
277.

Canning's proposition.  
Schouler's  
*United States*, III,  
284.

Independence of the Spanish colonies recognized, 1822.  
Schouler's  
*United States*, III,  
255.

Russians on the north-west coast.

ices," or, in plain language, to maintain one another's rights and privileges. Great Britain was not a member of this league, but many leading Englishmen undoubtedly sympathized with the reactionary tendencies of its framers. In 1823 France, in the name of the "Holy Alliance," restored the Spanish king to his throne. He eagerly besought his fellow-monarchs to complete their work by restoring his authority in the rebellious American colonies. The apprehension that something of the kind might be attempted, aroused the commercial animosities of English merchants, who had established a profitable trade with the revolted states and had no wish to see the Spanish-American ports again closed to British vessels. Putting aside for the moment his overbearing manner, Canning, the British foreign minister, courteously addressed the American envoy at London, Mr. Richard Rush, and proposed that Great Britain and the United States should make a concurrent declaration against the course which the Holy Alliance seemed about to take (1823).

The insurrectionary movements in the Spanish-American colonies had awakened the pity of the citizens of the United States. They sympathized with republican movements in general, they were interested in the trade of Spanish America, and they especially disliked the idea of European nations interfering in American affairs. Monroe and Adams, both experienced diplomatists, carefully observed the restrictions imposed on neutrals by international practice. By 1822, however, they thought that the time had come to recognize the independence of the colonies. This was accomplished by the appropriation of money to defray the expenses of diplomatic missions to "the independent nations on the American continent."

259. **The Monroe Doctrine, 1823.**— Meantime, another cause for anxiety had arisen. Russia had obtained a foothold on the northwestern coast of America, and seemed determined to reserve the trade of that region to herself. In 1821 the Czar issued a decree, or *ukase*, forbidding all

foreigners to approach within one hundred miles of the American coasts north of the fifty-first parallel. Russian fur traders were constantly appearing farther south, and it was feared that Russia would extend her influence down the coast to Oregon, and even to California. The Czar was also the leading spirit of the Holy Alliance. Bearing in mind all the circumstances of the case, the situation might well seem desperate; the United States government might have been pardoned had it grasped at Canning's proffered friendship, but the offer was politely declined, largely through the wise insistence of John Quincy Adams. He believed that joint action with Great Britain would probably lead to a new partition of America between the principal states of Europe. If this should happen, France might again become an American power, Russia might gain Oregon and perhaps California, and Great Britain might acquire increased strength. Monroe finally accepted this view of the problem and stated the policy of the government in his Seventh Annual Message to Congress (December; 1823).

Referring to the rights and interests of the United States and Russia on the northwest coast, the President said: "The occasion has been judged proper for asserting as a principle . . . that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European power." Turning to the question of European intervention to settle the relations between Spain and her former colonies, Monroe stated that: ". . . The citizens of the United States cherish sentiments the most friendly in favor of the liberty and happiness of their fellow-men on that side of the Atlantic. In the wars of the European powers, in matters relating to themselves, we have never taken any part, nor does it comport with our policy to do so. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparation for our defense. With the movements

Enunciation  
of the  
Monroe  
Doctrine,  
1823.  
Winsor's  
*America*,  
VII, 502;  
Schouler's  
*United  
States*, III,  
286, 293;  
*American  
History Leaf-  
lets*, No. 4.

in this hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective governments. And to the defense of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to candor, and to the amicable relations existing between the United States and those powers, to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered, and shall not interfere. But with the governments who have declared their independence, and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition toward the United States."

Authorship  
of the  
message.

These memorable sentences were written by John Quincy Adams, but the responsibility for the announcement of the policy was Monroe's, and the message was rightly coupled with his name. In truth, the principles set forth in this famous document originated neither with Adams nor with Monroe; their genesis may be traced back to Washington's Neutrality Proclamation and to Jefferson's famous phrase of "entangling alliances with none" (§ 223). The "Monroe Doctrine" was the established policy of the United States long before 1823, and has been cherished and extended by later statesmen. It would be better now to drop the name of Monroe altogether and to call this policy, which

is usually associated with his name, the American Policy. As circumstances change, the great principles underlying it have been, and must be, applied to new conditions; but the use of Monroe's name seems to confine them to those problems only which confronted the government in 1823.

9, 2. Adams

Although Canning's suggestion of concurrent action was not received with favor by the United States, the British authorities acted in harmony with the administration at Washington. Mr. Canning caused the French government to be informed that the use of force by the Holy Alliance would at once lead to Britain's recognition of the independence of the Spanish colonies in America. The projects of the Holy Alliance as to the New World fell dead. At nearly the same time satisfactory arrangements were made as to the limits of Russia's dominion on the northwestern coast.

**260. The Russian Treaty of 1824.**— This treaty was negotiated during Monroe's administration. It is called the Treaty of 1824, although it was not ratified until January of the next year (1825). It declared the fisheries and navigation of the Pacific open to both parties and fixed the parallel of  $54^{\circ} 40'$  as the dividing line between the "spheres of influence" of the two contracting parties, the Americans to make no settlements north of that line nor the Russians south of it.

Treaty with  
Russia, 1824.  
Schouler's  
*United  
States*,  
III, 330.

With the arrangement of this matter, the old foreign policy of the United States may be said to have terminated. Questions of internal policy had already assumed the foremost position, and the struggles of political parties turned more and more on the contest over the extension of the slave system to new territory, and to the perpetuation of the protective tariff.

**261. Extension of Slave Territory.**— The Ordinance of 1787, prohibiting slavery north of the Ohio River (§ 173) and the acts of Congress admitting free states north of that river and slave states south of it (§ 219), had settled the

Slave and  
free territory,  
1820.

Schouler's  
*United  
States*, III,  
134-146.

question of free and slave soil east of the Mississippi by making the Ohio from Pennsylvania to the Mississippi the dividing line. The question of slavery west of that great stream had not been determined. Was the vast region between the Mississippi and the Rocky Mountains to be devoted to freedom or to bondage, or to be divided between them, as the original territory of the United States had been?

Proposal to  
admit  
Missouri as  
a slave state.  
Johnston's  
*Orations*, II,  
33-101.

In 1812 Congress had admitted the slave state of Louisiana to the Union. For six years nothing more was heard of the question, until March, 1818, when Missouri applied to Congress for admission to the Union; but no action was taken at that session. In the following December (1818) a bill was introduced organizing the southern portion of the old Missouri Territory as a new territory under the name of Arkansas. The boundary line between the proposed state and territory was given in the bill as the parallel of 36° 30' north latitude; this would be substantially a prolongation of the Ohio River line. In February, 1819, the consideration of these bills began in earnest, and at once the question of the extension of slave territory became of the greatest importance. James W. Tallmadge, a representative from New York, moved to amend the Missouri bill to the effect "that the further introduction of slavery or involuntary servitude be prohibited and that all children of slaves born within the said state after the admission thereof into the Union shall be free." The proposed state was north of the prolongation of the Ohio dividing line, and directly west of the free state of Illinois; it seemed to the Northerners only right that it should be free soil, and they voted for Tallmadge's amendment. It was carried, the bill was passed by the House, and was sent up to the Senate. The Arkansas bill was then taken up, and John W. Taylor, another representative from New York, moved the substance of Tallmadge's proposition as an amendment to that bill; but the motion was defeated by the casting vote of Henry Clay, who was once more Speaker of the

Proposals to  
restrict slave  
extension.  
Schouler's  
*United  
States*,  
147-155;  
Mac-  
Donald's  
*Documents*,  
Nos. 35-41.

House of Representatives. McLane of Delaware then proposed that a line should be fixed west of the Mississippi "north of which slavery should not be tolerated," and Taylor, acting on this suggestion, moved that slavery should be prohibited north of 36° 30' north latitude; but he subsequently withdrew his amendment, and the Arkansas bill passed in its original form. The Senate accepted the Arkansas bill, refused the Tallmadge amendment to the Missouri bill, and Congress adjourned without coming to a decision.

This question of the expansion of slave territory, which had suddenly come before Congress, aroused an amount of interest and excitement such as no other measure had awakened for years. John Adams, in his retired home at far-off Quincy, Massachusetts, wrote that he hoped no harm would come of it; but Jefferson, at his mansion of Monticello, Virginia, nearer the scene of conflict, was not at all hopeful, and declared that during the Revolutionary War there had not been such a serious division of opinion in the country.

262. **The Missouri Compromises, 1820, 1821.** — A new Congress assembled in December, 1819, and the slavery question at once became the most important matter of the session. Meantime, the Province of Maine had asked to be admitted to the Union with the consent of Massachusetts, with which Maine had been united since 1676 (§ 96). The House of Representatives promptly passed a bill for its admission; but when the measure came before the Senate, a clause providing for the admission of Missouri was tacked to it by way of amendment (January, 1820). In the course of the discussion, the Senate refused to adopt an amendment prohibiting slavery in Missouri, but accepted one proposed by Jesse B. Thomas of Illinois, in the following language: "That in all that territory ceded by France to the United States under the name of Louisiana, which lies north of thirty-six degrees, thirty minutes north latitude, not included within the limits of the state

Seriousness  
of the crisis.

The  
Compromise  
of 1820.  
Schouler's  
*United  
States*, III,  
155-165;  
Rhodes's  
*United  
States*,  
I, 30-41.

contemplated by this act, slavery . . . shall be and is hereby forever prohibited." The bill in this form finally passed the Senate by the votes of the senators from the Southern states and Illinois. The proposal in plain language was to balance the admission of the free state of Maine by the admission of the slave state of Missouri, and to forbid slavery in the remainder of the Louisiana Purchase north of Arkansas. The form in which the compromise was effected aroused a good deal of friction between the two houses. Finally, it was passed and received the President's approval.

Discussion  
in the  
cabinet.  
Schouler's  
*United  
States*, III,  
166-171.

In the cabinet there was an interesting discussion as to the constitutional power of Congress to prescribe conditions under which states might be admitted into the Union. All the members of the cabinet concurred in the opinion that Congress had power under the Constitution to prohibit slavery in the territories. It should be noted that the Southern members agreed in this view,—Wirt of Virginia, Crawford of Georgia, and John C. Calhoun of South Carolina. In point of fact, there were few persons then in political life who would have denied that Congress possessed full power to impose conditions on the admission of new states.

More  
compromise,  
1821.  
Schouler's  
*United  
States*,  
178-186.

The bill, as passed, admitted Maine to the Union and authorized Missouri to form a constitution and apply to Congress for admission. In 1821 the constitution of Missouri came before Congress for formal approval. It was found to contain a clause forbidding the entrance of free blacks into the state. Free blacks were then and for a long time thereafter regarded as citizens of the United States, and the federal Constitution guaranteed certain rights to all citizens. This clause in the Missouri constitution therefore raised a very serious question. Many Northerners would have gladly seized this opportunity to overturn the compromise of 1820. In the end, however, under the influence of Henry Clay, the matter was again compromised. Missouri was admitted under the proposed



constitution, with the proviso that no interpretation should ever be placed on the clause in question which should in any way diminish the rights of citizens of the United States, — a proviso which meant absolutely nothing. The Missouri Compromise postponed the conflict over the extension of slavery for a whole generation. It may be considered to have been justifiable, as it gave the free North time to develop its strength. On the other hand, it intensified the division into sections, which was already so apparent, and when the time came for the compromise to be of real value to the cause of freedom, it was disregarded and pronounced unconstitutional (§§ 307, 314).

263. **The Tariff of 1824.**—The eight years which had elapsed since the passage of the Tariff Act of 1816, of which Calhoun was one of the chief supporters, had witnessed a great change in the attitude of the several sections of the country on the question of protection. The Southerners, who had then not opposed the policy, were now its declared enemies. Although they had not suffered much actual damage from it, the tariff was clearly of no benefit to them, and seemed, on the other hand, to be of great benefit to two classes,—the agriculturists of the West and the manufacturers of the North. The Westerners had favored the Tariff Act of 1816; they now clamored loudly for the extension of the principle. They argued that the building up of thriving manufacturing communities in the East would give them markets near at hand for their surplus products, and the large revenues which were likely to result from increased duties would enable the government to construct new avenues of communication across the Alleghanies, and thus render the new markets more accessible. In the North, also, there was now much less opposition to a high tariff than there had been earlier. The iron masters of Pennsylvania were eager for more protection, and the tariff had enabled the New England manufacturers to pass successfully through a commercial crisis in 1818–19 and had been an incentive to a large increase in the manufacturing

Tariff of  
1824.  
Schouler's  
*United  
States*, III,  
295–298.

The  
argument  
for a high  
tariff.

industries of that section. The most remarkable development in this direction was the founding of the town of Lowell, where there was an important water power supplied by the Merrimac and Concord rivers. There a large mill for spinning and weaving had been erected and opened for business in 1823.

Arguments  
for and  
against pro-  
tection, 1824.  
Taussig's  
*State Papers*,  
252-385.

The new tariff was pressed forward on the eve of a presidential election, when no candidate wished to offend those interested in the development of protection. Webster, who still represented the commercial as opposed to the manufacturing interests of New England, argued against it in a speech which contains one of the best expositions of free-trade principles anywhere to be found. The votes of the Western, Middle, and Eastern states were too numerous for those of the South, and the bill passed. It increased the duties on iron, wool, hemp, and, to a less degree, on woolen and cotton goods. The general average of duties on protected goods, which had been twenty-five per cent in 1816, was now increased to thirty-seven per cent.

The "Era  
of Good  
Feeling,"  
1821-25.  
Schouler's  
*United  
States*, III,  
259-270.

264. The Election of J. Q. Adams, 1824, 1825. — Monroe's second administration (1821-25) has often been called the "Era of Good Feeling," and so it was in the country as a whole. The people, busied in preparing for the great industrial expansion of Jackson's time, forgot political animosities and bent all their energies to building the material foundations of future successes. Among the politicians, however, it was far from being an "era of good feeling"; on the contrary, it was a period of political intrigue and ill feeling among the leading men seldom equaled in the nation's history. It was a time when the forces which were to control the destiny of the country were taking form, although their shapes were not yet sufficiently molded to attract the allegiance or animosity of the politicians to such an extent as to make a new division of political parties. Nevertheless, the candidates for the succession to Monroe represented, in a manner, these new forces.

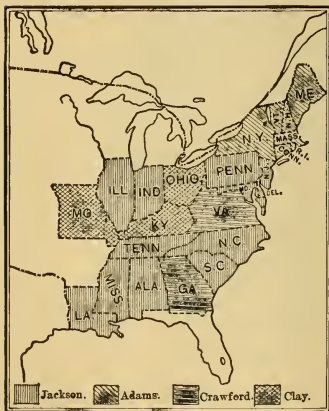
Of Monroe's cabinet three men aspired to succeed their chief. The first to come forward was John C. Calhoun of South Carolina, Secretary of War. Calhoun had heretofore been identified with nationalizing doctrines, but now was beginning to change his mind. The prospect of an undis-



John Quincy Adams

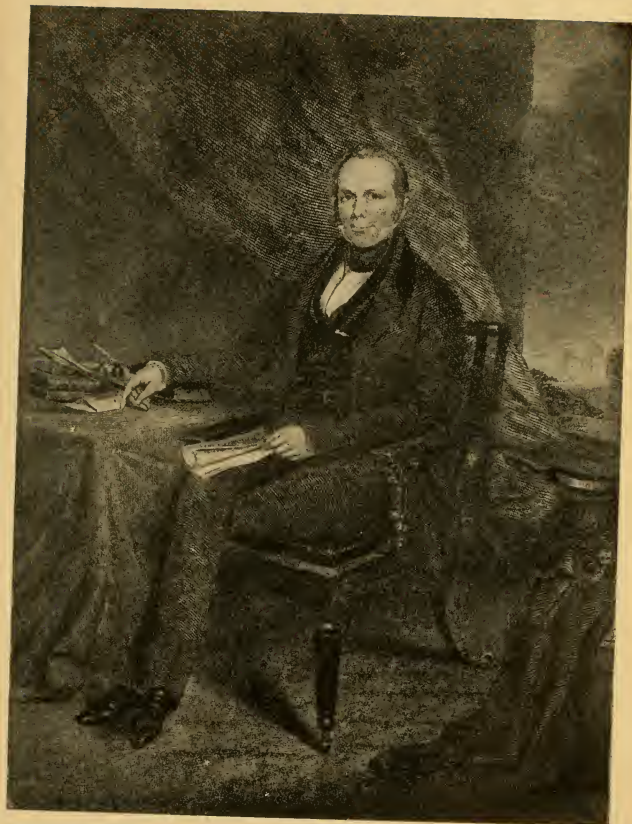
puted election to the peaceful seclusion of the vice-presidency determined him to withdraw from the struggle for the first place. William H. Crawford of Georgia, Secretary of the Treasury, began his preparations to secure the nomination as far back as 1820, by procuring the passage of an act limiting the tenure of civil officers to four years. It was stated that the purpose of this law was to secure a better accountability on the part of those who handled public moneys; in reality, it was devised to enable Crawford to thrust out of the treasury without arousing public attention all officials who were not favorable to his presi-

dential aspirations. John Quincy Adams of Massachusetts, Secretary of State, also aspired to the presidency. In addition, Henry Clay, still Speaker of the House, became a candidate, and the friends of General Jackson, now senator from Tennessee, put him forward as the representative of the people, especially those of the West. Nominating conventions were not then in fashion for federal offices, and besides



Election of 1824

there were no well-defined political parties behind the several candidates. Crawford secured the "machine" nomination of a congressional caucus, which, however, was attended by only a small portion of the Republican members of Congress. The other candidates were put forward by state legislatures: Adams by those of New England; Clay by those of five states, including his own state of Kentucky; Jackson by those of Tennessee and Pennsylvania. Adams and Clay represented the nationalizing tendencies of the Republican party in the North and West; Crawford stood for the reactionary principles which were then beginning to influence the South; and Jackson represented the new democracy, which was steadily acquiring strength in the West and even in the East. The future undoubtedly was with him and his friends, but as yet the strength which lay behind him was unorganized. As it was, he received ninety-nine electoral



Henry Clay in 1821. After a painting by Charles King

The election of 1824. Stanwood's *Presidency*; Schouler's *United States*, III, 304-329.

votes — more than any other candidate; Adams received eighty-four votes, Crawford forty-one, and Clay thirty-seven. No candidate had obtained a majority, and the election went to the House, voting by states, and confined in its choice to the three highest on the list (§ 229). Clay was therefore out of the contest. His views and those of his supporters coincided more nearly with those of Adams than with those of either Jackson or Crawford. He advised his followers to vote for Adams, and the latter was elected.

Cry of corruption and bargain.

The Constitution had expressly given the House the right to choose from the three highest on the list. Nevertheless, the adherents of Jackson declared that the representatives had thwarted the will of the people. In a few days it became known that Adams had offered Clay the position of Secretary of State, which the latter had accepted, most unwisely, as events were to show. The opponents of Adams and Clay at once raised the cry that a bargain had been made between them. Jackson, who seldom calculated his words, and who had probably never forgiven Clay for his attempt to bring him to account for his raid of 1818 (§ 256), announced that Clay was "the Judas of the West"; and John Randolph of Roanoke, the bitter opponent of the nationalizing tendencies of Adams and Clay, asserted in his virulent way that it was "a combination between the Puritan and the blackleg." There is probably not an atom of truth in the charge of a bargain between the new President and his Secretary of State; the accusation was repeated, however, until even its inventors must have believed in it, and it did very great harm to both Adams and Clay.

J. Q. Adams. Schouler's *United States*, III, 336-343, 397-409.

265. J. Q. Adams's Administration, 1825-1829. — Adams was in every way fitted for his new office. Absolutely fearless, honest, and upright, with a good mind and well trained to the administration of affairs, he would no doubt have succeeded admirably had he become President eight, or even four, years earlier. He represented the sympathies and aspirations of the generation which was now fast losing

its hold on the confidence of the people. With the forces that were to direct the future destinies of the country, he had little in common. His opponents reiterated the charges of "corruption and bargain"; they set on foot constant and causeless inquiries into the conduct of public officials; they discovered little wrongdoing, but the ceaseless round of charges kept alive the suspicions that many persons undoubtedly felt as to Adams's honesty and good faith.

On his part, Adams made many mistakes. He proposed a vast system of public improvements which alienated the support of the Southerners; he set his name to the worst tariff bill that the country has ever had; and he failed to carry on successfully the foreign relations of the nation.

266. **Foreign Relations, 1825-1829.**—The most unfortunate event in the foreign relations of these years was the closing of the British West India ports to American commerce. This was not due to any fault of Adams, but to untimely legislation by Congress. The administration did what it could to settle the matter amicably, but the British government refused to negotiate on the subject at all. In one respect, Adams and Clay were fortunate: they concluded many commercial treaties; but their good effect was more than offset by the loss of the British West India trade.

The administration took a warm interest in a Congress of all the American Republics, which met at Panama, in response to an invitation issued by General Simon Bolivar, the South American patriot. Adams was anxious to extend the influence of the United States over the other American states; he also desired to secure a general recognition of the principles set forth in the Monroe Doctrine. Acting on these ideas, he at once accepted Bolivar's invitation. When Congress met, however, the opposition seized on this as a favorable point of attack. Among the American states invited to be present at the Congress was the negro republic of Hayti. The slave owners dreaded the example of the black republic on their slaves; they disliked the idea

Relations  
with Great  
Britain.

The Panama  
Congress.  
Schouler's  
*United  
States*, III,  
358-365.

of sitting at a table on equal terms with the free negroes of Hayti; and they were alarmed lest the Panama Congress should adopt resolutions hostile to slavery. After considerable delay, Congress voted the funds necessary to enable the United States delegates to go to Panama. They did not arrive there until after the Congress had adjourned, and the whole affair ended in a ridiculous failure.

Georgia,  
the Indians,  
and the  
federal  
government.  
Schouler's  
*United  
States*, III,  
370-381.

267. **Adams and Georgia, 1825-1827.** — When Georgia had ceded her claims to Western lands to the United States (1802), the state and the federal governments had agreed that the latter should in some way remove the Indians from the lands remaining to Georgia. It was found very difficult to accomplish this. Georgia became impatient and proceeded to take possession of a portion of the lands, in virtue of a treaty which probably had no force. The government interfered to protect the Indians from unjust spoliation, and brought upon itself the anger of Governor Troup of Georgia, and of the legislative authorities of that state. The governor, echoing the Kentucky and Hartford Convention resolutions, stated that "between states equally independent . . . between sovereigns the weaker is equally qualified to pass upon its rights" as the stronger. A committee of the legislature went further, and reported that the time was approaching when the Southern states would be obliged to confederate. Adams, on his part, informed Congress that he intended "to enforce the laws, and fulfill the duties of the nation by all the force committed for that purpose to his charge." In Congress, however, the opponents of Adams and Clay were in the majority; they grasped the opportunity to humiliate the administration, and declined to support him. Adams was obliged to draw back, though at great loss to the national prestige. Georgia had successfully defied a weak administration; it remained to be seen whether South Carolina would be able to withstand a strong one (§ 282).

268. **The Tariff of Abominations, 1828.** — "The Tariff of 1828," says Professor Taussig, "was a political job." No



political faction dared to oppose it in view of the approaching election. The Southerners were now very unfriendly to its protective policy, but, owing to the necessity of procuring the votes of the Jackson men in the protective North and West, they were obliged to find some expedient by which, while seeming to favor a high protective tariff, they might secure its defeat. According to Calhoun, the scheme adopted was the invention of Martin Van Buren, senator from New York, and chief of a political clique in that state known as the Albany Junto. Van Buren had opposed Jackson in 1824, but had since warmly attached himself to his cause and had organized his faction. The plan of these men was to promote the passage of a bill which should contain such high duties on raw materials—most of them produced in the West—that the representatives of the manufacturing states in the East would not vote for it. It was expected that the latter would join with the Southern representatives at the last moment, and by their votes insure its defeat. The scheme was a “curious commentary,” to quote again from Professor Taussig, “on the politicians who were now coming into power.” In the beginning, everything worked happily for the conspirators. A committee of the House of Representatives, composed mainly of Jackson men, reported a bill containing high duties on manufactured goods, which the manufacturers desired, and high duties on raw materials, which the Westerners wanted. The latter duties completely destroyed the effects of the former, so far as the manufacturers were concerned. When the bill came before the House, the Jackson men refused to allow amendments, except one, which slightly bettered the case of the manufacturers of coarse woollens. The same course was pursued by the Jackson men in the Senate. The bill, abominations and all, was better for the manufacturers than no bill. They doubtless expected to be able to secure the removal of some of the things which bore most harshly upon them, — an expectation which proved to be well founded. The Adams men, therefore, much to the

The  
politicians  
and the  
tariff.  
Schouler's  
*United  
States*, III,  
420-426.

The "abominations."

dismay of the plotters, voted for the bill, the President signed it, and it became law. A few illustrations will serve to show the character of the measure: (1) the duty on hemp, which was not produced in the country in any quantity but was much used in Northern shipyards, was raised from thirty-five to sixty dollars per ton and (2) the duty on coarse wool, used in the manufacture of carpets and cheap woolen goods, was more than doubled, but no corresponding increase was made in the duty which was levied on the manufactured article.

269. Calhoun's *Exposition*, 1828.—The Southerners were greatly angered by the passage of this measure, although it is impossible to say how much it injured them, if it injured them at all. There was a sense of grievance, at all events, and the leaders used it to promote the open declaration of states'-rights doctrines. Five Southern legislatures protested against the act, and the legislature of South Carolina set forth its ideas in an *Exposition and Protest*, drawn up by Calhoun (December, 1828). In this celebrated document Calhoun, reverting to the precedents of 1799 and 1815 (§§ 209, 247), argued that "the existence of the right of judging of their powers, clearly established from the sovereignty of the states, as clearly implies a veto or control on the action of the general government. . . . There exists a case [the Tariff of 1828] which would justify the interposition of this state, in order to compel the general government to abandon an unconstitutional power, or to appeal to this high authority [the states] to confer it by express grant." He suggested that a convention of the state of South Carolina should be held, to decide in what manner the Tariff Act "ought to be declared null and void within the limits of the state." So threatening, indeed, was the outlook at the time, that Webster wrote, "I became thoroughly convinced that the plan of a Southern confederacy had been received with favor by a great many of the political men of the South." Nothing more was done at the moment, possibly because the Southerners expected to

Calhoun's *Exposition*. See on this general subject, Calhoun's letter to Hamilton, in Stedman and Hutchinson, IV, 478.

find in the newly elected President a champion of their cause.

· 270. Election of 1828.—The Presidential campaign which ended in the election of Jackson was fought with a bitterness and intemperance without a parallel in the earlier campaigns, except perhaps in that of 1800. Jackson was supported by men of all shades of opinion, from free-traders to high-protectionists, from states'-rights men to nationalists. Most of them would have been entirely unable to give any reason for their position, except a desire for change and a feeling that, with Jackson's election, there would be an end to the traditions which up to that time had guided the government, — an expectation in which they were abundantly justified by the event.

Many writers regard Jackson's election as the triumph of the people in opposition to the moneyed classes. Others maintained that it showed "the new West and the frontier had taken the whip hand in political management." Still other students see in it the victory of misrepresentation, slander, appeals to the passions, and political intrigue, and contend that a similar success could not be attained now, in the days of the rapid spread of intelligence. Certainly it was well understood that Jackson was a man "who stood by his friends"; those who worked for him were reasonably sure of reward. Adams, on the other hand, had steadily

Campaign of 1828. Schouler's *United States*, III, 409-420, 426-439; Stanwood's *Presidency*.



Election of 1828

Meaning of Jackson's election.

The electoral  
vote.

refused to use the public patronage to further his political fortunes; his re-election would do little to repay those who worked for him. Bearing all these things in mind, it is remarkable that Adams received as many votes in 1828 as he had obtained in 1824. All the rest were given to Jackson, who received one hundred and seventy-eight electoral votes to eighty-three for Adams. The practice of choosing presidential electors by popular vote had gradually been adopted in all the states, save Delaware and South Carolina. It is possible, therefore, to estimate the popular vote with some approach to accuracy. Jackson's majority, taking the states as a whole, was about one hundred and forty thousand. It is true, nevertheless, and worthy of note, that the change of a few thousand votes in Pennsylvania and New York would have given the electoral votes of those states and the election to Adams. Calhoun was re-elected Vice-President by a somewhat smaller majority than that given to Jackson.

Schouler's  
*United  
States*, IV,  
185.

The victory, such as it was, was undoubtedly a triumph of the new forces of unrest in political and social life. Sooner or later it was certain to come, and its coming at this time was fortunate. Adams was soon elected to the House of Representatives, where he gained a reputation as honorable as it has been unique, and one which he never could have won in administration. In Adams's place as chief magistrate, there appeared one of the most remarkable men America has produced, and one who was admirably fitted to ride the storm and direct the forces of the new democracy. The personal character, honesty, and good intentions of Andrew Jackson are unquestionable, however wrongful many of his acts may have been, and however mean and base were the motives of many politicians who fawned upon him and won office and money from his misplaced confidence.

## SUGGESTIVE QUESTIONS AND TOPICS

## §§ 240-247, 248, 269. THE WAR OF 1812

*a.* Compare the mode of recruiting soldiers, and the manner of raising money, in the War of 1812 and the Civil War.

*b.* What do you think of the suggestion of Mr. Adams (§ 244) as applied to possible future wars of the United States?

*c.* Bring to class a brief digest of the history of Europe 1812-23. Why was the Czar anxious for peace between the United States and Great Britain?

*d.* Describe effects of the war upon national feeling, political parties, industrial history of the United States; upon sentiments of foreign nations towards us. Do you think the description, "Second War of Independence," well chosen?

*e.* Show that the qualities which made Madison great as a statesman unfitted him for a war president. Look up life and influence of Mrs. Madison.

## §§ 247, 269. THE HARTFORD CONVENTION

*a.* Compare the resolutions adopted by the Hartford Convention with the Kentucky and Virginia resolutions, with the doctrines set forth in Calhoun's *Exposition*, and with the South Carolina resolutions of 1832.

## §§ 249-254. NATIONALIZATION

*a.* Show how the decisions of the Supreme Court, noted in § 254, greatly diminished the power of the states and increased that of the federal government.

*b.* Upon what grounds did Jefferson, Madison, and Monroe believe internal improvements to be beyond the powers of the federal government? What is the view of the leading political parties to-day?

## §§ 255-260. FOREIGN AFFAIRS

*a.* Trace the history of the Monroe Doctrine to 1823. In your opinion did Cleveland's Venezuela message enunciate any new principle?

*b.* Place as heading in note-book, "Oregon," and enter under it all fitting matter as you proceed. What matter in these sections must you enter under it, and why? Precisely what did the word "Oregon" mean in 1818? in 1825?

*c.* Represent in colors upon an Outline Map all the territorial changes noted in this chapter.

## §§ 261-262. THE MISSOURI COMPROMISES

- a.* Represent upon an Outline Map the effect of the several proposals noted in these sections.
- b.* State carefully the procedure in regard to the admission of Maine and of Missouri.

## §§ 263, 265-268. ADMINISTRATION OF J. Q. ADAMS

- a.* Bring to class a brief digest of the career of J. Q. Adams.
- b.* In what way did the tariff injure the South? in what way did it benefit the North and the West?
- c.* Which party had right and justice on its side in the affair mentioned in § 267?

## §§ 264, 270. ELECTIONS OF 1824 AND 1828

- a.* Examine the maps in §§ 264 and 270, and determine how far the facts disclosed justify the statement that in 1828 "the New West and the frontier had taken the whip hand in political management."
- b.* How has it happened that the House has substantially lost the freedom of choice contemplated in the Constitution?

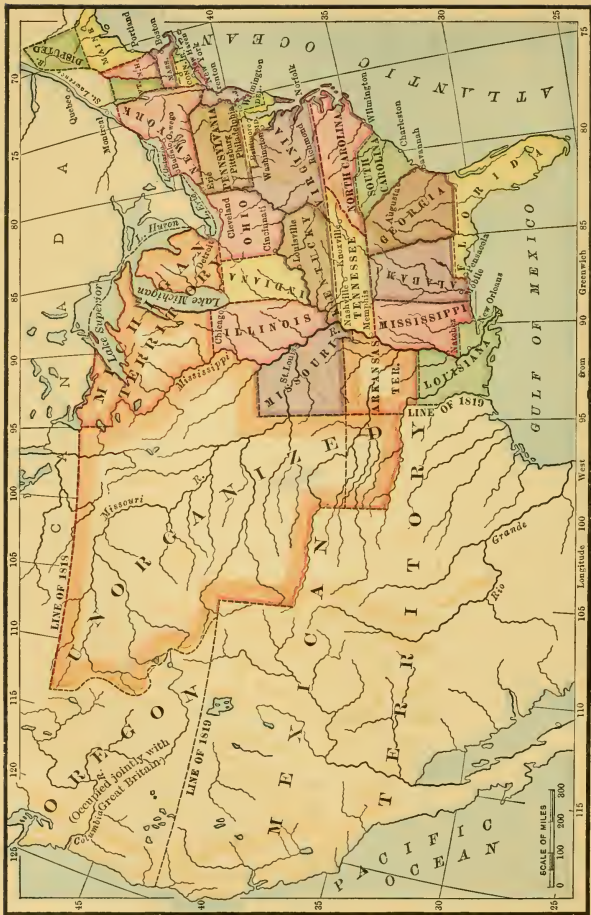
## GENERAL QUESTIONS

- a.* The "Great Triumvirate" — Webster, Clay, and Calhoun: bring to class a digest of their careers.
- b.* The "Era of Good Feeling": why so called? Contrast it with the preceding period, 1789-1812.
- c.* What matter in this chapter must be entered in your note-book under "Particularism," and what under "Nationalism"?

## TOPICS FOR INVESTIGATION BY INDIVIDUAL STUDENTS

- a.* Summarize Monroe's message of 1823.
- b.* Summarize Clay's argument for protection, 1824.
- c.* Summarize Webster's argument against protection in 1824.
- d.* Tabulate the election returns of 1824 by states.
- e.* Tabulate the election returns of 1828.







## CHAPTER X

### THE NATIONAL DEMOCRACY, 1829-1844

#### Books for Consultation

**General Readings.** — Johnston's *American Politics*, 109-148; Wilson's *Division and Reunion*, 22-146; Schouler's *United States*, III, 507-529, IV, 1-31; MacDonald's *Jacksonian Democracy*.

**Special Accounts.** — W. G. Brown's *Andrew Jackson*; Bassett's *Andrew Jackson*; Von Holst's *Calhoun*; Lodge's *Webster*; Schurz's *Clay*; Morse's *J. Q. Adams*; Schouler's *United States*; \*Greeley's *American Conflict*; Clarke's *Anti-Slavery Days*; Morse's *Lincoln*; Goodell's *Slavery*; Taussig's *Tariff History*; Larned's *History for Ready Reference*; Wilson's *Presidents*. Larger biographies of the leading statesmen, *Guide*, § 39.

**Sources.** — *American History Leaflets*; *Old South Leaflets*; Benton's *Abridgment and Thirty Years' View*; J. Q. Adams's *Diary*; Williams's *Statesman's Manual*; Johnston's *American Orations*; Stedman and Hutchinson, *American Literature*. Writings of the leading statesmen, *Guide*, §§ 46, 47; MacDonald's *Documents*.

**Maps.** — MacCoun's *Historical Geography*; Hart's *Epoch Maps*, Nos. 7, 8, 11.

**Bibliography.** — *Guide to American History*, §§ 200-212.

**Illustrative Material.** — \*Cooley's *Michigan*; \*Scharf's *Maryland*; \*Von Holst's *Constitutional History*; Quincy's *Figures of the Past*; Cooper's *Notions of the Americans*; Kemble's *Recollections of a Girlhood*; McCulloch's *Men and Measures*; Parton's *Jackson*; Trollope's *Manners of the Americans*; Wise's *Seven Decades*; \*Gouge's *Money and Banking*; Olmsted's *Cotton Kingdom*; Garrisons' *Life of Garrison*; Roosevelt's *Winning of the West*; Hale's *Stories of Inventions*; Hubert's *Inventors*; Hapgood's *Daniel Webster*.

Seba Smith's *Life and Letters of Major Jack Downing*; Lucy Larcom's *A New England Girlhood*; Longstreet's *Georgia Scenes*; Hildreth's *The Slave*; Hawthorne's *Blithedale Romance*.

### THE NATIONAL DEMOCRACY, 1829-1844

271. **Significance of Jackson's Election.** — The election of Andrew Jackson to the chief magistracy marked the

Significance of Jackson's election.

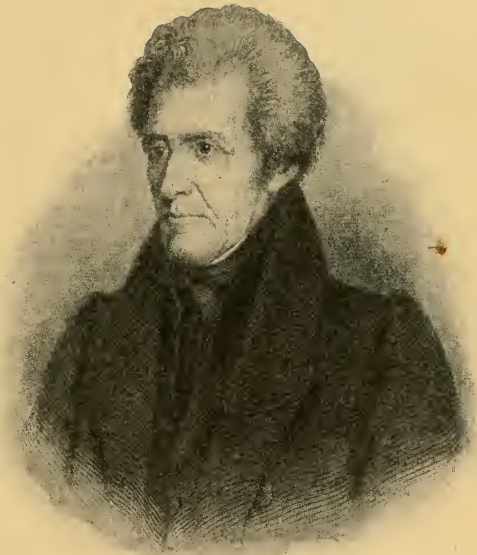
Andrew  
Jackson.  
Schouler's  
*United  
States*, IV,  
112, 265.

close of the second great epoch in the history of the United States. He was in some respects a typical man of the people. Born in the Carolina backwoods, he passed his boyhood amid the alarms and hostile encounters of the Revolutionary War. He then made his way over the mountains to the newer Carolina, which rapidly developed and was admitted to the Union as the state of Tennessee in 1796. Picking up a few scraps of legal knowledge, he became a lawyer; but it was as a military man that he made his mark. Without fear, with boundless energy, and with a faith in his own judgment and good intentions scarcely ever surpassed, Jackson proved himself to be a born leader of men in time of stress. In the Indian wars of that period, and in the War of 1812, he led his men to victory. In every way Jackson was a fitting representative of frontier life, and now for the first time took a leading position in national affairs in combination with Eastern political leaders who saw no other way to the possession of power.

Popular  
sovereignty.

272. **Theory of Popular Sovereignty.**—The Jacksonian theory of political existence, like the Jeffersonian doctrine, rested on the rights of the individual, but there the resemblance ceased. Jefferson had aimed at the formation of local democracies, the state being the unit of political action; Jackson and those behind him believed in the existence and in the building up of a national democracy. He was the administrator of a group of strong political leaders, — Benton of Missouri, Van Buren of New York, Taney of Maryland, and Edward Livingston of Louisiana, but of the New York Livingston stock. They believed with Jackson, or, more likely, Jackson believed with them, that the Constitution should be strictly construed, at least as far as all ordinary functions of the government were concerned. "The reign of Andrew Jackson," as the eight years of his presidency has been picturesquely termed, was a period of strictly constitutional despotism. Internal improvements were put ruthlessly to one side, the United States Bank was ruined, and protection was lessened as much as could possi-

Jackson's  
policy.



Andrew Jackson

After a painting by Longacre

bly be done without losing the support of the West and North. Furthermore, Jackson and his friends believed that the people of the United States should govern. Acting on this idea, they maintained that in electing Adams in 1825, the House of Representatives had refused to give the presidency to the man who was "entitled" to it by the voices of a majority of the voters. But the "sovereignty of the people," which was called in on that occasion and on all occasions of strain, as in the contest with the bank, was not in the Constitution. That instrument, on the contrary, had provided the means for thwarting the will of the people by the interposition of the electoral college in presidential elections and by the check exercised by the Senate in legislative business. It was, however, a most important day for the United States and for the American people when the forces of democracy adopted the idea of the sovereignty of the people of the United States. This new idea was to bear immediate fruit in Jackson's own time, in a manner that many of those who had voted for him scarcely dreamed of at the moment of his election. It will be well to examine the condition of the country at such an epoch-marking period.

Numbers,  
1830.

**273. Population and Area in 1830.**—The population of the United States was now slightly under thirteen millions, in comparison with five and one half millions in 1800. Of this increase of over seven and one quarter millions, not more than four hundred and fifty thousand were immigrants. It was in the first thirty years of the century that the institutions of the country became solidified on a democratic basis, and this work was accomplished by the original population of the country and their children. English institutions remained the dominant institutions, and the English language remained the dominant language.

Area, 1830.

The area of the United States had more than doubled in the same time; in 1830 it was over two million square miles, in comparison with less than eight hundred and fifty thousand square miles in 1800. Meantime the settled area



Backwoodsman, 1829

had increased in about the same proportion: in 1830 it was six hundred and thirty thousand square miles, as against three hundred and five thousand square miles in 1800. This great increase in the area of settlement had been due,

Growth of  
the West.

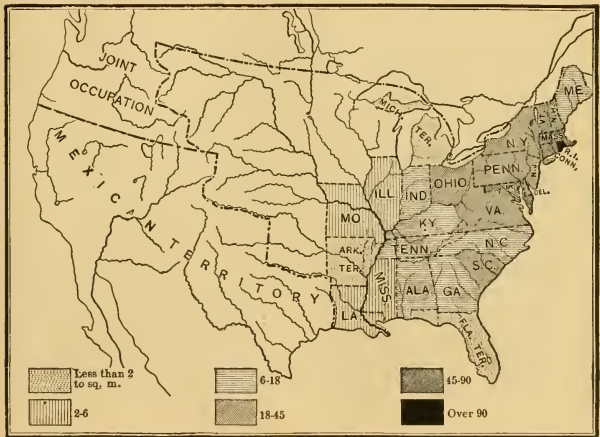
for the most part, to colonization of lands west of the Alleghanies. Of the eight states admitted to the Union since 1800, only one (Maine) was situated on the Atlantic slope; the others (Ohio, 1803; Louisiana, 1812; Indiana, 1816; Mississippi, 1817; Illinois, 1818; Alabama, 1819; Missouri, 1821) were all west of the Alleghanies. This rapid growth of the West had been partly offset by a large increase in the population of the seaboard states, but the center of population had moved westward one hundred and twenty-five miles, to the western boundary of Maryland; in 1800 it had been only eighteen miles west of Baltimore.

The cities.

The nation as a whole was still a rural people, as only about seven per cent of the population was collected into cities and towns of over eight thousand inhabitants (for 1800, see § 214). Nevertheless, owing to the growing importance of manufacturing and commercial pursuits in the northeastern states, the tendency toward town life had become fairly apparent, so far as that section was concerned. The population of New York City had more than trebled, rising from sixty thousand, in 1800, to two hundred thousand in 1830; of this increase, no less than eighty thousand had taken place in the last decade, 1820-30. Other large cities were Philadelphia, with one hundred and sixty-seven thousand inhabitants against seventy thousand in 1800; Baltimore, with eighty thousand, and Boston, with sixty-one thousand, in comparison with twenty-six and twenty-four thousand respectively in 1800. New Orleans, with forty-six thousand, was the only city of considerable size south of the Potomac and Ohio rivers, as Charleston, Savannah, Richmond, and Norfolk had not grown in proportion to the total populations of the states in which they were situated. On the other hand, Cincinnati, on the northern bank of the Ohio River, was already a thriving town of twenty-four thousand inhabitants. It seemed not unlikely that the same distinctions between the free and the slave states, noticeable east of the Alleghanies, would soon find their counterpart west of those mountains.

274. **Influence of Slavery.** — The total population had more than doubled in thirty years, the slave population increasing in almost precisely the same proportion as the white population. The latter had numbered nearly four millions in 1800; in 1830 it was ten and one half millions; the slave population, in the same time, had increased from nine hundred thousand to over two millions, and there

Increase of slaves.



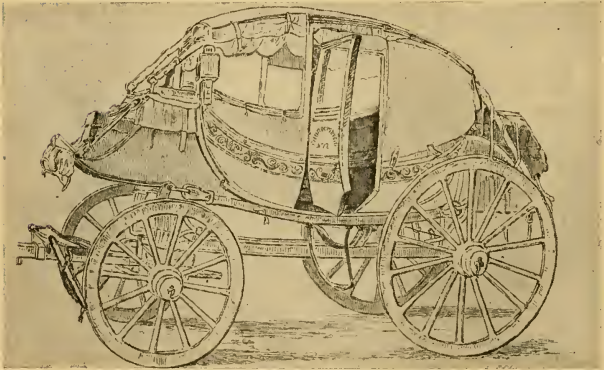
Density of population, 1830

were about three hundred thousand free negroes in 1830, mostly in the Northern states. In 1800 the free white inhabitants had been distributed between the North and South, in proportion of twenty-five to thirteen. In 1830 the proportion was about the same; but the South had maintained its place only through the acquisition of Louisiana and Florida and the rapid settlement of the states bordering on the Gulf of Mexico. The influence of slavery in limiting population becomes at once apparent by a study

Distribution of slave and free population.

Influence of slavery.

of the figures relating to the thirteen original states. In 1800 the free whites living east of the Alleghanies and north of Maryland had outnumbered those in the Southern states, excluding the people of Kentucky and Tennessee, two to one; in 1830 they outnumbered them five to one. The introduction of improved methods of transport, and the further encouragement of Northern manufactures, would still further build up the manufacturing and commercial



Stagecoach, 1829

towns in the northeastern states. Unless something were done to check this growth, the time was not far distant when the free population of the North would outnumber that of the South five to one. Discerning Southern leaders were already anxious over the outlook. In this fact is to be found the reason for their hostility to the continuance of the protective system, which they had helped to introduce.

Improvements in transportation, 1800-30.

**275. Improvements in Transportation.**— It is difficult nowadays to understand the conditions of transport which prevailed before the development of the present railway system. To those living at the time of Jackson's inaugura-



tion, the improvements already made for the conveyance of passengers between the centers of commerce and government seemed wonderful. In 1800 the stage drawn by horses had taken three days to convey a passenger from Boston to New York. The introduction of the steamboat at all possible points had reduced the time occupied by the journey, now performed partly by stage and partly by steamboat, by one half, — to about thirty-six hours. Boston was then about as far from New York as St. Louis is to-day.

Fulton made his celebrated voyage up the Hudson in the *Clermont* in 1807. The steamboat was immediately in great demand, but it was not until Fulton's monopoly was declared unconstitutional that the building and operating of steam vessels became free to all. Before the outbreak of the War of 1812 steamboats were placed on the Western rivers, at once changing the whole problem of emigration and settlement. In 1818 the first steamer appeared on Lake Erie; in 1830 a daily line was running from Buffalo to Detroit. New types of steamers, especially designed for lake and river navigation, were rapidly built, and their use became well-nigh universal. With the improvement in steam navigation, the opportunity for its successful prosecution was greatly enlarged by the opening of canals.

The most important and successful of these was the Erie canal, connecting Lake Erie with the Hudson. It will be remembered that the Hudson and Mohawk rivers form a natural break in the Appalachian system (§ 6), and this break continues westwardly from the head of the Mohawk to the Great Lakes. From the southern end of the Appalachian system in Georgia and Alabama, to its eastern and northern end in New England, this is the only opening of low altitude leading westward, and it was entirely suited to the building of a canal. The man who saw this, and whose name should always be remembered in this connection as a benefactor of mankind, was De Witt Clinton. To his energy and ability the building of the canal was due. It was opened in 1825, and at once changed the conditions

Fulton's  
steamboat,  
1807.

The Erie  
canal.  
Schouler's  
*United  
States*,  
III, 346.

of Western life and made New York the great commercial metropolis of the country. Within a year, the cost of conveying a ton of grain from Buffalo to Albany had fallen from one hundred dollars to fifteen dollars; the farmers of Ohio, Indiana, and Illinois had been brought within reach of the markets of the world. The success of the Erie canal gave rise to the building of canals in all directions, and induced Adams and Clay to recommend schemes of internal improvement which were distasteful to many of their supporters. The most remarkable of the later canals was the Chesapeake and Ohio, designed to connect tide water with the great interior waterways. These early canals were worked by horse power. Many of them were failures, but for a time they played an important part in the development of the country.

**276. Railroads.** — On July 4, 1828, three years after the completion of the Erie canal, Charles Carroll of Maryland, the last survivor of the signers of the Declaration of Independence, drove the first spike on the Baltimore and Ohio Railroad, the earliest line designed for the conveyance of both passengers and freight. By 1830 fifteen miles of it were completed. In the beginning, the cars or coaches were drawn by horses, but in 1829 one of Stephenson's locomotives was imported and served as a model until the first type of the American locomotive was evolved. By 1832 the Baltimore and Ohio had reached a point seventy-three miles from Baltimore, and had been equipped with locomotives capable of making fifteen miles an hour. In 1830 there were twenty-three miles of railroad in operation; building now proceeded rapidly, and by 1840 there were about twenty-three hundred miles in operation, or ready for traffic. Congress (1832) encouraged this work by providing that duties should be refunded on all rails laid down within three years of importation. At the outset, these roads were designed to connect towns already in existence, or the existing water routes; they were intended to replace the stagecoaches. Afterwards the railroads were

generally built first, giving the means of settlement to a new section of the country, and then transporting the produce of that region to the existing water communication. In this manner, the interior began to be settled away from the rivers. In the decade 1840-50, five thousand miles of railroad were built; but it was not until after 1850 that the pushing of the railroad into new sections was done with great vigor. Of the thirty lines at first projected, only three, and those short lines, were designed to be built south of the Potomac River.

**277. Other Inventions.** — During this period there was a great change in the iron industry, due partly to the demand for iron in railroad building and operating, and partly, perhaps, to the tariff; but more especially to the introduction of anthracite coal for the smelting of iron. The same coal was also used in the furnaces of locomotives. The effect of this adaptation of anthracite to the production of iron was to centralize the iron industry in Pennsylvania. Coal also came into use for heating dwellings, and, coupled with the introduction of illuminating gas for street and house lighting, completely changed urban life in the North. At the close of this period came the introduction of another great invention, — the electric telegraph. By 1845, therefore, American life, in the North at least, may be said to have thrown off the colonial guise, which it still wore at Jackson's inauguration, and to have taken on its modern form. Inventions

**278. Social Changes.** — The growth of democratic ideas, of which the widening of the suffrage is one of the best tests, had now taken a firm hold on the people; only two Northern states preserved the old property franchise. With the coming in of new economic forces, wealth began to accumulate in fewer hands; corporations began to take the place of individuals; and speculators began to make and lose fortunes by holding Western lands, by manipulating railroad stocks, and by establishing moneyed institutions of one kind or another. Social changes.

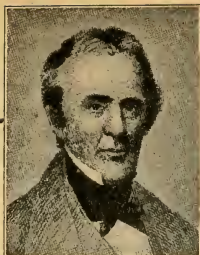
Literary and  
scientific  
workers.  
Wendell's  
*Literary  
History of  
America.*

The change which had come over society was especially marked by the sudden outburst of an American literature. Of those who wrote before 1830, Bryant, Irving, and Cooper have made enduring reputations; they were still at work. Between 1830 and 1845, Emerson and Hawthorne, Longfellow and Lowell, Whittier and Holmes, Poe, Prescott, and George Bancroft began their labors; Jared Sparks laid the foundation for the study of American history; Kent, Story, and Wheaton began the publication of law books on scientific foundations; and Asa Gray, Benjamin Peirce, J. D. Dana, Joseph Henry, Silliman, and Louis Agassiz began their scientific investigations and teaching.

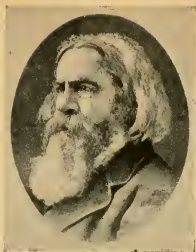
Education.

**279. Education and Religion.** — The colleges, also, awoke from their eighteenth-century lethargy; but the progress made in the art of teaching was slight, except that science claimed more attention than had formerly been the case. One hopeful sign was the increased resort to the colleges and the interest taken in the higher education by the people. The common-school system spread throughout the new West, and it was greatly stimulated by the wise liberality of the government in devoting one thirty-sixth part of the public lands to that purpose. Unhampered by the traditions which encircled educational institutions in the older settled regions, these Western schools became, many of them, model institutions of their kind.

Secondary education also began to assume prominence. To the "grammar" schools, which had now almost disappeared, and the academies, never numerous, were added the high schools. Through these new institutions the urban communities provided by taxation fuller opportunities, especially in the modern subjects, and prolonged the period of public education from two to four years. Beginning in Boston (1821), high schools have spread first to the principal cities and then to all the larger towns, broadening their scope as they have increased in number. Their service in stimulating elementary education and in training, under democratic conditions, the young people from



*O. Silliman*



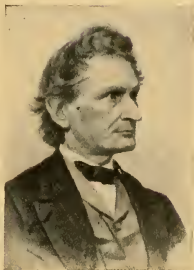
*Benjamin Peirce*



*Asa Gray*



*Joseph Henry*  
*Secretary*



*James W. Dana*

all social classes, is not easily overestimated. But little later in origin were the normal schools, in which teachers are trained for the common schools. These have more slowly but steadily multiplied. Not the least valuable part of their influence is seen in the somewhat recent establishment of courses in the art of teaching in the leading universities.

Religion.

In religion, there was a great upheaval. The old forms of thought everywhere gave way, and new sects began to rise. The greatest blow given to the old order of things was the disestablishment of the Congregational Church in New England, and the vigorous growth of Unitarianism on its ruin. The Unitarians were not formidable in point of number, but the liberalizing tendencies of which they were the exponent were soon to dominate American life in the North.

The South.

In all this march of progress, in all this great mental and material awakening, the South had no part; the census of 1840 showed a large growth in every Northern state; at least one Western state had doubled its population in ten years; the old South, on the other hand, seemed at a standstill. Georgia, alone, had made an important gain. As it was in material affairs, so it was in intellectual matters: not one of the writers, poets, essayists, historians, or men of science whose names have been given above lived and worked in the South. Moreover, in 1840, no less than sixty-three per cent of the illiterate white adults were to be found in that section of the country.

Party organization.

**280. The Spoils System, 1829.**—Jackson's administrations mark not only a great change in the material and mental development of the nation; they mark, also, a great change in political methods and modes of action. Up to this time there had been no national party machinery; in most states, there had been no local party machinery. In two states, however, Pennsylvania and New York, most highly developed party organizations had been built up by Van Buren, Marcy, and other politicians of the new type.

It is hardly necessary to describe in detail the means by which these politicians compassed their ends: they are familiar to all. In brief, it may be said that they organized the party workers on a semimilitary plan, paying the laborers for their labor by public offices — when the party was successful. These politicians saw “nothing wrong in the rule that to the victors belong the spoils of victory.” They now introduced the spoils system of party organization into national politics.

The “spoils system.”

Jackson, it was well known, regarded his fight for the presidency as a personal matter: those who helped him were his personal friends; those who opposed him were his personal enemies. It was generally expected that he would “reward his friends and punish his enemies.” Removals at once began, and all who had not shouted loudly for Jackson were displaced. Then came the turn of those who had been long in office, for long tenure was in itself an evidence of “corruption.” In nine months, more than a thousand officials had been removed, as against one hundred and sixty during all the preceding administrations. Appointments were made on similar principles; those who had “worked” for Jackson were presumably honest and efficient. The new President was anxious that only good men should be employed, but it was impossible for him personally to examine into the credentials of such hordes of applicants. In the end it appeared that many very unfit persons had been admitted to the public service.

Jackson and the civil service. Schouler's *United States*, III, 451-461.

In his management of public business, also, Jackson broke away from all precedents. He held few cabinet meetings, and made up his mind chiefly on the advice of a small group of personal friends, — men of ability, — who formed what was known at the time as the “kitchen cabinet.”

281. Webster and Hayne, 1830. — A student skilled in the interpretation of historic facts might have predicted in 1828 that the moment was not far off when the South would again take up the weapon of “state interposition,”

Position of the South. Schouler's *United States*, III, 482.

which Jefferson had referred to in the original draft of the Kentucky Resolutions, and the New England Federalists had adopted during the troublous years 1807-15, and had finally set forth in the resolutions of the Hartford Convention (§§ 209, 343). It was the weapon of the minority: the Southerners were now rapidly falling behind in point of numbers, and they naturally occupied the position which the New Englanders, who were now strong in



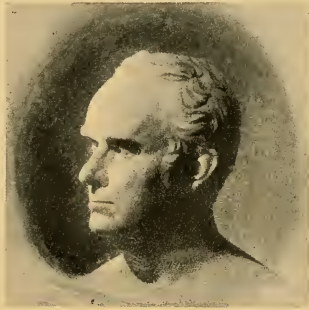
Webster's house at Marshfield, Massachusetts

their alliance with the Westerners, had abandoned. As one means of strengthening their position the Southerners tried to separate the Western men from those of the East on the ground that the latter were hostile to the further development of the West.

The leaders in the debate were Robert Y. Hayne of South Carolina and Daniel Webster of Massachusetts. Drifting far away from the subject under discussion, Hayne set forth in luminous phrases the Calhoun theory of states' rights. In his splendid rejoinder, Webster stated the theory of national existence. This latter speech, full of burning enthusiasm,



richly deserves the foremost place it occupies among the masterpieces of American eloquence. Hayne rested his argument on the premises used by Jefferson and the men of New England: the Constitution was a compact, the states were sovereign when they formed it, and had retained their sovereignty, although creating another sovereign power. "In case of deliberate and settled differences of opinion between the parties to the compact as to the extent of the powers of either," Hayne maintained that "resort must be had to their common superior, three fourths of the states speaking through a constitutional convention." This appeal could be made by any state, for "the federal government is bound to acquiesce in a solemn decision of a sovereign



Daniel Webster

From photograph of Powers's bust

state, acting in its sovereign capacity, at least so far as to make an appeal to the people for an amendment to the Constitution." Webster, on his part, contended that the Constitution was in no sense a compact, but an instrument whereby the "People of the United States" established a strong centralized government and endowed it with ample powers to enforce its rights; for a state to resist the enforcement of a national law was revolution if it succeeded, rebellion if it failed. The student will do well to study the more important portions of these speeches.

Webster and Hayne between them had stated the two ideas of the Constitution around which the history of the

Webster and Hayne, 1830. Schouler's *United States*, III, 483-488; *American History Leaflets*, No. 30; Johnston's *Orations*, I, 233-302.

Careless use of language.

United States was to center for the next thirty years. Unfortunately, in all these controversies, there was a most persistent use of loose language on the part of the Southerners. For instance, in the speech just quoted, Hayne spoke of "sovereign states" as having a "common superior." Of course a sovereign state has no superior; if a state has a superior, it is not sovereign. The Southerners, however, continued to use precise terms in inaccurate senses, and thus deluded themselves with the belief that their states really were sovereign. Another example of the same misuse of language is to be found in the sentences above quoted, for Hayne appeared to regard the federal government as a party to "the compact" by which it had been brought into existence.

Comments  
on Webster's  
argument.

Henry Cabot Lodge, in his interesting life of Webster, maintains that Webster's argument was historically unsound; he asserts that in 1787-88 "there was not a man in the country . . . who regarded the new system as anything but an experiment entered upon by the states, and from which each and every state had the right peaceably to withdraw, a right which was very likely to be exercised." He asserts, furthermore, "that when the Virginia and Kentucky Resolutions appeared they were not opposed on constitutional grounds, but on those of expediency and of hostility to the revolution [of 1800] which they were considered to embody." With this statement President Wilson in his "Division and Reunion" would appear to be in substantial accord, when he wrote: "The ground which Webster took, in short, was new ground; that which Hayne occupied, old ground." Other writers, as Professor A. C. McLaughlin of Chicago University, maintain, on the contrary, that "since the adoption of the Constitution the American people have been legally a state, and that Calhoun and Jefferson Davis [and presumably the New England Federalists as well] were technically as well as morally wrong." Whatever may be the historical truth as between these disputants, there can be no question that Hayne and Calhoun

stood for ideas which were soon to be repudiated by the majority of American citizens, and that Webster stated the theory of constitutional interpretation which was to be predominant in the future, and to come victorious out of the test of civil war.

282. **Nullification, 1832, 1833.**— In 1832, Congress took up in earnest the subject of tariff revision; the rates were lowered but the protective system was reorganized on what promised to be a permanent basis. The South Carolinians determined to resist it, and to try the weapon of minorities, —“state interposition.” The master spirit in this movement was Calhoun, and the upholder of the rights of the federal government was Andrew Jackson. Born in the same neighborhood, of the same Scotch-Irish stock, these two men had up to this time been friends. It now came to Jackson’s ears that Calhoun, who had always expressed the highest regard for him, had actually proposed that Jackson should be censured for his bold action in the Seminole War (§ 256). To one of the President’s temperament, no friend could have made such a suggestion. Calhoun was read out of the party and his friends turned out of the cabinet. Even before this time, Jackson had given plain intimation of the line of conduct he would take if South Carolina should attempt to assert her pretended right of “veto” of national laws. At a banquet on Jefferson’s birthday, he had given the toast which dismayed his Southern hearers: “Our federal Union: it must be preserved.” He also had already informed one South Carolinian that “if a single drop of blood shall be shed there [South Carolina] in opposition to the laws of the United States, I will hang the first man I can lay my hand on, upon the first tree I can reach.”

In November, 1832, Jackson was re-elected President by an overwhelming majority, receiving two hundred and nineteen votes out of a total of two hundred and eighty-eight. He regarded this triumphant re-election as an indorsement of his political views, and indicative of the wish of the “sovereign people” that he should use his power to put his polit-

Tariff of  
1832.  
Rhodes’s  
*United  
States*, I,  
43-53.

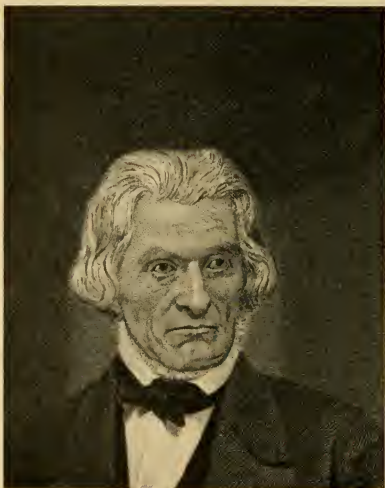
Jackson and  
Calhoun.  
Schouler’s  
*United  
States*,  
III, 498.

Jackson’s  
re-election,  
1832.

ical views into practice. In reality, the vote was due to his personal popularity, and to the lack of harmony in the ranks of his opponents.

Grievance  
of South  
Carolina.

It is difficult to understand precisely what the grievance of the South was on the subject of the tariff. Calhoun had been one of the most ardent advocates of the establishment



John C. Calhoun

of the protective policy in 1816 (§ 252); it is hard to see how the South was being oppressed by its operation. Its exports were large: nearly three fourths of the total exports of the country came from that section. On the other hand, the increased prices to be paid for protected goods were paid equally at the North and at the South. The real fact at the bottom was that the South was falling behind in material development; that was due to slavery. The South-

erners had a sense of grievance, though they hesitated to recognize in what their grievance consisted, or that they alone were responsible for it. The leaders of South Carolina determined to make their power felt: they held a state convention (November, 1832), declared the tariff acts of 1828 and 1832 null and void, and of no force. They forbade South Carolinians to pay duties levied under the detested tariff acts after February 1, 1833.

Nullification,  
1832.

**283. The Force Bill.** — Jackson met the issue in a direct and soldierly fashion. In a proclamation (December 10, 1832) he declared that "The laws of the United States must be executed. I have no discretionary power on the subject, — my duty is emphatically pronounced in the Constitution. . . . Their [the nullifiers'] object is disunion, and disunion by armed force is treason." He also warned "the citizens of South Carolina . . . that the course they are urged to pursue is one of ruin and disgrace to the very state whose right they affect to support." He dispatched soldiers and naval vessels to Charleston, and directed the collector of that port to collect the duties, using force if need be. He also appealed to Congress to enlarge his powers to enable him to execute the law. Congress passed a bill — the Force Bill — giving him the powers he desired. It was evident that Jackson was in earnest. The South Carolina leaders, therefore, held an informal meeting, and suspended the operation of the nullification ordinance; whence they derived the authority thus to overrule the will of the "sovereign people of South Carolina" has never been stated.

Jackson's  
proclama-  
tion, 1832.  
Schouler's  
*United  
States*,  
IV, 89.

**284. The Compromise Tariff, 1833.** — The matter, however, was not to come to open warfare. The other Southern states, although they sympathized with South Carolina on the subject of the tariff, and although many Southern men regarded secession as a right, did not agree with Calhoun as to the efficacy or rightfulness of nullification. They ranged themselves on the side of the administration, or, at least, did not aid South Carolina. Virginia, on some con-

Compromise  
Tariff, 1833.  
Schouler's  
*United  
States*,  
IV, 102;  
Johnston's  
*Orations*, IV  
202-237.

stitutional ground not easily discoverable, pretended to act in the guise of a "mediator." On the other hand, the administration itself, and many of its leading supporters, did not believe in protection, or, at all events, not in high protection. Clay seized this favorable opportunity to try to effect a compromise, and this he easily accomplished. The Compromise Tariff Act became law on March 3, 1833, one day after the Force Bill received Jackson's assent. It provided for a return to the low tariff of 1816 by a gradual reduction spread over ten years; one tenth of the excess of twenty per cent was to be removed each second year, until January, 1842, when one half of the remainder should be removed, the other half being removed in the following July. By 1843, therefore, the tariff would return again to the low duties of 1816; at the same time the protective principle, as a basis of national policy, would be saved. It was already known that South Carolina would accept this compromise. Accordingly, another state convention was held, the ordinance nullifying the tariff of 1832 was repealed, and another ordinance nullifying the Force Bill was passed.

The real cause of grievance, as has been already stated, was not the tariff: it was the effects of slavery in limiting the South to agricultural pursuits. Instead of recognizing the mischiefs inevitable to this condition of affairs, and energetically going to work to relieve itself of the burden of slavery, the South, under the lead of Calhoun, changed its ground of attack, and recognized that "the basis of Southern union must be shifted to the slave question."

**285. The Antislavery Agitation, 1831-1838.** — They ears of the nullification episode marked the beginning of an agitation against the further continuance of slavery which never ceased until slavery was done away with during the Civil War. In 1831 two occurrences brought the question before the people of the North and the South. The first of these was a slave insurrection in Virginia, the second was the establishment of the *Liberator* in Boston, by

Early  
antislavery  
agitation.  
Johnston's  
*Orations*,  
II, 3.

William Lloyd Garrison. The insurrection at Southampton, Virginia, was headed by Nat Turner, a negro slave, and resulted in the killing of sixty whites and of more than one hundred negroes before it was stamped out. To the Southerners, conscious of the perils always surrounding them, it appeared to be a dreadful affair. The Virginia legislature discussed the possibility of slave emancipation as a remedy, — the last time this subject was debated in any Southern legislature. The other Southern states made it the occasion for making sharper laws against the blacks, and one state, Georgia, by act of its legislature, promised a reward of five thousand dollars to any one who would kidnap Garrison and bring him into the state to be tried according to Georgia laws for inciting slaves to insurrection. As a matter of fact, there was no connection whatever between the publication of the *Liberator* and the Southampton insurrection. William Lloyd Garrison, a Boston printer, had worked at Baltimore with Benjamin Lundy on his paper, the *Genius of Universal Emancipation*. Garrison had been imprisoned in consequence of an article he had written. He had come face to face with slavery on its own soil, and, returning to Boston (1831), established the *Liberator*, written in the most outspoken hostility to slavery. Garrison demanded immediate abolition of slavery, without compensation to the owners. "Let Southern oppressors tremble," he said, ". . . On this subject I do not wish to write with moderation." At the moment, however, the overwhelming sentiment in the North was against the abolitionists. A few examples will serve to show this.

286. *Anti-Abolition Sentiment in the North, 1833-1837.* — In 1833 a Connecticut schoolmistress, Prudence Crandall, admitted a colored girl to her school at Canterbury in that state; the result was the passage of a law by the Connecticut legislature, prohibiting the establishment of schools for negroes or their admission to schools already established, without the consent of the local authorities. The same year a college for the education of blacks was established

Southampton  
insurrection,  
1831.

Garrison  
and the  
*Liberator*.  
*Old South  
Leaflets*,  
III, No. 1;  
Schouler's  
*United  
States*, IV,  
202-218.

Abolitionists  
opposed in  
the North,  
1833-35.

at Canaan, New Hampshire; a mob razed the building to the ground, and not one person was punished for the outrage. Riots directed against the abolitionists also occurred in New York, New Jersey, and Connecticut. In 1835 Garrison was led about the streets of Boston with a rope around his body, and locked up in the jail by the authorities to protect him from worse violence.

Breach of  
the Missouri  
Com-  
promise,  
1836.

In 1836, also, the Missouri Compromise was broken by the addition to the northwestern portion of the slave state of Missouri of a strip of territory about as large as the state of Rhode Island, the land in question being part of that which, according to the Compromise of 1820, was to be forever free; but slight attention seems to have been paid to the matter in the North.

Slavery  
petitions  
presented  
to Congress,  
1836.  
Schouler's  
*United  
States*, IV,  
220-228.

287. **Slavery Petitions in Congress, 1836.**— In the spring of 1836, the opponents of slavery began again to petition Congress in favor of the blacks. The Southerners became alarmed, for they dreaded the effect of constant discussions of the moral and constitutional position of slavery. At their instance, the House of Representatives passed a "gag resolution," providing that "all petitions, memorials, resolutions, propositions, or papers relating in any way . . . to the subject of slavery . . . shall, without being printed or referred, be laid on the table and that no further action shall be had thereon." Under the Constitution, Congress could not refuse to receive petitions; could Congress, having received them, refuse to listen to them and to consider them? John Quincy Adams, now representative from Massachusetts, thought not. When his name was called, he said, in a loud voice, refusing to be stopped: "I hold the resolution to be a direct violation of the Constitution of the United States, the rules of the House, and the rights of my constituents." In the Senate, Calhoun took very strong ground. He declared the petitions to be "a foul slander on nearly one half of the states of the Union." As to slavery, he said: "It has grown with our growth, and strengthened with our strength. It has entered into and modified all our institu-

The "gag  
resolutions."

Calhoun on  
slavery.



tions, civil and political. None other can be substituted. We will not, cannot permit it to be destroyed. . . . I ask neither sympathy nor compassion for the slaveholding states. We can take care of ourselves. It is not we, but the Union, which is in danger." Senator Buchanan of Pennsylvania warned Calhoun and the Southerners against the results of the course they advocated. "Let it be once understood," he said, "that the sacred right of petition and the cause of the abolitionists must rise or fall together, and the consequences may be fatal." The Southerners persisted, and the Senate also passed "gag resolutions."

On the 6th of February, 1837, Adams presented a petition from twenty-two slaves and asked what should be done with it. The Southerners, irritated before, were now beside themselves with rage. They threatened him with the penitentiary, unmindful of the clause in the Constitution (Art. i, § 6) which provides that no member of Congress shall "be questioned in any other place" for "any speech or debate in either House." Upon being reminded of that provision, they endeavored to have him censured at the bar of the House; but Adams defended himself so manfully that the attempt was abandoned (February, 1837).

Meantime another dispute, also turning on slavery, had arisen. In 1835 the United States post office at Charleston, South Carolina, was broken into, and Northern papers brought in the mails were seized and burned. Postmasters in other places applied to the Postmaster-General, Amos A. Kendall, for guidance as to how to deal with antislavery publications destined for the South. The Postmaster-General avoided giving a direct answer, but Jackson suggested the passage of a law to prevent the sending of "incendiary publications" through the mails. Calhoun actually reported a bill to oblige Congress to prohibit the circulation of publications deemed by any state to be incendiary; but this failed of adoption (April, 1836).

288. **Change of Sentiment in the North, 1837, 1838.**—The first martyr to the cause of abolition was a young New

J. Q. Adams,  
Morse's  
*J. Q. Adams*,  
ch. iii.

Abolition  
papers in  
the mails,  
1835-36.

Murder of  
Lovejoy,  
1837.  
Schouler's  
*United  
States*, IV,  
296-302.

Englander, Elijah P. Lovejoy, who had become editor of a paper, the *Observer*, published at St. Louis. Lovejoy was not an out-and-out abolitionist, like Garrison; he was an upholder of the freedom of the press. Soon St. Louis became dangerous for the outspoken man; he removed to Alton in Illinois, where he would be in a free state. But there was no toleration for abolitionists or the upholders of free speech in that town, and Lovejoy was murdered while striving to protect his printing presses from those

*Wendell Phillips.*

who wished to  
destroy them  
(November,

1837). A meeting was held at Faneuil Hall, Boston, where Attorney-General Austin of Massachusetts defended the attitude of those opposed to the antislavery agitation in the North, and maintained that they stood where the Massachusetts men of Revolutionary time — whose portraits hung on the walls about him — had stood. This was more than one Boston man could bear; Wendell Phillips ascended the platform, and in burning language rebuked the "recreant American" who, in the interests of the slaveholders, had "slandered the dead." The limit of endurance had been reached; public opinion in New England began to change. In 1838 the Massachusetts House of Representatives gave its hall to an antislavery society for a meeting, and the Connecticut legislature repealed its black laws. Jackson's administration, therefore, marks the moment of that change in sentiment on the question which was to determine the course of the history of the United States for the next generation.

Johnston's  
*Orations*, II,  
102-114.

Growth of  
antislavery  
sentiment in  
the North,  
1838.

Relations  
with Great  
Britain.  
Schouler's  
*United  
States*, III,  
502.

289. **Foreign Relations, 1829-1837.** — Jackson was as fortunate in his foreign policy as Adams had been unfortunate in his. Van Buren, Secretary of State during his first term, supplied the qualities needed in successful diplomacy, which Jackson lacked; the President was an outspoken leader of men, the secretary a shrewd politician. Owing to the refusal of Congress to open the ports of the United States to British shipping, Great Britain had closed the West India

ports to United States vessels. Canning died in 1829, and in the ministry which followed, Lord Aberdeen was foreign minister. He listened to Jackson's overtures; Congress removed many restrictions on British commerce, and Great Britain opened the West India ports to the commerce of the United States.

With France there was a long-standing dispute as to the payment for spoliations on American commerce committed since 1803. In 1830 the French government agreed to pay five million dollars as an indemnity to the United States, but the French legislature refused to make the necessary appropriations. At one time, it seemed as if war were about to break out between the two countries. In the end, France gave way and paid the money (1835). Jackson also secured the settlement of long-standing disputes with Denmark and Spain, and brought other nations, like Austria, to recognize the importance of having friendly relations with the United States.

290. **Jackson's War on the Bank.**—The Second United States Bank had been chartered in 1816, five years after the older institution associated with Hamilton had come to an end by limitation. In the case of *McCulloch vs. Maryland* (1819), the Supreme Court, through Chief Justice John Marshall, had decided that the charter of the Bank was legal and constitutional (§ 254), and this decision had been affirmed in 1824 in a subsequent decision. Jackson, nevertheless, felt a dread of the Bank, and he did not regard Marshall's decision as in any way binding on the Executive. The President disliked the Bank because he saw in it a great monopoly stretching its arms over the whole country, able to determine by its action whether one section or another should be developed to its utmost. Furthermore, Jackson thought that the Bank of the United States was a political machine, carried on in the interests of his enemies. There is no doubt that it had been badly conducted during the first years after 1816, but for many years before 1829 it had been admirably managed by its president, Nicholas

Relations  
with France.  
Schouler's  
*United  
States*, III,  
504, IV, 239.

The Second  
United States  
Bank.  
\* Schouler's  
*United  
States*, IV,  
44.

Jackson's  
views as to  
the Bank.

Biddle. The capital of the country was mainly in the hands of those who had slight confidence in Jackson, and the customers of the Bank were undoubtedly composed to a great extent of his opponents. Finally, Jackson, and those behind him, with their strict constructionist views, could hardly help reverting to the interpretation of Jefferson (§ 198), and regarding the bank charter as beyond the power granted to Congress in the Constitution. Jackson at once declared his open hostility to the Bank, and Henry Clay as eagerly championed the cause of the great institution. As time went on, Jackson became more and more convinced of the truth of his suspicions, that the Bank was a great political machine. This was especially made evident to him by the appointment of a strong opponent of his party as head of the branch at Portsmouth, New Hampshire. The Jacksonian leaders in that state protested. The Secretary of the Treasury wrote to President Biddle remonstrating against what he regarded as a political appointment and suggested that the officers of the Bank should be appointed without regard to political preferences. Mr. Biddle, in reply, denied the secretary's right to interfere, at the same time asserting that the Bank was conducted without regard to politics.

*Mason*

Clay  
champions  
the cause of  
the Bank,  
1832.

In 1832, four years before the charter of the Bank would expire, and when Jackson's opponents, although in a majority in Congress, had not sufficient votes to pass a bill over Jackson's veto, Clay brought in a bill to recharter the Bank. Jackson promptly vetoed it, and the bill could not be passed over his veto. The matter, therefore, became one of the leading issues in the campaign of 1832. It seems extraordinary that a man of Clay's political experience should have hazarded victory or defeat on such an unpopular issue. Jackson asserted with truth that the Bank was an "un-American monopoly." It was entirely unlike the national banks of to-day, for a national bank can now be organized by any set of men who can find enough money to deposit the necessary bonds with the government. The people

sympathized most warmly with Jackson on this as on other issues.

291. **Removal of the Deposits, 1833.**—One of the chief arguments in favor of the establishment of the Second Bank, as of the earlier one, was that it gave facilities for the collections and disbursements of the government. The revenues, as collected, were deposited in the Bank or its branches, and payments were made by drafts on the institution. This business was done by the Bank for nothing, as the balances kept by the government enabled it to make large sums of money by loans. Apart from constitutional and political grounds, and granting the solvency of the Bank, the arrangement was most advantageous to the government, which saved all the money afterwards used in the construction of vaults, the payment of custodians, and the charges of transportation; it was advantageous to the people, as the money paid to the government was not withdrawn from circulation and locked up, millions at a time, in the government vaults; and it was advantageous to the Bank, as it gave it a larger amount of business. The disadvantage was overbalancing; at any time the Bank might exercise an overwhelming power in politics, controlling elections by money and starving its financial opponents into subjection by the manipulation of exchanges and rates of interest. There is no doubt of the reality of these dangers, nor is there any doubt that the Bank had taken part in the campaign of 1832. The charter of the Bank authorized the Secretary of the Treasury to deposit the revenues of the government with other banks at his discretion, stating his reasons for so doing to Congress; this clause had been inserted to enable the government to deposit funds in state banks at points where the United States Bank had no branch. Jackson determined to use it to secure the withdrawal of all the government funds from the Bank. It was some time, however, before he could find a secretary who would do his bidding. At last he found such a man in Roger B. Taney of Maryland. The so-called "removal of

Removal of  
the deposits,  
1833.  
\*Schouler's  
*United  
States, IV,*  
132-170.

the deposits" extended over a period of six months, and was not so much a removal as a refusal to deposit more funds with the Bank to replace those drawn out in the ordinary course of business. The public funds were then deposited in certain specified state banks, popularly known as the "pet banks." The loss of so large a proportion of its deposits compelled the United States Bank to adopt severe measures to protect its credit and to meet the government drafts. It called in large sums of money which were on loan, and this action brought about a dangerous scarcity of money before affairs settled down on the new basis.

The Senate was still in the hands of Jackson's enemies. Under the lead of Clay and Webster, it passed a vote censuring the President for what he had done. To this Jackson replied in a letter. He protested against the action of the Senate in censuring the President, which could only be done by impeachment. He declared that the chief magistrate was entitled to interpret the Constitution for himself, and that he was not bound by the decisions of the Supreme Court, as each department of the government was independent of the other two departments. Two years later Jackson's party obtained control of the Senate, and the vote of censure was crossed out of the Journal of that body.

292. **Distribution of the "Surplus," 1837.**—Historical students seem to be fairly well agreed that the check placed on the power of the United States Bank by the removal of the deposits was in itself a wise action, apart from the constitutional and political questions involved. The mode and time chosen for the accomplishment of this purpose, however, were most unfortunate. The one institution which possessed the ability to set bounds to reckless inflation and speculation was deprived of a great part of its power to do good, and nothing was put in its place. The government, so far from putting a check on the speculative frenzy which had taken possession of the people, actually increased it. Then, at last, becoming alarmed, Jackson interfered in his

The Senate  
censures  
Jackson.  
Jackson's  
Protest.  
*Contempo-  
raries,*  
III, No. 162.

Speculative  
mania, 1837.

masterful way and gave the signal for widespread financial disaster.

On the first day of January, 1835, the last installment of the national debt was paid; the government owed nothing and was collecting about thirty-five millions each year more than it could reasonably spend on objects which the strict constructionists of the Jacksonian school regarded as within the scope of the powers of the federal government under the Constitution. Moreover, the revenue could not be diminished, because it was collected in pursuance to the Compromise Tariff Act of 1833, which could not be disturbed without a breach of faith and without bringing on a political crisis that no one desired to see. At the present time, the government can hoard its surplus revenues in the vaults at Washington and the great financial centers; but the independent treasury system was not then invented. No one thought of depositing more money with the "pet banks," which already held eleven millions. They were mostly situated in the speculative regions of the South and West, where democratic banks were abundant; for, curiously enough, the administration that had objected to the Bank of the United States as a political institution — and it was not at the time the objection was made — saw nothing inconsistent in depositing the nation's money in banks which were political machines and little else. After various attempts to relieve the treasury, Calhoun came forward with a proposition to loan without interest the surplus funds to the states, in proportion to their representation in Congress. The money was said to be "deposited," to avoid the constitutional objection that Congress had no power to raise money by general taxation to pay over to the states. Three quarterly payments were made; then the crash came, and the government found itself obliged to borrow money to pay current expenses.

Surplus  
"deposited"  
with the  
states.

293. *The Specie Circular, 1836.* — The distribution of the surplus was the last thing needed to induce the states, especially the newer ones, to plunge into all sorts of extrava-

Paper  
money.

gant expenditures. Especially they loaned their credit to speculative ventures, and piled up vast debts without a thought of the future. This speculative fever was only a reflection of what was everywhere going on: land in the Eastern cities was rising in price by leaps and bounds; the public lands in the West were being acquired by speculators, the sales increasing from three million dollars in 1831 to twenty-five millions in 1836. The government, at that time, issued only gold and silver. The administration had endeavored to meet the legitimate demand for a larger circulating medium to carry on the business of the country by increasing its output of gold and silver coins, mostly the former, and by making certain arrangements with the deposit banks, confining their circulation to bills of twenty dollars and over, and providing that they should keep a specie reserve of one third of the amount of their circulation. These measures had slight effect; "wild-cat" banks increased enormously, and the flood of "rag-money" poured forth by them effectually destroyed whatever good the government measures might have done under ordinary circumstances. Jackson, against the advice of his cabinet, resolved to see to it that the government no longer received anything save gold and silver and notes of specie-paying banks in payment for the public lands, and issued a circular to this effect, — hence called the "specie circular." This order affected the banks in the newer states at once and disastrously. In the end it helped greatly to destroy credit everywhere. Loaning rates increased in some cases to as high as twenty-four per cent. Before the full results of his financial policy were apparent, Jackson retired from office, and, confident that the "specie circular" would restore prosperity, handed over the government to his friend and successor, Martin Van Buren.

Jackson's  
specie  
circular,  
1836.  
Schouler's  
*United  
States*, IV,  
257.

294. **The Independent Treasury Act, 1840.** — Martin Van

Buren was regarded by his contemporaries as a self-seeking office-monger, and was held responsible for many of the evil proceedings of "Jackson's reign." This was natural

Martin  
Van Buren  
elected  
President,  
1836.



enough; for Van Buren, who was not popular with the people, secured the Jacksonian vote by pledging himself to carry on the Jacksonian policy. But he was no mere politician; indeed, during the critical years of his presidency he showed himself to be a man of principle, able to withstand popular clamor and to bear the strain of the unmerited distrust of his fellow-men. The reproach that has been cast upon him of being the author of the system of proscription of one's political opponents, which so unhappily mars Jackson's reputation, does not appear to be well founded. It is probable that Van Buren regarded that system as unjustifiable and did something to mitigate its severity.

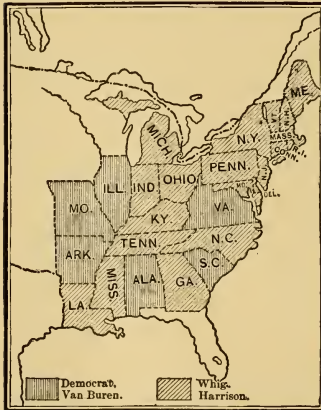
Jackson was scarcely out of office when the panic came. All the state banks suspended specie payment, and many of them failed,—among others, the “pet banks,” with their nine millions of government money. Van Buren set himself to invent a plan which would separate the financial business of the government from the financial institutions of the country. This was the “independent treasury” scheme, or the “subtreasury” plan, as it is more often called. According to this device, which became law in 1840, the government built great vaults at Washington, New York, Boston, Charleston, and St. Louis. At these places, and at the mints in Philadelphia and New Orleans, government officials were to receive and pay out the government funds.

295. **The Election of 1840.**—During the preceding decade, the opponents of Jackson had become welded into a formidable party. The Jackson men, after calling themselves Democratic Republicans, had dropped the Republican, and now became known as Democrats; the Adams men, or National Republicans of the earlier day, had assumed the name of Whigs, probably to distinguish their reforming tendencies from the conservatism of the Democrats. The Whigs also employed their opponents' popular methods, and, indeed, outdid them in appeals to the passions

The independent treasury scheme, 1840. Schouler's *United States*, IV, 276-290, 324.

Election of 1840. Schouler's *United States*, IV, 327-340; Stanwood's *Presidency*.

of the multitude. Complete party machinery was already organized: nominating conventions, party platforms, torch-light processions, and the rest. The campaign of 1840 stands out in marked contrast to all preceding campaigns in appeals to the eye and to the senses. Van Buren was a candidate for re-election, and the Whigs nominated William Henry Harrison, who had been their candidate in



Election of 1840

1836, and John Tyler of Virginia, a life-long Democrat of the extreme Calhoun school. "Tippecanoe and Tyler too!" became the war cry of those opposed to Van Buren. The Whigs put forward no principles save "Down with Van Burenism." They pictured the Democratic candidate as "indifferent to the sufferings of the people," as sitting in a "stuffed chair" in the White

House, and as eating out of gold spoons. On the other hand, they eagerly adopted the contemptuous assertion of a Democratic speaker, that Harrison would be satisfied if he were given a log cabin and a barrel of cider. Log cabins were erected everywhere; they were dragged around on wheels with men drinking cider before the doors. The campaign was one of "hurrah for Tippecanoe," the log-cabin, cider-drinking candidate. The Whigs won not merely the presidency, but with it a majority in both houses of Congress. A month after his inauguration, Harrison was dead.

For the first time in the history of the country, a Vice-President became President owing to the death of his chief.

296. **Tyler's Administration, 1841-1845.**—The first session of the first Congress under the new administration was held in May, 1841. It at once became apparent that the triumphant Whigs could not carry out their policy, and President Tyler was confronted by a hostile majority in both houses of Congress. Tyler was a Whig only in the sense that he was opposed to Jacksonianism, in so far as it departed from the old Jeffersonian lines. In other respects, he was a strict constructionist and a firm states'-rights man. Clay, who was the real leader of the Whig party, at once brought forward a set of measures of reform, as they were conveniently regarded. The first of them, to repeal the Independent Treasury Act of 1840, passed easily enough. When it came to chartering a new national bank, however, it was found that Tyler was opposed to the measure on constitutional grounds. It was understood that he would consent to the establishment of a bank in the District of Columbia with branches in such of the states as were willing to have them within their limits. A bill passed both houses, with the provision for the District of Columbia, but without the provision for state assent; Tyler vetoed it, and the Whigs had not the necessary two-thirds majority to pass it over his veto. A bill was drawn up for the establishment of a "fiscal corporation" in the federal district, with branches, which should not exercise full banking privileges. This bill was elaborated after conferences with Tyler, and his assent to it was supposed to be assured; when it came to him for his signature, he vetoed it. Every member of the cabinet resigned, except Webster, who remained to conclude important negotiations with Great Britain.

More revenue was urgently needed, and the Compromise Tariff of 1833 (§ 284) having run its course was now capable of amendment. The Whigs, therefore, brought in a tariff bill considerably increasing the duties from the twenty per cent basis, which had just been reached; the bill, as

Death of  
Harrison.  
Schouler's  
*United  
States*, IV,  
359-365.

John Tyler,  
resident,  
1841.

Tyler and  
the Whigs.  
Schouler's  
*United  
States*, IV,  
372.

Tariff of  
1842.  
Schouler's  
*United  
States*, IV,  
406.

first passed, also contained a provision for the distribution of surplus revenue among the states. This measure was one of those to which Tyler had objected in Jackson's time. He vetoed the bill, and it was not until it came before him without this clause that he signed it. The other measure provided for the payment to the states of the money received from the sales of public lands; this would have disguised the fact that the government was collecting more revenue under the new tariff than it could properly expend. The friends of a low tariff, however, secured an amendment whereby the distribution should take place only when the tariff on imports should fall below twenty per cent *ad valorem*. This clause rendered the bill inoperative, as the duties never fell to that point.

Northeastern  
boundary  
dispute.  
Schouler's  
*United  
States*, IV,  
396-403.

297. **The Ashburton Treaty, 1842.** — Daniel Webster, whom Harrison had selected as Secretary of State, had opened negotiations with Lord Ashburton, British minister at Washington, for a settlement of the long-standing dispute with Great Britain, as to the northeastern boundary of the United States. The negotiators of the treaty of 1783 had plainly intended to give Canada the same southern boundary eastward that it had had according to the Proclamation of 1763 (§ 106). This line followed the forty-fifth parallel from the St. Lawrence to the Connecticut, and thence along "the highlands which divide the rivers that empty themselves into the River St. Lawrence from those which fall into the sea." These words were repeated in the treaty, except that "Atlantic Ocean" was substituted for "the sea," and the northeastern corner of the United States was declared to be "formed by a line drawn from the source of St. Croix River to the Highlands." In maps printed in Great Britain immediately after the conclusion of peace, this line was merely copied from earlier maps showing the southern boundary of Quebec according to the Proclamation of 1763. But when the time came to run the line on the spot, the British government raised innumerable difficulties. First, there was a dispute about the identity of

the St. Croix River; that was set at rest by the discovery of the ruins of De Monts's houses (§ 35). Then the British advanced the theory that the "Highlands" mentioned in the treaty were not those intended in the proclamation, but were much farther south. They based their argument on the substitution of the words "Atlantic Ocean" in place of "the sea," and contended that the St. John's River emptied into the Bay of Fundy and not into the Atlantic Ocean. The "Highlands," according to this view, was a line drawn around the sources of the Penobscot and Kennebec, and not the water parting between the St. John's and the St. Lawrence. The dispute was referred to the king of the Netherlands as arbiter. Instead of deciding in favor of one of the contending governments, he proposed a compromise line, which he had no right to do (1829). Meantime, the United States had built a fort at Rouse's Point on Lake Champlain. This point was south of the forty-fifth parallel according to old surveys, but more accurate observations showed that it was really north of that parallel and therefore in Canada. The controversy was now settled by Webster and Ashburton, by the adoption of a compromise line on the northeast (the present northeastern boundary of Maine) and the cession of Rouse's Point to the United States. At the same time, the extradition of certain specified classes of criminals was agreed to, and a long series of negotiations for the suppression of the African slave trade was arranged by the conclusion of what was called the "cruising convention," which obliged each nation to keep a squadron of a certain strength always cruising on the African coast. This arrangement produced less valuable results than its authors expected; but Webster followed his Whig colleagues into retirement, convinced that he had done something "for the peace of the world." Before long Calhoun succeeded him as Secretary of State.

Ashburton  
Treaty, 1842.

## SUGGESTIVE QUESTIONS AND TOPICS

## §§ 273-279. THE UNITED STATES IN 1830

*a.* Examine the maps in §§ 215 and 274, and tabulate the growth of the several states; arrange the free and the slave states in separate columns.

*b.* Bring to class digests of the lives of Robert Fulton and De Witt Clinton.

## §§ 271, 272, 280. ANDREW JACKSON

*a.* Study the career of Andrew Jackson under the following heads: personal appearance, personal influence; preparation for public life; military career, strength and weakness of character; importance of his administrations; has his influence on politics been good or bad?

*b.* The constitutional theories of Jackson's party; state them at length; how much of them can you find in our political system to-day?

*c.* Rise of the Spoils System: study it in a larger book and say whether Jackson's course was the result or the cause of the Spoils System.

## §§ 281-284. THE NULLIFICATION EPISODE

*a.* Why was "state interposition" the "weapon of the minority"?

*b.* Define sovereignty. What is your idea of a state? of a nation?

*c.* Compare Jackson's action in 1832-33 with Buchanan's inaction in 1860-61.

*d.* Had the South a real grievance in 1832? What was it? Give precedents for nullification.

*e.* Was it fortunate or unfortunate that the dispute was compromised in 1833? Give reasons.

## §§ 285-288. ANTISLAVERY AGITATION

*a.* Slavery: has the history of any modern nation other than the United States been profoundly affected by slavery? What effect would slavery in a new country be likely to have upon free white immigration, and why?

*b.* Were the "gag resolutions" a direct violation of the Constitution? Give reasons. What was the case as to "incendiary publications"?

## §§ 290-294. FINANCIAL AFFAIRS, 1830-40

*a.* Supposing the "removal of deposits" to have been justifiable, was the mode in which it was done expedient? Does the federal government now deposit money with the national banks?

*b.* Discuss the minor constitutional questions involved: (1) Jackson's assumption of responsibility; (2) right of the Senate to censure the President; (3) right of the President to protest; (4) right of the Senate to expunge resolutions from its Journal.

*c.* The Independent Treasury system: describe it and trace its history to the present time; how are government payments made to-day?

*d.* State carefully the effects upon the crisis of 1837 of (1) development of machinery, (2) government deposits in state banks and the distribution of the surplus, (3) contraction of loans by the United States Bank, (4) Specie Circular.

#### § 295. ELECTION OF 1840

*a.* Trace the formation of the Whig party. Was the Democratic party of 1840 any more the successor of the Republican party of 1801 than was the Whig party? Give your reasons.

*b.* If you had lived in 1840, what party would you have favored and why? What would have been the case in 1824?

#### §§ 296-297. TYLER'S ADMINISTRATION

*a.* Public lands: review history since 1780; describe Jefferson's and Gallatin's attitude towards; note as a party issue until the Civil War; what is the present policy as to public lands?

*b.* The tariff: review history since 1816; how long were the low rates of the compromise tariff of 1833 in actual operation? sketch briefly the history of the tariff in Great Britain, 1816-44.

*c.* Trace the history of the Northeastern Boundary Dispute from 1783, and describe the settlement made in 1842. Represent in colors this history upon a sketch map.

#### GENERAL QUESTIONS

*a.* Compare the leading men of this period with those of the period of the Federalist supremacy and with those of the Jeffersonian epoch.

*b.* Review your notes on "Slavery," "Financial history," "Particularism," and prepare for continuous recitation.

*c.* Represent upon a chart the origin and varying fortunes of the different parties which have appeared up to 1844.

*d.* Reports based on study of secondary authorities: assign to individual students the lives of the persons mentioned in § 279, also the lives of Garrison and of Phillips.

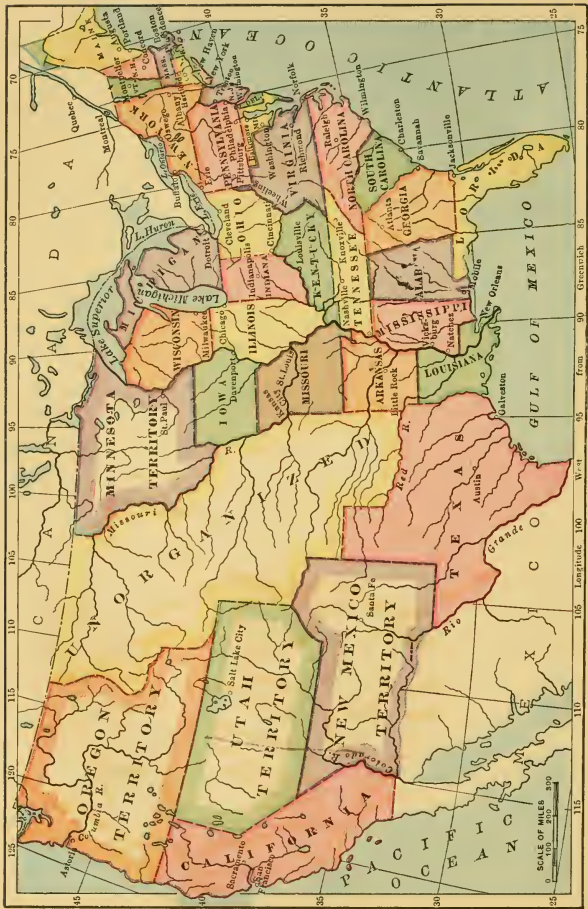
## TOPICS FOR INVESTIGATION BY INDIVIDUAL STUDENTS

(See note under this head at the end of Chapter I.)

- a.* Summarize the arguments (1) of Hayne, (2) of Webster, (3) of Calhoun.
- b.* Compare arguments (1) of Hayne and Webster, (2) of Webster and Calhoun.
- c.* The Faneuil Hall meeting.
- d.* Tabulate the electoral vote of 1840, and compare it with the electoral votes of 1824 and of 1844.







NO. VII. THE UNITED STATES, 1850

## CHAPTER XI

### SLAVERY IN THE TERRITORIES, 1844-1859

#### Books for Consultation

**General Readings.**— Johnston's *American Politics*, 149-189; Wilson's *Division and Reunion*, 141-204.

**Special Accounts.**— Lodge's *Webster*; Schurz's *Clay*; Van Holst's *Calhoun*; Dawes's *Sumner*; Bassett's *Andrew Jackson*; Schouler's *United States*; \*Rhodes's *United States*, especially vol. I, ch. iv (slavery); \*Greeley's *American Conflict*; \*Goodell's *Slavery*; Clarke's *Anti-Slavery Days*; \*Draper's *Civil War*; \*Taussig's *Tariff History*; Adams's *Dana*; Spring's *Kansas*; Larned's *History for Ready Reference*; Wilson's *Presidents*. Larger biographies of the leading statesmen, *Guide*, § 39.

**Sources.**— *American History Leaflets*; Benton's *Abridgment and Thirty Years' View*; MacDonald's *Documents*; Williams's *Statesman's Manual*; Greeley's *Slavery Extension*; Johnston's *American Orations*. Writings of leading statesmen, *Guide*, §§ 46, 47.

**Maps.**— Mac Coun's *Historical Geography*; Hart's *Epoch Maps*, Nos. 7, 8, 11, 12.

**Bibliography.**— *Guide to American History*, §§ 212-228.

**Illustrative Material.**— McCulloch's *Men and Measures*; Sargent's *Public Men*; Blaine's *Twenty Years*; Bruce's *Houston*; Garrisons' *Garrison*; Ripley's *War with Mexico*; Grant's *Personal Memoirs*; Wise's *Seven Decades*; Pike's *First Blows of the Civil War*; May's *Recollections*; \*Stephens's *War between the States*; Sanborn's *John Brown*; Pollard's *Lost Cause*; Frederick Douglass's *Life and Times*; Elson's *Side Lights on American History*; Paxson's *Last American Frontier*.

Lowell's *Biglow Papers*, *Ode to Garrison*, and *Fugitive Slaves*; Longfellow's *Poems on Slavery*; Whittier's *Angels of Buena Vista and Anti-slavery Poems*; Tourgée's *Hot Plowshares*; Eliot's *Story of Archer Alexander*; Bret Harte's *Tales of the Argonauts*, and other stories of California life.

### SLAVERY IN THE TERRITORIES, 1844-1859

298. **Necessity for More Slave Territory.**— In the great material expansion which had marked the period since the

Influence of slavery on population.

close of the War of 1812,—more especially the years succeeding Jackson's election,—the South had enjoyed a share. Slaveholding states on the Gulf of Mexico had been admitted to the Union, and three slaveholding states had been formed out of territory comprised in the Louisiana Purchase. The older Southern states had grown slowly, and had been outstripped by the older Northern states, while the free states of the Northwest had developed with startling rapidity. The census of 1840 plainly showed that the Southern states as a whole were falling behind in population and wealth when compared with the Northern states as a whole—for negro slavery was adapted only to agricultural employments.

Undue  
power of  
the South.

Up to this time, the Southern voters had enjoyed an undue, even a controlling power in the national councils, owing to the operation of the "federal ratio" (§ 182), which gave them representation in the lower branch of the federal Congress out of all proportion to their numbers. The North had developed so fast that there was no longer any hope of retaining control of the House of Representatives. The Southerners' only hope lay in the formation of new slave states, each of which, regardless of population, would send two senators to Washington. It might be possible, perhaps, to convert one or more of the free states to slavery; but no state which had once been free soil had ever returned to slavery. It was also possible to break the Missouri Compromise—as had already been done (§ 286)—and build up slave states in the unorganized national domain west of the Mississippi. The easiest way to accomplish their end, however, was to acquire new territory more suitable to slavery than that west and north of Missouri. Texas offered the best chance, and to its acquisition the Southern leaders bent all their energies.

Meantime, the never-ceasing efforts of the Northern abolitionists were beginning to bear fruit. Slowly but surely they were bringing the mass of the people in the North to regard slavery as morally wrong. The time was

not far distant when Northern public opinion would be fixed on one point: that slavery should not blacken more of the soil of the United States. The Southerners, on the other hand, were unanimous that "expansion was as necessary to the increased comfort of the slave, as to the prosperity of the master."

299. **The Annexation of Texas, 1845.**—Texas had practically been seized by immigrants from the Southern states. They had overturned its constitution as one of the states of the Mexican Republic; had adopted a new constitution, permitting slavery; and, under the leadership of Samuel Houston, had proclaimed their independence (1836). Mexico had failed to conquer the rebellious province, and Texas had been recognized as an independent state by the



Samuel Houston

United States and by several European powers. The people of Texas desired to be admitted to the Union as a slave state, and the Southerners were desirous that this wish should be granted. It proved, however, to be a most difficult matter to manage. It would certainly arouse dangerous excitement in the North, and for this reason both Jackson and Van Buren would have nothing to do with it. Tyler, a slave owner of the Calhoun school, had no such scruples. With the profoundest secrecy, he and Calhoun, who was now Secretary of State, negotiated a treaty of annexation.

Independence of Texas, 1836. Schouler's *United States*, IV, 247-257, 302-307.

Southerners desire annexation of Texas.

This was laid before the Senate for ratification. That body refused to assent to it (1844), and the controversy became the leading issue in the presidential campaign of that year.

The Democrats nominated James K. Polk of Tennessee. In their platform, they declared for the annexation or re-annexation of Texas and for the reoccupation of Oregon. The latter territory was too far north for the economical development of slavery, and its addition was coupled with that of Texas to make the acquisition of this vast slave

territory more palatable to the people of the North. The Whigs nominated Clay, and the abolitionists, who were now gathered into a party of their own, — the Liberty party, — also nominated a candidate, and thereby insured the election of the Democratic nominee. In point of fact, it was difficult for an opponent of slavery to choose between the two leading candidates. Clay did not seem to know his own mind on the subject; he said



Election of 1844

one thing one day, another thing another day. Polk, on the contrary, declared for annexation, and was elected. His election decided the matter; Congress at once passed a joint resolution admitting Texas to the Union as a slave state, which Tyler signed as one of his last acts as President. Texas gave its formal assent on July 4, 1845, and became a state of the American Union. According to the 'Texans' view of their boundaries, the new state extended northward

Election  
of 1844.  
Stanwood's  
Presidency.

Annexation  
of Texas,  
1845.

to the forty-second parallel; the resolution admitting Texas provided, therefore, that slavery should not exist in the new acquisition north of the line of the Missouri Compromise (36° 30'). The value of this concession was disputed by the Northerners, Greeley asserting that Texas did not approach within two hundred miles of the compromise line. The limits of Texas on the south and west were also doubtful.

300. **Mexican War, 1846-1848.**—The United States and Texas contended that the new state extended as far southward and westward as the Rio Grande. This river had been the limit of Texas in 1800, when Spain ceded it back to France, and also when the United States acquired it from France as a part of Louisiana in 1803 (§ 228). As one of the states of the Mexican Republic, however, Texas had extended only as far south as the Nueces River. Polk decided to insist on the former interpretation. He ordered General Zachary Taylor, who had been sent to Texas with about four thousand men, to cross the Nueces River, and later ordered him to advance to the Rio Grande. The Mexicans, regarding this forward movement as an invasion of their rights, attacked and defeated a small detachment of Taylor's army. When the report of the conflict reached Washington (May, 1846), the President informed Congress that "Mexico has shed American blood upon American soil. War exists, and exists by the act of Mexico herself." Congress accepted the issue thus raised, and war followed. The Mexican War was in reality an attack on a weak nation by a strong one. It happened, however, that the United States armies in the field were always largely outnumbered. The American soldiers won renown by the splendid fighting qualities they displayed, and the chief commanders gained great military reputations. The victories of Palo Alto, Resaca de la Palma, and Buena Vista are associated with Taylor's name; those of Cerro Gordo, Contreras, Churubusco, Molino del Rey, and Chapultepec with that of the commander in chief, Winfield Scott. Many of those who after-

Schouler's  
*United States*, IV,  
440-451,  
470, 486.

Boundaries  
of Texas.  
Schouler's  
*United States*, IV,  
518.

War with  
Mexico,  
1846-48.  
Schouler's  
*United States*, IV,  
525-549,  
V, 1-61.

wards played an important part in the Civil War received their training in this conflict; Grant, Thomas, Lee, Jackson, and others served with credit in various capaci-



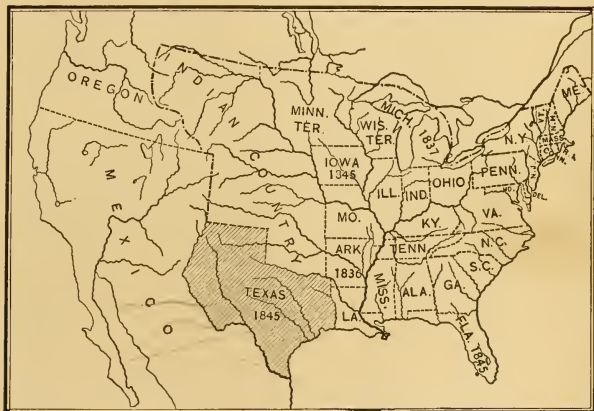
Winfield Scott

After a daguerreotype by Gurney

ties. While these campaigns were in progress in Mexico (1846, 1847), other expeditions seized California and New Mexico. On February 2, 1848, a treaty was signed at Guadalupe Hidalgo, which, with unimportant amend-



ments, was ratified by both parties. This agreement provided that the United States should pay fifteen million dollars direct to Mexico, and some three millions more to American citizens who held claims against Mexico. That republic, on its part, relinquished to the United States all territory north of the Rio Grande and the Gila rivers; the cession comprised Texas, in the widest sense of the word,



The United States, 1845

New Mexico, California, Nevada, Utah, Arizona, and parts of Colorado and Wyoming. During Polk's administration, also, the boundary of the United States on the northwest was established substantially as it is to-day.

301. **The Oregon Treaty, 1846.** — That portion of America lying west of the water parting of the Mississippi and the Pacific coast systems and north of the forty-second parallel was called Oregon. Its northern limit had been defined in 1824 and 1825, by treaties between Russia on the one part, and the United States and Great Britain on the other, as

Oregon question, 1818-46. Schouler's *United States*, IV, 504-513.

the parallel of 54° 40' north latitude (§ 260). The ownership of this vast region had remained disputed between the United States and Great Britain; since 1818, it had been occupied jointly by the citizens and subjects of the two powers. The British occupation had taken the form of fur trading; that of the United States was actual settlement in the fertile valleys accessible through the passes of the Cordilleras. The title of the United States was extremely vague. It was composed of many elements: (1) the discovery of the Columbia River by Captain Gray in the Boston ship *Columbia*; (2) the assignment under the Florida treaty of whatever rights the Spaniards might have gained by discovery and exploration; (3) the exploration of Lewis and Clark; and (4) actual settlement. Many other points were advanced, but these were the principal ones. It was not argued that any one of them gave a good title; but it was argued that, taken all together, they constituted a better title than that of any other nation. To this the British negotiators opposed similar shadowy arguments; for instance, they maintained (1) that Drake had sailed along the coast before any Spaniard; (2) that the Spanish rights amounted to little in view of an agreement as to this coast in 1790, known as the Nootka treaty; (3) that an English navigator had made a more thorough exploration than Gray had undertaken, although it had, in fact, been made later, and had been based on information furnished by the American; and (4) that the British fur-trading companies had practically occupied this region. These claims were so vague that compromise was inevitable. In 1844, however, the politicians took the matter up as a means of propitiating the North as to Texas: the cries of "All Oregon or none," "Fifty-four forty, or fight," were raised. For a moment it seemed as if the United States would go to war with Great Britain and Mexico at the same time, but more peaceful counsels prevailed. For some years the United States had been willing to continue the forty-ninth parallel — the boundary between the Lake

Title of the  
United  
States.

Title of  
Great  
Britain.

of the Woods and the Rockies — westward to the Pacific Ocean. This line would have given the southern end of Vancouver Island to the United States, and with it the control of the Strait of San Juan de Fuca, affording the best route from the Pacific to the great bays and sounds between Vancouver Island and the continent; but Great Britain would not consent. It was now agreed (1846) that the boundary between the two powers should be the forty-ninth parallel, as far as Vancouver Sound, and should thence follow the middle of the channel to the ocean.

Oregon  
treaty,  
1846.

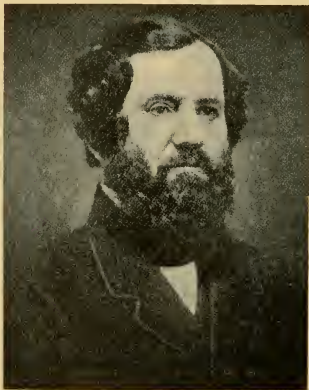
302. **The Walker Tariff, 1846.** — The triumphant election of Polk, and the consequent return of the Democrats to power, was naturally signalized by a reversal of the financial policy of the Whigs, and a return to that of the preceding decade. This change was brought about by the re-enactment of the Independent Treasury Act, and by the passage of a new tariff law. The former was substantially a repetition of the act of 1840 (§ 294): subtreasuries were to be re-established at the more important commercial centers, and provision was made for the safe and economical handling of the public moneys. The system has been modified from time to time to suit the growing needs of the country, but its essential features are still law.

Tariff of  
1846.  
Schouler's  
*United  
States*, IV,  
514-517;  
Taussig's  
*State Papers*,  
214-251.

The new tariff act was based upon the recommendations of Robert J. Walker, Polk's Secretary of the Treasury, and is always called the Walker Tariff. Under it, imported articles were arranged in several schedules, — A, B, C, and D, and so on to I, which included articles specifically placed on the "free list." Each schedule had its own rate of duty: schedule A, 100%; B, 40%; C, 30%; D, 25%, etc. Articles not included in these schedules were to pay 40% *ad valorem*. All the duties were calculated on a valuation made in foreign ports, instead of so much on the valuation of the commodity in America. This arrangement resulted in gross frauds, and inflicted great hardships on honest importers. The system was, as Webster declared, "not free trade, but fraudulent trade."

Prosperity,  
1846-57.

The country was very prosperous during the years that the Walker Tariff was in operation. Many writers friendly to free trade have maintained that this prosperity was due to the operation of the Walker Tariff, which, in their opinion, was practically a free-trade measure. Other students point out that it is absurd to regard it as a free-trade measure, since the reduction on the rates of 1842 was only about one sixth. They argue, moreover, that there is no historical



*C. H. McCormick*

evidence to show that this comparatively slight reduction had any considerable influence upon the commercial and industrial development of the country. They contend that the remarkable prosperity of the country between 1846 and 1857 was due to its rapid settlement, which was made possible by many things over which tariff legislation had little or no influence. For instance, there was a great increase

Influence of  
inventions.

in foreign immigration in these years (§ 319) and the railroad system of the country was greatly extended. Inventions, also, marvellously increased the efficiency of human labor and superintendence. For example, the successful introduction of the electric telegraph, owing to Morse's invention (1837), made it possible to operate great railway systems; and farming on a large scale was immeasurably promoted by the introduction of agricultural machinery, as the McCormick reaper (invented 1831). The most important manufacture

McCormick  
reaper.

of the United States until recent times was the manufacture of farms, and this was more dependent on the development of railroad transportation and farm machinery than on the movement of tariff duties within the narrow limits affected by the Walker Tariff.

303. California. 1848-1850. — On the 24th of January, 1848, — ten days before the Treaty of Guadalupe Hidalgo

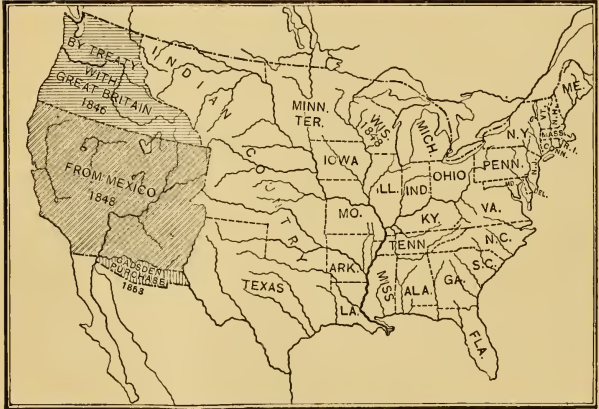


Sutter's mill

was signed, and fully three months before it was ratified, — James W. Marshall discovered several bits of gold in the earth taken from Colonel Sutter's mill race in Coloma, California. Further investigation confirmed the discovery, and before long the existence of gold in that region was known throughout the world. From all parts of the United States and from Europe, gold hunters sought the new Eldorado. Over the plains and the Cordilleras, across the Isthmus of Panama, and around Cape Horn, they thronged to Cali-

Discovery of gold in California, 1848. Schouler's *United States*, V, 132.

fornia. Most of them came from the northern American states, but there were many Southerners as well. Before November, 1849, more than eighty thousand immigrants — “the forty-niners,” as they were termed — reached the land of promise. Their number already exceeded that necessary for a territorial organization, and they had scarcely any government at all. Compelled by necessity to establish some



The United States, 1853

California demands admission as a free state, 1849. Schouler's *United States*, V, 142.

form of government, and inspired by the suggestions made by an agent sent by General Taylor, the new President, they held a convention (November, 1849), drew up a state constitution, — excluding slavery, — and applied for admission to the Union as a free state. Soon Californian commissioners appeared at Washington, and demanded that California should be admitted as a free state. Congress was in this way forced to come to some decision as to the disposal of the vast domain which had just been gained from Mexico; but the task was a hard one.

304. **The Wilmot Proviso, 1846.** — Even before the Mexican War had fairly been begun, and before the United States had gained a foot of Mexican soil, an attempt had been made to settle this question in favor of freedom. The occasion was furnished by the introduction of a bill to provide money for the purchase of territory from Mexico. When it was before the House, David Wilmot, a Democratic representative from Pennsylvania, moved an amendment in the form of a proviso that slavery should be forbidden in any territory thus acquired. The bill, with the amendment, passed the House, but failed to become law, as the Senate did not act upon it until the House had adjourned for the session (August, 1846). In the new Congress, elected the following November, the Whigs were in a majority in the House, but the Democrats retained control of the Senate. Meantime, the leaders of the latter party in the South had made up their minds to oppose the Wilmot Proviso should it again be introduced. Accordingly, after considerable delay, an appropriation bill was passed, without the slavery prohibition. The Treaty of Guadalupe Hidalgo had added some eight hundred thousand square miles of territory to the national domain, most of it lying south of  $36^{\circ} 30'$  north latitude, the parallel of the Missouri Compromise line. Should slavery be permitted in this vast region, or should the principle of the Wilmot Proviso be adhered to? The settlement of this question was regarded by Southerners as most important; it appeared scarcely less important to those Northerners who were determined that a limit should be set to the extension of slavery. This controversy dominated all others in the election of 1848.

305. **The Election of 1848.** — No fewer than five political organizations took part in this contest. First there were the Democrats, who nominated Lewis Cass of Michigan, a shrewd, clear-headed Northern Democrat. He had commended himself to the Southerners by the advocacy of the doctrine of "squatter sovereignty," according to which the people of each territory were to determine the question of

The Wilmot Proviso, 1846. Schouler's *United States*, V, 65-69.

Election of 1848. Schouler's *United States*, V, 100-110; Stanwood's *Presidency*.





with the assistance of delegates from a few other states, then held a convention of their own, and nominated Martin Van Buren. Another party, the "Free-soilers," which had a larger following, held a convention at Buffalo. Delegates from eighteen states appeared. They adopted a platform which declared for "free soil for a free people." They maintained that slavery was a state institution, and as such the general government had no right to meddle with it; but they denied the competence of Congress to permit slavery in the territories. They, too, nominated Van Buren. The Liberty party (§ 299) also held a convention, and nominated a candidate of its own, John P. Hale of New Hampshire; but he withdrew in favor of Van Buren. The election was very close, but the desertion of the New York Democrats caused the electoral vote of that state to be given to Taylor and Fillmore, and thus decided the contest in favor of the Whigs.

The Free-soilers.



William Lloyd Garrison

The Liberty party.

Election of Taylor.

306. **Taylor's Policy, 1849, 1850.**—The conflict over the Wilmot Proviso and the presidential campaign, in which one of the three candidates stood for the limitation of slave territory, had at last attracted the attention of the Northern people to the cause underlying the politics of the time: the existence of slavery in the South and of freedom in the North. The contest had not merely aroused interest and sentiment, it had called forth a dangerous spirit on both sides of Mason and Dixon's line. Southern extremists were determined to destroy the Union if the principle embodied in the Wilmot Proviso became a part of the law of the land; Northern extremists were desirous of destroying the Union if slavery were not abolished in the slave states,

Slavery in politics.

The  
abolitionists.

— no Wilmot Proviso would satisfy them. The Constitution was in the way, it was said. The abolitionists answered that the North should withdraw from the detestable bargain, and, paraphrasing the words of the Prophet Isaiah, declared that “the Constitution is a covenant with death, and an agreement with hell.” Other Northern extremists were determined that the further extension of slavery should cease; as to slavery in the states, they contended that that was a state matter. Between these two bodies of extremists stood the mass of the people of both sections, who were desirous to put the whole matter aside, and proceed with the development of the country, leaving the future to take care of itself. Of Southern moderates were men like Clay and Benton, sincere lovers of their country and anxious to prevent sectional strife. The Northern moderates were also sincere lovers of their country. They thought as little about the slave question as possible,—if the Southerners wished to ruin the South by perpetuating the institution, that was the Southerners’ business; they had no strong moral feelings against slavery, and probably disbelieved most of the facts which the abolitionists were ever dinning in their ears.

Taylor's  
policy.  
Schouler's  
*United  
States*, V,  
142, 147, 159.

The new President, Zachary Taylor, was a Louisiana sugar planter, the owner of a hundred slaves, and the father-in-law of Jefferson Davis, one of the senators from Mississippi. Like most Southern men, he came to Washington with the preconceived idea that the Northerners were the aggressors; he soon discovered that, with the exception of the small body of Northern abolitionists, who exercised no political influence at Washington, the aggression was all on the side of the South. Moreover, he speedily fell under the influence of William H. Seward of New York, one of the antislavery leaders in the Senate. Taylor determined to settle the matter in a direct soldierly fashion. He sent agents to California and New Mexico urging the settlers in those districts to form state constitutions, and seek admission to the Union. California at once complied. When Congress assembled in December, 1849, the President announced that

California asked to be admitted as a free state. The Southerners were beside themselves — they felt that the richest country, and that portion best suited to slavery of all the vast region acquired from Mexico, had been filched from them. The matter was further complicated by the fact that Texas claimed a large part of New Mexico as rightfully belonging to her, and threatened to take possession by force if her claims were not allowed. Jealous of his successful rival, as some writers have asserted, or, as is more likely, fearful lest the passions already aroused would lead to conflict, Clay determined to effect a compromise.

307. **Compromise of 1850.** — Clay proposed to settle at one and the same time all the disputes which had grown out of the slavery contest. His scheme is always spoken of as a compromise, and so it was in the ordinary meaning of the word; but the South gained so much more than the North that its adoption was in reality a victory for the slave power. The only concession to the North was the prohibition of the slave trade within the District of Columbia.

California was to be admitted as a free state. The Southerners regarded this as a great surrender to Northern senti-

ment; but it would be difficult to understand how the demand of California for admission as a free state could have been refused by them in view of the doctrine of "squatter sovereignty" which they advocated. The gains to the South were (1) the confirmation of slavery in the District of Columbia; (2) the organization of Utah and New Mexico as territories without any mention of slavery — leaving that matter to be settled on the theory of squatter sovereignty, in accordance with the wishes of the settlers; (3) the payment of a large sum of money to the slave state of Texas to secure a relinquishment of her claim to a portion of New Mexico;

*I am Your friend & L  
Obedient Servant  
H. Clay*

Clay's compromise propositions, 1850. Schouler's *United States*, V, 161-170, 195-199; MacDonald's *Documentary Source Book*, pp. 383-394.

Clay's views  
on the crisis.  
Rhodes's  
*United*  
*States*, I, 120;  
Johnston's  
*Orations*, II,  
202-218.

(4) a resolution by Congress to the effect that that body had no power over the interstate slave trade; and (5) the passage of a stringent fugitive slave law. Clay realized that this so-called compromise was distinctly in favor of the South; but he argued that the dispute as to slavery was a matter of sentiment with the Northerners, of interest with the Southerners. Sentiment must yield to interest. Clay spoke and acted for conservative Southern slave owners. He thought that safety lay in a "union of hearts" to be brought about by mutual concessions — which meant Northern concessions. Probably he was sincere in his belief as to the efficacy of his compromise scheme to prevent disunion and secession.

Calhoun's  
demands.  
Rhodes's  
*United*  
*States*, I, 127;  
Johnston's  
*Orations*, II,  
123-160.

Calhoun represented Southern extremists. He had no faith in a union of hearts, or any union, except one in which the South should forever enjoy equal power with the North, no matter what the relative population and resources of the two sections might be. "Squatter sovereignty" had no meaning to him, and he regarded the action of the Californians as a piece of gross impertinence; it was necessary for the North to concede "to the South an equal right in the acquired territory, and to do her duty by causing the stipulations relative to fugitive slaves to be

*J. C. Calhoun*

faithfully fulfilled; to cease the agitation of the slavery question; and to provide for the insertion of a provision in the Constitution by an amendment which will restore to the South, in substance, the power she [once] possessed of protecting herself." He did not define a plan to bring about this political equilibrium between the two classes of states. After his death, it appeared that what he had in mind was the repeal of all laws which had established a national government, and the adoption of an amendment to the Constitution providing for the election of two presidents, one by the slave, the other by the free states, and each to approve of all acts of Congress before they became laws. Webster

expressed the views of many Northern conservatives. He approved the compromise plan: slavery was already "excluded from the territories by the law of nature, of physical geography." Webster spoke on March 7, 1850, and his speech is always referred to as the "Seventh of March Speech." These opinions were those of the leaders who had governed the country since the War of 1812; they all died within three years. New men were coming to the front, among them William H. Seward, senator from New York. He denounced the proposed compromise as in the interests of slavery—"all measures which fortify slavery or extend it, tend to the consummation of violence,—all that check its extension and abate its strength, tend to its peaceful extirpation." Thrusting aside historical subtleties and constitutional distinctions, he declared that "there is a higher law than the Constitution," which he described as "the law of nature written on the hearts and consciences of freemen."

There was a majority in both houses for each of Clay's propositions taken by itself; but the voters for and against the several parts of the scheme were different. It resulted from this that the propositions failed to pass as a whole, and also when presented in three separate bills. Meantime, Taylor had been managing matters in his own straightforward fashion. Had he lived a few months longer, California would probably have been admitted without any compromise. Suddenly, on July 9, 1850, he died, and Fillmore, Seward's political rival in New York, became President. Webster became Secretary of State, and the compromise measures were passed, though not in their original form. As finally effected, the Compromise of 1850 provided for (1) the admission of California to the Union as a free state, (2) the prohibition of the slave trade in the District of Columbia, (3) the organization of Utah and New Mexico as territories with no restriction as to slavery, (4) the payment of ten million dollars to Texas in satisfaction of her claims to a portion of New Mexico, and (5) the passage of a severe fugitive slave law.

Webster's  
Seventh  
of March  
Speech.  
Rhodes's  
*United  
States*, I, 137;  
Johnston's  
*Orations*, II,  
161-201.

Seward's  
assertion.  
Rhodes's  
*United  
States*, I, 162;  
*Contem-  
poraries*,  
IV, 56.

The  
Compromise  
of 1850.

Southern  
policy.  
Schouler's  
*United  
States*, V,  
214.

308. **Fugitive Slaves.**—Whatever good results might have followed from the Compromise of 1850 without the Fugitive Slave Law were more than offset by the passage of that measure. There could be no "union of hearts" in face of it. The passage of the Fugitive Slave Act was one of the worst blunders in the long series of errors which led to the perpetuation of slavery in the South. Every day that slavery existed, the South grew weaker morally, materially, and politically. As it was, Southern policy clearly demanded that the slave owners should avoid every irritating question and should seek to discover the best means by which slavery could be checked and brought to an end. In place of so doing, they seized every occasion to push the further extension of slavery and to fasten the institution on themselves and their posterity; they lost no opportunity to bring the matter prominently before the people of the North, and compel them to think about it whether they would or not. The execution of the Fugitive Slave Law did more to arouse the moral sentiment of the Northerners than the arguments of the abolitionists had done in twenty years. It may be asserted that the people of the free states—whether for freedom or slavery in the South or in the territories—were unanimous for freedom on their own soil. Furthermore, the execution of the law brought the people of the North face to face with certain phases of slavery in whose existence most of them had persistently refused to believe. Moreover, there seems to have been no adequate reason for the passage of the law. It has been stated that only one thirtieth of one per cent of the slaves escaped in any one year. Some scheme of insurance against slave escapes would have fully protected every Southern slave owner at trifling cost.

The Fugitive  
Slave Act,  
Rhodes's  
*United  
States*, I, 185.

The act itself appears to have been drawn with the express object of humbling the Northerners. The right to a jury trial was denied to the person designated as a fugitive slave; the affidavit of the person claiming the negro was sufficient evidence of ownership; the writ of *habeas corpus*

was denied to the reclaimed negro ; and the act was *ex post facto*. The authors of the bill forgot, however, that while a jury trial was denied to the negro claimed as a fugitive, neither it nor the writ of *habeas corpus* was or could be denied to the rescuer of the negro from the clutches of the fugitive slave hunter ; nor were any means provided by which a state could be punished for placing obstacles in the way of the carrying out of the act.

Agents of the slave owners soon appeared in the Northern states, and more seizures of fugitives occurred in one year after the passage of the act than in all the sixty years before. Except in a few cases, it was found to be impossible to secure and retain possession of the runaways. State after state passed "personal liberty laws" which practically nullified the operation of the act. Some of these laws imposed heavy fines on state officers who in any way assisted the pursuers of fugitives ; others prohibited lawyers who prosecuted in these cases from the practice of their profession ; and still others forbade the confinement of fugitives in state prisons. The most famous cases of rescue and attempted rescue were those of Shadrach, the Christiana riot (1851), Burns (1854), the Oberlin-Wellington rescue (1858), and the legal struggle which occurred in Wisconsin in 1858-59. Perhaps the most dramatic episode was the attempt of Thomas Wentworth Higginson and others to rescue Anthony Burns ; it failed, but it is said to have cost the government one hundred thousand dollars to return this one fugitive to his master. Another result was a great increase in the facility for escape offered to fugitives in the Northern states. This was popularly known as the "underground railroad," and its activity and efficacy increased enormously. Bearing all these things in mind, it is no doubt true, as Senator Benton declared, that the act "has been worth but little to the slave states in recovering their property."

309. Election of 1852. — Mrs. Harriet Beecher Stowe's *Uncle Tom's Cabin* was published in the summer of 1852. Its success was unprecedented in the history of American litera-

Sumner's speech on repeal of this act is in Johnston's *Orations*, II, 268-340.

Rescues of fugitives, 1851-59. Schouler's *United States*, V, 204, 294 ; Rhodes's *United States*, I, 208, 222, 499.

*Uncle Tom's Cabin*.

Rhodes's  
*United  
States*, I, 278.

ture, and the effect produced by its publication was most important and far-reaching. It has been related that just after the battle of Bull Run Lincoln met Mrs. Stowe for the first time and greeted her as "the little woman who caused this great war." This story may not be true, but it is certain that *Uncle Tom* exercised a tremendous influence in arousing



Harriet Beecher Stowe  
From a contemporary engraving

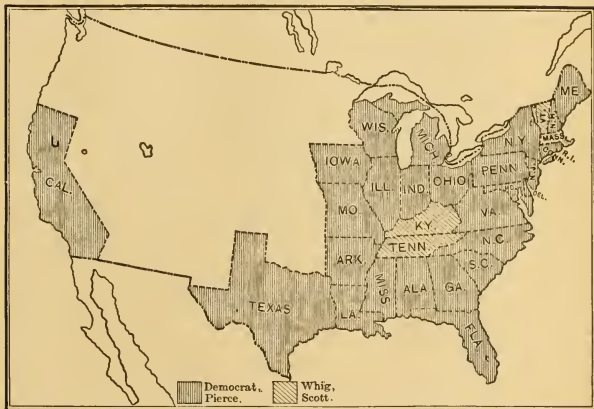
public opinion in the North. It is remarkable, however, that the Democrats were successful in the election which followed immediately on its appearance.

The Democrats nominated a comparatively unknown man, Franklin Pierce of New Hampshire; the Whigs chose as their standard bearer the most successful soldier in the country, Winfield Scott. The Free-soilers also had a candidate in the field, but their strength had declined since 1848. The Democrats were now united, while the attempt of the Whigs to avoid expressing an opinion on the slavery question had weakened them in the North without increasing

Election of  
1852.  
Stanwood's  
*Presidency*;  
Schouler's  
*United  
States*, V,  
240-250.



their strength in the South. The Free-soilers, by attracting Whig voters, really aided the Democrats. Ridicule was heaped on Scott, who was a man of showy habits, and not always happy in the use of language. The real reason for the Democratic success, however, was a mistaken feel-



Election of 1852

ing that with that party in control of the government, less would be heard of the contest over slavery.

310. **The Kansas-Nebraska Act.** — For ten years since 1844, Stephen Arnold Douglas, senator from Illinois, had been anxious to secure a territorial organization for the region west of Iowa and Missouri. Unless this was done, it might become an Indian reservation, which he undoubtedly thought would be a sacrifice. In January, 1854, Douglas introduced a bill to provide for the organization, as the territory of Nebraska, of all the Louisiana Purchase north of the line of the Missouri Compromise ( $36^{\circ} 30'$  north latitude), and west of the states of Missouri and Iowa. It was proposed

The Kansas-Nebraska Act, 1854. Schouler's *United States*, V, 279-292; \*Rhodes's *United States*, I, 424; Johnston's *Orations*, III, 50-87.

that this territory should be admitted to the Union at some future time as one state or as several states, "with or without slavery as their constitution may prescribe at the time." On being reminded that this region had been devoted to freedom by the terms of the Missouri Compromise, Douglas asserted that that compromise had been superseded and repealed by the Compromise of 1850. He maintained that he now merely proposed to extend the principle of "popular sovereignty" to the country north of the line of 1820. He was driven to do this by "a proper sense of patriotic duty." He repeated Webster's argument that slavery was excluded by nature from the proposed territory. Before its passage, the bill was changed to provide for the organization of two territories: Kansas and Nebraska in place of one, Nebraska,— Kansas to include the region between 37° and 40° north latitude, and Nebraska that between 40° and 49°. Kansas, as thus defined, would be situated directly west of the slave state of Missouri, and Nebraska of the free state of Iowa. Probably this division was made in the expectation that Kansas would become a slave and Nebraska a free state. The bill as finally passed also declared that the Missouri Compromise had been suspended and made inoperative by the principles of the Compromise of 1850.

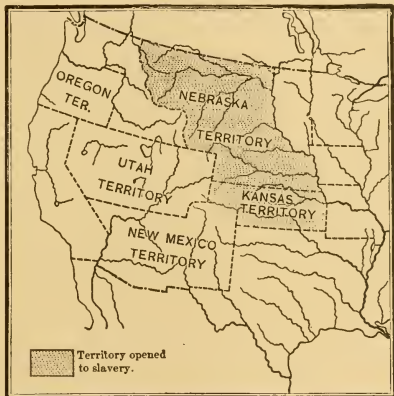
### 311. Appeal of the Independent Democrats, 1854. —

Douglas's declaration that the opening of the territories to slavery was a matter of no great moment, did not commend itself to the antislavery leaders. Senator Chase of Ohio asserted that the proposed measure was "a violation of the plighted faith and solemn compact [the Missouri Compromise] which our fathers made, and which we, their sons, are bound by every sacred tie of obligation sacredly to maintain." The old political leaders had passed away; new men had come to the front: Seward, Wade, Hale, but none more outspoken than Charles Sumner of Massachusetts. He joyfully welcomed the issue raised by the Kansas-Nebraska Bill: "To every man in the land, it says with clear penetrating voice, 'Are you for freedom or are you for slavery?'"

Opposition  
to the  
passage of  
the act.  
Rhodes's  
*United  
States*, I, 441;  
Johnston's  
*Orations*,  
III, 3-49.

Some of the leading opponents of the measure summed up their objections to it in a document entitled, *Appeal of the Independent Democrats*. They arraigned the bill "as a gross violation of a sacred pledge [the Missouri Compromise]; as a criminal betrayal of precious rights; as part and parcel of an atrocious plot to exclude from a vast unoccupied region immigrants from the Old World, and free laborers

"Appeal of the Independent Democrats." *American History Leaflets*, No. 17.



Kansas Nebraska Act, 1854

from our own states, and convert it into a dreary region of despotism, inhabited by masters and slaves.

"Take your maps, fellow-citizens, we entreat you, and see what country it is which this bill gratuitously and recklessly proposes to open to slavery." As to the statement that the Missouri Compromise had been made inoperative by the Compromise of 1850, the "Independent Democrats" declared in a postscript to the "Appeal" that such a statement was "a manifest falsification of the truth of history."

**312. Popular Sovereignty.** — "Popular sovereignty," or "squatter sovereignty," is thus defined in the Kansas-

Popular sovereignty.

Nebraska Act: "The true intent and meaning of this act [is] not to legislate slavery into any territory or state, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States." Apart from the question of the violation of the Missouri Compromise, the Kansas-Nebraska Act was fatally incomplete in providing no efficient means for the peaceful occupation of the territories by free immigrants, or by slave owners with their slaves. On the face of it, all that the slave owners asked was to be allowed to carry their slaves with them; "in reality," as Senator Benton said, what the slaveholder wanted was "to carry the state law along with him to protect his slave," or rather his interest in his slave. It was necessary, therefore, the moment a slave entered a territory to enact a complete code of slave laws to keep him in bondage. It was impossible to permit slave owners and free immigrants to live together under a territorial organization, and settle the question when the time came to seek admission into the Union.

Wishes of  
the slave  
owners.

Abraham  
Lincoln.  
Morse's  
*Lincoln.*

Douglas's ablest opponent in Illinois was Abraham Lincoln, who had already served one term in Congress, but had not been re-elected. While in Congress, he had made one speech which is interesting to note in view of his later career. It was in 1847 that Lincoln declared: "Any people anywhere have the right to rise up and shake off the existing government, and form a new one that suits them better. . . . Nor is this right confined to cases in which the whole people . . . may choose to exercise it. Any portion of such people, that can, may revolutionize, and make their own of so much of the territory as they inhabit." This would appear to be a recognition of the doctrine of "popular sovereignty" in its most extended application. But Lincoln now opposed most warmly the application of it made in the Kansas-Nebraska Act: "I admit that the emigrant to Kansas and Nebraska is competent to govern himself, but I deny his right to govern any other person without that person's consent." The act was especially defective in that it contained no

means of ascertaining the "popular sovereign's" will. Bloodshed was inevitable; "will not the first drop of blood so shed be the real knell of the Union?"

**313. Struggle for Kansas, 1855-1861.**—The slave owners and their friends at once prepared to take possession of Kansas, which they appear to have regarded as rightfully belonging to them. Bands of "Sons of the South," as they called themselves, or "Border Ruffians," as the free-state settlers soon came to regard them, now crossed the frontier of Missouri to seize the government of the new territory, and to occupy the best lands until actual settlers should appear from the South. The Southern settlers never came in any force. The slave owners were well to do and possessed freedom of movement to a certain extent. It was easy for one of them to take a number of slaves, migrate to a neighboring slave state, and establish a new plantation like the one which he had left behind him. When it came, however, to making a long journey to an unknown region whose climate might prove injurious or fatal to his blacks, and to engage in new forms of agriculture,—to which he and his slaves were unaccustomed,—that project was one not to be lightly undertaken. It proved, indeed, nearly impossible to induce the slave owners to remove. It was of little avail to encourage the emigration of Southern whites, unless a considerable body of slaveholders and slaves accompanied them; the story of California had shown that Southern whites, mingled with a mass of Northern whites, would unhesitatingly vote to exclude slavery from their new home.

Settlers from the free states were confronted by none of the impediments which beset the slaveholders, but difficulties caused by distance, expense, and opposition of the "Border Ruffians" were to be overcome. The hindrances of distance and expense were surmounted by rich New Englanders,—as Amos A. Lawrence,—who formed the New England Emigrant Aid Society. Northern settlers soon thronged to Kansas; but the opposition of the Sons of the South remained to be vanquished.

Kansas,  
Schouler's  
*United  
States*, V,  
320-333;  
*Contem-  
poraries*,  
IV, Nos. 38,  
39.

Free emigra-  
tion to  
Kansas.

Election in  
Kansas,  
1855.

The first territorial election was held in 1855, and the Sons of the South carried the elections for the proslavery party by the use of fraud and violence. In the town of Lawrence, for example, seven hundred and eighty-one votes were cast, although there were only three hundred and sixty registered voters on the list. The legislature, elected in this manner, was entirely under the control of the proslavery men. It adopted the laws of Missouri in bulk—slave code and all—as the laws of the new territory; it went even further, and passed severe laws to punish interference with slaves. The free-state settlers then proceeded to establish a government of their own; they held a convention at Topeka, drew up a constitution, and applied to Congress for admission to the Union as a free state (1855). A committee of the House of Representatives visited Kansas. It reported that the elections to the legislature had been carried by “organized invasion.” The House then voted to admit Kansas as a free state under the Topeka constitution, but the Senate refused to agree to this, and put an end to all hopes of a peaceable solution of the question.

The Topeka  
Convention,  
1855.

Civil war in  
Kansas.

The conflict in Kansas now assumed the form of open war. Slave partisans attacked Lawrence, and burned several buildings. The free-state settlers retaliated; one of the latter encounters was the massacre of several Sons of the South, at Pottawatomie, by a band led by John Brown.

*John Brown*

It is difficult to say which party behaved with the most intemperance and disregard of the rights of others. At all events, it was certain that this application of the doctrine of “popular sovereignty” had resulted in civil war.

Lecompton  
Constitution.

In 1857 the free-state settlers obtained control of the legislature; but one of the last acts of the fraudulent legislature had been to provide for a constitutional convention to be held at Lecompton. About one third of the ballots cast for delegates to this convention were fraudulent. When the constitution was submitted to the people for ratification, the question upon which they were really asked to

vote was whether Kansas should be a state with limited or unlimited slavery. This method of defeating the will of the "popular sovereign" was more than Douglas could bear; he broke with the administration. An effort was made to effect a compromise; but, on a fair election, the people of Kansas refused to compromise by a vote of nearly eleven thousand to over two thousand. It was not until 1861 that Kansas was admitted to the Union.

Before 1845, foreign immigration to the United States had been on a scale so small as to attract slight attention, practically none from the politicians. Some jealousy of foreign immigrants had been shown in 1844, but it was not until 1852 that opposition to the "foreign element" became the basis of a political organization extending over many states. Then was formed the American party, whose idea was that "Americans must rule America." At the back of this organization was a secret order whose members, when questioned by outsiders as to their principles and methods, professed an entire ignorance; they were hence called "The Know-nothings," and the American party was more usually called the Know-nothing party. In 1854, not long after the passage of the Kansas-Nebraska Act, an election was held for members of Congress. In the House of Representatives, which had passed that measure, the Democrats had a majority of over eighty. Of the forty-two Northern Democrats who had voted for the bill, only seven were re-elected. The Anti-Nebraska men, as the opponents of that measure were called, left the Democratic and Whig parties and joined the Free-soilers and the Know-nothings—the Whigs generally joining the latter, who showed unexpected strength in 1854, and especially in the state elections in 1855. The new Congress which met in 1855 contained representatives of all three parties and fragments of parties. Gradually, as the contest in Kansas grew fiercer, the Anti-Nebraska men began to draw together, and, going back to the party organization of the earlier time, began to call themselves Republicans.

The Know-nothings.  
Rhodes's  
*United States*, II, 50

Anti-Nebraska men.

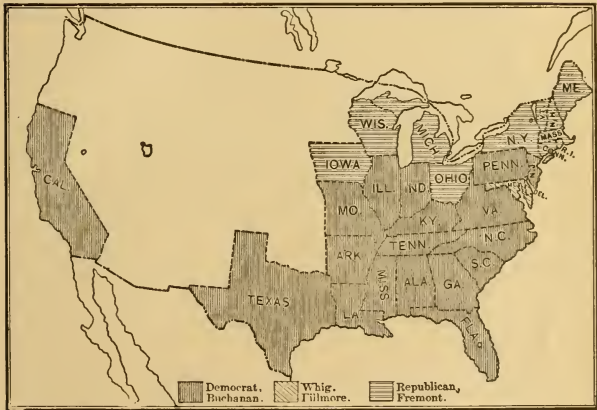


Sumner and Longfellow  
From a contemporary print



Party conventions, 1856.

Four conventions were held in 1856 to nominate candidates for the presidency. The Know-nothings, who now advocated a policy of "do nothing" on the slavery question, nominated Millard Fillmore of New York, who, as President, had signed the Fugitive Slave Law, and the Whigs nominated him also. The Republicans, now including in their ranks the old Free-soilers, the Northern Anti-Nebraska



Election of 1856

Democrats and Whigs, and such of the abolitionists as were willing to exercise their political rights, nominated John C. Frémont, an army officer who had been active in the seizure of California. The Democrats nominated James Buchanan of Pennsylvania for President and John C. Breckinridge of Kentucky for Vice-President: they elected their candidate, but the Republicans showed most unexpected and startling strength: in 1852 the Democrats had carried every state, North and South, save four; in 1856 they were successful in only four Northern states. The Re-

Election of 1856.

Starwood's  
*Freedom*,  
102-213  
Schouler's  
*United*  
*States*, V  
349-355.

publicans won Delaware and every Northern state except the four which remained faithful to the Democrats. The Free-soilers had cast one hundred and fifty-seven thousand votes in 1852; the Republicans cast one million three hundred and fifty thousand votes in 1856, only five hundred thousand less than the Democrats. The Whig party and the Know-nothings disappeared; the Republicans had no following in the South; and the Democratic party remained the only political organization which in any way united the free North and the slaveholding South. After 1857, the slaveholders made such excessive demands that even the Northern Democrats could no longer accept them; the party split in twain, and the division of the country into two sections was complete. One of the most important steps in this repulsion of Northern party loyalty was the action of the Supreme Court in the Dred Scott case.

The Dred  
Scott case,  
1857.  
Schouler's  
*United*  
*States*, V,  
370.  
Rhodes's  
*United*  
*States*, II,  
251.  
Johnston's  
*Orators*,  
III, 154-167.  
*Constitution*,  
IV  
Nos. 41-43.

314. **The Dred Scott Decision, 1857.** — Dred Scott, as a slave, had been taken by his master to the free state of Illinois and to that region west of the Mississippi where slavery had been "forever forbidden" by the Missouri Compromise. Returning with his master to Missouri, he sued for his liberty on the ground that residence in the free North had made him free. The case finally came before the Supreme Court of the United States. The technical question before that tribunal was whether the federal courts had jurisdiction in the matter. The court, Justices McLean and Curtis dissenting, decided that they had no jurisdiction. This decision was based on the ground that neither a slave nor the descendant of a slave could be a citizen of the United States within the meaning of the Constitution and hence enjoy the right to appear as a party to a suit in a federal court. The Chief Justice, Roger B. Taney, then proceeded to outstep the proper function of the court and to settle the question of slavery in the territories — which was not before it at all. He said that slaves were property within the meaning of the Constitution; that property was guaranteed protection by the Constitution; that Congress could not legislate against

property, and that therefore the Missouri Compromise was null and void, inasmuch as it prohibited the carrying of property into a certain part of the Union. Thus the legal aspects of the case it is not necessary to press here. The people of the North understood the point in any case, either as circumstances warranted, or Douglas effected a useful compromise in the question of slavery in the territories; they generally refused to regard the opinion of the Supreme Court as expressing the true interpretation of the Constitution, as determined to be seen what attitude the Northern Democratic leaders would take.

35. Lincoln and Douglas. 252 — In 1858 Lincoln Douglas sought a re-election to the Senate of the United States. Abraham Lincoln stepped forward to oppose the war, and the campaign which followed was one of the most important in the history of the United States. In his first address, Lincoln called his hearers and denigrated his party leaders by the subsequent intimation of his language: "Agitation [against slavery] has not yet been checked, but has constantly augmented. In my opinion it will not cease until a point well have been reached and passed. A voice has been raised against itself, cannot stand." I believe the government cannot endure permanently half slave and half free. I do not expect the house to fall, but I expect it will cease to be divided. It will become all one thing or all the other. Either the opponents of slavery will arrest the further spread of it, or its advocates will push it forward, till it shall become alike lawful in all the States, old as well as new — North as well as South." Lincoln and Douglas held a series of joint debates, in the course of which Lincoln compelled Douglas to defend the doctrine of "popular sovereignty," and to assert that a territorial legislature could enact laws hostile to slavery and thus unconstitutionally nullify the laws of Congress. The Democrats won the state election and the state legislature returned Douglas to the Senate, but the admissions that Lincoln had wronged that Douglas made the latter's challenge for the presidency successful in the

Lincoln and  
Douglas  
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slaveholders, while Lincoln by his plain speaking had at one stroke won a foremost place in the Republican party. His "house divided" speech, which had dismayed his friends at the time, proved to have been one of the wisest actions of one of the wisest of men.

Seward's  
"irrepressible  
conflict" speech,  
1858.  
Rhodes's  
*United  
States*, II,  
344;  
Johnston's  
*Orations*,  
195-207;  
*Contem-  
poraries*, IV,  
No. 45.

In the same year Seward made a speech which probably had more influence in forming Northern opinion than any other speech made before the war. He said, in speaking of the struggle between slavery and freedom, "it is an irrepressible conflict between opposing and enduring forces, and it means that the United States must and will, sooner or later, become either entirely a slaveholding nation or entirely a free-labor nation." The slaveholders were determined that it should become the former. They demanded that the opinion of the judges in the Dred Scott decision should be respected and, going even farther, peremptorily required that Congress should pass laws for the protection of slaves as property in their territories. While matters were in this state of great tension, John Brown appeared at Harper's Ferry to attempt the freedom of slaves.

John  
Brown's  
raid, 1859.  
Schouler's  
*United  
States*, V,  
437-441;  
Rhodes's  
*United  
States*, II,  
383; *Contem-  
poraries*, IV,  
No. 48.

**316. John Brown's Execution, 1859.** — Born in Connecticut, John Brown had emigrated to Kansas at the beginning of the conflict between the forces of freedom and slavery in that territory. Self-willed and quick to resent wrong, he had engaged in several affairs in Kansas which met with strong disapprobation on the part of those foremost in the struggle against the extension of slavery. He now formed a scheme to free the slaves in the South. He asserted that "twenty men in the Alleghanies could break slavery in pieces in two years" — precisely how is not clear. It is clear, however, that it was his intention to free the slaves, not to excite a slave insurrection — although it is difficult to understand how the former could be accomplished without bringing on the latter; it is also clear that his project met with strong disapproval from many persons to whom he applied for money. On the 16th of October, 1859, he suddenly appeared at Harper's Ferry, Virginia, at the confluence of the Potomac and Shen-

andoah rivers, with nineteen followers. He seized the United States arsenal at that place, but allowed a train to pass on its way to Washington. He was captured with all but two of his followers, indicted, tried, convicted, and executed on a charge of treason and conspiracy with slaves and

His execution.  
Stedman and  
Hutchinson,  
VI, 34.



John Brown

others to rebel and murder. It is interesting to note how differently Brown's raid and execution appeared to different persons. For example, Emerson wished that we might "have health enough . . . not to cry 'madman' when a hero passes," and Longfellow wrote in his journal, "This will be a great day in our history; the date of a new revolution

Contemporary  
opinion.

quite as much needed as the old one." To the politicians it assumed quite another phase, and the Republican convention held in May, 1860, denounced it as "among the gravest of crimes." In 1881 Edward Atkinson stated to a Southern audience that he expected to see the day when Confederate soldiers or their children will erect a monument to John Brown "in token of the liberty which he brought to the white men of the South." There were not wanting Southern men, even at that time, who could discern the evils slavery had wrought for them.

Helper's  
*Impending  
Crisis*,  
Rhodes's  
*United  
States*, II,  
419; Sted-  
man and  
Hutchinson,  
VIII, 411.

317. Helper's *Impending Crisis*, 1857.—One of these keen-sighted men was Hinton Rowan Helper, a "poor white" of North Carolina. In a book entitled *The Impending Crisis of the South* he attacked slavery in the interests of the non-slaveholding Southern whites. Abolition, he argued, would improve the material position of the South. He drew an interesting picture of the rise of thriving manufacturing villages in that section, where the farmers would find a market for their produce; schools also would be established, and the poorer children educated as they were in the North. As it was, the case of the South was desperate, and nothing except abolition could save her. The book attracted little attention at first, but in 1859 it suddenly increased in circulation. Nothing, not even John Brown's raid, did more to arouse the fears of the slaveholding oligarchy. Seven out of every ten voters in the South were non-slaveholding whites. Had they been able to read and understand the arguments set forth in this book, slavery would have been doomed to destruction. When a Southern white could assume such a position, it behooved the leaders of the slave power to take immediate action.

## SUGGESTIVE QUESTIONS AND TOPICS

## §§ 298-301. TEXAS, MEXICO, AND OREGON

- a. Show how the Southern voters enjoyed undue power.
- b. Had you been opposed to the extension of slave territory, how would you have voted in 1844? Give your reasons.
- c. What did the word "Oregon" signify in 1845, 1847, 1860? Which country, the United States or Great Britain, had the best claim to Oregon in 1846? Why?

## § 302. THE WALKER TARIFF

- a. Look up the Walker Tariff (Lalor's *Cyclopædia*), and compare it with the present tariff, especially as to taxes on raw materials, on textiles, and on luxuries.
- b. To what causes do you attribute the prosperity of the country in the years 1846-57? Give your reasons in full.
- c. Show how farming on a large scale was immeasurably promoted by the invention of the McCormick reaper.

## §§ 303-308. THE COMPROMISE OF 1850

- a. Was compromise any more necessary in 1850 than at the time of the Whiskey Rebellion or of the Nullification Episode?
- b. Precisely what would have been the effect of the Wilmot Proviso had it been passed?
- c. How would you have voted in 1848, and why? If you had been a New York Democrat, how would you have voted?
- d. State at length Taylor's and Clay's policy as to slavery extension in 1849-50.
- e. Read Webster's "Seventh of March Speech," and explain why it aroused feeling against him in the North.

## § 308. FUGITIVE SLAVES

- a. Explain fully why the Fugitive Slave Law was a blunder on the part of the Southerners.
- b. Look up the writ of *habeas corpus*, or get some lawyer to explain it to you. Quote the clause in the Constitution touching it. Why could it be denied to the fugitive slave and not to the rescuer?

## §§ 309-314. ELECTIONS OF 1852 AND 1856

- a. Read Mrs. Stowe's *Uncle Tom's Cabin*, and explain why it was a potent factor in causing the Civil War.

*b.* Trace the genesis of the Republican party from the parties of Jackson's time. Is the present Democratic party any more the descendant of Jefferson's Republican party than is the present Republican party? Give your reasons.

*c.* For what candidate would you have voted in 1852? In 1856? Give your reasons.

#### §§ 310-316. THE CONTEST OVER KANSAS

*a.* Why was the Kansas-Nebraska Act the most momentous measure that ever passed the Congress of the United States?

*b.* Read a detailed account of the conflict in Kansas, and state which party acted in the more unlawful manner. Give your reasons.

*c.* Squatter or Popular Sovereignty: define. Explain the force of Senator Benton's assertion in § 312.

*d.* Discuss the Kansas-Nebraska Act as to constitutionality, expediency, immediate and remote effects on the North, on the South, on the Union.

*e.* State the principal points of the Dred Scott opinion. State Douglas's "Freeport Doctrine." Can you reconcile them?

*f.* Why did Lincoln believe that the Union could not endure "half slave and half free"? Why was the conflict "irrepressible"?

#### GENERAL QUESTIONS

*a.* Make continuous recitations from note-book upon (1) Limited Power of Congress, (2) Fugitive Slave Laws, (3) Nullifying Ordinances, (4) Mason and Dixon's line, (5) Important Treaties, (6) Secession.

*b.* Subjects for reports based on secondary authorities: (1) the careers, or portions of them, of Generals Scott and Taylor, Senators Seward, Chase, Sumner, and Douglas, Mrs. Stowe; (2) the Fugitive Slave cases, or one of them; (3) the Federal judiciary, 1829-61; (4) the weak Presidents and results of their weakness.

#### TOPICS FOR INVESTIGATION BY INDIVIDUAL STUDENTS

*a.* Tabulate the electoral votes of 1844, 1848, 1852, and 1856. Arrange the table to show votes by sections; the North, the South, the East, the Northwest (Stanwood's *History of the Presidency*).

*b.* Summarize the argument of (1) Clay, (2) Calhoun, (3) Webster, (4) Seward, (5) Chase, (6) Douglas, and (7) Lincoln (Johnston's *Orations* as cited in this chapter).

*c.* Summarize the arguments of the "Independent Democrats."







## CHAPTER XII

### SECESSION, 1860-1861

#### Books for Consultation

**General Readings.** — Johnston's *American Politics*, 189-196; Wilson's *Division and Reunion*, 204-216; Morse's *Abraham Lincoln*; Goldwin Smith's *United States*.

**Special Accounts.** — \* Rhodes's *United States*, III, ch. xii (condition of the country in 1860); Greeley's *American Conflict*; \* Von Holst's *Constitutional History*; Schouler's *United States*; Chadwick's *Causes of the Civil War*; \* Draper's *Civil War*; Ropes's *Story of the Civil War*, I; \* Stephens's *War between the States*; Blaine's *Twenty Years*; \* Pollard's *Lost Cause*; \* Taussig's *Tariff History*. Lives of leading statesmen, *Guide*, § 39.

**Sources.** — *American History Leaflets*; Williams's *Statesman's Manual*; Johnston's *American Orations*; McPherson's *History of the Rebellion*; Stedman and Hutchinson's *Library of American Literature*. Writings of the leading statesmen, *Guide*, §§ 46, 47.

**Maps.** — Hart's *Epoch Maps*, Nos. 8, 13.

**Bibliography.** — *Guide to American History*, §§ 229-233.

**Illustrative Material.** — \* Nicolay and Hay, *Abraham Lincoln*; \* Buchanan's *Buchanan's Administration*; Garrison's *Garrison*; Dabney's *Defence of Virginia*; Sherman's *Memoirs*; Olmsted's *Cotton Kingdom*; A. L. Lowell's *Political Essays*; Wise's *Seven Decades*; Coleman's *Crittenden*; Bett's *Joseph Henry*; Holmes's *Emerson*; Helper's *Impending Crisis*; \* Davis's *Confederate States*. Gayarré's "Sugar Plantation" (*Harper's Magazine*, May, 1887); Smede's *Memorials of a Southern Planter*; Page's *The Old South*; Trent's *W. G. Simms*.

### SECESSION, 1860-1861

**318. Introductory.** — The year 1860 saw the breaking down of the policy of compromise which had distinguished the political history of the country since the beginning of the Revolutionary War. This change was brought about by a Southern policy, 1860.

complete alteration in the political attitude of the leaders who guided the fortunes of the South. In their opinion, the time had come to push their demands — or their rights, as they regarded them. It would no longer do for the Union merely to tolerate slavery: the federal government must actively undertake the extension and protection of it; the Northerners must change their sentiments and declare it to be right. Failing this complete surrender on the part of the North, the Southern leaders were determined to break up the Union and to establish a slave republic in the South. Probably they expected little resistance from the people of the North; they certainly had no fears as to the outcome of civil war, should it take place. They were laboring under some of the most curious delusions which the student of history meets in the whole course of his work. To comprehend the history of the next six years, it is necessary to understand the material conditions of the country as a whole, and those of the two sections respectively.

Numbers,  
1860.

**319. Population, 1860.**—The population had increased from slightly under thirteen millions in 1830 to over thirty-one millions in 1860. The increase had been especially rapid since 1850, when the population numbered twenty-three millions. A large part of this growth was due directly to immigration, which had gathered in volume every decade. The total immigration of these thirty years amounted to nearly five millions (4,902,000). Of these newcomers about six hundred thousand came in the ten years 1831–40, more than seventeen hundred thousand in 1841–50, and over two and one half millions in 1851–60; the largest number in any one year before the Civil War was four hundred and twenty-eight thousand in 1854. This ever-widening stream of immigration was owing largely to causes over which the United States had no control.

Immigration,  
1830–60.

The period extending from 1830 to 1860 was a time of unparalleled distress and disorder in Europe: on the continent revolution succeeded revolution, while a terrible famine swept off a large portion of the people of Ireland

and made it difficult for the survivors longer to live in the old home of their race. From all parts of northern and western Europe immigrants poured into the United States. Great material prosperity and unusual personal liberty drew them to the states of the federal union in preference to Canada or Mexico or to the Australian or African colonies of England. These immigrants brought little with them; unskilled labor was their stock in trade; but this was what America needed. These strong men built the cities and railroads of the North, and added thousands of acres to the fields of corn and wheat in the West. Politically, their coming was of the greatest importance: in the crowded cities they often interfered sadly with the cause of good government, mainly through ignorance; but as far as national politics was concerned, their presence was a positive good. For years the United States—the great republic beyond the sea—had been to them as a star of hope in the western sky: they knew nothing of the states, individually, and for them states' rights had no charm; the United States was their adopted home, and when the time came to show their devotion, they responded most heroically. Nor was this matter one of small moment: in 1860 the foreign-born residents formed over thirteen per cent of the total population of the country. Unskilled white labor played little part in the development of the South; the immigrants settled almost entirely in the North, and formed nearly one quarter of the population of that section. In many parts of the West they were the majority of the inhabitants.

**320. Distribution of the Population, Area, etc.**—Since 1830, one million square miles had been added to the national domain. This addition included Texas, Oregon, and the territory acquired from Mexico in 1848 and in 1853, when forty-five thousand square miles were purchased from Mexico—known as the Gadsden Purchase, from the name of the negotiator on the part of the United States (map, § 303). The total area of the United States was now over three million square miles, in comparison with two

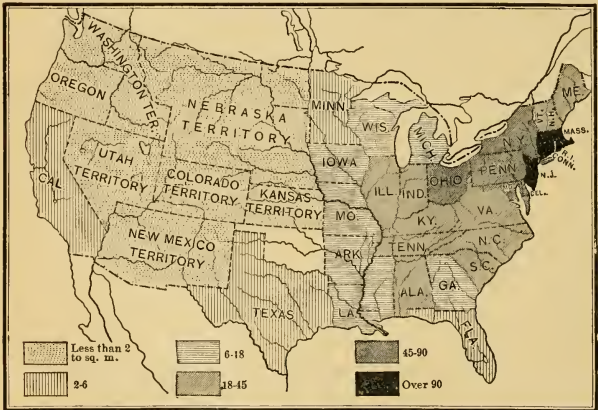
Analysis of  
population.

Area.

millions in 1830 and less than eight hundred and fifty thousand in 1783. The settled area had increased even more rapidly—from six hundred and thirty thousand square miles in 1830 to nearly twelve hundred thousand square miles (1,194,754) in 1860.

Center of  
population,  
1860.

The center of population moved westward with ever-increasing rapidity—one hundred and ninety-one miles



Density of population, 1860

in the years 1830-60, in comparison with one hundred and twenty-five miles in the preceding thirty years (map, § 213). The western progress of this artificial point during the last decade (1850-60) was owing to the rapid settlement of California and Oregon, and shows how misleading and inaccurate it is as denoting density of population or national growth: in 1850 twelve persons at San Francisco had as much weight in determining this artificial point as forty at New York. Nevertheless, until 1850, and after 1870, the movement of the center of population

indicates in a rough way the growth of the population of the several sections. Since 1830 nine states had been added to the Union, and another, Kansas, was demanding admission: of those admitted, Arkansas (1836), Florida (1845), and Texas (1846) were slave states; the other six were free states: Michigan (1837), Iowa (1846), Wisconsin (1848), California (1850), Minnesota (1858), and Oregon (1859). It should be noted that the admission of California gave the free states a majority in the Senate, which was further increased by the admission of Minnesota and Oregon.

**321. Slave and Free Sections Compared.**—The area of the United States open to slavery was vastly larger than that preserved to freedom. Much of the former was still unoccupied, but the settled area given over to slavery was greater than that devoted to freedom. The settled slave region was as fertile as any part of the United States. It contained enormous stores of coal and iron and possessed vast water powers, great forests, and a climate in every way suited to all kinds of human occupations. Yet, with these great natural advantages, the slave states contained only twelve million of the thirty-one million inhabitants of the United States. Moreover, as slaves formed fully one third of the population of the Southern states, the white population of the slave and free states was in the proportion of eight to twenty. The effect of slavery in limiting population will become apparent by a study of the accompanying map, showing the density of population by states. It will be seen, for instance, that only two slave states, Maryland and Delaware, contained over forty-five inhabitants to the square mile, and five states fewer than eighteen to the square mile. On the other hand, four free states contained over ninety persons to the square mile and three large free states, New York, Pennsylvania, and Ohio, between forty-five and ninety. Indeed, two Northern cities alone contained more people than the state of South Carolina or of Texas, while one Northern city held more free whites than any slave state.

Influence of  
slavery.

Northern  
cities.

The growth of Northern cities had been wonderful. The urban population of the country, as a whole, had increased from eight hundred and sixty-four thousand in 1830 to over five millions in 1860. In 1830 less than seven per cent of the population had been gathered into cities; in 1860 more than sixteen per cent was classed as urban. The opening of the commercial route from the Great Lakes to the seaboard by the Erie canal and the Hudson River had contributed greatly to the increase of the population of the two cities at the ends of the line, New York and Chicago. In 1830 the population of New York numbered less than two hundred thousand; by 1860 it had increased fourfold, and now numbered eight hundred and seven thousand. Chicago in 1833 had thirty-three names on the voting list; in 1860 more than one hundred thousand persons lived within its limits.

Southern  
cities.

There were many other large cities of from one hundred thousand to five hundred thousand inhabitants, — Philadelphia, Brooklyn, Boston, Cincinnati, Buffalo, and Newark. There were only three cities south of Mason and Dixon's line with over one hundred thousand inhabitants, — Baltimore, New Orleans, and St. Louis. Of these, New Orleans alone was situated within the limits of the states which seceded. In the North, also, there were very many manufacturing towns, growing rapidly and increasing in number. In the South there were no manufacturing towns and almost no commerce. Of the one hundred and seven cotton mills in operation, only eight were in the South; of the thirty thousand miles of railroad, but ten thousand were in the South. To all intents and purposes, the slave states were socially, economically, and commercially where they were in 1810. "Alone in all the world she [the South] stood, unmoved by the 'whirl and rush' of modern civilization," said one Southern man. "From the rattle with which the nurse tickled the ear of the child to the shroud for the dead," said another, "everything that the Southerners used came from the North."



322. **Transportation.** — The first period of railway building ended in 1849; there were then between six and seven thousand miles of railways in the country. Ohio, Indiana, and Illinois were still open fields. Between 1849 and 1858 there was great activity in railway construction: more than twenty-one thousand miles were built in those years. There was then a slackening, owing to the panic of 1857, but by the outbreak of the Civil War there were thirty thousand miles in operation. The maps of the northeastern states had begun to take on that gridironed appearance which is so familiar to the map reader of the present time. At the same time that the railway system was being extended existing lines were connected and worked in harmony. In 1850 one could not go by rail from New York to either Boston or Albany, as the journey was broken in places by water transport; in 1860 one continuous line of rails stretched from New York to the Mississippi.

Railway  
building,  
1830-60.

The great extension of the railway lines in the newer states west of the Alleghanies was due largely to the stimulus which came from congressional grants of lands to the railroads in that section. This process was begun in 1850 by a grant in aid of the Illinois Central. Congress gave to the state of Illinois every alternate section of the public lands on either side of the proposed railroad, and the state, on its part, turned over the land grants to the railroad company in consideration of a cash payment and a percentage of the gross receipts of the road when built. This policy was repeated in the case of other roads, and no less than one hundred and eighty million acres of the public lands were given in aid of the building of railroads, especially in the "Old Northwest," but the privilege was sometimes abused by dishonest and greedy railroad promoters.

The land  
grants.

During the same period water transport, both domestic and foreign, greatly increased. There was often the most criminal recklessness in the management of steamboats, especially on the interior waterways. In 1852, on the motion of Senator John Davis of Massachusetts, Congress passed an

Steamboats.

The  
mercantile  
marine.

excellent act for the regulation of steam traffic on the water. This law, with some changes suggested by later experience, is still in force.

American maritime industry was at its highest point in the decade before the war. In 1861 the tonnage of the United States exceeded that of any other nation: no less than five and one half million tons of shipping was registered under the American flag, in comparison with four and one half millions on the British shipping list. In 1860 three quarters of the exports of the United States were carried in American vessels.

Cause of  
prosperity,  
1840-60.

**323. Material Prosperity.** — Mr. Rhodes, in his interesting chapter on the condition of the country in 1860, asserts "no one can doubt that from 1846 to 1857 the country was very prosperous." This prosperity was the result of a fortunate combination of many causes, among which may be mentioned the rapid settlement of the national domain, the great extension of lines of railroad, and the large increase of foreign commerce, especially with Great Britain. The first two of these have been described in preceding sections; it will be well to consider the last more in detail. The imports and exports of the United States had trebled in value since 1830. The increase in imports was due in part to the great demand for manufactured iron in the construction of railroads, and to the increased use of other foreign manufactures, owing to the low rates of impost under the Walker Tariff. In part, also, it was due to the importation of raw materials for the use of American manufacturers. The growth of exports was owing largely to the repeal of the British corn laws, and the establishment of free trade which took place at the same time. The repeal of the corn laws permitted the importation of cheap food stuffs into England. It greatly diminished the cost of living there, especially among the workers; and made it possible for them to accept lower wages. The abolition of duties on the raw material of manufacture, and the low cost of labor, enabled English manufacturers to gain control of the markets of the

world. British manufacturing industries were greatly stimulated, and the demand for raw materials kept pace with the increase in manufacturing. The cheap food stuffs and the most important raw materials were provided by the United States: in 1860 one hundred and seventy-three million bushels of wheat were grown, of which twenty-five thousand were raised west of the Mississippi, and the corn crop of that year amounted to over eight hundred million bushels. The demand for cotton by British and Northern spinners had stimulated the cultivation of that plant; the South produced about seven eighths of all the cotton grown in the world; the crop of 1859 amounted to four million six hundred thousand bales, the largest crop grown before the war. The demand for cotton was constantly outstripping the supply; in 1860 the consumption exceeded even the large crop of that year; Northern manufacturers used one and one half million bales, and four and one half millions more were exported, mainly to Great Britain.

The epoch under review also witnessed a great increase in manufacturing enterprises in the United States, which is the more notable in view of the fact that these were the years when the duties on imported goods were lower than at any time since 1824. Furthermore, the period of greatest expansion was in the decade 1850 to 1860, when the duties were at the lowest. A few figures will serve to show the extent and character of this growth; the capital employed in manufacturing had increased nearly fourfold, the number of hands employed had more than doubled, and the value of the manufactured product had grown from one thousand millions in 1850 to over four thousand millions in 1860. In this great industrial activity the South had little part: Virginia produced fifty and one half million dollars' worth of manufactured commodities; no other Southern state produced as much. New England still led in cotton manufacturing; in 1860 there were five million spindles in operation in the United States, of which over four million were in the New England states. The iron industry had also thriven,

Manufacturing industries.

and the mines of coal, iron, copper, and gold were beginning to yield their wonderful stores ; but the period of expansion of the iron and coal industries belongs to the thirty years following the outbreak of the Civil War, and will be described in a succeeding chapter.

Inventions.

It has already been noted how unfruitful the American mind was before 1800. By 1830 its genius had begun to unfold itself, and the thirty years between Jackson's and Lincoln's inaugurations were marked by great and wonderful inventions. The electric telegraph and the reaper have been already mentioned (§ 302). The first locomotives built in the United States were framed on English models, and the coaches were like those still in use in England. Soon, however, new types were developed, better suited to American roads and to the needs of American travelers. The breech-loading rifle, the harvester, and the sewing machine all belong to the decade immediately preceding 1860. The year 1852 saw the electric fire-alarm system in successful operation, and in 1853 the first practicable steam fire engine made its appearance. In 1858 an electric cable was laid under the Atlantic Ocean ; it stopped working, however, almost immediately, and the first successful cable was opened to business in 1866. By 1860 the growth of large fortunes had begun : this growth was coeval with the railroad and the telegraph, and at the same time poverty had become more marked. This was largely due to the poorer quality of many of the immigrants who came over in these years.

The Panic  
of 1857.  
Rhodes's  
*United  
States*, III,  
38-55.

**324. Financial Policy, 1857-1861.**—It seems to be unfortunately true that commercial successes are always followed by periods of great depression. The outburst of activity of Jackson's "reign" was followed by the panic of 1837. Similar causes—too much speculation, too rapid railroad building, too great locking up of capital in mills and factories—brought on a stringency in the money market, which in turn led to a financial crash in 1857. From this the country had scarcely recovered when the Civil War broke out. Many persons, instead of attributing the financial

stringency to its true cause,— the great expansion of commercial credit,— believed it to be the result of the government's collecting more revenue than it expended. Congress, therefore, modified the Walker Tariff by reducing duties to a lower point than they had reached since the enactment of the tariff of 1816. This was done in 1857, and for three years thereafter the people lived under a lower tariff than they had done since the War of 1812. The period of depression following the panic of 1857 caused the revenues to fall off, and in 1861 Congress again took the tariff in hand. A bill was introduced by Senator Morrill of Vermont, and passed before the close of Buchanan's term (1861). It changed the *ad valorem* duties of the Walker Tariff to specific duties, and generally increased the rates, especially on iron, and, in addition, laid a tax on wool imported. In 1860 the income of the general government was fifty-five million dollars, and its expenditures ten million more; the national debt at that time was less than sixty-five million dollars. It will be interesting to remember these figures when we come to consider the financial position of the government during the war, and, later, in the great period of material development which followed its close.

**325. Mental Activity.**— The increasing fertility in invention came at a time when the people began to change their ideas as to learning and the cultivation of the intellect. Popular lecturers, as Wendell Phillips, Henry Ward Beecher, and John B. Gough, traveled about the country instructing and stimulating thousands of minds through the medium of the "lyceum" system of lectures. Emerson, also, was listened to from the platform, and read with eagerness. Prescott, Bancroft, and Motley were doing their best work, and Francis Parkman had begun his study of "the warfare of the forest," which has since borne such splendid fruit. George Ticknor was bringing the literature of Spain to the notice of his countrymen; Longfellow, Whittier, Lowell, Holmes, and Bryant were all writing. Bryant also edited a newspaper, and Horace Greeley had founded the New York

Tariff of  
1857.  
Rhodes's  
*United  
States*, III,  
41-56.

Morrill  
Tariff, 1861.  
Rhodes's  
*United  
States*, III,  
57-59.

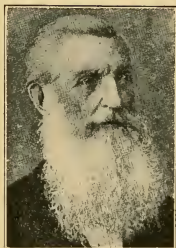
Mental  
activity.



*F. Parkman*



*Jared Sparks*



*Gallatin*



*A. A. Phelps*



*Washington Irving*

*Tribune*, which for a long time exercised a remarkable influence upon the public mind. George William Curtis had begun his career as an essayist, and Hawthorne and Mrs. Stowe were at work creating an American literature of fiction.

With this mental awakening had come a distinct improvement in private morals, and a remarkable diminution in habits of drunkenness among the people of the North. On the other hand, physical exercise for the purpose of building up the body does not appear to have been at all appreciated, and the bodily health of the Northern people was never at a lower ebb than in 1860. In the South, life was freer, and there was more outdoor exercise; but the food of the Southern people was even more unwholesome than was that of the Northerners. Moreover, apart from politics, there was a complete mental stagnation at the South.

**326. Election of 1860.** — Up to this time the Democratic party had remained united — at least outwardly. Now, however, the demands put forth by the slave power were more than Northern Democrats could endure. The Democratic National Convention met at Charleston, South Carolina, in April, 1860. The Northern Democrats, with Douglas for their candidate, were willing to accept the Dred Scott opinion, and any decision which the Supreme Court might make as to slavery. The Southerners demanded that the convention should lay down as one of the principles of the party that Congress should assume the protection of slavery in the territories; they also declared that the Northerners must advocate slavery and acknowledge that slavery was morally right — nothing else would satisfy the South. The Northern delegates were in the majority; they adopted the Douglas platform and the Southern men withdrew. The convention then adjourned to Baltimore in the hope that time would bring about a reconciliation. In the end, the Northern Democrats nominated Douglas, and the Southern Democrats Breckinridge.

The moderate men of all parties and the remnants

Election of  
1860.  
Schouler's  
*United  
States*, V,  
454-469;  
Stanwood's  
*Presidency*.

Split in the  
Democratic  
party.  
Rhodes's  
*United  
States*, II,  
440.



*William Cullen Bryant*



*R. Waldo Emerson*



*John Greenleaf Whittier*



*Oliver Wendell Holmes*



*H. Wadsworth Longfellow*

American poets

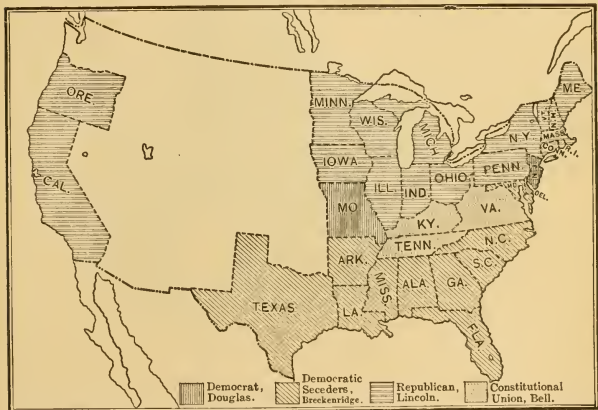
For portrait of Longfellow see p. 414.



of the Know-nothings held a convention, and nominated Governor John Bell of Tennessee for President, as the candidate of what they termed the Constitutional Union party.

Constitutional Union party.

The Republicans held their convention at Chicago in May, 1860, and adopted a studiously moderate platform. They denied any intention to interfere with slavery in the states, which in their opinion was a matter for the voters of



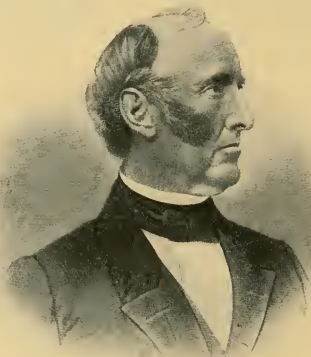
Election of 1860

each state to settle for themselves whenever and as often as they pleased. They demanded, however, that Congress should prohibit slavery in the territories—for them the Dred Scott decision had no validity. They also declared in favor of the protective system and internal improvements at the charge of the general government.

The selection of a candidate for the presidency proved to be difficult. Seward and Chase were the most prominent leaders in the party; but they had been “too conspicuous,” and Seward was regarded as a visionary. Lincoln was com-

Nomination of Lincoln. Rhodes's *United States*, II, 456.

paratively unknown; he had few enemies, and was strong in the doubtful Western states which had been carried by the Democrats in 1856. His "availability," to use a modern political phrase, commended him to the delegates; but his nomination was hastened by the transfer to him of the votes of fifty delegates who were pledged to Cameron



Wendell Phillips

of Pennsylvania. This transfer was made in consequence of a promise given by Lincoln's friends that Cameron should have a cabinet position; it should, however, be said that this was in opposition to Lincoln's express direction. His nomination was received with some indignation by the abolitionists. "Who is this huckster in politics?" demanded Wendell Phillips, who declared that Lincoln was "the slavehound of Illinois." The Garrisons, in the biography of their father, have declared that "to the country at large he [Lincoln] was an obscure, not to say an unknown man." It is certain that few persons then realized the grandeur of

Lincoln's character, his splendid common sense, and his marvellous insight into the real nature of things.

The dissensions in the Democratic party, in combination with the growing sentiment in the North against the further extension of slavery, resulted in the election of Lincoln by an overwhelming majority of electoral votes. He polled fewer votes in the country at large, however, than his rivals, and his plurality in several Northern states was very small.

Election of  
Lincoln,  
1860.

327. **Secession Threatened, November, 1860.** — Alone of all the states, South Carolina adhered to the undemocratic practice of choosing presidential electors by vote of the legislature, instead of by popular vote, as in every other state. The South Carolina legislature assembled to perform this duty, chose electors pledged to Breckinridge, and remained in session until the result of the election was assured. When it became certain that Lincoln was elected, it passed measures for the military defense of the state, and summoned a state convention to meet on December 17 (1860). To this latter action, it was urged by the governor, who had ascertained that other Southern states would probably cooperate with South Carolina in whatever steps it was deemed advisable to take.

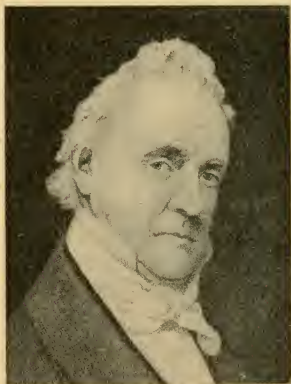
Threats of  
secession.  
Schouler's  
*United  
States*, V,  
469;  
Rhodes's  
*United  
States*, III,  
115.

The legislature of Georgia assembled on November 8. In that state there was a good deal of opposition to the plans of the Southern leaders. Alexander H. Stephens, one of the foremost men in the South and long one of Georgia's representatives in the Federal Congress, made a strong speech in opposition, from which a few sentences are here given: "The election of no man, constitutionally chosen to the presidency, is sufficient cause for any state to separate from the Union. Let the fanatics of the North break the Constitution . . . let not the South, let not us, be the ones to commit the aggression." Nevertheless the Georgia legislature followed South Carolina's example and summoned a state convention, as did the legislatures of several other Southern states.

*Contem-  
poraries*, IV,  
No. 53.

Buchanan's message, 1860.  
 Schouler's *United States*, V, 471;  
 Rhodes's *United States*, III, 125.

328. **Compromise Suggestions.** — Congress met on December 8, 1860, and listened to the reading of Buchanan's last message. The President appeared to think that the movements in the South looking towards secession were partly justified by the antislavery agitation in the North — apparently there was something sacred in slavery which placed it on a different ground from a rotten civil service or a protective tariff. The "personal liberty laws" were also



James Buchanan

mentioned as justifying the attitude of the South. Buchanan did not believe with the Southern Democrats that secession was a legal right; on the contrary, he deemed it illegal. He thought, however, that there was no constitutional means whereby the secession of a state could be prevented. A state could not be coerced. It does not seem to have occurred to Buchanan that the Constitution had been expressly constructed to

afford the general government the power to coerce individual men who interrupted the due execution of the federal laws. Later on, under the stress of war, the Northern Democrats invented a convenient doctrine that a Northern "sovereign state," as Pennsylvania, might wage war on a Southern "sovereign state," as South Carolina, through the agency of the general government. In his message, the President also suggested the adoption of amendments to the Constitution securing slavery in the states where it existed and in the territories, and compelling the release of fugitive slaves.

Buchanan was a Northern man, a Pennsylvanian ; but he had been long under the influence of Southern leaders and seems at this time to have fallen in completely with their schemes.

**329. The Crittenden Compromise.** — Another and more promising attempt to arrange matters was proposed by Senator John J. Crittenden of Kentucky. He suggested that amendments to the Constitution should be adopted : (1) to secure the fulfillment of the Missouri Compromise ; (2) to provide that states should be slave or free as their constitutions should dictate ; and (3) to make it the duty of Congress to secure the return of fugitive slaves to their masters or pay the value of the fugitive to the claimant. Mr. Rhodes thinks that this scheme might have furnished the basis for a compromise, but other writers hardly agree with him. The plan was finally rejected on March 2, 1861, two days before Lincoln's inauguration.

**330. Secession of Seven States, 1860-1861.** — On the day (December 17, 1860) that Senator Crittenden brought forward this conciliatory proposition, the South Carolina convention met at Charleston. "Commissioners" and leading men from other Southern states were present to urge haste, but there was at least one memorial urging delay ; it was suppressed. Three days later the convention adopted unanimously an "ordinance to dissolve the Union between the state of South Carolina and other states united with her under the compact entitled 'The Constitution of the United States of America.'" It also adopted a "Declaration of the immediate causes which induce and justify the secession of South Carolina from the Federal Union." Before March, 1861, six other states had joined her : Mississippi (January 9, 1861), Florida (January 10), Alabama (January 11), Georgia (January 19), Louisiana (January 26), and Texas (February 1).

Nothing shows more clearly the stagnation of Southern constitutional life than the action of these conventions. They proceeded precisely on the lines of the conventions of the Revolutionary epoch. The democratic spirit of the nineteenth century, which had so profoundly influ-

Crittenden  
Compromise  
scheme,  
1860.

Schouler's  
*United  
States*, V,  
504 ;

\* Rhodes's  
*United  
States*, III,  
150 ; John-  
ston's *Ora-  
tions*, III,  
275-293.

Secession of  
the cotton  
states,  
1860-61.

Schouler's  
*United  
States*, V,  
488-492 ;

Rhodes's  
*United  
States*, III,  
196.

enced political action in the North, had not produced the least effect in the South. Only one of these ordinances of secession was submitted to the people for ratification, and that one (Texas) only because the election of delegates to her state convention had been so irregular that it could not well be avoided. The conventions which had been elected to consider this question exercised the power of the people of the states which had chosen them, and did many



The United States, 1861

things which probably the majority of the voters had no thought of authorizing. Spurred on by the political chiefs, the conventions elected delegates to a "constitutional convention," which met at Montgomery, Alabama, February 4, 1861. This convention adopted a provisional constitution for the "Confederate States of America," whose principal business was "to recognize and protect . . . the institution of slavery as it now exists in the Confederate States." The convention also chose Jefferson Davis provisional

Confederate  
States'  
Constitution,  
1861.

president and Alexander H. Stephens provisional vice-president of the Confederacy. Davis had no fear of war, but "if war must come, it must be on Northern and not on Southern soil," he said; "we will carry war where it is easy to advance, where food for the sword and torch awaits our armies in the densely populated cities." On his return to Savannah, Stephens addressed his state compatriots in language whose strange sound shows how completely the South was out of sympathy with modern civilization. The new government's "foundations are laid, its corner stone rests upon the great truth that the negro is not equal to the white man; that slavery, subordination to the natural race, is his natural and normal condition. This our new government is the first in the history of the world based upon this great physical, philosophical, and moral truth."

Jefferson  
Davis.

A. H.  
Stephens,  
Stedman and  
Hutchinson,  
VII, 162;  
Johnston's  
*Orations*, IV,  
39-50.

**331. The Underlying Cause of Secession.**—A student who knows nothing from personal experience of the passions and humors of that time finds it difficult to understand why Lincoln's election to the presidency should have impelled the Southerners to stake their prosperity and their institutions on the uncertain issue of civil war. Lincoln had gained a large majority in the electoral college,—one hundred and eighty votes to one hundred and twenty-three for the other three candidates combined. His opponents, however, had received nearly one million more votes than he had obtained. The Republicans would be in a minority in the new House of Representatives, and the Senate would be hostile to them. No possible immediate danger threatened Southern institutions: the Republicans could not have legislated against slavery, had they so desired. It is extremely probable that, had the South remained in the Union, it would have taken years to bring about abolition. The levying of war by the seceded states, and the departure of their representatives and senators from Congress, changed the whole course of affairs, as will appear in a moment.

Measure  
of the  
Republican  
triumph,  
Johnston's  
*Orations*,  
III, 211.

The leaders of opinion in the South thought they saw in the aroused moral sentiment of the North immediate danger

Fears of  
Southern  
leaders.

to Southern institutions. For years they had held the chief power in the national councils; in the future they would have to take the second place. It is also reasonably certain that they felt the sting of the moral reproach under which they were living, and they must have realized that in the nature of things slavery was doomed to extinction at some future time, though when and by what means it would be brought about, no one could say in 1860.

The mass of the Southern voters, who elected the secession conventions and agreed to secession, had no thought of permanent separation from the Union when they cast their ballots. They expected to make better terms for themselves out of the Union than could be gained while members of it. Stephens says that it was this argument which brought about the defeat of the Southern moderates in 1860. The step of secession once authorized, the further step of Southern confederation was taken without again obtaining the sense of the voters. It must be admitted, however, that after the conflict was once begun, the Southerners were practically unanimous for its prosecution. No doubt it is true that only three voters in ten were slaveholders, and that only two million whites were supported directly by the forced labor of negroes, but the slaveholders were the leaders of public opinion. They were distinctly in a minority, but the majority followed blindly whither they led.

Rhodes's  
*United  
States*, I, 345.

Southern  
blunders.

**332. Southern Blunders.**—The slaveholders were in a minority in the South, the Southerners were in a minority in the country as a whole, and the South—economically and numerically—was hopelessly inferior to the North. Notwithstanding this, the Southern chiefs seem never to have looked the facts squarely in the face and asked themselves what the cost of failure would be. Perhaps they never deemed failure possible: the Northerners had often yielded to their furious attacks; why should they resist now? Prudent leaders in these circumstances would have done nothing to increase the fighting strength of their opponents; the Southerners did their best to augment it. They formed



a new government and waged war on the Union. The withdrawal of their representatives and senators made the Republicans supreme in Congress and gave the President the support of the legislative branch. Their attack on the Union soldiers at once brought the President's "war powers" (§ 188) into operation, and aroused hostile sentiment in the North as nothing else would have done.

In time of peace the President's functions are limited; in time of insurrection and civil war it is difficult to discern a limit to his authority—except the approval of the mass of the nation. He is obliged to see to it that "the laws are faithfully executed"; he is the commander in chief of the land and naval forces of the United States, and there is no limit to his use of this power. In time of war, too, civil institutions give way to military authority. "So far from it being true," said ex-President Adams in 1842, "that the states where slavery exists have the exclusive management of the subject, not only the President of the United States, but the commander of the army has power to order the universal emancipation." Six years earlier Adams had distinctly warned the slave owners of their danger: "From the instant that your slaveholding states become the theater of war," he said, "from that instant the war powers of the Constitution extend to interference with the institution of slavery in every way." Until 1860 the contest between slavery and freedom had been fought out in the halls of Congress, where the compromises of the Constitution protected the slaveholders at every turn; the conflict was now transferred to the field of battle, where the weaker combatant would have no protection whatever.

**333. Apathy of the Northerners.**—As soon as secession and confederation were accomplished, the Southerners set to work to possess themselves of the federal property in the South: they seized arsenals and forts without resistance; the administration remained passive or only uttered mild and unheeded protests. In this Buchanan and his advisers but echoed the general feeling in the North. "Let

The President's "war powers."

Apathy of the Northerners, Morse's *Lincoln*, I, 190.

the erring sisters depart in peace" was heard on every side. On February 23, 1861, Horace Greeley wrote in the *New York Tribune* that if the cotton states "choose to form an independent nation, they have a clear moral right so to do," and very many Republican journals agreed with him. Even as late as April 9 Wendell Phillips said from the lecture platform: the Southern states "think that their peculiar institutions require that they should have a separate government. They have a right to decide that question without appealing to you or me. . . . Abraham Lincoln has no right to a soldier in Fort Sumter." For a long time General Dix's famous telegram, "If any one attempts to haul down the American flag, shoot him on the spot," remained the only indication of a fighting spirit in leading circles of the government.

Albany  
conference.

While the tide of secession was at its height in the South, a convention met at Albany. It was composed of conservative men of all shades of political opinion, and was in the hands of those who believed coercion to be revolutionary. Later, in February, a peace conference was held at Washington. It urged on Congress the adoption of the Crittenden Compromise or of some similar plan. The march of events was too rapid for compromise; the Southerners relied too implicitly on their own enthusiasm and on the lack of spirit displayed by the men of the North.

The "War  
Governors."  
Andrew's  
Message of  
January,  
1861, is  
in *Old South  
Leaflets*, II,  
No. 8.

During this time of hesitation, the Republican current was still running strongly in the North. In January, 1861, many Republican governors were sworn into office — some of whom continued to occupy their positions during the conflict, or the greater part of it; they are known familiarly as the "war governors." To them the country owes the greatest debt. Recognizing the gravity of the crisis, some of them energetically set to work to prepare their states for war. For example, Andrew and Buckingham ordered large quantities of arms and military equipments. When the decisive moment came, they were able to send their state troops to the front within a day or two of the fall of Fort Sumter.

## SUGGESTIVE QUESTIONS AND TOPICS

As preparation for this chapter, trace the constitutional, economic, and social development of the nation by making continuous summary of portions of text underlined with identical colors; make continuous recitations from note-book on Slavery, Particularism, and Nationalism; review the Three Compromises of the Constitution, and trace the results of each from 1789 to 1861.

## §§ 319-326. THE UNITED STATES IN 1860

*a.* Trace the history of the policy of compromise which had marked the political history of the country since 1775. What was the effect upon the slave owners; upon the self-respect of the Northerners; upon national spirit? Which group—the Northerners, the Southerners, or the slave owners—do you respect the most? Is there any group of people during this time which wholly commands your respect? Give reasons for answer to each part of this question.

*b.* Explain fully how immigration aided in the preservation of the Union.

*c.* Study the maps showing density of population, and arrange the population of the several sections by states. What states and cities are referred to in the last lines of the first paragraph of § 321? Make other similar comparisons.

*d.* Explain fully the effect of the grants of public lands upon railroad development.

*e.* Trace the history of cotton raising from 1784 to 1890. What was the largest crop of cotton raised by slave labor; by free labor?

*f.* Study the lives of the men whose names are given in § 326.

## § 327. ELECTION OF 1860

*a.* Precisely what was the cause of the split in the Democratic party?

*b.* Why was Lincoln nominated? Had you been a member of the Chicago Convention, how would you have voted?

*c.* Bring to class a digest of the Republican platform of 1860, and discuss its principal features.

## §§ 328-332. SECESSION

*a.* Was the South wholly wrong in the struggle which culminated in secession? Upon the basis of a strict construction of the Constitution, did the South demand more than the Constitution justified? Prove your statements.

*b.* Summarize the compromise efforts of 1860-61. If you had been in the Senate in 1861, how would you have voted on the Crittenden Compromise, and why?

*c.* Secession: describe carefully the course of South Carolina; did all the cotton states actually secede? Explain carefully the difference of interests between the cotton states and the border states.

#### §§ 333, 334. THE NORTH AND THE SOUTH

*a.* Look up and describe the President's "war powers."

*b.* How do you account for the apathy of the Northerners in the winter of 1860-61? Explain conditions in the South which made it possible for a small minority of slave owners to dominate public opinion.

*c.* Upon what grounds could Phillips base his assertion that "Lincoln has no right to a soldier in Fort Sumter"?

#### HISTORICAL GEOGRAPHY

Represent in colors upon an Outline Map: (1) free soil, (2) slave soil, (3) states which cast their vote for Douglas or for Bell, (4) states which seceded before April, 1861, (5) states which seceded after that time.

#### GENERAL QUESTIONS

*a.* Represent upon a chart the origin and history of political parties from 1824 to 1860.

*b.* What entries under headings already in note-book must you make? What new headings does this chapter suggest?

#### TOPICS FOR INVESTIGATION BY INDIVIDUAL STUDENTS

*a.* Tabulate the electoral vote of 1860, and compare it with that of 1856 and of 1896.

*b.* Summarize Senator Crittenden's argument.

*c.* Compare Buchanan's and Andrew's messages.

## CHAPTER XIII

### THE CIVIL WAR, 1861-1865

#### Books for Consultation

**General Readings.** — Dodge's *Bird's-Eye View of our Civil War* (should be read by all students); Wilson's *Division and Reunion*, 216-252; Johnston's *American Politics*, 197-206.

**Special Accounts.** — Ropes's *Story of the Civil War*; Rhodes's *United States*; Morse's *Lincoln*; \*Stephens's *War between the States*; \*Davis's *Confederate States*; *Battles and Leaders of the Civil War*; Swinton's *Twelve Decisive Battles*; Boynton's *The Navy during the Rebellion*; \*Greeley's *American Conflict*; Mahan's *Farragut*. Biographies of the leading statesmen and generals, *Guide*, § 39.

**Sources.** — *American History Leaflets*; *Old South Leaflets*; Johnston's *American Orations*; Nicolay and Hay, *Abraham Lincoln*; McPherson's *History of the Rebellion*; Grant's *Memoirs*; Sherman's *Memoirs*; Moore's *Rebellion Record*. Writings of the leading statesmen and generals, *Guide*, §§ 46, 47.

**Maps.** — Dodge's *Bird's-Eye View*.

**Bibliography.** — *Guide to American History*, §§ 234-240.

**Illustrative Material.** — Scribner's *Campaigns of the Civil War*; Herndon's *Lincoln*; Thurlow Weed's *Autobiography*; McCulloch's *Men and Measures*; Greeley's *Recollections*; *The Sherman Letters*; Eggleston's *A Rebel's Recollections*; Jones's *A Rebel War Clerk's Diary*; Harper's *Pictorial History*; Garrison's *Garrison*, Lowell's *Commemoration Ode*, Biglow Papers, Second Series, and *Political Essays*; Whittier's *Anti-slavery Poems*, *Barbara Frietchie*, etc.; Moore's *Songs and Ballads of the Southern People*; Roe's *An Original Belle* and other stories; Coffin's *Winning his Way*; Harris's *On the Plantation*; Page's *Among the Camps*; Mitchell's *In War Time* and *Roland Blake*; Soley's *Sailor Boys of '61*; Stedman's *Occasional Poems*; Cable's *Strange True Stories of Louisiana*; Cooke's *Hilt to Hilt* and other stories; Trowbridge's *Drummer Boy* and other stories; Hapgood's *Abraham Lincoln*.

## THE CIVIL WAR, 1861-1865

Abraham Lincoln.  
Morse's  
*Lincoln*;  
Rhodes's  
*United States*, II,  
308.

334. **Lincoln's Policy, 1861.** — Abraham Lincoln admirably represented that which was best in American life. Under every disadvantage of birth and breeding, he raised himself by his own exertions to the level of the best statesmen of the day. His sincerity, his straightforwardness, his keen perception of right and wrong, were all enforced by a sense of humor and a kindness of bearing that endeared him to all with whom he came in contact.

Lincoln's  
first inaugu-  
ral, 1861.  
*American  
History  
Leaflets*,  
No. 18;  
Johnston's  
*Orations*,  
IV, 16-31.

On the fourth day of March, 1861, Lincoln entered upon the discharge of his duties as chief magistrate of the United States. In his inaugural address he stated the broad lines of the policy he intended to pursue. He began by declaring that he had "no purpose, directly or indirectly, to interfere with the institution of slavery in the states where it exists. . . . I have no inclination to do so." He held that in contemplation of universal law and of the Constitution, the Union of these states is perpetual, and he maintained that "the Union is much older than the Constitution." It followed from these premises, only partly set forth above, "that no state upon its own mere motion can lawfully get out of the Union; that resolves and ordinances to that effect are legally void.

"I therefore consider that, in view of the Constitution and the laws, the Union is unbroken; and to the extent of my ability I shall take care, as the Constitution itself expressly enjoins upon me, that the laws of the Union be faithfully executed in all the states. . . . In doing this there needs be no bloodshed or violence; and there shall be none, unless it be enforced upon the national authority." Lincoln believed that if the laws were enforced in the South wherever they could be executed without resort to arms, and if the mail service were regularly carried on, the Southern people would gradually come to their senses and repeal the ordinances of secession. At all events, he was determined that, while there should be no more trifling with the idea of

state sovereignty, the Southerners should be the aggressors if there must be aggression. He stated further, after a consideration of secession from the constitutional standpoint, that he understood a proposed amendment to the Constitution had passed Congress "to the effect that the Federal Government shall never interfere with the domestic institutions of the states, including that of persons held to service." As to such an amendment he declared that he had "no objection to its being made express and irrevocable. . . . In your hands, my dissatisfied fellow-countrymen, and not in mine, is the momentous issue of civil war. The government will not assail you. You can have no conflict without being yourselves the aggressors. You have no oath registered in heaven to destroy the government, while I shall have the most solemn one to preserve, protect, and defend it."

**335. Lincoln's Advisers.**—The new President gathered about him an able set of advisers. His three rivals for the Republican nomination, Seward, Chase, and Cameron, became the heads of the State Department, the Treasury, and the War Department respectively. Seward maintained his place during the war; but Chase was later appointed Chief Justice, and Cameron was displaced at the War Department in 1862 by Edwin M. Stanton, who continued to exercise the office of Secretary of War until after the close of the conflict. Gideon Welles of Connecticut was made Secretary of the Navy, and was ably seconded by Gustavus Vasa Fox, the Assistant Secretary.

Lincoln's  
cabinet.

At the beginning of his administration, Lincoln was still unfamiliar to those about him. Seward, Chase, and Cameron had long occupied leading positions at Washington, and no doubt felt somewhat uneasy in the position of advisers to their successful rival. Seward, at all events, regarded himself as the real head of the government, and proceeded to instruct Lincoln as to the policy to be pursued by the administration. The Secretary of State sketched out a bold plan of foreign aggression, quite unmindful of the moral obligations of the nation. In this way he hoped to reunite the

Lincoln and  
Seward.

two sections of the Union by thrusting the slavery dispute to one side. He also conferred with several Southerners who styled themselves "Commissioners from the Government of the Confederate States." Lincoln quietly set Seward in his proper place, and did it in a manner that showed his own capacity to manage affairs and his ability to handle men. During the whole course of the conflict, Lincoln exercised personally the great powers conferred on him — although he always asked the advice of the cabinet on important matters.

Fall of Fort Sumter, April, 1861, *Battles and Leaders*, I, 40, 83; Rhodes's *United States*, III, 357; *Contemporaries*, IV, Nos. 70-72.

**336. Uprising of the People, April, 1861.** — When Lincoln assumed charge of the government, only three or four military posts in the seceded states remained in federal hands. The most important were Fort Pickens, on the Florida coast, and Fort Sumter, in Charleston harbor. An attempt was made to reinforce the garrison of the former, but the officer in command of the vessel containing the soldiers refused to land them. To hold Fort Sumter in the face of the gathering opposition to the federal government was plainly impossible. The administration, however, determined to supply the garrison with provisions, and notified the governor of South Carolina of its intention. On April 12 the Southern guns opened on the fort, which surrendered April 14. Not a man had been injured, but the little garrison had been overcome by hunger and hardships. Great was the rejoicing at Charleston; at last the flag of the United States had been "humbled before the glorious little state of South Carolina," said the governor of that state.

Lincoln's Proclamation.

The next day, April 15, 1861, President Lincoln issued a proclamation calling for seventy-five thousand volunteers. The document was most admirably written, as were all of Lincoln's state papers, and contains the best statement of the points in dispute from a Northern standpoint.

"The laws of the United States," said the President, "have been for some time past, and now are opposed, and the execution thereof obstructed, in the states of South



Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings.

"Now, therefore, I, Abraham Lincoln, President of the United States, in virtue of the power in me vested by the Constitution and the laws, have thought fit to call forth, and hereby do call forth, the militia of the several states of the Union to the aggregate number of seventy-five thousand, in order to suppress said combinations, and to cause the laws to be duly executed.

\* \* \* \* \*

"And I hereby command the persons composing the said combinations aforesaid to disperse and retire peaceably to their respective abodes, within twenty days from this date."

Now at once appeared the results of Southern blunders. By their own acts, they had transferred the contest from the slavery question, upon which the Northerners were not agreed, to the ground of the preservation of the Union, upon which the Northern people were of one mind. Hundreds of thousands of men in the North and in the "border states" cared nothing for the struggle over slavery. They saw no reason why a Southerner should not carry his slaves where he wished without danger of losing them. The instant that the Southerners under another flag attacked the United States, their sympathies changed. Even the leading Northern Democrats could not bear this insult to the Union government. The Democratic ex-Presidents Franklin Pierce and James Buchanan

Rising of the North.  
*Battles and Leaders*, I, 84; *Contemporaries*, IV, Nos. 73, 74.

## TO ARMS! TO ARMS! VOLUNTEERS!

### To the Citizens of McLean County:

By virtue of the Proclamation of his Excellency, the Governor of the State of Illinois, the Sheriff of each County, (where there are no officers in command) is authorized to raise volunteer companies, and forward them to Springfield, the place of general rendezvous, to join the Illinois army in aid of the Federal Government, in the suppression of rebellion and insurrection:

Therefore, all persons that will volunteer, are requested to come to my office in Bloomington, and enroll; and as soon as companies are formed, they will be immediately forwarded to Springfield.

— — — — —

Each Company to consist of

One Captain,	Four Sergeants,	Two Drummers,
Five and 25 Lieutenants,	Four Corporals,	Eight Privates,

Each Company to elect their own Officers.

— — — — —

One Company has already been raised in Bloomington, and I hope to be able to raise one or two companies more in McLean County.

## OUR COUNTRY CALLS!

Let every Patriot that can leave his home and business for a time, promptly obey that call. I further propose that everybody meet in Bloomington, on MONDAY, 22d Inst., at 12 o'clock, to aid and counsel in the aforesaid object.

**JOHN L. ROUNT,**

SHERIFF OF McLEAN COUNTY.

Bloomington, April 22, 1861.

that the Southerners under another flag attacked the United States, their sympathies changed. Even the leading Northern Democrats could not bear this insult to the Union government. The Democratic ex-Presidents Franklin Pierce and James Buchanan

“came out for the Union,” and Douglas promised Lincoln his heartiest support. These facts, telegraphed throughout the country, turned many a doubting mind. Nobly Douglas redeemed his pledge: the remaining weeks of his life he traveled through the Northwest, arousing by his eloquence the people there to rally to the support of the Union.

Rising of  
the South.

In the South, even greater unanimity was displayed. The federal government at last was about to coerce a state, and to the Southerners' minds, filled with the doctrines of Calhoun, this seemed to be an attack on the rights of self-government dear to every man of English blood.

The “Border  
states,” 1861.

337. The “**Border States**,” 1861. — Between the free states of the North and the slave states of the cotton belt which had already seceded (§330), there stretched two tiers of slave states, the more southern of which — Virginia, North Carolina, Tennessee, and Arkansas — soon cast in their lot with secession (April to May, 1861). Only one of the border slave states, Delaware, unreservedly joined the North. In two others, Maryland and Kentucky, the politicians endeavored to set on foot a policy of neutrality which would have been very advantageous to the South; but the Union men were strong in both of them, and with encouragement from the government managed to maintain their states on the side of the North. The people of western Virginia had no sympathy with the secessionists of the eastern part of that state; they held a convention of their own and, with the help of a small federal army, seceded from Virginia, and later on (1863) were admitted to the Union as the state of West Virginia, although not without straining a point of constitutional interpretation.

Missouri.

In Missouri, the contest was for some time doubtful: the old native element was strongly in favor of secession, but a large body of more recent comers, mainly Germans, were as heartily in favor of the Union cause. Fortunately, there were two men in the state able and willing to use whatever power they had for the Union. These were Francis P. Blair and Captain Nathaniel Lyon, the commander of the United

States arsenal at St. Louis. They acted with such promptitude and with so much skill that the state was saved for the Union, although not without a prolonged struggle in which Lyon lost his life. It was not, however, until after the defeat of the Confederates at Pea Ridge in March, 1862, that the question of the control of the state was definitely settled in favor of the North.

**338. Military Strength of the North and South.** — The preservation of the northern border states to the cause of freedom and union, and the secession of West Virginia from Virginia, reduced the area to be conquered, and greatly weakened the power of those in rebellion against the federal authorities. The slave states, all told, contained twelve million inhabitants; the states which seceded contained less than nine millions. Of these only five and one half millions were whites, in comparison with a white population in the loyal states of twenty-two millions. There were but two million eight hundred thousand adult white males in the Confederate states, and the federal government had on its muster rolls more than one million men in May, 1865. How, then, did it happen that the secessionists were not crushed at the outset? Why did the contest endure for four years?

In the first place, the whole population of the seceded states was utilized for war. The able-bodied men were forced into the ranks at first by the violence of public opinion and later by a merciless conscription law. The old men, the women, and the children remained at home with the bulk of the slaves, and bent all their energies to providing the soldiers with food and supplies. But as the men were killed or kept in Northern prisons, there were no more to take their places in the fighting line. As state after state was conquered, the resources of the Confederate government visibly diminished, and as the blockade became more effective, the supplies of the necessities of modern warfare failed. The Southerners over-exerted themselves at the outset; in the beginning they presented a stern front to "the invader";

Strength of  
the com-  
batants.

Policy of the  
Southern  
government.

in the end they collapsed as no other conquered people have done in modern times.

Policy of the  
Northern  
government.

Far otherwise was it with the Northerners. Unused to arms but more accustomed to the management of great business enterprises, the Northern statesmen, when the departure of the Southerners from Congress finally gave them the control of the government, set about conquering the seceders with one hand, while they built up the industries of the North with the other. Long lines of new railroads opened up vast regions to settlement, a most liberal homestead law attracted migration to these new lands, and a high protective tariff enormously stimulated manufacturing enterprises. The North grew stronger in resources every year; every year there was a greater population from which to recruit the armies; every year there was a greater fund from which to draw revenue for the support of the war. The North was immeasurably better equipped for battle in 1865 than in 1861; but this vast industrial expansion absorbed the energies of a large portion of the adult male population.

Strength of  
the contend-  
ing armies.  
Dodge's  
*View*,  
116-121,  
322-324.

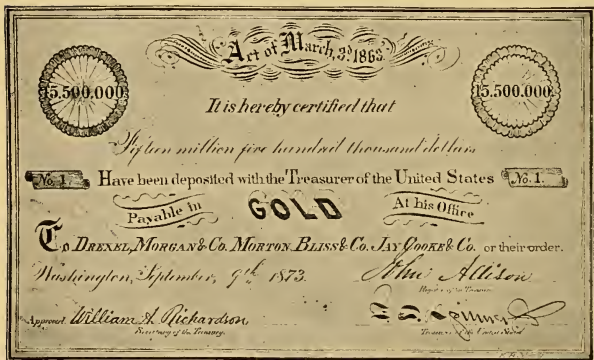
**339. Numbers.**—Colonel Theodore Ayrault Dodge, in the concluding chapter of his very interesting sketch of the Civil War, gives some statistics from which it appears that the Union soldiers were always more numerous than their opponents—at least on paper. For example, on the first day of July, 1861, the Union armies numbered one hundred and eighty-six thousand soldiers to some one hundred thousand on the other side. The Confederate soldiers in January, 1864, numbered nearly five hundred thousand. At that time there were about eight hundred and sixty thousand on the rolls of the Union army. Thenceforward the superiority of the Unionists constantly increased until in January, 1865, they outnumbered the secessionists two to one. As will be seen later on, whenever the figures are given, it will be found that the Union soldiers taking part in any one campaign or battle outnumbered the Southerners, and this was the case in other engagements which are not recorded here or whose numbers are not given. It is true,

therefore, that according to the only records that are preserved, the Northern soldiers outnumbered their opponents whether taken as a whole, or considered in portions by campaigns or battles. There are few things, however, so unreliable as statistics, and these figures especially must always be regarded with the greatest caution. The Union soldiers performed many services which in the Southern armies were discharged by slaves or not at all. For example, the Northern soldiers drove the supply trains, acted as servants, and constructed defensive works, all of which duties were performed by negroes for the Southerners. It probably would not be far from the truth to say that, until the last year of the war, the number of soldiers actually equipped and ready to take their places in the fighting line was about the same on both sides. The Confederates, also, by reason of their better knowledge of the country, their superior marching qualities, and their shorter interior lines, were able to reinforce their armies at the most important points with greater ease and speed than the Union authorities could. It was not until 1864 that the Union forces were really superior in numbers at all points.

**340. Northern Finances. 1861-1865.**—During the closing months of Buchanan's administration the federal government had become nearly bankrupt and had been able to fulfill its obligations only by means of loans at very high rates of interest. No sooner was the war begun than great pressure was felt not only by the general government but by the state governments, the municipalities, and financial institutions in general. Before the close of 1861 the banks everywhere suspended specie payments. Temporary expedients tided the government over the first months of the war. Congress assembled on July 4, 1861. It at once authorized a loan and raised the import duties. The Morrill Tariff (§ 324), passed in 1860, before the war was thought of, became the basis of new taxation, and from this time until the close of the conflict, not a session of Congress went by without some increase of the duties on im-

Northern  
finances,  
1861-65.

ports. The most important of these measures will be noted later. In February, 1862, Congress authorized the issue of one hundred and fifty million dollars of paper money and made them legal tender in payment of debts. Before the end of 1863, the amount was increased to four hundred and fifty millions. The premium on gold at once began to rise; in 1863 it reached one hundred and seventy per cent,



and in 1864 touched the highest mark, two hundred and eighty-five per cent. Prices and rents, of course, at once rose, and at the end of the contest were nearly ninety per cent higher than in 1861. Wages and salaries rose also, but not in a corresponding degree — not more than sixty per cent. From these facts it can easily be seen that the real cost of the war fell most heavily on the poorer classes — on those who had nothing to sell save their labor. This, indeed, is the invariable effect produced by inflation of the currency medium. Another source of funds to which the government had frequent recourse was the issue of bonds at high rates of interest to be paid for in the government's own depreciated currency. In all, the government incurred a

debt of the face value of two thousand eight hundred and fifty millions of dollars, or, including the outstanding paper currency or greenbacks, over three billion dollars.

**341. The National Banking System.**—As the contest deepened, it became more and more difficult to sell these bonds, no matter what the rate of interest or the amount of depreciation of the currency which could be paid for them ; the people had so little confidence in the stability of the government that they were not willing to lend money on any terms. Subscriptions to bonds fell off and a new expedient to dispose of them was invented. This was the national banking system, based on the New York state banking system. The first law on the subject was passed in February, 1863, and provided that any five or more persons with a minimum capital of one hundred thousand dollars—in very small places even less—might organize a national bank on depositing with the government United States bonds to the amount of one third of their capital. In exchange for these bonds, the government issued to the depositing bank, notes redeemable in greenbacks to the amount of ninety per cent of the value of the bonds deposited. A market for the bonds of the United States would be thus obtained, and a stable currency provided for the country. At first the response to this offer was not encouraging, but in March, 1864, Congress laid a tax of ten per cent on the circulation of the state banks, and they at once complied with the provisions of the act of 1863 and became national banks.

National  
banks.

**342. Increased Taxation.**—Irredeemable paper currency and bonds, even when helped by the national bank act, did not meet the needs of the government. In 1862 the source of revenue which had been discarded by Jefferson was again brought into use : by the Internal Revenue Act of that year Congress established a comprehensive scheme of excise taxation : specific taxes were imposed on the production of iron and steel, coal oil, paper, leather, and countless other manufactured articles, and a general *ad*

Taxation.

*valorem* tax on all manufactures not included in this category; licenses were required in many callings, and a general income tax was imposed; and steamboat, railroad, and express companies were also required to pay taxes on their gross receipts. Such a system of heavy taxes on goods manufactured in the country would have destroyed the protective nature of the tariff; it was necessary, therefore, to raise the duties levied on imports correspondingly. In

1864, the internal revenue system was enormously extended, and in connection with it another tariff act was passed which raised the duties on the protected articles out of all proportion to the new internal revenue taxes. The last act was passed after only five days' discussion, owing to the pressure of urgent need. It substantially remained in force for twenty years, although the high internal taxes which justified the high rates on protected goods were, meantime, largely lowered or entirely abolished.

**CONFEDERATE STATES**  
**ALMANAC**  
 FOR THE YEAR OF OUR LORD  
**1864**  
 BEING BISEXTILE, OR LEAP YEAR, AND THE 4th YEAR  
 OF THE INDEPENDENCE OF THE CONFEDERATE  
 STATES OF AMERICA.  
 CALCULATIONS MADE AT  
 UNIVERSITY OF ALABAMA.  
 PUBLISHED FOR THE TRADE BY.....  
**BURKE, BOYKIN & CO.,**  
 MACON, GA.  
 J. McPHERSON & CO.,  
 ATLANTA, GA.

Southern  
finances,  
1861-65.

343. Southern Finances, 1861-1865.—The ever-strengthening flood of industry in the North made it possible to raise large amounts by taxation, and, in combination with the success of the Northern armies after 1863, gave a basis for credit upon which to float large issues of bonds. The South had no similar resources. There was slight commercial activity in the seceded states during peaceful times, and almost no industry save the cultivation and exportation of large crops of cotton and tobacco. The Northern blockade of Southern ports effectually stopped this export trade, and put an end to the inflow of goods needed in everyday life.



The Southern government was unable to raise any large amounts of revenue by taxation; it necessarily had resort to loans and to irredeemable paper money. The bonds were issued at ruinous rates of interest; but no rates of interest could procure buyers in a country where there was no capital seeking investment. This source of income was soon exhausted, and the Confederate government began the issue of treasury notes, redeemable six months "after the close of the war." Before long, as the Union armies seized state after state, these notes depreciated. Then the Confederate Congress authorized the seizure of food for the army at rates to be fixed every sixty days; these supplies were paid for in bonds or treasury notes. As the war progressed, the depreciation of the treasury notes made them almost worthless. Wages and salaries rose slowly, but not at all in proportion to the rise in the prices of food and clothing. The sufferings of those Southerners who neither lived on their plantations nor served in the armies are almost beyond description. Nothing contributed more to bring about this wrecking of the life of the Southern people than the closure of their ports by the Northern cruisers.

**344. The Blockade.** — On April 19, 1861, President Lincoln proclaimed a blockade of the ports of the seceded states. At the moment, there were few vessels available for the patrol of the three thousand miles of Confederate seaboard. Before long, gunboats were improvised from coasting steamers, and even ferryboats were pressed into the service, while new war ships were built as rapidly as Northern shipyards could turn them out. Soon, the federal forces occupied important seaports, as New Orleans, and long stretches of coast, as the sounds of North Carolina. Month by month the blockade became stricter and stricter, until finally, after the fall of Mobile in 1864, Wilmington, North Carolina, was the only port accessible in any degree to blockade runners. These were mostly British vessels, owned and manned by British men. The blockade runners took on board their cargoes at Nassau, New Providence, one of the

The  
blockade,  
Dodge's  
*View*,  
ch. viii.

Mobile.  
Maclay's  
*Vazy*, II,  
445-504.

Bahama Islands. The goods were brought to that place from Great Britain in ordinary merchant vessels. The story of many of these blockading vessels and of their fearless commanders is most thrilling, and shows to what extent men will peril their lives for gain. As the blockade became harder and harder to evade, the profits of the successful blockade runner grew larger. In the last year of the war, insurance on the vessels rose nine hundred per cent over the rates of 1861, and captains' wages increased from thirty pounds to one thousand pounds sterling per month.

Effects of the blockade on the South.

Blockade running, however romantic its story may be, was a purely business venture. Rates of freight were enormous, — one hundred pounds sterling per ton. Of course useful, but bulky and cheap, goods could not be carried at this figure. The blockade runner's cargo consisted of small expensive articles, whose importation worked harm to the Confederacy. The Southern government endeavored to prevent this by forbidding the importation of luxuries, by fixing a maximum price on certain articles, and by reserving for its own use one half of the freight space on every blockade runner, at less than the ruling rates of freight. These measures reduced the profits of blockade running, decreased the number of vessels in that dangerous business, and thus greatly assisted the Northern government in its endeavor to cut off the people of the Southern states from intercourse with the outer world. A few examples will serve to show how well the Union government succeeded in that endeavor. In 1860 two hundred million dollars' worth of cotton was exported; in 1863 four million dollars' worth; toward the end of 1864, a pound of Sea Island cotton could be bought for four cents at Charleston and sold for two dollars and fifty cents at Liverpool. A ton of salt could be bought at Nassau for seven dollars and fifty cents, and sold at Richmond for seventeen hundred dollars in gold; a ton of coffee cost two hundred and forty dollars at Nassau, and five thousand five hundred dollars in gold at Richmond; finally, a bottle of brandy could be obtained at Liverpool

for seventy-five cents, and sold for twenty-five dollars in gold at Richmond.

**345. Characteristics of the Conflict.**—The war was mainly defensive on the side of the seceders, offensive on that of the Union soldiers. It is true that Southern armies occasionally invaded the loyal states; but they never advanced far, and were soon obliged to retire. The Northerners, on the other hand, undertook the conquest of the South and therefore were the attackers. Most writers on the art of war agree that defensive is easier than offensive warfare. Other writers are inclined to doubt the accuracy of this view, or, at all events, to maintain that the matter has been greatly overstated. They argue, for instance, that the invader can to a great extent choose his own time and place; he also can concentrate, while the defender is obliged to maintain many posts and be prepared to dispute several roads and passes by which the attacker can penetrate into the heart of the attacked country. In the Civil War, whatever the case may have been as to other wars, the advantage lay very greatly on the side of the defenders. The Alleghany Mountains and the Mississippi River cut the theater of war into three great sections; deep and numerous streams flowing eastward and westward from the Alleghanies constantly impeded the march of the Northern armies. On the other hand, the conquest of the states between the Alleghanies and the Mississippi would have been vastly more difficult had it not been for the water communication afforded by many of these streams, which was utilized to the utmost. Overland marching, however, was very difficult in the South: the railroads were few in number, but they were always repaired and used to the fullest extent. The land itself was thinly settled, and frequently covered by vast forests through which led poor "dirt" roads, impassable for artillery and army trains in wet weather. These stretches of wilderness were penetrated by numberless unused roads known only to the few inhabitants of the vicinity, whose sympathies were almost entirely on the side of the Southerners. These

Topography  
of the theater  
of war.

conditions were in favor of the defenders throughout the South, but more especially in the region fought over by the armies defending the political capitals of the combatants, — Washington on the Potomac and Richmond on the James. The Northern armies were probably better fed, clothed, and equipped than any army had been before 1860. Their very wealth hindered their movements in a region so poorly provided with roads as the South. On the other hand, the Southern soldiers seldom had much in the way of clothing or food to delay their movements. It was not until 1864 that the two armies can be said to have been on a footing of equality in this regard, and this was then gained by cutting down the impedimenta of the Northern armies to the smallest possible point consistent with continued efficiency.

Defense of  
Washington.

**346. Defense of Washington, 1861.** — Lincoln's proclamation calling for troops was issued on April 15; three days later a body of Pennsylvania militia reached Washington — most of them without arms. The next day, April 19, 1861, — the anniversary of Lexington and Concord, — the Sixth Massachusetts Regiment, hurrying to the protection of the capital, was attacked by a mob while marching through the streets of Baltimore, and several men were killed and wounded. Other troops made their way to Washington through Annapolis. Soon their numbers became so formidable that the disloyal element in Maryland was overawed, and the route through Baltimore permanently secured.

For four years Virginia was the battle ground of the two armies, — the one, the Army of the Potomac, defending Washington, and endeavoring to conquer Virginia and to capture Richmond; the other, the Army of Northern Virginia, endeavoring to defend Virginia and Richmond, to attack Washington, and to invade Maryland and Pennsylvania. The scene of the conflict in the East was mainly in Virginia, and a knowledge of the topography of that state is essential to an understanding of the nature of the contest and the difficult task which taxed the resources of the invading army.

347. **Theater of War in Virginia.** — Parallel to the Alleghany system, and east of it, rises a lower mountain range known as the Blue Ridge. Between it and the mass of the Alleghanies flows the Shenandoah River. Its course is generally northward, and it joins the Potomac at Harper's Ferry. The northern part of the valley is again divided into two valleys by a mountain mass through which a few roads run. This peculiar shape of the Shenandoah valley made it possible for a body of troops to defend itself against double or treble its own number, since, instead of retreating southward, it could retire northward around the other side of the mountain, as one boy sometimes escapes another by running around a table. In this case, the Confederate, by retreating, might really place himself nearer Washington than he was in the beginning. Harper's Ferry was commanded by the mountains surrounding it, and could be defended only by a very large force perched on these heights. The Potomac forms the northern boundary of Virginia, which is intersected by numerous large rivers having their sources in the Blue Ridge, and flowing parallel to the Potomac in a general easterly direction. The most northerly of these subsidiary streams is the Rappahannock, which at several places, as at Fredericksburg, approaches to within a few miles of the Potomac. The main branch of the Rappahannock is the Rapidan. South of these rivers, not far from their confluence, is a stretch of sparsely settled country known as the Wilderness; it contains several hamlets, among others, Spottsylvania and Chancellorsville. Another important stream is the York, formed by the junction of the Mattapony and Pamunkey. To the southward is the James, on which Richmond is situated. Between the York and the James flows the Chickahominy, which empties into the James. Another important branch of the latter stream, for the student of these campaigns, is the Appomattox. It flows into the James to the northward of Petersburg, which stands on rising ground some little distance back from the latter river, and to the south of it.

Railroads were not plentiful in Virginia. There was one line, however, which ran southward from the Potomac, nearly parallel to the Blue Ridge; at Manassas Junction, near a little stream called Bull Run, a branch joined it from the west, which communicated with the Shenandoah valley through Manassas Gap. There were of course many subordinate rivers and mountains, as well as "gaps" or passes, which are not mentioned here; there were also other railroads. The most important have been noted, and enough information given to enable the student to understand the strategy of the Virginia campaigns.

First battle  
of Bull Run,  
July, 1861.  
*Battles and  
Leaders*, I,  
167;  
Dodge's  
*View*, ch. iv,  
*Contempo-  
raries*, IV,  
No. 103.

348. **The Bull Run Campaign, 1861.** — The first object of the Union government was the defense of Washington; this required the possession of the Shenandoah valley and of the line of the Rappahannock. The Confederates hoped to prevent the former and to push the Union soldiers back to the Potomac. The control of the Manassas Gap Railroad was of supreme importance to both combatants, as its possessor would be able to reinforce his troops in the valley or on the Rappahannock with ease and speed. Manassas Junction, where this railroad joined the line from Washington to Lynchburg, was the key to the situation. McDowell, the Union commander, advanced southward from Washington to drive the Southerners back from the Manassas Gap Railroad; General Patterson, with another force, advanced up the valley to prevent the Confederates there from going to the aid of their comrades at Manassas Junction. At the critical moment Patterson did not attack, and set free his opponent, Joseph E. Johnston, who put his men on the railroad cars and transported them to Bull Run. This stream, a branch of the Potomac, protected the Confederate front. McDowell attacked vigorously, and for a time the Union soldiers had the best of the fight and victory seemed certain. Then the Union troops were divided and thrust back. They became panic-stricken and fled to Washington (July 21, 1861). The lessons to be learned from this defeat were plain enough, — there was nothing

which could not be repaired. The resolve of the North only became sterner and their efforts stronger because of it. General George B. McClellan, who had already won several small victories in West Virginia, assumed command. Meantime Congress had assembled. The President asked for authority to raise four hundred thousand men; Congress voted five hundred thousand. The President asked for four hundred million dollars; Congress authorized a loan of two hundred and fifty millions, and began that process of increasing the taxes which has already been noted (§ 342). Volunteers poured in to the defense of Washington. McClellan proved to be a great drillmaster, and the Army of the Potomac emerged from its winter quarters a thoroughly disciplined body of troops. The victory at Bull Run, on the other hand, had disorganized the Confederate army. "Our troops," wrote Johnston, "believed the war ended . . . and left the army in crowds to return to their homes."

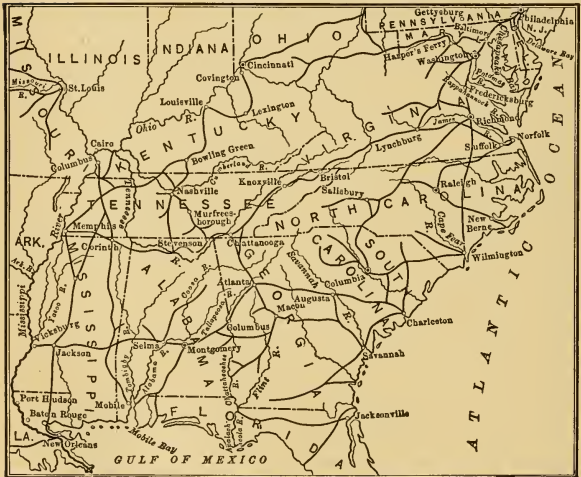
Johnston's  
*Orations*,  
III, 65-81.

349. **The Contest in the West, April, 1861, to February, 1862.** — Meantime, west of the Alleghanies events had been progressing more favorably for the Union cause. At first sight, these Western campaigns seem singularly disjointed and difficult to comprehend. A brief study of the topography of that section will greatly help to make the campaigns of 1861-63 clearer.

Topography  
of the West.

The region between the Alleghanies and the Mississippi, extending from the Ohio to the sources of the Tombigby and other rivers flowing southward into the Gulf of Mexico, is marked by several rivers having a general westerly direction, at least through a large part of their respective courses, all flowing eventually into the Mississippi. The most northerly of these rivers is the Ohio, forming the northern boundary of Kentucky, and the dividing line between slavery and freedom in that part of the United States. Before reaching the Mississippi, the Ohio turns sharply to the south. Cairo, the town which marks the junction of these two great streams, is situated farther south than Richmond, the chief political capital of the Confederacy. At almost the extreme

southern point reached by the Ohio, two important rivers join it from the south,—the Cumberland and the Tennessee. The former, rising to the west of Cumberland Gap, flows first southwestwardly, then westwardly, and turning sharply to the north, empties into the Ohio. The Tennessee, rising to the east of Cumberland Gap, flows in the same



Principal rivers and railroads of the South

general directions as the Cumberland—its southern bend lying far to the south, and its northward course extending for a much greater distance; it flows into the Ohio not far to the west of the Cumberland, the town of Paducah marking its mouth. These three rivers formed three natural lines of defense for the Confederates. The refusal of Kentucky to secede and the vigor and foresight of General Grant and the governor of Illinois prevented the Southern-



ers from so using the Ohio. Ulysses S. Grant had been educated at West Point, and had served with the colors during the Mexican War, but was engaged in business pursuits at the time of the firing on Fort Sumter. Entering into the contest with great energy, his military knowledge at once brought him to the front. He was stationed at Cairo. Seeing the importance of Paducah, he seized that place and thus gained control of the Ohio for the federal government.

In the first months of 1862, while McClellan held the Army of the Potomac inactive in its camps, the Western armies were up and doing. On January 19, General George H. Thomas defeated a Southern force equal to his own near Mill Springs, and compelled the Confederates to abandon the upper Cumberland valley.

Deprived of the control of the mouths of the Tennessee and Cumberland rivers, the Southerners had endeavored to close them to the use of the Union forces, who were strong on the water, by the erection of two forts at points where the rivers approach each other very closely before they join the Ohio, — Fort Henry on the Tennessee and Fort Donelson on the Cumberland. They were so near together that the garrison of one fort could reinforce that of the other. The command of the Tennessee was of great importance to both combatants; for if it passed into the hands of the Union forces, a highway would be open to them as far south as Alabama and Mississippi. In February, 1862, Grant, in co-operation with a naval force under Commodore Foote, captured the forts and the greater part of their garrisons, but not without inflicting severe hardships on the Union soldiers, who were exposed to the most inclement weather. The valleys of both rivers now lay open to the Union armies. In the following March, another Federal army, under General John Pope, seized New Madrid and Island No. 10, two formidable positions on the Mississippi River, and opened that stream to the Union forces as far south as Memphis.

General Grant.  
Rhodes's  
*United States*, III,  
594.

Capture of  
Forts Henry  
and Donelson,  
February,  
1862.  
*Battles and  
Leaders*, I,  
358;  
Dodge's  
*View*, ch. vi;  
*Contemporaries*, IV,  
No. 107.

Expectations  
of the  
- Southerners.

350. **The Trent Affair, 1861.** — Soon after the beginning of the conflict, the President, following out the policy of starving the Southerners to surrender, had proclaimed a blockade of the Southern ports (§ 344). Upon this, Great Britain and France granted belligerents' rights to the Southerners. The Confederates hoped and expected that the foreign powers would recognize their independence. They based this hope on the idea that "cotton is king"; that the action of the United States in closing their ports and practically prohibiting the exportation of cotton would cause so much suffering among the working people of Great Britain and France that those governments would be forced, not merely to recognize the independence of the Southern Confederacy, but to take part in the contest and open the Southern ports to commerce. In this expectation, they were doomed to disappointment. The supply of cotton on hand tided the spinners over the first period of the war, until it became clear that the contest was in reality a struggle between free labor and slave labor, in which free workingmen all the world over were interested. Far otherwise was it with the governing classes in Britain. A few leading men, as Richard Cobden, John Bright, and Goldwin Smith, strongly supported the Northern side. But most men in political life would have gladly welcomed the "new nation," as William Ewart Gladstone called the Confederacy. An incident almost immediately gave the English government an opportunity to show on which side its sympathies were.

The Trent  
affair.  
*Battles and  
Leaders, II,*  
135.

Anxious to secure the recognition of the independence of the Confederacy, the government at Richmond dispatched two agents or commissioners, as they were called, to Europe. Escaping through the blockading fleet, they embarked on the British mail steamer *Trent*, and were removed from the deck of that vessel, on the high seas, by a boarding party from the United States war ship *San Jacinto*. The *Trent* was then permitted to continue her voyage. This act aroused great rejoicing in the United States; but Lincoln at once said, "We must stick to American principles con-

cerning the rights of neutrals." Ever since the beginning of its existence, the American government had protested against the exercise of the "right of search" (§§ 233, 297), and had manfully insisted on the freedom of neutral commerce. The British government, without waiting to seek explanations from the United States, ordered soldiers to Canada and took measures to strengthen the British fleet in American waters. Fortunately, Captain Wilkes of the *San Jacinto* had not complied with the formalities required by the rules of international law: he had not brought the *Trent* into port for adjudication as carrying contraband of war. The United States was therefore able to give up the commissioners without loss of honor. The eagerness with which Great Britain seized the first opportunity to embarrass the United States in a time of great difficulty created a bitterness of feeling in America, which was not lessened by the laxity shown by the British government in enforcing international obligations in the case of the *Alabama* and other vessels, which will be described later (§ 370). Nevertheless, the commissioners, when liberated, accomplished little or nothing in Europe.

**351. Capture of New Orleans, 1862.** — One of the most difficult problems from the blockader's point of view was the closing of the mouth of the Mississippi. As a matter of fact, in place of one mouth there were several mouths. It was practically impossible to enforce the blockade at this point. The possession of the lower Mississippi also greatly favored the Confederates by making easy the transportation of troops and supplies from Texas; and there was a large contraband commerce across the Mexican border, and thence through Texas, which could not be stopped so long as the Confederates controlled the lower Mississippi. For all these reasons, as well as for others which are more obvious, the capture of New Orleans was extremely desirable.

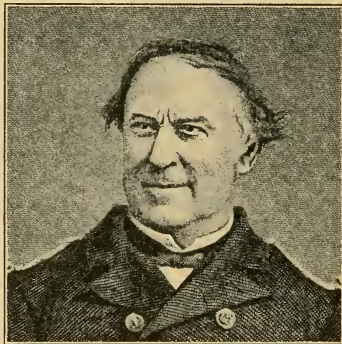
New Orleans stands almost on a level with the Mississippi. It was entirely unprotected on the river side, but the approach to it was guarded by two forts, situated some dis-

Blockade of  
the Missis-  
sippi.

Topography  
of country  
around New  
Orleans.

tance below the city. The country around New Orleans was unsuited to military operations, owing to its swampy character, and the mouths of the great river were all dangerous as anchorages for seagoing vessels. The capture of this formidable position was intrusted to David G. Farragut, a naval officer who had passed his boyhood in Louisiana. He had a large naval force at his disposal,— wooden seagoing vessels,— and soldiers were at hand to

Admiral  
Farragut



Admiral Farragut

co-operate with him. Farragut lightened his vessels by the removal of guns and heavy stores and entered the river with all save his largest ship. The guns and stores were then brought over the bar, taken on board, and the fleet proceeded up stream. He found the river obstructed by chains and spars. While awaiting a favorable opportunity to pass these obstructions, a sustained bombardment of the forts was kept up by mortar vessels moored out of sight of the Confederates. Before long, the obstructions were safely passed at night, and the Union fleet engaged the forts and a Confederate flotilla. Then, steaming onwards, it anchored off New Orleans. The city was at Farragut's mercy. It

Capture  
of New  
Orleans,  
April, 1862.  
*King's New  
Orleans*,  
ch. xiii;  
*Battles and  
Leaders*,  
II, 14.

surrendered, and soon afterwards the forts were abandoned to the Northern soldiers (April, 1862). This great victory gave the control of the lower Mississippi to the Union government.

352. **Shiloh, April, 1862.** — The victories of Thomas and Grant in January and February, 1862, compelled the Southerners to abandon the greater part of the state of Tennessee and to rally to the defense of the Memphis and Charleston Railroad. The possession of this road was of the greatest importance to the Confederates, because it connected Memphis on the Mississippi with Chattanooga on the upper Tennessee, and was the only direct line connecting the Mississippi valley above Vicksburg with the Southern Atlantic states. Its loss would be a severe blow to the Southerners and would make easier the task of starving them into submission. From Memphis, the Memphis and Charleston Railroad passes to Corinth; there it crosses the only north and south line then built in that part of the country. Soon after leaving Corinth, the railroad reaches the Tennessee River, not far from the little town of Florence, and just to the south of Shiloh church and Pittsburg Landing. Eastward from Florence, the line follows the valley of the Tennessee, first on one side, then on the other, until it reaches Chattanooga. The important points in this line of communication were Chattanooga, where the railroad connects with the seaboard lines; Pittsburg Landing, where soldiers and supplies could be transferred by wagon-road from the river steamers to the railroad; Corinth, the junction with the line running parallel to the Mississippi; and Memphis, an important shipping port on the great river. General Halleck, who now commanded the Union armies in the West, ordered Grant to ascend the Tennessee to Pittsburg Landing, and there await the coming of Buell with a strong force from Nashville. Suddenly the Confederates, under Albert Sidney Johnston, attacked Grant's force and drove it back towards Pittsburg Landing. A commander of less stubborn obstinacy would have retreated; but Grant, with his indomita-

Shiloh, April,  
1862.  
*Battles and  
Leaders,*  
I, 465;  
Dodge's  
*View*, ch. x.

ble courage, held on until distant detachments of his own army could march to the scene of conflict, and Buell's soldiers, who reached the Tennessee in the afternoon of the first day of battle, could be ferried across the river. Then Grant attacked in his turn and drove the Confederates back (April, 1862). This battle was one of the most hotly contested during the war, and cost the opposing armies twenty-four thousand men, killed, wounded, and missing; among the killed was Albert Sidney Johnston, the Confederate commander.

Halleck now assumed direct command of the Northern forces, united Grant's, Buell's, and Pope's armies into one formidable body, and occupied Corinth (May, 1862). Memphis surrendered to a naval force about a month later. The Mississippi was now open to Union vessels, except between Memphis and Baton Rouge. The Confederates were severely crippled by the loss of men and territory, and especially by the destruction of one end of their principal defensive line west of the Alleghanies. Unless they could regain control of Corinth and Memphis, they were likely to lose the states of Mississippi, Alabama, and Tennessee.

Ironclads.

353. *The Monitor and the Merrimac, March, 1862.*—Vessels cased wholly or partly in iron had been in use on the Western rivers since the autumn of 1860, and had played an important part in Grant's campaign on the Cumberland and Tennessee. The first armored vessel to appear in Eastern waters was the *Virginia*. Among the graceful frigates of the pre-war period was the *Merrimac*. She was at Norfolk at the outbreak of the contest, and was only partially destroyed by the Union forces when they abandoned the navy yard at that place. The Confederates built upon her hull a house of iron with the eaves under water, armed the bow with a formidable iron beak, and named her *Virginia*. This extraordinary vessel appeared in Hampton Roads on March 8, 1862, destroyed two wooden frigates,—the *Cumberland* and the *Congress*,—and began the destruction of a third, the *Minnesota*. She then retired to Norfolk, intending to

continue her destructive work on the morrow. On the night following this disastrous day, an even stranger vessel anchored in Hampton Roads. This was the Union armored ship, the *Monitor*, designed by John Ericsson, an immigrant from Sweden, and built in one hundred days. She was constructed entirely of iron, and carried two large guns mounted in a revolving iron turret. Her sides rose hardly two feet above the water, and the armor, extending far beyond her hull, effectually protected it from the danger of ramming as well as from shot and shell. The next morning the *Virginia* reappeared, and after a four hours' fight retired to Norfolk and did not afterwards renew the combat. The battles between the *Virginia* and the wooden vessels of the old type, and with the turret ship of the new type, worked a revolution in naval architecture; but the danger threatened by the *Virginia* was probably much exaggerated, as she could not have ventured into the open sea. The fear she inspired, however, operated powerfully to keep the naval authorities from exposing their unarmored vessels in the James and the York rivers, and thus produced some effect on McClellan's campaign.

**354. The Peninsular Campaign, March to August, 1862.** — Throughout the winter of 1861-62, McClellan had under his immediate command double the force of the Confederate general, Joseph E. Johnston, but he could not be induced to take the field. In March, 1862, he at last assumed the offensive. Instead of maneuvering Johnston out of his fortified position, and attacking him on the first opportunity, McClellan decided to transport his army to the peninsula formed by the York and the James rivers, and advance upon Richmond from the east instead of from the north. By pursuing this route, he would avoid crossing the Rappahannock, Rapidan, Pamunkey, and Mattaponi rivers, and would compel Johnston to abandon his camps near Bull Run and march southward to the defense of the Confederate capital. McClellan, however, encountered several checks at the outset: the civil authorities, anxious for the safety of Washing-

*Monitor and Merrimac*, March, 1862  
*Old South Leaflets*, III, No. 3;  
*Battles and Leaders*, I, 611, 692.

Peninsular campaign, 1862.  
*Battles and Leaders*, II, 189, 319;  
Dodge's *View*, chs. xi-xiii.





ton, retained about seventy-five thousand men there and in the Shenandoah valley. McClellan's plans became known to Johnston almost as soon as formed. The result of this and of McClellan's slowness was that when the Union soldiers reached the peninsula, instead of finding it a clear field for their advance on Richmond, they found their way barred by a line of entrenchments extending from Yorktown to the James. By the end of May, however, the Union army reached the vicinity of Richmond, and fought a severe and indecisive battle at Fair Oaks—about ten miles from the Confederate capital (May 31). Johnston was wounded, and Robert E. Lee assumed command. Meantime a Confederate army in the Shenandoah valley, led by Thomas J. Jackson, — known popularly as "Stonewall Jackson," — had been fighting a remarkable campaign. So admirably had Jackson planned, and so wonderfully had his soldiers marched, that they had defeated two Union armies in succession. Lee now ordered Jackson to abandon the valley and transport his men by rail to Richmond. With this reinforcement, Lee attacked the Union army again and again (June 26–July 2, 1862); forced it to withdraw to the James; and attacked it there on Malvern Hill, to be repulsed with fearful loss. In these engagements, the total loss was thirty-six thousand men, more than one half of which was on the Southern side.

355. **The Second Bull Run Campaign, August, 1862.** — Notwithstanding its misfortunes, the Army of the Potomac still threatened Richmond, and Lee, to secure its withdrawal, determined to make a demonstration against Washington. Halleck's victories at Corinth and Memphis had commended him to the government. He had been summoned to Washington to act as chief of staff, or military adviser to the President. In his turn he had called General Pope from the Mississippi valley to command the troops defending the federal capital. Halleck and Lee had known one another before the war, and Lee now felt certain that if he should seriously threaten Washington Halleck would sum-

Pope's  
campaign,  
1862.  
*Battles and  
Leaders,*  
II, 501;  
*Dodge's  
View,* ch.  
xiv.

mon McClellan from the peninsula. This calculation proved to be well founded, for no sooner was Lee's purpose known than McClellan was ordered to retire from the neighborhood of Richmond and later to send assistance to Pope. The Confederates now made one of those rapid marches by which they gained decisive advantage. Jackson appeared on Pope's line of communication and compelled him to retire. That general had begun his career in the East with a most vain-glorious proclamation about neglecting lines of retreat. He was now compelled to look to his own. Lee then rejoined Jackson, inflicted a severe defeat on the Federals at Bull Run (August 29-30, 1862), and forced Pope backwards to the defensive works around Washington. It was thought at the time that the lukewarmness of McClellan's men in supporting Pope had materially contributed to this disaster to the Union cause; especially was Fitz-John Porter blamed. It now seems certain that, although the Union soldiers felt slight confidence in Pope, they performed their duties in an able and soldierly manner.

Second  
battle of  
Bull Run,  
August, 1862.

Antietam,  
September,  
1862.  
*Battles and  
Leaders*,  
II, 630;  
*Dodge's  
View*,  
102-107.

**356. Antietam and Fredericksburg, 1862.**—Elated by this extraordinary success, the Confederate authorities determined to carry the war into the North. Lee crossed the Potomac near Harper's Ferry to release Maryland from "the foreign yoke"—as connection with the Union was termed—and to add that state to the number of the seceders. He found the mass of the people of Maryland hostile. Meantime McClellan was now again in command. Keeping between the Confederates and Washington, he met the Southerners at the Antietam and there fought a bloody battle (September 17, 1862). The Union force was double that under Lee; but McClellan threw away the advantages which his superiority gave him in a series of disconnected assaults. The two armies lost twenty-two thousand men, more than twelve thousand being on the Union side. Lee then retreated across the Potomac, and McClellan was superseded by General Ambrose E. Burnside.

The Confederates now fortified Marye's Heights on the

south side of the Rappahannock behind Fredericksburg. Burnside attacked this impregnable position in front, and was repulsed with a loss of thirteen thousand men to four thousand on the Confederate side (December 13, 1862). The "Horror of Fredericksburg" led to Burnside's dismissal and the elevation of "Fighting Joe" Hooker to the chief command of the Army of the Potomac.

357. **Campaign in Eastern Tennessee, 1862.** — After the occupation of the western end of the Memphis and Charleston Railroad, two lines of attack presented themselves to the Union commander: the capture of Vicksburg and other fortresses on the banks of the Mississippi, and the occupation of Chattanooga and eastern Tennessee. The latter was the more important as its accomplishment would make communication between Virginia and the Gulf states difficult and slow and thus greatly aid a future conquest of Mobile, Vicksburg, and other places in Mississippi. Accordingly, Halleck ordered Buell, with one portion of the Western army, to proceed to Chattanooga; Grant and Rosecrans, with the other divisions, were to remain in and about Corinth and make what conquests they could. Braxton Bragg, the new Southern commander in the West, showed himself to be a man of military perception and energy. Leaving Price and Van Dorn to occupy the attention of Grant and Rosecrans, he placed thirty thousand men on railroad cars, transported them to Mobile, and thence to Chattanooga, and reached that place in advance of Buell. He then eluded that commander and marched northward across Tennessee and Kentucky to the vicinity of Louisville on the southern side of the Ohio River; a small force even penetrated as far as Cincinnati. Bragg was then obliged to retire and to fight the Union army at Perryville (October 8, 1862). After this conflict he retired to Chattanooga. Buell, instead of following him, halted at Nashville, on the Cumberland, and was relieved by Rosecrans.

Before long Bragg again marched northward. This

Fredericksburg, December, 1862. *Battles and Leaders*, III, 70; Dodge's *View*, 110-115.

Buell and Bragg. *Battles and Leaders*, III, 31; Dodge's *View*, ch. xv.

Perryville, October, 1862.



time he advanced as far as Murfreesboro on the road to Nashville. There, near Stone River, he encountered the Union army, which was on its way southward to Chattanooga. A most stubborn contest followed. Splendidly commanded by Thomas and Sheridan, the Union center repelled every Southern attack (December 31, 1862). Out of eighty thousand men engaged, twenty-three thousand were placed out of the fighting line by this one day's battle. Bragg retired toward Chattanooga, and Rosecrans remained where he was for nearly six months, until June, 1863.

Meantime Price and Van Dorn endeavored to carry out their part of the Confederate plan of campaign. They attacked the Union armies at Iuka (September 19, 1862) and at Corinth (October 3 and 4, 1862), and were each time repulsed, but they prevented the sending of reinforcements to Buell. The autumn campaign, therefore, may be said to have been unfavorable to the Northern armies.

**358. Lincoln's Policy as to Slavery, 1861-1862.** — In his inaugural address (§ 334), President Lincoln had stated that he stood by the declaration in the Chicago platform (§ 326), — that the right of "each state to regulate its own domestic institutions according to its own judgement exclusively" was essential to the "endurance of our political fabric." For a long time, a year and a half, Lincoln maintained this position so far as the march of events permitted him so to do. In 1861 General John C. Frémont, the first candidate of the modern Republican party for President, and now commanding the military department of Missouri, had issued an order to the effect that the slaves of all persons in Missouri, taking up arms against the Federal government, should be free. The President overruled him. Later on, in 1862, General Hunter, commanding the Federal forces in South Carolina, Georgia, and Florida, issued an order declaring all the slaves in those states free; but Lincoln reversed this order, stating that he reserved the manage-

Rosecrans and Bragg, Stone River, December, 1862.  
*Battles and Leaders*, III, 613;  
Dodge's *View*, 122-126.

Lincoln's slavery policy, 1861-62.

ment of the whole matter to himself as commander in chief. He well knew that the mass of the people in the North cared little for abolition and would not have entered upon the war to free the slaves — their purpose was to save the Union. There was, however, a body of determined and energetic men in the North who were resolved to bring about the abolition of slavery. They did not at all like the attitude which the President had taken.

From the very beginning of the conflict slaves had been received into the Union lines and there retained. General B. F. Butler, commanding at Fortress Monroe, appears to have begun this measure by refusing to deliver up slaves who had escaped into his lines to their owner, a Confederate soldier — who claimed them under the Fugitive Slave Act. Butler declared that he retained them as “contraband of war,” on the ground that their services would be useful to the enemy. This policy was approved by the President and by Congress.

Congress  
and slavery,  
1862.

In March, 1862, Lincoln took an important step in recommending Congress to grant pecuniary aid to any state which should undertake the gradual abolition of slavery with compensation to the owners. Congress fell in with the President's views; it also (April, 1862) passed a law abolishing slavery in the District of Columbia with compensation to the owners; West Virginia, too, abolished slavery within its limits. The Senate, at about the same time, ratified a treaty with Great Britain for suppressing the slave trade by permitting a mutual right of search of merchant vessels within two hundred miles of the African coast, and within thirty leagues of the more important places outside the United States, where slavery still existed. In June (1862), Congress took a long stride forward by abolishing slavery in the territories without compensation, and in the following July passed an act authorizing the seizure of slaves of persons then in rebellion.

Lincoln had been much influenced by the stubborn resistance offered by the Southerners. He also probably thought that the antislavery sentiment was gaining strength in the

North. He already had in mind the emancipation of the slaves in the states then in insurrection as a war measure justifiable under the Constitution. On August 19, 1862, Horace Greeley's paper, the *New York Tribune*, contained an article bitterly attacking the President's policy of inaction as to slave emancipation. In reply Lincoln wrote a letter to Greeley, contradicting nothing, denying nothing, but setting forth his ideas in language which no one could misunderstand. "I would save the Union," he said; "I would save it the shortest way under the Constitution. . . . My paramount object in this struggle is to save the Union, and is not either to save or to destroy slavery. If I could save the Union without freeing any slave, I would do it; and if I could save it by freeing all the slaves, I would do it; and if I could save it by freeing some and leaving others alone, I would also do that." The true heart and singleness of purpose which animated Lincoln, as well as the wisdom which guided his actions, were seldom more conspicuous than in this letter, which should be read by all students who desire to understand this epoch in our history. His "personal wish," he concluded by saying, was "that all men everywhere could be free"; at the time it did not coincide with what he deemed to be his plain official duty as President.



**359. The Emancipation Proclamation, 1863.**—Lincoln soon became convinced, however, that the emancipation of the slaves, so far as he could bring it about, would be a justifiable means of distressing the Southerners, and would arouse sympathy for the Union cause abroad. At the same time, it would satisfy the demands of an influential body of his supporters in the North, and could be justified to his more numerous supporters as a war measure. He only waited for some Union success to justify the step. The collapse of Lee's invasion of Maryland gave him the opportunity he desired, and on September 22, 1862, he issued a proclamation stating that on the first day of the new year

Lincoln's letter to Greeley, August, 1862. Stedman and Hutchinson, VII, 81; *American History Leaflets*, No. 26.

Emancipation Proclamation, January, 1863. *Old South Leaflets*, Gen. Ser. No. 11; Stedman and Hutchinson, VI, 482.

(1863) he would declare free all slaves in any portion of the country which should then be in rebellion against the United States. Accordingly, on January 1, 1863, he issued the Emancipation Proclamation. The force and legal effect of this document has been disputed; it is clear, however, that it operated to free persons held in slavery in portions of the United States then in insurrection, wherever such portions were occupied by the Union armies. Of course it did not abolish slavery as an institution anywhere. As the declaration of a policy, its effect was very important. In the November elections following, the Republicans lost ground. Some of the change of feeling, thus indicated, was due to Lincoln's action; but how much cannot be stated. In the end, however, the policy found favor. Two slave states still in the Union abolished slavery, — Missouri, June, 1863, and Maryland, October, 1864. The issue became one of the important questions in the campaign of 1864, which resulted in the overwhelming re-election of Lincoln (§ 371). The Congress then in being had already rejected the Thirteenth Amendment abolishing slavery throughout the United States. It now (January, 1865) accepted it by the necessary two-thirds majority. The amendment was ratified by the requisite number of states and declared in force, December, 1865. Slavery was now legally abolished throughout the Union.

Political  
results of the  
proclama-  
tion.

Topography  
of country  
around  
Vicksburg.

**360. The Vicksburg Campaign, 1863.** — The departure of Halleck and Pope to Washington and Buell and Rosecrans to eastern Tennessee left Grant in sole command in Mississippi. Unfortunately, Halleck did not trust Grant, and the latter's military rivals were, therefore, frequently able to hamper his plans. A study of the map of the forms of land (map I) at once shows the difficulties which nature placed in the way of the further conquest of the Mississippi valley. The great flood plain of that river extends on the western side nearly to the mouth of the Ohio; on the eastern side, it is cut into two parts by the bluffs which approach the river at Natchez and form its eastern bank



northward to Vicksburg. Northward from the latter point the flood plain again stretches along the eastern bank as far as Memphis (map p. 468). These "bottom lands" were admirably suited to the cultivation of cotton; they were practically inaccessible to an army, and almost inaccessible to a hostile fleet, as the channels of the streams which intersected them in every direction could easily be blocked by felling trees on their banks. In these circumstances, the easiest way to approach Vicksburg was by an overland march southward from Corinth. Public opinion in the North, however, was decidedly in favor of an advance by the line of the Mississippi. Grant divided his army, sending Sherman down the river while he marched overland. A sudden attack on his supply depots compelled Grant to draw back, and Sherman, assaulting the bluffs above Vicksburg, was repulsed with heavy loss. Grant now carried his whole army down stream and tried scheme after scheme without accomplishing his purpose. Vicksburg itself was of slight importance, but batteries posted on the high ground just above the town and also on a level with the stream commanded the course of the river for miles, as in those days it made a bend at almost a right angle at this point. Finally, Grant marched his army by Vicksburg on the other side of the Mississippi, crossed the river below the fortress, and after fighting several battles gained a position in its rear. The Confederate commander, General Pemberton, retreated with his army into the works, although Joseph E. Johnston, who had recovered from his wound and had assumed command of the Confederate forces in the West, ordered him to save his army by flight. After enduring a long and perilous siege, Pemberton surrendered (July 4, 1863). In a few weeks, the other Confederate posts on the river also fell into Union hands, and the Mississippi from source to mouth was under the control of the national government. While Grant and Pemberton were arranging terms of capitulation on July 3, 1863, the Union army repelled the last assault of the Confederates on the lines at Gettysburg.

Grant captures Vicksburg, July, 1863. *Battles and Leaders*, III, 493; Dodge's *View*, 93-101, 142-161.

Chancellorsville, May, 1863.  
*Battles and Leaders*, III, 154;  
 Dodge's *View*, 127-131.

**361. Chancellorsville, May, 1863.**—From the middle of December, 1862, to the end of April, 1863, the Army of the Potomac remained quietly in camp at Falmouth, opposite Fredericksburg—the Confederates retaining their strong position on Marye's Heights (§ 356). At length, on April 30, Hooker led the Army of the Potomac out of its camps, and, by a skillful maneuver, placed it nearly across the line of Lee's communications with the South. Instead of pushing to the utmost the advantage thus gained, Hooker halted in the forest, which is dense at that point, establishing his headquarters at Chancellorsville. Lee had about one half as many soldiers under his orders as Hooker. Nevertheless, he divided them in two parts. With one portion Jackson marched across the front of the Union line and suddenly attacked it at the point farthest removed from Marye's Heights. He found the Northern soldiers entirely unprepared, and nearly destroyed Hooker's right wing before help could be sent; on the following night, Jackson was accidentally shot by his own men while returning from an examination of the Union position. Lee, redoubling his attacks, drove Hooker back across the Rappahannock and then, turning on a Federal force, which had meantime seized Marye's Heights, compelled them to seek the northern shore of the stream. In four days (May 2-5, 1863) Lee, with sixty-one thousand men, had dealt a terrible blow to the Army of the Potomac of one hundred and five thousand men. He now decided again to invade the North.

Gettysburg, July, 1863.  
*Battles and Leaders*, III, 255;  
 Dodge's *View*, 132-141.

**362. Gettysburg, July, 1863.**—Leading his soldiers through the valley of Virginia, Lee crossed the Potomac and entered Pennsylvania. The Army of the Potomac also crossed that river, keeping between the Confederates and the national capital. On June 28, while this movement was in progress, the Union forces received a new commander, George G. Meade. Three days later (July 1), the two armies came together at the little village of Gettysburg. At first the Confederates were in greater force and the Unionists retreated through the village to a fishhook-shaped

crest known locally as Cemetery Ridge. The position proved to be remarkably strong, and Meade determined to fight the decisive battle at that point. On the next day (July 2) the Confederates attacked vigorously, drove back the Union left, and gained a position on the right which seriously menaced the whole line. On the morning of the 3d, the Northern soldiers drove them out of this advantageous spot, and repelled every attack. Lee determined to make one more assault, and sent General Pickett, with fifteen thousand men, against the Union center defended by troops under General Hancock. Splendidly the Southerners marched forward, to be repulsed with awful loss. The battle of Gettysburg was won at a loss of fifty thousand men out of a total of one hundred and seventy thousand engaged. In this conflict, the Confederates had the fewer men and suffered the greater loss.

Gettysburg and Vicksburg should have ended the war; there was no longer any hope of Southern success: every month the war continued only made more dreadful the ruin of the South; every month saw an addition to the strength and resources of the North.

**363. Northern Opposition to the War.**—It was, indeed, fortunate that these successes came when they did; for the Union government, at the moment, was hard pressed by the Northern opponents of its policy. There were many sincere, well-meaning persons in the North who were strongly of the opinion that the general government, under cover of military necessity, was using its power to overthrow the rights of the states and the personal liberty of private citizens. In the critical days following the fall of Fort Sumter, Lincoln had found it necessary to seize private property, as railroads and telegraph lines, and to use them for military purposes. He also had ordered the arrest of persons suspected of hostility to the Union cause. There was little evidence to convict these persons of crimes recognized by the law, and, to secure their detention, Lincoln had suspended the operation of the writ of *habeas corpus*. This brought about

Opposition to Federal government in the North. Johnston's *Orations*, III, 82-92.

an irritating constitutional controversy. The Constitution (Art. i, § 9) merely states that the "writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it." Article i relates to the legislative power, and it might be inferred from this that the intention of the Constitution was that Congress should exercise the suspending power. The President ordered the suspension of the writ when Congress was not in session, and there was ground for the argument that unless the Executive exercised this function it could not be exercised at all in very critical moments. In 1863 Congress, by act, conferred on the President the right to suspend the operation of the writ. Since the war, the Supreme Court has decided that the final decision as to the suspension of the writ in a particular case belongs to the courts.

Another cause of opposition was the action of the government in pursuance of an act of Congress passed in 1863. This authorized the general government to have resort to a "draft" or conscription to fill the ranks of the armies. In the summer of 1863 riots directed against the enforcement of this law occurred in several places, especially in New York. The government was now strong enough to bear down all opposition, and the rioters were severely dealt with. The real result of the draft act, however, was to compel the states to fill their quotas of soldiers by paying large bounties to those who would enlist in the army.

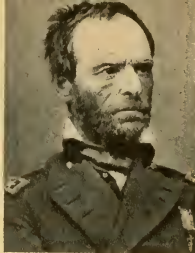
**364. Chickamauga and Chattanooga, 1863.**—In June, 1863, Rosecrans again took up the task of capturing Chattanooga. By a series of well-planned and admirably executed maneuvers he compelled Bragg to abandon that place. After Gettysburg, the Confederate army in the West was reinforced by two of Lee's divisions, under one of the best commanders, General Longstreet. General Burnside also led a new Union army to eastern Tennessee, and occupied Knoxville. On September 19, 1863, Bragg suddenly attacked Rosecrans at Chickamauga, and nearly routed him. But here, as at Murfreesboro, Thomas saved the day by holding the center of

The draft  
riots, 1863.

Chickamauga, September, 1863.  
*Battles and Leaders*, III, 638;  
Dodge's *View*, 172-183.



*W. S. Sherman*



*Phil. H. Sheridan*



*G. K. Green*



*Geo. H. Thomas*



*Maj. E. L. Hancock*

the Union position. Thomas then succeeded Rosecrans in command, but was obliged to shelter his army in Chattanooga, where Bragg blockaded it, while Longstreet besieged Burnside at Knoxville. Meantime, Grant had taken command of all the Union armies west of the Alleghanies. He hastened to the help of Thomas and Burnside. Reinforcements had also been sent from the East, and Hooker, with a detachment from the Army of the Potomac, reached Chattanooga immediately before Grant, with Sherman's corps of the Mississippi army, arrived on the scene of action. Grant at once sent Sherman to attack Bragg's right and Hooker to gain his left, while with Thomas's veterans he held him fast in his lines. Everything fell out happily: Thomas's men, eager to show their courage, carried the Confederate center by assault, and Bragg retreated in confusion (November, 1863). Sherman then went to the relief of Knoxville; on his approach Longstreet retired through the mountains to Virginia.

Grant had won the confidence of the Northern people by his brilliant successes. He was now made lieutenant general, and given command of all the Union armies on both sides of the Alleghanies (March, 1864). He assumed direct control of the operations in Virginia, and confided the leadership of the armies operating from Chattanooga to his tried and trusted subordinate, General Sherman.

**365. The Atlanta Campaign, May to July, 1864.**—The task to which Sherman set himself was most arduous. Atlanta was the only manufacturing town of importance, from a military point of view, in the Confederacy. It also was an important railway center, as the lines from Alabama, Georgia, and the Carolinas converged there. The country between Chattanooga and Atlanta was very difficult of access: the railroad ran through narrow gorges under mountains, whose tops, crowned with artillery, made advance on that line impossible. The Confederate government gathered every soldier who could be spared from the defense of Richmond to guard this important post, and placed in command Joseph

Chattanooga, November, 1863.  
*Battles and Leaders*, III, 679; Dodge's *View*, 184-189.

Grant made lieutenant general, March, 1864.

Atlanta campaign, 1864.  
*Battles and Leaders*, IV, 260; Dodge's *View*, 223-243, 255-262.

E. Johnston, of living Southern commanders second only to Lee. To the conquest of these seventy-five thousand men, Sherman brought one hundred thousand veterans.

Instead of attacking Johnston in front, Sherman used his superiority in numbers to outflank him, and thus compelled him to retreat from one strong position to another. Johnston showed great ability, but the skill of the Union commanders and the enthusiasm, courage, and discipline of the Northern soldiers overbore all obstacles. The Confederate government had never placed entire confidence in Johnston, and his retreat impelled them to displace him and appoint Hood to the chief command at the moment when the Union army was approaching Atlanta. Hood was expected to fight, and not to retreat. Again and again he attacked Sherman, only to be beaten off with cruel loss. He then advanced northward in the expectation that Sherman would follow him, and thus abandon the conquest of Atlanta. But the Union commander contented himself with sending back a portion of his troops under Thomas and Schofield. With the remainder, some sixty thousand strong, he completed the destruction of the mills and factories at Atlanta, and set out for the seacoast through the heart of the Confederacy.

**366. Plan of Campaign.** — The “march to the sea” had long been in contemplation. In the preceding years, while the Vicksburg campaign was still in progress, Colonel Grierson, with seventeen hundred men, had ridden from the Tennessee to Baton Rouge. He reported that “the Confederacy was a mere shell.” Apart from the soldiers in the front, there were almost no fighting men in the South. Sherman thought, and Grant agreed with him, that as long as he was out of the reach of the armies under Lee and Hood, he would be perfectly safe. The advantages of his proposed movement were many: in the first place, it would go far toward convincing the Southerners of the hopelessness of further resistance, and would probably increase the opposition to the Confederate government, which was already noticeable in some portions of the South; in the second place, its suc-

*Strategy of*  
1864.  
*Battles and*  
*Leaders,*  
IV, 247.

cessful prosecution would encourage the people of the North, and might have an important effect on European public opinion. The great dangers to be apprehended were from the two Confederate armies. Grant felt able to keep Lee fully employed; but could Thomas, without Sherman's aid, crush Hood? After a thorough consideration of all these points, Grant gave Sherman permission to go.

Sherman's  
marches  
through  
Georgia  
and the  
Carolinas.  
*Old South  
Leaflets*,  
III, No. 5;  
*Battles and  
Leaders*,  
IV, 663;  
Dodge's  
*View*,  
279-292,  
302-309.

**367. Sherman and Thomas.**—Leaving Atlanta, Sherman and his men marched gayly through Georgia. Everywhere as they passed along they destroyed the railroad system by tearing up rails and twisting them into fantastic shapes by means of fire. The soldiers lived off the country, but, when not opposed, otherwise respected the rights of private property. On December 10, 1864, Sherman opened communication with the Union fleet blockading Savannah. Ten days later, his soldiers entered that city. After resting his men, he again set out—this time on a more difficult and dangerous enterprise. The plan now was that he should march northward through the Carolinas, and occupy some position whence he could menace Lee's communications with the Southern states. With his customary foresight and energy, Sherman started before he was expected to do so, and thus gained a position in front of a force which had been gathered to oppose him. His northward advance compelled the evacuation of Charleston, and, on February 17, he entered Columbia, the capital of South Carolina. Lee now assumed the responsibility of appointing Johnston to command the defense against this invasion from the South. That general exercised all his old-time skill, but nothing that he was able to do could stop Sherman: the latter reached Goldsboro, North Carolina, in safety, and once again opened communication with the fleet. Meantime Wilmington had fallen, and Thomas had destroyed Hood's army. Schofield, with a portion of the Western army, joined Sherman at Goldsboro; the latter was now (March 21, 1865) fully able to cope with any army the Confederates could place in the field.



For a time, indeed, it had seemed as if Thomas would not be able to carry out the part of the plan which had been assigned to him. A portion of his force under Schofield was attacked at Franklin, in Tennessee, and he was obliged to retire to Nashville before he felt able to make a stand against Hood. At that place he slowly gathered a formidable army about him, but refused to sally forth until his preparations were complete. Grant and the government at Washington became alarmed; they endeavored to stir him. Thomas would cheerfully hand over the command to another; he would not give battle until he was ready. At last all preparations were made; he left his entrenchments (December 15, 1864) and attacked Hood. In two days he not merely routed that general: he destroyed his army as a fighting force — it was never brought together again!

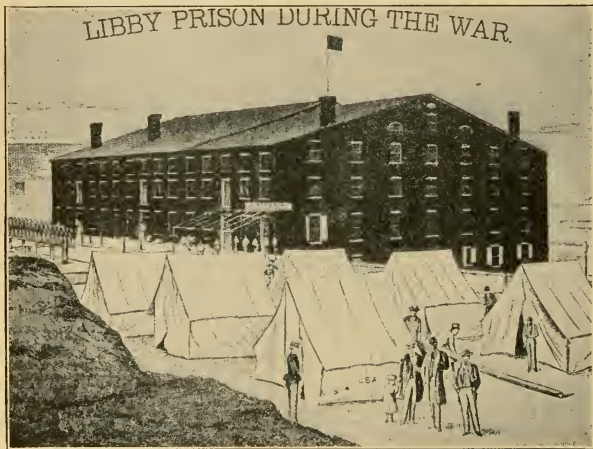
368. Grant and Lee, 1864. — In May, 1864, the Army of the Potomac again took up its task of the destruction of Lee's army, and the conquest of Richmond. Grant directed the campaign in person, but Meade remained in direct control of the Army of the Potomac. The Northern soldiers numbered one hundred and twenty thousand, to whom Lee could oppose only seventy thousand men. On May 5 the two armies came together in the Wilderness, not far from the fatal field of Chancellorsville. For two days (May 5, 6, 1864) a terrible contest prevailed, and then Grant moved by his left to Spottsylvania Court House, and here again a fearful conflict raged in the woods and clearings (May 10–12). Then again by a flank march Grant led his army first to the North Anna and then to Cold Harbor, on the battle ground of the Peninsular Campaign. At the latter place there was nearly continuous fighting for eleven days (May 31 to June 12). Then Grant, unable to advance, transferred his army to the James. But there Lee again forestalled him, and occupied Petersburg on the Appomattox. These bloody conflicts cost the Union army sixty thousand men, to fourteen thousand for the Confederates. The Federal government refilled Grant's shattered ranks; Sherman

Nashville,  
December,  
1864.  
*Battles and  
Leaders*,  
IV, 440;  
Dodge's  
*View*,  
293–301.

The  
Wilderness  
campaign,  
1864.  
*Battles and  
Leaders*,  
IV, 97;  
Dodge's  
*View*,  
197–222,  
244–254.

Northern  
prisoners in  
the South.

moved northwards; Thomas destroyed the Confederate army in the West, and there was no source from which the Confederates could replace their losses. Grant, seeing clearly the exhaustion of the fighting population of the South, refused to permit any more exchanges of prisoners, declaring that a northern man who died in the horrible prison pens



Libby Prison

of the South laid down his life for the nation's cause equally with the man who was killed on the field of battle. Toward the close of the conflict, the Southerners suffered great hardships, even the soldiers in the ranks of the army opposing Grant in Northern Virginia could not be supplied with vegetables. They were attacked by scurvy, which dreadful disease also accounted for the death of many Northern captives in Southern prisons.

369. **Sheridan's Valley Campaign, 1864.** — Grant now besieged Lee in his lines at Petersburg. Gradually the ever-increasing pressure became unbearable, and Lee sought to divert Grant from his purpose by an attack on the Union capital. Detaching one of his ablest subordinates, Jubal Early, he directed him to penetrate the Shenandoah valley and seize Washington. Early reached the defenses of Washington, but delaying the attack, was detained long enough by a hastily levied force to enable two army corps to reach Washington from the James. The Confederates then retired into the valley. To combat Early, Grant gave Sheridan forty thousand men with orders to devastate the valley so that no Confederate force could march through it. The campaign which followed saw each army successful in turn. Finally, Sheridan obtained the upper hand, drove the Confederates back, and destroyed everything eatable that could be found. He then rejoined Grant at Petersburg (November, 1864).

Sheridan in the Valley, 1864. *Battles and Leaders*, IV, 500; Dodge's *View*, 252-254, 263-278.

370. **Great Britain and the Confederate Cruisers.** — In the earlier years of the war, a few Southern vessels ran the blockade and began the destruction of Northern commerce on the ocean. The most important of these were the *Sumter* and the *Florida*, the latter a British-built vessel which was converted into a man-of-war at Mobile. The most famous of the Confederate cruisers, however, never entered a Southern port. This was the *Alabama*, built in England, on the Mersey, and permitted to go to sea by the British government, notwithstanding the protests of the American minister at London, Charles Francis Adams. After a most destructive career, the *Alabama* was finally sunk off Cherbourg, by the United States ship *Kearsarge*, commanded by Captain Winslow (June 19, 1864). The two vessels were of about the same size and armament; but the guns of the *Kearsarge* were better aimed than those of her opponent, and the powder of the *Alabama* was so defective that such of her shot as reached the *Kearsarge* did little damage.

The Confederate cruisers. Maclay's *Navy*, II, 553-561.

*Kearsarge* and *Alabama*. Maclay's *Navy*, II, 562-573.

The Confederates also contracted for the construction

The  
Confederate  
rams.

of two powerful ironclad rams in England. The British government showed no desire to seize them before completion, and informed Adams that it could not interfere. The American minister thereupon wrote to Earl Russell, the British foreign minister: "It would be superfluous for me to point out that this is war." But the English government had already awakened to the danger of the position and had seized the vessels.

The  
*Shenandoah*.

The last of the Confederate cruisers to keep the seas was the *Shenandoah*. Coaling at Melbourne, she sailed for the northern Pacific and there destroyed the American whaling fleet after the surrender of Lee and Johnston. The inaction of the British government on all these occasions aroused intense resentment in the United States, and became the subject of negotiation and arbitration.

Election of  
1864.  
Stanwood's  
*Presidency*.

**371. Lincoln's Re-election, 1864.** — In the Northern states were to be found many persons who were actively opposed to the further prosecution of the war. These were mostly Democrats, and they nominated General McClellan for the presidency. The extremists among the Republicans, who thought the administration was not sufficiently vigorous in its policy, especially as to slavery, nominated John C. Frémont. Lincoln was nominated by a convention composed of Republicans and of those Northern Democrats who were heartily in favor of the maintenance of the Union. The convention placed a Democrat, Andrew Johnson, a Union man from Tennessee, on the ticket with Lincoln, as candidate for the vice-presidency. This convention favored the vigorous prosecution of the war and a continuance of a national policy as to public improvements. Frémont withdrew; the Democrats carried three states,—New Jersey, Delaware, and Kentucky; Lincoln and Johnson were elected by two hundred and twelve electoral votes out of a total of two hundred and thirty-three, their majority in the popular vote being more than four hundred thousand. The people of the North had decided by an overwhelming vote that the war should be fought to the end. Preparations were at

once made for its prosecution on a larger scale than ever before. The Union army steadily increased in size until May, 1865, when over a million men were on its muster rolls. For the South, any such display of vigor was out of the question. The Confederacy was a shell: there were no more white men to be forced into the ranks; there were no more arms or military equipments; there was hardly food enough at the front for the soldiers already in the field. The Congress at Richmond passed a bill for the employment of slaves as soldiers; it was proposed to arm at least one regiment with pikes.

372. **The Surrender at Appomattox, 1865.**—As soon as it was possible to move, the Northern soldiers began the final campaign of the war. Grant had now one hundred and twenty-five thousand men to Lee's sixty thousand. On the first day of April, 1865, Sheridan, with a strong force of cavalry and infantry, gained a position at Five Forks which commanded the roads to the rear of Richmond and Petersburg, and Lee could not drive him back. Lee therefore withdrew his army from his works and endeavored to escape by the valley of the Appomattox to the mountains, in the hope, perhaps, of combining his troops with the force under Johnston's command. At last, the Northern soldiers were too quick for him. Sheridan, with the cavalry and the Fifth Corps, outmarched the Confederates; the remainder of the Army of the Potomac pressed on their flank and rear. On April 7, 1865, the van of the starving army of northern Virginia reached the vicinity of Appomattox Court House. A body of dismounted Union cavalry barred the way. The Confederates deployed to brush aside this obstacle, when the cavalrymen, withdrawing to one side, disclosed an infantry line of battle. Farther progress was impossible, and Lee surrendered (April 9, 1865). The terms given to the Southerners were singularly liberal: the Confederates were to lay down their arms and cease from acts of hostility. Later on an attempt was made to punish the politicians who had led the South to secession and ruin, but that was abandoned.

Appomattox,  
April, 1865.  
*Battles and  
Leaders,*  
IV, 708.  
*Dodge's  
View,*  
310-319.

Assassina-  
tion of  
Lincoln

**373. Assassination of Lincoln, April 14, 1865.** — On April 14, the people of the North were aglow with enthusiasm over the fall of Richmond and the surrender of Lee's army; on the morning of the 15th, they were plunged into a depth of gloom such as had never been known in the history of the United States. On the evening of the 14th, Lincoln was shot by a crazed sympathizer with the cause of secession and slavery, and an attempt was also made on Seward's life. With Lincoln perished the one man able and willing to restrain the Northern extremists. Andrew Johnson became President, and the policy of the government soon underwent a great change (§ 380).

Cost of the  
war.  
Dodge's  
*View*,  
ch. lxi.

**374. Cost of the War.** — The War for the Union cost the nation, North and South, the lives of nearly a million men: about ninety-five thousand Northern soldiers were killed on the field of battle, or were fatally wounded and died in hospitals; one hundred and eighty thousand more succumbed to disease while on the army rolls. To these figures must be added those who died from accident, disappeared permanently, or died in Southern prisons or in consequence of disease or wounds contracted while in the service; the total of those who perished from all these causes is not far from one half a million; about as many more Southerners perished from similar causes. Hundreds of thousands more contracted disorders or received wounds while in the service, which did not lead directly to death but which shortened life or made it wretched. The total money cost of the war to the Union government was about three and one half thousand million dollars — excluding expenses incurred by states and municipalities, which amounted, in all probability, at least to three hundred millions more. Adding to this the amount paid and to be paid in pensions to those who risked their lives and the well-being of their families for the Union cause, and the amount of private property destroyed during the conflict, the war for the Union cost not less than ten thousand million dollars.

## SUGGESTIVE QUESTIONS AND TOPICS

## §§ 334-345. THE BEGINNING OF CIVIL STRIFE

- a. Do you consider that Lincoln or Washington best represents American life?
- b. Upon what premises did Lincoln base his conclusion that "the Union is much older than the Constitution"?
- c. Give as many facts as possible to support the statement, "in the end they collapsed as no other conquered people have done in historical times."
- d. What is meant by the statement, "there are few things, however, so unreliable as statistics"?
- e. Why did the Confederates have "superior marching qualities"?
- f. Compare the uprising of the Northern and the Southern people. In which section was there greater unanimity?
- g. Draw an imaginary picture of what might have happened had the "border states" seceded.
- h. Compare the war policies of the North and the South. Was it possible for the South to have pursued a different policy?
- i. The national banking system: why was it established? Describe it. What changes might now be made to adapt it to present conditions?
- j. Is it true that the blockade "was the chief factor" in the defeat of the South? Give your reasons.

## §§ 346, 347, 349. THE THEATER OF WAR

- a. Draw three maps showing (1) the theater of war as a whole, (2) the East, (3) the West (Dodge's *Bird's-eye View*). Describe by recitation, lines of communication and lines of defense.
- b. Draw two maps, one representing the theater of war in Virginia during the Revolution, the other, during the Civil War. Enter fully upon each, name and date of battles; what points of similarity and dissimilarity strike you?

## §§ 350, 370. RELATIONS WITH GREAT BRITAIN

- a. Do you consider the bitterness of feeling towards Great Britain justifiable? Give your reasons. Has Great Britain done anything since 1865 to lessen this feeling?
- b. Why were "free workingmen all the world over" interested in the struggle between the North and the South?
- c. Who formulates the rules of International Law? What is meant by "according belligerent rights"? How does it differ from "recogni-

tion of independence"? Why were both Great Britain and France opposed to nationalism in the United States?

d. What argument in favor of democracy do you find in § 350?

#### §§ 359, 360. SLAVE EMANCIPATION

a. (1) Trace in detail Lincoln's policy as to slavery. (2) Describe carefully the position of the Republican party as to slavery. (3) Was the war begun to free the slaves? (4) Would you have advocated war in 1861 to secure immediate emancipation? (The first three of these questions may be used as Topics for Individual Investigation.)

b. Discuss the constitutionality of the Emancipation Proclamation. Is there any limit to the President's war powers? In how far do the proclamations of a President have legal force?

#### §§ 363, 371. NORTHERN OPPOSITION

a. Compare the mode of recruiting during the Revolutionary War and during the Civil War.

b. Why was Andrew Johnson nominated for Vice-President?

c. Compare the votes cast in 1856, in 1860, and in 1864. What changes of sentiment can you discern?

d. Does the Constitution authorize Congress to draft soldiers?

#### GENERAL QUESTIONS

Subjects for special study in secondary authorities: (1) assign to each student a campaign or a battle to be studied in Dodge's *Bird's-Eye View* and in *Battles and Leaders*, or in other convenient books; the report should include a map or plan of the campaign or battle; (2) the part played by the "Old Northwest" in the war; (3) the part played by the "border states," or by any one of them; (4) development during the Civil War of the railroad system, or the action of the homestead law, or the exploitation of the mineral resources, or the progress of mechanical invention, or industrial expansion; (5) the attitude towards the United States of the leading nations of Europe; (6) the questions of international law which grew out of the Civil War.



## CHAPTER XIV

### RECONSTRUCTION, 1865-1877

#### Books for Consultation

**General Readings.**—Wilson's *Division and Reunion*, 254-287; Johnston's *American Politics*, chs. xxi-xxiii; Garner and Lodge's *United States*; Stanwood's *History of the Presidency*.

**Special Accounts.**—Lalor's *Cyclopædia* (articles by Johnston); Dunning's *Reconstruction*; Rhodes's *United States*, VI, VII; D. R. Dewey's *Financial History of the United States*; E. E. Sparks's *National Development*; \*Herbert's *Why the Solid South*; Pearson's *An American Railroad Builder*; Paxson's *Last American Frontier*; Appleton's *Annual Cyclopædia*.

**Sources.**—Carl Schurz's *Reminiscences*; J. G. Blaine's *Twenty Years of Congress*; John Sherman's *Recollections*; Hugh McCulloch's *Men and Measures*; J. D. Richardson's *Messages and Papers of the Presidents*; J. B. Moore's *Digest of International Law*; MacDonald's *Documentary Source Book*.

**Bibliography.**—*Guide to American History*, §§ 241-253.

**Illustrative Material.**—Whittier's *Democracy*; Tourgee's *A Fool's Errand* and *Bricks Without Straw*; Hale's *Mr. Merriam's Scholars*; Page's *Red Rock*.

### RECONSTRUCTION, 1865-1877

375. **Return to Peace Conditions.**—The close of the war brought new conditions and new problems that had to be faced and settled at once. The military and naval forces must be partly disbanded at the first opportunity and the wounded and disabled Union soldiers and sailors and their families cared for. Moreover, the process of emancipation must be completed, the negroes protected in their new freedom, and the constitutional and political relations of the seceded states carefully regulated. Finally, the financial

Problems of Peace, 1865. Dunning's *Reconstruction*, chs. i, ii.

obligations of the war had to be met and an enormous debt paid off or reduced as soon as possible. These matters were pressing ; but on many of them it was nearly impossible to reach an agreement. The government and the people, during the war, had been spending money with the greatest lavishness and the stimulating legislation of those years had brought about a feverish activity in manufacturing and agricultural pursuits. Some way must be found to bring back the nation to the slower-paced ways of ordinary life.

Reduction of  
the army.

**376. The Army and the Navy.**— Before the surrender at Appomattox, when the exhaustion of the South had become apparent, the recruiting offices in the North had been closed, and no further enlistments allowed. The discharging of the soldiers was begun as soon as possible after Lee's surrender and was pushed on with a vigorous hand. No less than 800,000 soldiers were mustered out of the service within six months and by Christmas, 1865, only 50,000 remained on the government's rolls. This number was still further diminished, as the years went by, until at one time there were only 25,000 regular soldiers in the service of the United States. The militia organizations of the several states were maintained on a better basis than before the war, there being more uniformity in drill and much better discipline. Military traditions were kept alive by the organization of societies as the "Grand Army of the Republic" and the "Society of the Army of the Cumberland." A society of officers called the "Military Order of the Loyal Legion of the United States" has also been formed.

Reduction of  
the navy.

The reduction of the navy also was vigorously pursued, — sailors were discharged by the thousands and the ships tied up to the wharves or sold to private persons. For years the navy steadily declined in numbers and efficiency until the United States had no vessels fit to cope with the modern ships of some of the smaller American powers. In 1886, the first ship of the new navy was put in commission and others followed rapidly. These proving serviceable, more

vessels were built until a small but effective naval force was organized.

The Union soldiers and sailors returned to private life, honored and respected by all. Mindful of its obligations, Congress provided pensions for those veterans whom wounds or the inevitable hardships of military service had disabled from earning a livelihood. It also made provision for those dependent upon them. The expense of this pension system in 1913 was one hundred and eighty million dollars.

The Pension System.

**377. The War Debt.** — At the close of the war the government was paying interest to the amount of one hundred and fifty million dollars in each year, the debt "or bonds" then amounting to two and three quarter billion dollars. In addition to this there was paper money to the amount of nearly five hundred millions more. The government bonds bore a very high rate of interest. The reduction of the military and naval forces enabled the government to begin redeeming the bonds at once, so that before the end of the year (1865) thirty-five millions had been paid. The war taxes, however, weighed heavily on industry. As soon as possible these were either lowered or abolished, thus diminishing the income of the government. As this declined, the amount available for reducing the war debt decreased. In 1868, the question of what should be done came up in Congress. The bonds had been sold by the government at a very low rate in the midst of the Civil War, for the number of persons with money who expected that they would be paid was not large. The government had also been obliged to receive its own depreciated money for them, although it promised to repay in coin. Now, as in Washington's time, it was argued that the holders of the bonds should be repaid something less than the face value, although perhaps not as little as they had paid for them. Now, as in the earlier time (§ 195) the necessity of protecting the government's credit outweighed all such considerations. Congress, therefore, passed an act (1869) "to restore the public credit" pledging itself to redeem the public obligations in coin at

Government bonds and taxes.

Act to restore the public credit.

their face value, but the kind of coin, whether gold or silver, was not specified. At once, the credit of the government improved. The old bonds bearing high rates of interest were replaced by those bearing a much lower rate. This set free large sums of money which could be used to pay off bonds outright, and in ten years' time nearly one billion dollars' worth of bonds were thus redeemed and extinguished.

Status of the  
seceded  
states.

**378. Problems of Reconstruction.** — The outcome of the Civil War was really to establish a new nation, but the exact position of the seceded states in the nation was very indefinite. When the war began, Lincoln, and the Republicans generally, had denied the possibility of a state seceding and leaving the Union. During the war, the President had issued the Emancipation Proclamation (§ 359). This certainly had not abolished slavery in any state where it had a legal existence; but as a matter of fact it had set free great numbers of negroes in some of the Southern states. To settle the slavery question forever Congress passed the Thirteenth Amendment to the Constitution, abolishing slavery throughout the United States. This was now (1865) before the state legislatures for adoption. What was the relation of the states that had seceded or had tried to secede to the Union and to this amendment? Was it true that "states" were indestructible whether in or out of the Union? Or had rebellion reduced the Southern states to the standing of territories? If the former was the case, the consent of some of the states which had attempted to secede was necessary for the ratification of the amendment; if the latter was the case, why should not Congress impose the amendment on those states as the price of readmission to the Union?

Were they  
"states" or  
"terri-  
tories"?

Lincoln's  
reconstruc-  
tion policy.

**379. Lincoln's Southern Policy.** — Lincoln set forth his ideas on the subject of reconstruction in an address which he delivered on April 11, 1865, three days before his assassination. He thought that the "question whether the seceded states, so called, are in the Union or out of it" was

“had as the basis of a controversy, and good for nothing at all — a mere pernicious abstraction.” The states in question were “out of their proper practical relation with the Union,” and the sole object of those in authority should be “to again get them into that proper practical relation.” He believed that it was possible to restore such relation “without deciding or even considering whether these states have ever been out of the Union.” Acting on these ideas, he had previously (December, 1863) issued a proclamation offering pardon to all persons, except certain classes, who should take an oath to support the Constitution and the laws and proclamations as to the emancipation of slaves. He further promised that as soon as one tenth of the voters in any one state should take this oath and set up a republican form of government in that state, the federal government would recognize it as the legal state government. In effect this would amount to handing over the administration of the seceded states to the old Union minority in each one of them. The question of admission of senators and representatives from the states belonged to Congress and not to the executive, and to Congress also belonged the decision of all questions as to counting the electoral votes for President and Vice-president. Arkansas, Louisiana, and Tennessee were reorganized on this basis in 1864; but Congress refused to receive and count the electoral votes of Louisiana and Tennessee in the autumn of that year.

**380. Johnson's Reconstruction Policy, 1865.** — The great mass of the people of the North had come to feel confidence in Lincoln's judgment and he possessed incomparable tact in dealing with men. His death placed in the White House Andrew Johnson in whose judgment a very large portion of the northern people had no confidence and who was utterly devoid of tact. Johnson was a Union man from Tennessee who had suffered greatly at the hands of the Confederates. His motives were excellent, his patriotism without question, and his judgment was usually sound; but he obscured these good qualities and ruined his influence

Dunning's  
*Reconstruction*, 14-16;  
*Contemporaries*, IV,  
No. 145.

President  
Johnson.  
Dunning's  
*Reconstruction*, ch. iii.

with the people by coarse, bitter invective against those who did not agree with him. President Johnson now proceeded to reorganize the other Southern state governments. In general, he followed the lines of Lincoln's policy, but required in addition submission to the laws of the United States relating to slavery. He went way beyond Lincoln in excepting from pardon practically all persons in the Southern states who possessed much property; but he did not extend the right to vote to the freedmen. Most of the seceded states had been reorganized on this basis when Congress came together in December, 1865. The new state governments had joined the old in accepting the Thirteenth Amendment which was declared in force in December, 1865.

His ideas on reconstruction. *Contemporaries*, IV, No. 148.

Relation of freed slaves to the southern whites.

381. **The Freedmen.**—Slavery was now at an end throughout the United States. Even in Kentucky and Delaware there were no longer any slaves although these states had not been included in the Emancipation Proclamation, had not freed the slaves within their borders by state law, and had not ratified the Thirteenth Amendment. Nevertheless, neither the whites nor the negroes in the old slave states realized the new conditions of affairs. The freedmen had exaggerated ideas as to what freedom meant. They thought they would no longer have to work for the whites—not even for wages. They thought the government would give each freedman “forty acres and a mule,” and henceforth each one would work for himself. In short, they regarded themselves as on a footing of equality, economically and socially, with their former masters. The whites held very different ideas. They acknowledged that slavery was at an end, but they still believed that it was the negro's place to work for the white man. This led to the passage of “vagrancy laws” by some of the Southern states. These laws provided that “persons of color” who would not work should be classed as “vagrants,” and fined, put in prison, or “hired out” to any person who would pay the fine. In Mississippi, a tax of one dollar per head was levied on

Vagrancy laws. Dunning's *Reconstruction*, 55-57; *Contemporaries*, VI, No. 151.

every person of color, and those who did not pay were classed as vagrants. In some states, colored persons were forbidden to own or to have in their possession bowie-knives, firearms, or ammunition. Had the vagrancy laws and similar laws been carried out, forced labor would have been re-established throughout the South.

**382. Congress and the South.**—When the new Congress met in December, 1865, the northern radicals were in control in both Houses. They were led by two uncompromising opponents of the Old South,—Thaddeus Stevens of Pennsylvania and Charles Sumner of Massachusetts. When the roll was called, the Southern states were omitted and it soon became evident that there was a great difference of opinion between the radical Republicans in Congress and President Johnson on the matter of reconstruction. The Republicans had a two-thirds majority in both Houses and were able to override the President's veto unless he could gain a few sympathizers. The radicals soon adopted the theory that secession had suspended for the Southern states all federal laws: they were practically in the situation of territories and could only be readmitted to the enjoyment of the privileges of states by Congress. Instead of calming the spirit of hostility to his measures, Johnson denounced Congress, declaring that it had no legal existence as the southern members had not been allowed to take their places. The vagrancy laws and the killing of many negroes in a riot in New Orleans convinced thousands of northern voters that the former Confederates were determined to destroy the effects of the victories of the Union armies. In the election of 1868, they rallied to the Republican cause and returned that party to Congress by a large majority. The radicals also secured control of nearly all the state legislatures in the North.

Northern radicals.

Congressional reconstruction, Dunning's *Reconstruction*, chs. iv-vii.

**383. The Freedmen's Bureau.**—Congress had established this bureau under the direction of the War Department, to care for the sick and helpless freedmen. Besides doing this, the officers of the bureau did what they could to settle

Establishment of the Freedmen's Bureau.

disputes between the southern whites and their former slaves. They did much to soften the severity of the operation of the forced labor acts, and commended themselves and the bureau to the radical party in Congress. In February, 1866, a bill was passed continuing the bureau and greatly enlarging the field of its activity. This was opposed to Johnson's reconstruction policy. He vetoed it and enough members of Congress were still friendly to him to make it impossible to pass the bill over his veto. In the following September (1866) Johnson made a stump speaking tour from Washington to Chicago by way of New York and back again through Indiana, — "swinging round the circle," as it was called. Excited by the throngs that greeted him, and mistaking respect for the presidential office for personal recognition, he used most intemperate language as to his opponents. This hurt him greatly with moderate and sober-minded men and the breach between him and the Republican majority in Congress widened as the months went by. In July, 1866, Congress passed another Freedmen's Bureau Bill. Like the earlier one this continued the bill for two years. It also provided for the education of the blacks out of the proceeds of confiscated southern lands and for the enforcement of the rights of the freedmen by the army. Johnson promptly vetoed this bill and it was at once passed over his veto. The bureau was later continued by other acts and was not finally abolished until 1872.

"Swinging round the circle."

Civil Rights Bill.

**384. The Fourteenth Amendment.**— In the same year (1866) Congress passed a Civil Rights Bill for the protection of the freedmen giving jurisdiction in cases under it to the federal courts alone. Johnson thought that this was clearly unconstitutional, but Congress passed it over his veto. The question of the constitutionality of the measure was set at rest by the adoption of the Fourteenth Amendment which passed Congress in June, 1866. The first section of this amendment provided that "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the states wherein

Fourteenth Amendment.



they reside," and forbade the states to abridge in any way the rights of citizens. The first part of this section is especially noteworthy because it overruled the opinion of the Supreme Court in the *Dred Scott* case (§ 314).

The second section of the amendment provided that representation in Congress should be apportioned among the states according to their respective numbers, and that whenever any state denied the franchise to any citizens, except for "participation in rebellion or other crime," the representation of that state shall be diminished accordingly. This section was adopted because the abolition of slavery had given added representation in Congress to the old slave states, since the "federal ratio," which counted a slave as only three-fifths of a white man in apportioning representation, no longer existed, as there were no longer any slaves. It seemed very important that the freedmen should be allowed to vote or that representation in Congress should be taken away from any state that refused to permit them to vote. The third section of the amendment excluded from the national services all persons who, "having previously taken an oath . . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same;" but Congress by a two-thirds vote might remove this disability. Finally, the fourth section guaranteed the validity of the federal debt, and declared all debts incurred in the support of "insurrection or rebellion against the United States" to be null and void. The Northern states agreed to this amendment, but the consent of several Southern states was also required to make up the requisite three fourths of all the states. They all rejected it except Tennessee.

**385. The Reconstruction Acts, 1867.** — When Congress met in December, 1866, it was known that the Southern states had rejected the Fourteenth Amendment and that the Northern states had given a hearty approval to the congressional plan of reconstruction by electing a strong Republican majority to Congress in the preceding Novem-

The freedmen enfranchised.

Reconstruction of the Southern states.

ber. The radicals, therefore, hastened to complete the work with or without President Johnson's consent. On March 2, 1867, the Reconstruction Act became law notwithstanding the presidential veto. According to this law and supplemental acts which were passed by the new Congress, the seceded states, except Tennessee, were formed into five military districts. Each of these districts was to be ruled by an army officer who should be assigned to that duty by the President. These military commanders were to respect such state laws only as were not hostile to the rights of the freed negroes and were to register as voters all men — black and white — of twenty-one years and upwards who had lived in the state one year and would not be excluded from the franchise by the proposed Fourteenth Amendment. These conditions practically took the right to vote away from the old white population of the South on account of their having adhered to the Confederacy and gave it to the blacks, the white immigrants from the North, and to the few southern whites who sided with the freedmen ; in other words it practically disfranchised the old white voters of most of the Southern states.

The voting list having been made up as just described, the voters in any one state might elect delegates to a convention to frame a state constitution on the basis of manhood suffrage — excepting those excluded by the proposed amendment. This constitution being ratified by the registered voters, they might elect a legislature which should ratify the Fourteenth Amendment. All these things being done to the satisfaction of the federal authorities, the representatives of the state would be admitted to Congress and the process of reconstruction would be complete, as to that state. The federal government reserved the right to interfere in any stage of the proceedings and to order the whole process to be gone through with again from the beginning. Under the provisions of this act seven of the seceded states — North Carolina, South Carolina, Georgia, Florida, Louisiana, Arkansas, and Alabama — were readmitted to the

Seven states  
readmitted  
to the Union.

Union. Tennessee had already come in. Virginia, Mississippi, and Texas were still excluded because they would not recognize the political equality of the freed slaves.

**386. The Tenure of Office Act.**— Besides reconstructing the Southern states, the radical majority in Congress determined to reconstruct the relations of the executive and legislative branches of the national government. According to the Constitution, the President had power to appoint to office "by and with the Advice and Consent of the Senate" and had power to fill vacancies that might happen during the recess of the Senate by granting commissions which should expire at the end of the next session. These phrases were undoubtedly vague as to the power of removal. Could the President remove any official appointed by him without obtaining or even asking the consent of the Senate? Or was he obliged to obtain its consent to removals as well as to appointments? Up to this time the Presidents had removed at will and had taken their chances as to the confirmation of officials to replace those whom they removed. Congress now determined to assert the power of the legislative branch and did this by passing the Tenure of Office Act over Johnson's veto (March, 1867). This law prohibited him from removing any civil officer, except with the consent of the Senate. Another law forbade him to issue military orders except through the general commanding the army. Johnson resisted the passage of this law as well as he could, for the Constitution expressly states that the President is commander-in-chief of the army and navy of the United States, but he was powerless to prevent its enactment for the radicals in Congress easily overrode his veto.

**387. Impeachment of President Johnson.**— Edwin M. Stanton, Secretary of War, was a "War Democrat." He had ruled supreme in the military department during the last years of Lincoln's administration and had been continued in office by Johnson. The two disagreed entirely as to the treatment of the southerners. In 1867, the President demanded Stanton's resignation. This being refused, John-

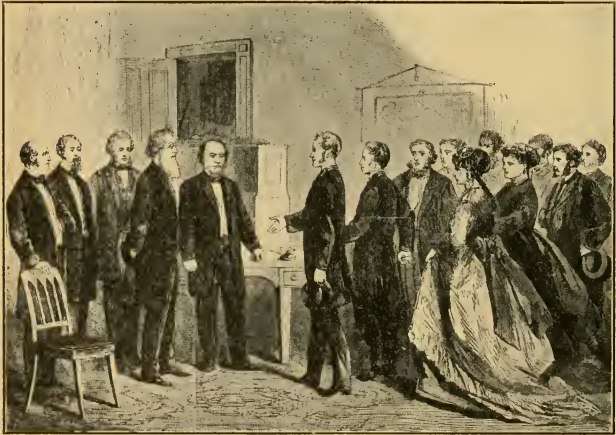
Power of President as to appointment.

His power as to removal limited.

Stanton and Johnson.

The Impeachment trial, 1867. Dunning's *Reconstruction*, 99-106.

son suspended him from office and designated General Grant as Secretary of War *ad interim*. When Congress met, the Senate refused to consent to Stanton's dismissal and Grant left the War Department. Johnson now removed Stanton and appointed a temporary secretary. For this and also for his intemperate language in ridiculing Congress,



President Johnson receiving the news of his acquittal

the House of Representatives impeached President Johnson of "high crimes and misdemeanors" in office. The trial lasted from March to May, 1868, when the Senate failed to convict him by a vote of thirty-five ayes to nineteen noes, — this being one vote less than the necessary two-thirds required by the Constitution for conviction. It is now generally held that Johnson was right in his interpretation of the Constitution as to the President's power of removal. Moreover, it appeared that Stanton had been appointed before the date set by the Tenure of Office Act and therefore

was not protected by its provisions. Although the majority lacked only one vote of the number necessary for conviction, it is said that several other senators would have voted "No" had it been necessary.

**388. The French in Mexico.** — In the midst of the Civil War, while the United States was powerless to enforce the Monroe Doctrine (§ 259), Great Britain, France, and Spain united to compel Mexico to pay her national debt. Great Britain and Spain remained members of this league for a short time only. The French, left to themselves, overran Mexico, and placed Maximilian, an Austrian archduke, on the throne of that country as emperor. Thirty-five thousand French troops supported him and prevented the Mexicans from driving him out of the land. With the end of the Civil War, the situation changed and Mr. Seward, who was still Secretary of State, reminded the French minister at Washington that his government desired the removal of the French soldiers from Mexico (1865). As they did not go, there was at one time a project of sending discharged Union and Confederate veterans over the border to aid the Mexicans in freeing their country from the Frenchmen. This plan fell through, but a body of American troops was actually marched towards the frontier. Events in Europe made it necessary for the French emperor to have all his soldiers at home. He recalled them; Maximilian, remaining, was seized and executed by the Mexicans, who again established a government that was Republican in form.

Mexico and  
the French.

The  
Mexican  
Republic re-  
established.

**389. Alaska, St. Thomas, and Santo Domingo.** — The Civil War not only aroused a speculative spirit in the people, it turned their attention to the outer world and gave rise to schemes of annexation. The most important of these was the purchase of Alaska from Russia for seven million two hundred thousand dollars. The history of this affair is still obscure. It appears that Russia offered to sell Alaska to the United States, and the treaty was signed in March, 1867. There was no money in the treasury for such an object and the people took very little interest in it. The

Purchase of  
Alaska, 1867.

first transcontinental railroad to California was still unfinished. Alaska seemed a long way off and not much was known as to its natural resources and its fitness for habitation. The American people were grateful to Russia for her friendly attitude throughout the recent conflict, the money could be found, and the purchase was made. It is only within recent years that the natural resources of Alaska in gold, copper, coal, and timber have come to light. Now the good fortune of the United States in making this purchase is recognized.

In 1867 and in 1869, projects were set on foot for the acquisition of the island of St. Thomas in the West Indies, from Denmark, and for the annexation of Santo Domingo, which had been in the hands of its black inhabitants for three quarters of a century. Both schemes fell through, for the people were averse to having any more southern territory and a hurricane stripped St. Thomas bare of trees and almost of soil while the negotiations were proceeding.

**390. Election of 1868.**—The Democratic candidate for the presidency in 1868 was Horatio Seymour. He had been governor of the state of New York, and had caused Lincoln much anxiety by his feeble support of the government's



The Washington Monument

St. Thomas and Santo Domingo.

General Grant elected President 1868.

measures, and also by his open hostility displayed to some of them. In their platform the Democrats declared their approval of Johnson's plan of reconstruction. The National Union Republican Party nominated General Grant and declared for the policy set forth in the Reconstruction Acts. Upon these platforms and with these candidates there could be little doubt which side the voters of the North would take, nor could there be much doubt as to the preferences of those entitled to vote in the South. Virginia, Georgia,

Mississippi, and Texas were still unreconstructed and could not take part in the election. The negroes formed the majority of voters in the other Southern states, and at this time their votes were counted. Out of two hundred and ninety-four electoral votes Grant received two hundred and fourteen.

**391. The Fifteenth Amendment.**—The Fourteenth Amendment was declared in force in July, 1868, and the election of Grant in the following November plainly indicated that the majority of the voters desired the completion of the process of reconstruction, as embodied in the recent acts of Congress and in the Fourteenth Amendment. In February, 1869, Congress added one more safeguard to the negroes' rights as citizens by proposing the Fifteenth Amendment. This provided that neither the federal government nor any state government, north or south, could abridge the rights of citizens of the United States to the franchise "on account of race, color or previous condition of servitude." When this amendment was introduced it had contained the further requirement that the right to hold office should not be denied to any citizen of the United States; but this clause had been stricken out while the matter was being considered by Congress. The ratification of this, as well as of the Fourteenth Amendment, was now made a condition of the readmission of Virginia, Mississippi, Texas, and Georgia to the Union. The Fifteenth Amendment was declared in force in March, 1870; but it was not until 1870 that the last of the states which had passed secession ordinances were restored to full rights. Meantime, since 1860, Kansas, West Virginia, Nevada, and Nebraska had been added to the Union. There were now (1871) thirty-seven states in all.

**392. The Blacks and the Whites.**—The enforcement of the radical policy of reconstruction placed the old slave states under the rule of the negroes and their white allies. Some of these were southern Unionists who generally belonged to the poorer families of the South; others were speculators who had come from the North, bent on making

The  
Fifteenth  
Amendment,  
1869.

Scalawags,  
carpet-bag-  
gers, and the  
freedmen.  
Dunning's  
*Reconstruc-  
tion*, 120-123,  
181-190.

fortunes on easy terms. The former were termed "scal-awags" by their more aristocratic white neighbors, the latter were called "carpet-baggers" from the name of the small satchel which they carried containing their personal belongings. As soon as the negroes gained power, they passed laws giving themselves equal privileges with the whites in hotels and public places. What they really desired was social equality with the whites. As soon as this became evident, the southern whites deserted the freedmen and before long most of the northerners returned home. This left but two parties in the South, the whites and the blacks, and the contest was no longer a political one, but a racial one.

Misgovernment. *Con-temporaries*, IV, No. 157.

In the early years, the negroes filled the legislatures and fell under the influence of designing white men who thought they saw a chance of gaining riches from the exploitation of the great resources of the South. Many of the schemes that were proposed were commendable in themselves, but were out of the question in the exhausted condition of the former Confederate States. There was no money in their treasuries and bonds were sold right and left to gain the needed funds. No less than one hundred and thirty million dollars' worth of new debts were authorized within a few years. Some of the money raised in this way went into the pockets of the "carpet-baggers," a good deal of it was wasted, and there was very little to show for this great expenditure. The southern whites now banded together to free themselves from this thralldom. The only way they could do this was to deprive the freed negroes of the right to vote. Secret societies of the whites, as the Knights of the White Camelia, and the Ku-Klux-Klan were organized to intimidate the blacks. The negroes were whipped and so cruelly ill-used that they feared to go to the polling places and political power passed away from them. It is noticeable that these outrages were more frequent in those portions of the South where the poor whites were most numerous and where the dread of the social equality of the blacks was more keen.

The Ku-Klux-Klan.



**393. The End of Reconstruction.** — Congress was obliged to exercise the great powers conferred on it by the recent amendments. It passed several laws, known in the South as the "Force Bills." These provided heavy penalties for the infraction of the amendments, and gave the federal courts exclusive jurisdiction of all such cases. By 1872 the condition of affairs had so far improved that Congress repealed or modified some of the more severe of these measures. It also passed an Amnesty Act relieving many classes of Southerners from the disabilities laid upon them by the amendments and the reconstruction acts. In some states there was no improvement whatever. Occasionally there was great disorder, and often two rival governments contended for mastery. The federal authorities were frequently obliged to interfere and to send soldiers to maintain any semblance of order. Notwithstanding General Grant's desire for peace this discouraging condition of affairs continued throughout his two terms of office as President.

The Force Bills.  
Dunning's  
*Reconstruction*, 184-186.

**394. Relations with Great Britain.** — The Northern people had never forgotten the action of the British government at the time of the "Trent affair" (§ 350), nor its inaction as to the *Alabama* and other Confederate vessels (§ 370). There were also other causes of irritation, especially a dispute as to the boundary in the extreme northwest, and as to the rights of American fishermen in Canadian waters. In 1869 Reverdy Johnson, the American minister in London, negotiated a treaty on these matters, which was promptly rejected by the United States Senate. In January, 1871, however, the British government suggested that a joint commission should meet at Washington to arrange some of the matters in controversy. The American government consented, on condition that the "Alabama dispute" should also be considered. The commissioners met at the federal capital, and concluded the Treaty of Washington (1871). According to this instrument, the matters in controversy were referred to courts of arbitration or to joint commissions, with the exception of the controversy as to the northwest bound-

The  
Alabama  
dispute.

Treaty of  
Washington,  
1871.

The North-  
western  
boundary.

Geneva  
arbitration,  
1872.

ary, which was referred to the German Emperor as arbiter. This last was in regard to the boundary from the mainland on the eastern side of Vancouver Sound to the Pacific Ocean at the western end of the Strait of Juan de Fuca. The point in dispute was especially over the ownership of St. Juan Island, which separated the two main channels. The matter was finally decided in favor of the United States (1872).

The "Alabama claims" included all the disputes which had arisen out of the refusal of Great Britain to enforce the obligations of neutrals during the course of the Civil War. These were now referred to a court of arbitration, consisting of five members to be appointed, one each by the United States, Great Britain, Italy, Switzerland, and Brazil. The tribunal was authorized to proceed on the assumption that a neutral was obliged to use "due diligence" to prevent its territory being made the basis of hostile expeditions or armaments against one of the belligerents; but the British government was unwilling to admit that international practice had imposed such obligations at the time of the Civil War. When the tribunal met at Geneva (1872), the United States suggested that Great Britain should be held responsible not only for the direct loss occasioned by her lack of due diligence, but also for the indirect damage caused by the prolongation of the conflict so far as it could be attributed to the action of the Confederate cruisers. The court rejected this claim for indirect damages, but held that the British government had not shown due diligence in permitting the escape of the *Alabama*, and in allowing the *Shenandoah* to fill her bunkers with coal at Melbourne. The court awarded the United States fifteen and one half million dollars, the British representative alone dissenting from this verdict.

The Halifax  
award, 1877.

**395. The Fisheries Dispute.** — The Treaty of Washington also provided for the arbitration of a dispute between the United States, on the one hand, and Great Britain and Canada, on the other, as to the participation of Americans in

the fisheries of the Gulf of St. Lawrence and Newfoundland. Under what is known as the Reciprocity Treaty of 1854, Canadian products were admitted into the United States free of duty, and American fishermen enjoyed considerable privileges in Canadian fisheries. During the Civil War, much irritation had been aroused by the facilities given to the Confederates in Canada. In 1866, therefore, the United States put an end to this treaty. The question of the fisheries thus came up again for adjustment. In 1871, an agreement was reached by which the Americans should enjoy certain rights for twelve years and should pay something for these privileges, — the amount to be determined by a commission. This body met at Halifax in 1877. The Americans contended that the rights given them were worth very little; the Canadians estimated them at about fourteen million dollars. By a vote of two to one, the commission awarded five and one half million dollars to Great Britain. This was paid, but when the time came to renew the treaty, the United States refused to prolong the arrangement for another term. Various attempts have been made to settle the fisheries dispute, once for all; but up to the present time (1913) no satisfactory arrangement has been made.

**396. The Transcontinental Railroads.** — In the ten years after the Civil War, there was great activity in railroad building outside of the former Confederate States. In 1865, less than one thousand miles of new line were constructed; in 1871 over seven thousand miles. Short lines of connecting railroads were brought under one management and the great systems began to take their present form; the Pennsylvania was operated as one line from New York to Chicago and to St. Louis, and the New York Central and the Baltimore and Ohio had each its own line from the seaboard to the Great Lakes. This unification of lines of transportation was of great importance to the business interests of the country and to the people at large, because it greatly reduced the cost of carrying freight and thereby aided in extending comfort and well-being to all.

The great  
railroad  
systems.



Joining of the Union Pacific and Central Pacific Railroads

The building of the first transcontinental system of railroads attracted more attention at the time on account of the difficulties and incidents connected with it and also because of the important political results that were almost certain to follow. It was so important, indeed, to have easy and certain communication with the Pacific seaboard that the government gave the builders of this line a right of way through the national domain, great quantities of land along the road-bed and also guaranteed bonds to be issued by these railroads. Construction was begun at the same time from the Missouri westward and from San Francisco Bay eastward. The name of the eastern road, the Union Pacific, in itself expressed the importance of the enterprise. The lines were joined near Ogden, in Utah, in 1869, and the East and the West were united by a modern transportation system. Unfortunately, the enterprise had not attracted capitalists. To stimulate them to put their money into the scheme, a construction company called the Credit Mobilier had been formed. This company built the road and received in payment money which the government had provided. Some of the leaders in this company thought it was desirable to interest members of Congress in it, so that the government would not interfere with the carrying out of their plans. When these details became known, the people were greatly incensed, and the public careers of several politicians were ruined.

The Union  
Pacific, 1869.

The  
Credit  
Mobilier.

397. **Panic of 1873.**—The success of the railroad enterprises that have been described in the preceding paragraphs induced capitalists to embark in many other schemes. They began the building of two other transcontinental lines and the extending of railroads everywhere. There was great activity and speculation also in other branches of industry. Great profits were made by many persons and also complaints became frequent of the high charges for carrying passengers and freight. In Massachusetts a commission was appointed to look into the management of the railroads within the state. They were to publish the results of their investiga-

State rail-  
road com-  
missions.

tions and advise the railroad authorities as to the best way of remedying the grievances of their patrons. In other states, people formed societies called granges for self-betterment. These granges were united into one great society called the Patrons of Husbandry. The rates of freight charged for carrying their produce and the high prices of farm and household supplies attracted their notice. To remedy the latter, they formed co-operative societies which, for a time, were very successful. To remedy the former, they caused state legislatures to pass laws fixing the highest rates that railroads might charge. The result was that railroad building stopped in those states and the railroad service in them became poorer and poorer.

Granger  
legislation.

Failures,  
1873.  
Dunning's  
*Reconstruc-  
tion*, 235.

Stoppages of  
mills, etc.,  
1873-75.

Hard Times.

National  
disgrace.  
Dunning's  
*Reconstruc-  
tion*,  
ch. xviii.

In September, 1873, the great banking house of Jay Cooke shut its doors. It had become deeply involved in the financing of the Northern Pacific and found itself unable to sell any more of the bonds of that railroad. At once constructive work stopped everywhere, and so did the making of cars, locomotives, rails, and other things that go into the construction and operation of railroads. Then other branches of manufacturing became affected: all kinds of mills were closed or were partly operated. Employees in all kinds of industry found themselves without work. They stopped buying what was not actually necessary and many of them could not buy anything whatever. Earlier panics had continued for only a few months; but now business continued to be bad for years. In 1876-1879, no less than four hundred and fifty railroads were sold under foreclosure. The "Hard Times" were at their worst in 1878. After that year, the country slowly regained its former prosperity.

**398. Corruption in Politics and Business.**—In the race for wealth, many persons had gone far outside of the paths of honesty and fair dealing. This had not been confined to business men, but had extended into governmental circles from the administration at Washington to the rings and cliques that plundered cities and towns. President Grant's personal honesty was beyond question, but many of

those about him robbed the government or accepted bribes. The national Congress was supposed to be honeycombed with corruption, but little could be proved against individual members. The anger of the voters was especially aroused by the raising of the pay of the highest officers in the government, including the President, the federal judges, and the members of both branches of Congress (1873). The case of the last especially attracted notice because for them the increase was to be dated back two years, so that each Representative who voted for the bill would receive five thousand dollars more than he had expected to get when he asked the voters to send him to Congress. The outcry against this "back-pay steal" or "salary grab" was tremendous. Some members refused to take their share; others returned theirs to the treasury, and the next Congress restored the lower scale of pay for both Senators and Representatives. Among the minor scandals, none attracted more attention than the "Tweed Ring" in New York. In this instance, a group of city officials caused themselves to be paid for work that was never done. These are the two foremost examples of the political corruption of the day; but the legislatures of some of the states were likewise tainted.

399. **The Election of 1872.** — Stories of corruption and greed worked powerfully against the Republican Party, although it was really responsible for very little of it. Another cause of unrest among the voters was the failure of the policy of reconstruction to bring safety to the freedmen or peace to the South. Many Republicans thought that the southern whites had been sufficiently punished for their misdeeds and would better be given full political rights and left to settle the negro problem as well as they could. These men called themselves "Liberal Republicans." In addition they stood for reform in the government, especially in the civil service, and for a revision of the tariff. They held a convention at Cincinnati and nominated Horace Greeley for President. He was editor of "The Tribune," a famous New

The "salary grab."

The "Liberal Republicans."

Horace Greeley.

York newspaper, that had advocated reforms of many kinds. He had been an ardent abolitionist before the war (§ 325), and during the war had been greatly dissatisfied with Lincoln's attitude. In many ways Greeley was a great man, but he was not at all fitted to lead a political movement. The Democrats could see no hope of electing one of their own party to office. Greeley stood for fair treatment to the south-



Horace Greeley

ern whites and the Democrats adopted him as their candidate also. The regular Republicans renominated Grant. The great mass of the voters of the North had not forgotten his military services to the country and were willing to close their eyes a little longer to his short-comings as an administrator. He was triumphantly re-elected. The

strain of the campaign combined with the death of his wife shortly before the election were too much for Greeley to bear. He broke down completely and died a few weeks later.

**400. Grant's Second Term, 1873-1877.**— From the point of view of political purity, Grant's second term was no improvement over the first. One scandal after another came to light. His private secretary was shown to be a party to a successful scheme to defraud the internal revenue. Moreover, the Secretary of War was implicated in a nefarious scheme to fill his own pockets at the expense of the government. These disclosures aroused renewed dissatisfaction with the Republican party.

It is pleasant to turn from the story of corruption to the great exhibition that was held at Philadelphia in 1876, to

Grant  
re-elected.

Scandals  
and cor-  
ruption.

Centennial  
Exhibition.



commemorate the ending of the first century of the independence of the United States. It was the first of the kind to be held in America and was a most fitting exposition of the progress that the American people had made in one hundred years. Among the devices shown were three for the application of electricity to the comfort and well-being of humanity. One of these was for the transmission of the human voice from one place to another over an electrically charged wire. Another was the model of a railroad, along which cars were propelled by electricity: the third was a lamp lighted by the same means. The telephone and the trolley car were as yet mere toys, and Edison had not discovered the incandescent electric light. The age of

Electrical  
Appliances.



Rutherford B. Hayes

electricity was at hand, however, and the Centennial Exhibition conveniently marks the transition from one age to another.

401. **The Election of 1876.**— This election was more fiercely contested than any that had been held since 1860. The Democrats had now accepted the policy of reconstruction and there was really very little difference between the two great parties, so far as principles went. The Democrats were more friendly to the South than were the Republicans; but northern voters generally had grown tired of coercing southern whites and were becoming indifferent to the interests of the negroes. James G. Blaine, the Republican leader in the House of Representatives, tried to stimulate northern resentment by describing southern outrages on the blacks; but

this "waving of the bloody shirt" met with feeble response. The Republicans nominated Rutherford B. Hayes of Ohio for President, and the Democrats chose for their candidate Samuel J. Tilden of New York, who had shown ability and honesty in the administration of state affairs. The election was very close, and finally turned on the votes of three Southern states, whose governments were still in an unsettled condition. The Constitution is exceedingly vague as to the process by which the electoral vote shall be ascertained. The Twelfth Amendment says: "The President of the Senate shall, in the presence of the Senate and the House of Representatives, open all the certificates and the votes shall then be counted." In 1876 the Senate was Republican and the President of the Senate was a Republican; the House of Representatives, on the other hand, was in the control of the Democrats. Two sets of certificates had been received from Louisiana, Florida, and South Carolina, in which there was both a Republican and a Democratic form of government. There was also a controversy as to the vote of Oregon. If all these votes should be counted for the Republican candidate, he would be elected by a majority of one; but if the votes of one only of these states should be thrown out or given to the Democratic nominee, the latter would be elected. Under these circumstances, it was most important to secure an impartial count of the ballots; but what man, or body of men, under the Constitution, had the authority to decide as to the validity of the disputed certificates? Was it the business of the President of the Senate? Or should it be confided to the Senate and House of Representatives sitting together or sitting apart? Should the deciding body, whatever it was, take the returns as they came from the states; or should it "go behind the returns" and decide for itself in each case which set of presidential electors had been properly chosen? Congress could come to no agreement on these points; but both houses were able to agree to refer the matter to an extra-legal Electoral Commission of five senators, five representatives, and five justices of

Hayes and  
Tilden.  
Stanwood's  
*Presidency.*

The  
Electoral  
Commission.

the Supreme Court. By accident, it turned out that eight of the fifteen members of the commission were Republicans, and they voted together on every important question. On March 2, 1877, the commission, by a vote of eight to seven, reported that Hayes was elected, and two days later he was inaugurated.

402. **The Whites in Control in the South.**—President Hayes removed the soldiers who still upheld the federal authority in two Southern states, and left the Southern people free to work out their new life as best they might. The old Southern leaders had regained control of the Southern state governments, and had practically suppressed the political privileges guaranteed to the freedmen. They were determined to retain political power in their own hands, but had no desire, or at least had no intention, to return to the slave system, or again to assert the doctrine of states' rights; these two issues were dead in the South as they were in the North. The politics of the country were to turn on other issues in the future: the reform of the civil service, the revision of the tariff, and the substitution of silver for gold as a monetary standard. On these issues there has been little difference in principle between the two great parties. The Democrats inherited from earlier days a desire for freer trade than existed under the war tariff, and perhaps would have rejoiced to see free trade established, while the Republicans, as a party, have argued for extreme protection. Both have supported civil service reform, especially when they were out of power. Until 1896, both parties favored the making of laws to put more silver money into circulation.

Removal of  
the troops  
from the  
South.

## SUGGESTIVE QUESTIONS AND TOPICS

### § 375. THE SITUATION IN 1865

Classify under four heads the problems which met the American people in 1865; make clear statements of each problem in notebook, and enter under it the specific efforts towards solution made

between 1865 and the present time. In handling which of these problems has the American people shown marked ability? great lack of intelligence?

§§ 376-387. CONSTITUTIONAL AND POLITICAL HISTORY, 1865-67

*a.* Is it true that our pension appropriations demand from the people an amount sufficient to support one of the standing armies of Europe?

*b.* What well-founded objection could be made to Congress's pledge "to redeem the public obligations in coin at their face value"?

*c.* Was President Johnson rightfully acquitted?

§§ 390-393. PROGRESS OF RECONSTRUCTION

*a.* Has the Fifteenth Amendment produced valuable results?

*b.* What is meant by a racial contest?

*c.* Could misgovernment in the South have been avoided?

§§ 396-400. INDUSTRIAL EXPANSION AND THE PANIC

*a.* Why were the transcontinental railroads of such great political importance?

*b.* State three causes of the Panic of 1873.

*c.* What do you think of the "salary grab"?

§§ 399-402. POLITICAL UNCERTAINTY, 1872-1876

*a.* Would you have voted for Grant or for Greeley?

*b.* Was Tilden "elected" President?

*c.* Was the appointment of the Electoral Commission desirable?

GENERAL QUESTIONS

Prepare entries in note-book under "Negro Slavery" for continuous recitation under the following heads: (1) origin, (2) position in 1760, (3) position in 1800, (4) influence of cotton culture on, (5) rise of the abolitionists, (6) right of petition, (7) territorial expansion, (8) Texas, (9) Mexican cessions, (10) compromise of 1820, of 1850, (11) fugitive slaves, (12) Kansas-Nebraska act, (13) struggle in Kansas, (14) rise of the Republican party, (15) the Dred Scott case, (16) the Emancipation Proclamation, (17) amendments to the Constitution, (18) present position of the negro in the South.





## CHAPTER XV

### NATIONAL DEVELOPMENT, 1877-1898

#### Books for Consultation

**General Readings.** — Wilson's *Division and Reunion*, 288 and fol.; Johnston's *American Politics*, 247-304; Peck's *Twenty Years of the Republic, 1885-1905*; Stanwood's *History of the Presidency*.

**Special Accounts.** — Dunning's *Reconstruction*; Andrews's *United States in Our Own Time*; Dewey's *Financial History of the United States*; E. E. Sparks's *National Development*. Definite information can be found in the *World Almanac*, the *Tribune Almanac*, and Appleton's *Annual Cyclopædia*.

**Sources.** — McPherson's *Handbook of Politics*, Richardson's *Messages and Papers of the Presidents*.

**Bibliography.** — *Guide to American History*, §§ 251-264.

**Illustrative Material.** — Winston Churchill's *The Crisis* and *Mr. Crewe's Career* (politics in a New England state); Owen Wister's *The Virginian* (life on the plains); G. Stratton-Porter's *Freckles* and *The Girl of the Limberlost* (life in the western woods).

### NATIONAL DEVELOPMENT, 1877-1898

403. **Hayes's Administration, 1877-1881.** — President Hayes began his administration under many disadvantages. His election had been achieved by doubtful means; the House of Representatives was in control of the Democrats, who hampered him in every way; and his own acts during the first two years of his term dissatisfied both the radical and the regular Republicans. Moreover, he thought that the time had come to withdraw the few federal soldiers who were still mounting guard over Republican Southern governments. These at once passed into the hands of the Democrats. The Radicals disliked this greatly and charged that it was part of the price of Hayes's election. The new Presi-

Removal of  
the troops.

Hayes and  
the civil  
service.

dent also removed many Republican officials who had used their public position as vantage points from which to fight the party's battles. Among those who were displaced were Chester A. Arthur, collector of customs at New York and chairman of the National Republican Committee, and Ira B. Cornell, postmaster at New York and chairman of the state Republican committee. Hitherto, no one except civil service reformers had objected to using national offices as political headquarters. The Republican leaders were amazed at the President's action and were profoundly irritated, with the result that in the election of 1878, the Democrats secured control of the national Senate, while retaining their hold on the House. In the next two years President Hayes's quiet, dignified administration won back many Northern Republican voters so that in 1880 the Republican party was much stronger than it had been in 1876.

Greenbacks  
redeemed  
in gold, 1879.

**404. The Resumption of Specie Payments.** — The most notable event of Hayes's term of office was the resumption of specie payments in 1879 (see § 340). This had been resolved upon in 1875 and the government had been accumulating gold for some time. Many persons prophesied disaster whenever the government should begin to pay out gold for greenbacks, because everybody would wish to have the precious metal actually in his possession instead of the government's promise to pay. Nothing of the kind happened, however, for when the time came, it was so certain that the government had enough gold on hand to redeem its notes that people, instead of taking the paper bills to the treasury and demanding gold, took gold to the government's offices and got paper bills in exchange for it—for these were much more convenient to handle. This is always spoken of as the "resumption of specie payments" but in reality it was the establishment of a gold standard for the United States. Before the Civil War, both gold and silver dollars had been the standard of value. The silver miners had been so active since then that silver had greatly decreased in value in comparison with gold. In 1873, an act of Con-





other delegates favored James G. Blaine or John Sherman. The former had been Speaker of the national House of Representatives and possessed a marvellous faculty of arousing popular enthusiasm, but his name was still associated by many people with the Credit Mobilier scandal (§ 396). John Sherman was the brother of the famous general. In Congress, he had stood faithfully by the Union and as Secretary of the Treasury had successfully carried out the resumption of specie payments. After thirty-five ballots had been taken, without any of these men obtaining a majority, it seemed to be clear that none of them could be nominated. The members of the convention suddenly turned to James A. Garfield and chose him as the party's standard bearer. He had served with high credit in the Civil War and had been prominent in Congress since then. Chester A. Arthur was nominated for the Vice-presidency to placate those who had urged Grant's candidacy so persistently.

Garfield  
nominated.

Hancock  
and the  
tariff.

The Democrats nominated Winfield Scott Hancock, one of the most dashing and successful of the Union generals in the Civil War. As military commander of one of the departments in the South under the Reconstruction Acts, he had at one and the same time done his duty and won the good will of the Southern whites by his fairness and his courtesy. Instead of coming out boldly for a revision of the war tariff and fighting the election on that point, Hancock tried to lessen the importance of the matter by saying that it was a "local issue." The election was very close, the Republicans having only ten thousand more votes in the country as a whole than the Democrats. Owing to the working of the electoral system, however, Garfield had two hundred and fourteen electoral votes to only one hundred and fifty-five for Hancock, all of them from the South. The Democrats also lost control of the House of Representatives and the Senate was equally divided between the two parties, there being thirty-seven Republicans, thirty-seven Democrats and two Independents.

406. **President Garfield.**—The new President had no great section of the Republican party behind him. He had been brought before the Convention at the very last moment as a "dark horse," because the delegates could agree upon no one else. After the election the Grant men, or "Stalwarts," tried to dictate to Garfield as to appointments, especially in New York. Instead of yielding to them, he nominated for two of the most important offices in that state, men whom the New York senators especially disliked. Upon their confirmation by the Senate, the New Yorkers resigned and asked their state legislature to send them back, thereby approving their action and condemning Garfield's. The state legislature refused to do this and sent two other men. Garfield

Garfield  
and the  
stalwarts.



J. A. Garfield

may be said to have come out victorious in this contest, but it divided the party. Another thing that troubled him was a scandal that came out in connection with the Post Office Department. Officials at Washington and contractors who carried the mails on the "Star Routes," conspired together to overcharge the government and divide the proceeds between them. Garfield was in no way responsible for these practices which had been going on for some years. Upon his refusal to stop the investigation, letters that he had written suggesting contributions for political purposes were published. This had been a long standing practice, but the people were now becoming sensitive as to extracting money for political objects from government employees. It was under these circumstances that Presi-

The "Star  
Route  
frauds."

Garfield  
assassinated,  
1881.

dent Garfield was shot (July 2, 1881) by a disappointed office seeker, who had persuaded himself that only by Garfield's removal could the Republican Party be reunited. After a long and distressing illness, the President died on the 19th of the following September.

First  
attempts to  
reform the  
civil service.

**407. President Arthur and the Civil Service.**—Vice-president Arthur now succeeded to the chief magistracy of the nation. While collector of customs at New York, he had distributed offices as the reward of political services. Garfield's tragic death aroused public attention to the evils of the spoils system and the new President fell in with the popular wish. Filling the offices with members of one's own party had begun in the days of Washington and Jefferson, and had been carried to its logical conclusion by Jackson. The voters as a whole had paid slight attention to the matter until the scandals of Grant's second term compelled their observation. Any reform of the civil service is very difficult of accomplishment. No legal limitation can be placed upon the President's constitutional power of nomination and a reform of this kind requires money which must be provided by Congress. The active and continuing co-operation of both branches of the government is therefore necessary to the beginning and prosecution of this particular reform. General Grant was anxious to give the country a pure and efficient civil service and willingly consented to have his power limited for the public good. An act authorizing him to administer, through a Civil Service Commission, such rules for appointment and promotion of civilian employees as he might think desirable was passed in 1871. After three years of fairly successful trial, Congress refused to provide money to carry on this work and this attempt to improve political life came to an end.

The  
Pendleton  
Act, 1883.

Senator George H. Pendleton of Ohio, a Democrat, had long been interested in civil service reform. He now introduced a bill authorizing the President again to establish the merit system of appointments to federal offices. The Senate and the House were controlled by the Republicans; but the



wumps," as they were derisively termed by their opponents, deserted the Republican party and supported Cleveland. Even with their aid the election was very close and turned finally upon the state of New York. The Republicans would probably have won, for many New York Democrats disliked and distrusted Cleveland. Shortly before election day, an incautious clergyman in presenting an address to Blaine stigmatized the Democrats as favorers of "Rum, Romanism, and Rebellion." Worn out with the stress of the campaign, Blaine did not notice the phrase at the moment and at once disavow this characterization of many persons who would otherwise probably have voted for him. He also attended a banquet at which were many of the richest men of the country. These two incidents gave his enemies their chance to stigmatize him as the enemy of the poor and of the Roman Catholics. When the votes were counted, it appeared that outside of New York, Cleveland had received 183 electoral votes to 182 for Blaine. Everything turned, therefore, upon the way in which New York's thirty-six electoral votes would be cast. The election in that state had been so close that a recount was necessary. This took ten days to accomplish. There was great excitement throughout the country. When at last the vote was announced, it was found that Cleveland had carried New York by 1149 votes in a total of over one million. By this narrow margin, the election was decided in his favor. After twenty-four years' hold on power, the Republicans gave way to a Democratic administration.

Cleveland  
elected.

The  
Mugwumps  
Cleveland,  
and the  
office-  
seekers.

409. **Cleveland and the Civil Service.**—Cleveland took the oath of office on March 4, 1885, and found himself face to face with a very difficult task. His Democratic followers were hungry for office after so many years of deprivation, but his Mugwump supporters were first of all civil service reformers. Cleveland, himself, honestly favored the merit system, but he realized that if he got too far away from his party he would lose every chance of getting useful legislation from Congress as to the civil service or anything else. More-

over, he also thought that Southerners should be appointed to some of the offices. This was no doubt entirely just, but many Northerners who had voted for him thought it incongruous to have former Confederate soldiers representing the national government in foreign countries. It seemed more fitting for southern Democrats to be appointed to federal offices in the South and it was perfectly true that no civil service reform could be permanently established anywhere, so long as practically all the offices were occupied by the members of one party. Cleveland removed some Republicans to make room for Democrats, and some of those Democrats whom he appointed made a clean sweep of all the officers under them. These things greatly displeased the reformers, while at the same time



Grover Cleveland

Cleveland's refusal to make more removals angered his Democratic followers.

**410. The Tariff.**—The war left the country staggering under a heavy load of taxation: the internal revenue duties affected nearly every kind of expenditure, and the high protective duties greatly increased the cost of all manufactured articles. The internal revenue duties were reduced in number and in amount until, in 1872, they were practically abandoned, except as to beer, spirits, and tobacco.

Reduction of  
internal  
revenue  
duties.

Tariff policy.  
Johnston's  
*Orations*, IV,  
238-269.

It will be remembered that the tariff rates had been increased to counteract the effect of the internal revenue duties on manufactured commodities (§ 342). It would appear reasonable, therefore, that, as the latter were reduced or abandoned, the former should be reduced at the same time. It is one of the peculiarities of the protective system, however, that a protective duty once imposed is very difficult to get rid of. Important interests become alarmed, and are able to advance an argument which undoubtedly has a good deal of force, — the threatened industry has been established or enlarged, and capital has been invested in a plant which would become useless were the industry to be destroyed. Working men and women are also keenly interested in the matter; hundreds and thousands of workers have gained skill of the kind demanded by the industry which is threatened. If the law is repealed, these skilled work-people will be turned adrift, and they and those dependent upon them left to starve. These and similar arguments operated to retain the war tariff for many years notwithstanding the repeal of the internal revenue laws.

In 1872, when the internal revenue duties came to an end, Congress passed an act making a general ten per cent reduction on import duties; on several commodities, the duties were greatly lowered; for instance, that on salt was reduced one half, and the duty on coal was lowered from one hundred and twenty-five per cent to seventy-five per cent; other commodities, as hides, paper stock, and a few other raw materials for manufacturers' use, were placed on the free list, as were also tea and coffee. A year later came the financial panic; the revenue fell off, and Congress restored the ten per cent reduction, leaving the other reductions as they were. Nothing more was done until 1882, when a tariff commission was appointed to gather evidence, and, on its report, a slight modification of the protective duties was made. In 1887 President Cleveland brought the matter prominently forward, and for a time it seemed as if something might be done; but nothing of importance was accomplished.



**411. The Election of 1888.** — Cleveland was again selected by the Democrats as their candidate for the presidency. He was not popular with the party workers ; but he was the only Democrat who had any chance of election. Foremost among the Republican candidates for nomination was Mr. Blaine who had been defeated in 1884. After long hesitation, he surprised friends and enemies, alike, by refusing to allow his name to be brought before the convention.

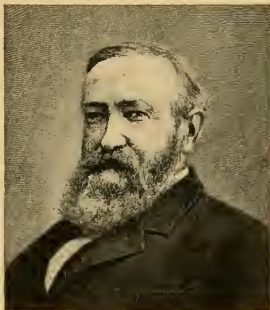
The contest for the Republican nomination was between John Sherman of Ohio and Benjamin Harrison of Indiana. The latter was the grandson of President William Henry Harrison. He was a courteous gentleman, had served in the Union armies, and had represented his state in the Senate.

The election was very close as it had been in

1884. Cleveland received nearly one hundred thousand more votes in the country at large than were given to Harrison. Again, as in 1884, the working of the electoral system gave the decision to New York. Cleveland was still unpopular among the politicians there. It happened, therefore, that although the New York Democrats elected their candidate for governor, enough of them voted for Harrison or did not vote at all for presidential electors to give the electoral vote of the state to the Republican candidate. This decided the matter and Harrison was declared elected President.

**412. Harrison's Administration, 1889-1893.** — The Republicans once more had complete control of the government for they had secured a majority in both branches of Congress. One of the pledges in their party platform had

Cleveland  
and  
Harrison.



Benjamin Harrison

Harrison  
elected.

been a promise to reform the tariff. The election, indeed, had been fought on this issue which Cleveland had brought prominently forward. The Republicans now proceeded to reform the tariff by raising the rates on many articles, already enjoying protection, and adding others to the list. A prominent feature of the new law was the offer of reciprocity to countries that would favor the importation of American manufactures. At the time, it was supposed by many persons that this offer would be eagerly accepted by other countries, so that the final result of the new law would be to diminish the total import duties collected, as the rates had been put so high on many commodities that they would not be imported at all. William McKinley, chairman of the House committee of ways and means, had the principal hand in framing this law and it is known by his name. What might have happened had the reciprocity policy embodied in this act been carried out cannot be stated, for it was repealed in 1894 (§ 405) before its good or bad qualities had been really tested.

The  
McKinley  
Tariff, 1890.

Silver  
legislation.  
Bland-Allison  
Law,  
1878. Mac-  
Donald's  
*Documentary  
Source Book*,  
No. 178.  
Sherman  
Silver Law,  
1890. Mac-  
Donald's  
*Documentary  
Source Book*,  
No. 182.

The other notable bit of legislation in Harrison's time was the passage of the Sherman Silver Law. In 1878, when the country was on the eve of the resumption of specie payment, the friends of silver secured the passage of an act requiring the government to purchase enough silver to coin not less than two million and not more than four million silver dollars in each month. This act was now repealed, and instead the Secretary of the Treasury was directed by law to purchase two million ounces of silver in each month, and to pay for them with treasury notes which were to be redeemable in "coin," and to be received in the payment of all debts either private or public. This law was passed in response to a popular demand for a greater volume of money and a wish "to do something for silver." Great quantities of this metal were produced in the United States. Its value, when measured in gold was constantly declining owing in part, at least, to the refusal of European countries to use it any longer as the standard of value. In short, this legislation was partly protective and partly monetary.

413. **Oklahoma.** — Ever since the close of the Civil War, there had been Indian disturbances in the western country. Some of these outbreaks had been the direct result of the bad policy of the government and the mistakes of its agents. Others had been caused by the rush of prospectors and miners to the rich deposits of silver and lead in the Black Hills and in other places lying within the limits of Indian reservations. Still other uprisings had been due to the land hunger of pioneer farmers who deserted the older settled regions of the West for more fertile lands, which were oftentimes within the area reserved for the aborigines. Finally, the building of the transcontinental railroads and their branches had made accessible millions of acres of splendid land,—and much of this was also within the Indian reservations. Without stationing a soldier at every half mile of the border, the incursion of the whites into Indian land could not be prevented.

Indian  
troubles.

In 1866 the government had bought the western part of the Indian Territory from the Indian tribes to whom it had been granted in the first part of the century. This cession of territory was made on the express condition that no white settlement should be permitted within the ceded area. In 1888–89, the government acquired full right in this region, which was opened to white colonists on April 22, 1889, under the name of Oklahoma Territory. For days, pioneers had been waiting on the borders of the coveted land for the moment when they could cross over and take possession of the best sites for farms and towns. Some were provided with portable houses and household goods. At noon, on the firing of guns, the crowds rushed over the border, some on foot, others on horseback or in wagons, and still others by the railroads which had already been built through the Territory. Within twenty-four hours, fifty thousand persons had passed the line. Oklahoma proved to be exceedingly rich in agricultural lands and in petroleum oil and other natural resources. It grew so rapidly that in 1907, together with the rest of the old Indian Territory, it was admitted to

Oklahoma  
Territory,  
1889.

The  
"boomers."

Oklahoma  
admitted,  
1907.

the Union as a state under the name of Oklahoma. At the same time that the admission of Oklahoma was debated, the question of admitting Arizona and New Mexico was also discussed. One proposition was to admit them as one state; but this was strongly opposed in Arizona. In 1912 they were admitted to the Union as separate states.

Civilizing the  
Indian.

In recent years the government has tried to put an end to Indian tribal relations by making over to the head of each Indian family a certain specified piece of land which could not be sold or mortgaged by their Indian possessors. In this way it is expected that the aborigines will gradually grow to be like white people, and abandon their desire for war and for a wandering life. The government has also established at Carlisle, Pennsylvania, and elsewhere, off the reservations as well as on, schools where Indian boys and girls can be trained in the arts of civilization. Within recent years, the Indian population has been increasing, and those who are interested in the matter look forward hopefully to the future prosperity of the descendants of the American aborigines.

Harrison re-  
nominated.

**414. The Election of 1892.**—As Harrison approached the end of his term of office, the leaders of the Republican party realized that the future was very doubtful. Harrison's administration of the laws had been admirable, and he had stood by the principles of civil service reform. The new tariff policy and the silver legislation had aroused the fears of many leaders of industry and commerce, and their apprehensions had spread to their employees. Nevertheless, he was nominated by the Republican Convention which was held at Minneapolis in June, 1892. Cleveland was the logical candidate of the Democrats, but the politicians of that party were opposed to him. He had been too independent and had paid little heed to their requests for office. Governor David B. Hill of New York led in the attempt to prevent his renomination by causing the state Democratic convention to be held in February without any adequate notice to the mass of the party. A solid anti-Cleveland

Cleveland  
and the  
Democratic  
leaders.

delegation was elected. In the West and in the South, also, Cleveland's hostility to the free and unlimited coinage of silver had aroused discontent. Instead of being non-committal on the matter, he wrote a public letter declaring that "the dangerous and reckless experiment of free, unlimited, and independent silver coinage" would "invite the gravest peril." A third party also appeared in the field. It called itself the People's party. Its platform denounced the money power, demanded the free and unlimited coinage of silver and gold at the rate of sixteen to one, that a tax be levied on incomes, and that the telegraph, telephone, and railroad systems be owned and operated by the government. General Weaver, their candidate, drew from both of the old parties. More than a million voters cast their ballots for him and he received twenty-two electoral votes. In general, Cleveland received the whole of the Democratic vote and some of the Republican. He was elected President, and the Democrats also secured control of both branches of Congress. For the first time since the Civil War that party was in control of both the executive and legislative departments of the government.

The People's party.

Cleveland elected.

**415. Cleveland's Second Term, 1893-1897.**— President Cleveland's greatest interest was to secure a modification of the tariff, but he found the financial condition of the government very grave when he assumed office in 1893. The Republicans had spent money freely in the preceding four years, and the necessity of purchasing silver every month greatly added to the expenditures. Moreover, silver was constantly declining in value in comparison with gold, while the government was obliged to pay out gold for the certificates that had been issued under the Sherman Act. There were undoubtedly many other reasons for the feeling of uneasiness that prevailed in the business world, not only in America, but in Europe as well. Holders of stocks in railroads and mills sold their shares to whomsoever would buy them and a panic swept over the land. Cleveland thought that the Sherman Silver Act was responsible for

The Panic of 1893.

most of the distrust. He summoned Congress in special session and compelled the two Houses to repeal the law.

Silver Law  
repealed,  
1893. Mac-  
Donald's  
*Documentary  
Source Book*,  
No. 183.

The Wilson  
Tariff, 1894.

The Silver Law being repealed, Congress took up the question of the tariff. The House passed a bill that had been framed under the President's direction and was introduced by Representative Wilson. It was designed to bring about considerable reductions in the rates of duties laid on imported articles. When the bill reached the Senate, it was entirely reconstructed, so that more protection was given in some cases, although the rates as a whole were somewhat diminished. At first the House refused to accept these amendments, but later agreed to them as the Senate declined to make any change. When the bill came to the President for his signature, he found himself in a difficult position. Finally he allowed it to become a law without giving his assent directly. The repeal of the Sherman Act and the passage of the Wilson Tariff did not put an end to the government's financial troubles. The stock of gold in the treasury constantly diminished. Four separate times Cleveland was obliged to sell government bonds to obtain more gold with which to redeem the paper money and certificates, but the gold went out of the national treasury nearly as fast as it came in.

Sales of  
Bonds.

**416. Labor Troubles, 1894.** — There was great unrest in the labor world. Wages were being reduced in many places and manufacturing establishments were operated on short time. Among other corporations to reduce wages was the Pullman Company which manufactured cars and operated them all over the country. Some of the employees refusing to accept the reduction, the works were shut down. Upon this the American Railway Union at the head of which was Eugene V. Debs, declared a sympathetic strike. Debs and the other leaders earnestly exhorted the men to be entirely peaceful. For a short time, this was the case, then sympathizers with the strikers interfered and attacked those who were employed by the railway company and began to destroy property. This whole movement cen-

The Pullman  
Strike

tered at Chicago. Before long, the postmaster there informed the government at Washington that the mails were being interfered with and that the local authorities were not protecting the property of the United States. Cleveland thereupon directed that a few regiments of regular soldiers should at once go to Chicago, and issued a proclamation warning rioters to disperse and retire to their respective abodes. At the same time Debs was arrested for disobeying an order of a federal court forbidding him to do anything to incite domestic violence and obstruct the carrying of the mails. Upon this interference by the federal government the labor troubles came to an abrupt end.

Chicago  
Riots, 1895.

**417. Venezuela and the Monroe Doctrine, 1895.**—For years the South American state of Venezuela had been engaged in a boundary controversy with Great Britain. The latter power claimed that a large part of what had once been Venezuela was a part of British Guiana. It refused to submit the dispute to arbitration. Cleveland and Richard Olney, his Secretary of State, called the attention of the British government to the fact that this appropriation of American territory, supposing that it were not a part of Old Guiana, was contrary to the principles of the Monroe Doctrine (§ 259) and suggested that the matter should be referred to arbitration. A most unsatisfactory answer was returned in which among other things was the assertion that the Monroe Doctrine was not a part of international law and was obsolete. Upon this, Cleveland sent a message to Congress stating the facts and suggesting that an American commission be appointed to ascertain the truth as to the boundary line. If the report were unfavorable to the British contention, it would be the duty of the United States to resist “as a wilful aggression upon its rights and interests” the appropriation of such lands by Great Britain. The message created a tremendous stir in the United States and in Great Britain as well. Stocks were sold right and left in Wall Street, but Congress endorsed the President’s action. In Great Britain, members of Parliament and a large num-

Great  
Britain and  
Venezuela.

Cleveland’s  
message,  
1895.

ber of people presented memorials to the government asking the ministry to pursue a conciliatory policy, and Lord Salisbury consented to submit the matter to arbitration, with the result that a large portion of the disputed territory was awarded to Great Britain, and the rest to Venezuela.

**418. The Election of 1896.**—The financial difficulties of Cleveland's administration, his hostility to silver, and his prompt action in the labor troubles had made him excessively unpopular with the rank and file of the Democratic party. His success in compelling Great Britain to arbitrate the Venezuela boundary dispute had only slightly diminished this ill feeling. The great mass of the Democratic party by this time had come to believe that the free and unlimited coinage of silver was the only way to restore prosperity. This view was advocated by William Jennings Bryan at the convention which met at Chicago in 1896. He was a magnetic orator and was a man of the greatest sincerity and honesty of purpose. He was nominated for the presidency, the convention even refusing to commend Cleveland's administration. The Republicans held their convention at St. Louis; there were silver men in that party also, but the convention declared for the gold standard, unless foreign nations could be brought to acquiesce in the establishment of a double standard. It was upon this platform that William McKinley of Ohio became the Republican candidate for President. The gold Democrats seceded from the party and nominated a candidate of their own. On the other hand, the Populist party accepted Bryan as its candidate. The campaign was hotly contested. Bryan traveled over the country, sometimes making a dozen speeches a day, and addressing hundreds of thousands of voters in the course of a few months. McKinley remained at home welcoming in neat little speeches those who came to visit him to the number of more than seven hundred thousand. The prospect of free silver alarmed business men as nothing ever had in the whole previous history of the government. They adopted every possible means to make their employees

Bryan and  
silver.

Republicans  
nominate  
McKinley.



understand what disastrous consequences would come to them from the election of the Democratic candidate. McKinley received a majority of the popular vote and a very large majority of the electoral vote, carrying every state north of the Ohio and east of the Mississippi, and in addition four states which had hitherto voted with the solid South.

McKinley  
elected.

**419. McKinley's First Administration.** — The Republicans again came into power with a distinct mandate from the voters for the revision of the tariff in the direction of protection, for the establishment of the gold standard, unless the leading countries of the world would join in making both gold and silver the standard of the value of money, and for the regulation of great corporations especially the railroads. These pledges they now proceeded to make good. By the Dingley Tariff, high protection was again given to manufacturers and most stringent regulations were devised for the protection of honest importers of foreign made goods. A commission was appointed to confer with other nations as to the establishment of a double standard of money by international agreement. Such an arrangement was found to be impossible. In 1900, therefore, Congress by law established the gold standard, repealing all the silver legislation of recent years. A great mass of silver had already been accumulated in the treasury vaults, and notwithstanding the formal establishment of a gold standard, "silver certificates" were issued. On each one of these the government promised to pay the bearer the face value in silver. There are many other peculiarities in the monetary system of the country which alarm those who are expert in such matters, but up to 1912, nothing has been done to remedy these evils in our financial system.

The Dingley  
Tariff, 1897.

Gold stand-  
ard, 1900.

An effort had already been made to curb the formation of trusts and combinations by the passage of the Sherman Anti-trust Act. This prohibited competitive concerns combining in large corporations to limit production or to crush out rivals. A commission had also been appointed to inquire into the condition of interstate traffic. Upon its report

Sherman  
Anti-trust  
Act, 1890.  
Mac-  
Donald's  
*Documentary  
Source Book*,  
No. 181.

Interstate  
Commerce  
Commis-  
sion, 1887.

Mac-  
Donald's  
*Documentary  
Source Book*,  
No. 180.

Cuban  
relations.

Jefferson and  
Monroe on  
annexation.

another act had been passed making the commission permanent and giving it more power, prohibiting the railroads from entering into agreements with each other as to rates and forbidding them to discriminate in favor of large customers and large centers of industry. Not much had really been accomplished before 1900, in these directions, but a basis had been laid for future action. The great event of McKinley's administration was the war with Spain and the coming forward of the United States as a world power.

420. **The Cuban Question, 1807-1860.** — Ever since the beginning of the century Cuba and the Cuban people have had a peculiar interest for the American nation. The island is surpassingly fertile and contains rich mineral deposits. Its position makes its occupation by any strong foreign power very dangerous to the safety of the United States. Its command of the Caribbean Sea makes American control of it almost a military necessity. Its unceasing misgovernment had often angered our people and had frequently given rise to disputes with Spain. As long ago as 1807 Jefferson suggested that "probably Cuba would add itself to our confederation in case of a war with Spain." In 1823 Monroe declared that Cuba would be "the most interesting addition" to the United States. In 1848 the American government offered to pay one hundred million dollars for the island. The Spaniards replied that they would prefer to see it "sunk in the ocean." Three years later, to another offer, they replied that "to part with Cuba would be to part with national honor." Americans interested in annexation then fitted out expeditions to stir up rebellions in the island. But the American government stopped that proceeding. Foreign powers, however, were alarmed. England and France asked the United States to join with them in a guarantee of the island to Spain. But the American government refused to be a party to any such agreement, because, under some circumstances, its possession "might be essential to our safety" (1852). Two years later the American ministers to England, France, and Spain joined in the "Ostend

Manifesto," suggesting annexation by force on the ground that the United States could "never enjoy repose, nor possess reliable security, as long as Cuba is not embraced within its boundaries." The possession of Cuba became a recognized part of Democratic policy and was favored in the platforms of both the Breckenridge and Douglas Democrats in 1860.

"The Ostend Manifesto,"  
1854.  
*American History Leaflets*,  
No. 2.

421. **Causes of the Spanish War.**—Since the close of the Civil War the misgovernment of Cuba attracted ever increasing attention. In 1868 the Cubans rebelled. Year after year the insurrection, with its horrible tale of pillage and murder, continued. At length, in 1878, President Grant interfered to effect a separation of the island from its tyrannical masters. Spain at once made concessions which induced the insurgents to lay down their arms. These concessions were never honestly carried into effect. In 1895 another rebellion broke out. Again heartrending tales of cruelty reached the United States. The government did everything possible to prevent assistance being sent to the insurgents. The conditions of the Cubans became worse and worse. On January 25, 1898, the battleship *Maine* anchored in Havana harbor to safeguard American interests. On February 15 she was blown up from the outside, and sank to the bottom of the harbor with two hundred and fifty-three of her crew. A Board of Inquiry was at once appointed. Meantime, early in March, Congress placed fifty million dollars in President McKinley's hands for national defense. The substance of the report of the Board was made public on March 21. A week later McKinley sent the full report to Congress, with the statement that it had been communicated to the Spanish government that the Spaniards might take such action as should be "suggested by honor and the friendly relations of the two governments." Spain replied by proposing that the matter should be referred to arbitration.

Cuba,  
1868-98.

Destruction  
of the *Maine*,  
February,  
1898.

Events now marched rapidly on. Unless the United States intervened, it was evident that the extermination of the Cuban people would go on until the peace "of the

Spain  
ordered to  
withdraw,  
April 19,  
1898. Mac-  
Donald's  
*Documentary  
Source Book*,  
No. 184.

wilderness and the grave" should leave none to resist. Replying to the foreign ambassadors, McKinley declared: "The chronic condition of disturbance there [in Cuba] so deeply injures the interests and menaces the tranquillity of the American nation by the character and consequences of the struggle thus kept at our door, besides shocking its sentiment of humanity," that its "indefinite prolongation . . . has become insufferable." April 19 Congress passed resolutions asserting (1) that the people of Cuba are and of right ought to



Admiral Dewey

be free and independent; (2) that it is the duty of the United States to demand the withdrawal of Spain from the island; (3) that the President is authorized to compel Spain's withdrawal; and (4) that the United States has no intention to absorb Cuba, but is determined "to leave the government and control of the island to its people." April 20

a final proposition setting forth this decision was cabled to General Woodford, American minister at Madrid. But before he could present it, he was informed by the Spanish government that diplomatic relations between the two powers had come to an end.

Sentiment in the United States was divided, that was clear. Many persons thought that war was unnecessary; Spain could be brought to reason without it. War once declared, the whole nation, with scarcely an exception, prepared energetically to support the government. The last appearance of sectional divisions ceased. Moreover, it was seen that now, after more than one hundred years of discord, the interests of the United States and of Great Britain were at last the same.

422. **The War on the Sea.**—The first decisive engagement with the Spanish forces was not in Cuban waters, or anywhere near them, but took place thousands of miles away in the Philippines. In the early morning of May 1st, 1898, Admiral Dewey with the American Asiatic fleet entered Manila Bay and found the Spanish-Philippine fleet at anchor under the guns of the arsenal at Cavite (*Ca-vee'-tay*), a few miles from the city of Manila. Dewey at once opened fire, and in a few hours destroyed or captured all the Spanish vessels. He now had the city of Manila at his mercy. But he could not spare enough men from his ships to maintain order in the city, when captured,

and to defend it from attack on the side away from the water. He blockaded it and awaited the coming of soldiers, who were speedily sent from the United States under General Merritt.

Admiral Sampson and Commodore Schley had a more difficult part to perform. With the assistance of a coast patrol they had to protect the Atlantic seaboard, guard any transports with soldiers that might be sent to the West Indies, blockade Cuba, and destroy any fleet that Spain might send to this side of the Atlantic. With the Spanish vessels already in American waters, they had no trouble. The smaller vessels of the American

fleet were able to destroy such of them as ventured to leave port. But Spain possessed half-a-dozen modern armored

Battle of  
Manila Bay,  
1898.

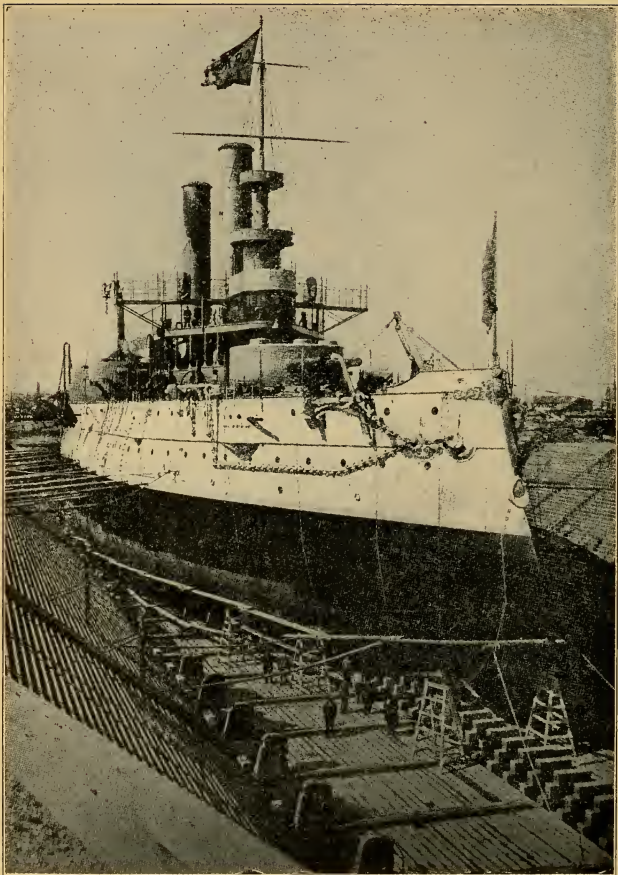


W. T. Sampson



W. S. Schley

The War in  
the West  
Indies.



Battleship *Iowa* in Dry Dock

cruisers of high speed and heavily armed. Four of them, with three sea-going torpedo boats, were sent across the Atlantic under Admiral Cervera (thār-vā-rä). For a time he eluded the search of the American commanders and then entered the harbor of Santiago de Cuba. There he was immediately blockaded by the combined fleets of Sampson and Schley. The Americans had four battleships, the *Iowa*, *Indiana*, *Massachusetts*, and *Texas*, and two armored cruisers, the *New York* and *Brooklyn*. To them, while Cervera was sailing around the Caribbean Sea, came the *Oregon*. This battleship was built on the Pacific coast. When the *Maine* was destroyed, the *Oregon* was ordered to make the best of her way to the Atlantic seaboard. Week after week she steamed through the Pacific, passed the Straits of Magellan, and sailed up the eastern coast of South America, reaching Key West after the most splendid voyage ever made by a battleship. She at once took her place in the fighting line.

The entrance to Santiago harbor is long and is blocked by huge mountainous masses, through which a narrow strait leads to the sea. It was so narrow and crooked and so well defended that the naval authorities were unwilling to risk the American ships by forcing a passage. An attempt was made to stop the entrance to the harbor by sinking a collier in the narrowest part of the channel. This failing, it was necessary to capture Santiago and drive the Spanish ships out or sink them by batteries from the shore. An army under General Shafter was quickly sent to Santiago. Before he captured the city, Cervera suddenly put to sea, Sunday, July 3, and steered to the westward. A one-sided running fight took place. Soon the cruiser *Maria Theresa* was disabled and set on fire. Then followed in rapid succession the destruction of the torpedo boats and of the cruisers *Almirante Oquendo* and *Viscaya*. One cruiser, the *Cristóbal Colon*, maintained the sea for a few hours, because she was so fast. But she too was finally forced to surrender and was sunk by her crew before the American sailors could take possession. A whole fleet was thus destroyed in a few hours.

Spanish fleet  
destroyed,  
July 3, 1898.

Meantime Spain had sent a few warships through the Suez Canal. It was said that they were to go to the Philippines to dispute for those islands with Admiral Dewey's fleet. But the news of the destruction of Cervera's vessels and the threat to send an American squadron to Spain induced the Spanish government to order them to return to Spain.

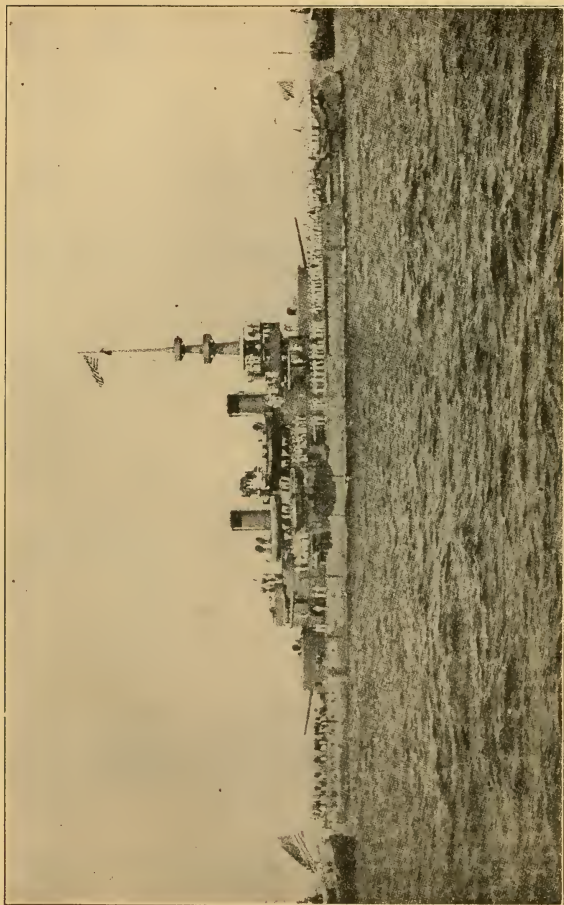


In the Trenches before Santiago

The lessons.

Such in brief is the story of the principal doings of the American navy. Never, perhaps, in the history of the world, has sea power so forcibly and so completely asserted itself. The lesson is one full of instruction to the American people. Furthermore, in all these naval operations, in the creation of a whole fleet of blockaders and cruisers, in caring for the





Battleship *Oregon*

health of the men, and in fighting the enemy, there was not one false step.

Organization  
of the army.

423. **The Land Campaigns.** — As soon as war was declared,



Nelson A. Miles

President McKinley called for volunteers, and later he issued a second call. In all, over two hundred thousand volunteers were mustered into the service. Veterans of the Civil War, on both sides of that terrible strife, furnished excellent officers. Oftentimes, however, inexperienced men were placed in charge of companies and regiments. The result was soon apparent in the terrible state of the health of the soldiers of many regiments. Furthermore, the army had

no great magazines filled with modern weapons and modern munitions of war. Volunteer regiments were armed with old-fashioned weapons, which placed them at great disadvantage with the Spaniards. Young men of all walks of life eagerly offered their services. Militia regiments volunteered in bulk or most of the members of such regiments were enrolled in new regiments with the same designation. The regular army was recruited to its full strength and brought to the east.

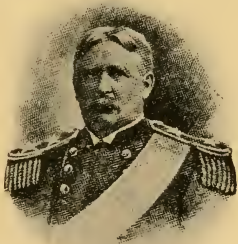
On June 22 and 23 fifteen thousand men under General W. R. Shafter landed on the coast not far to the east of the entrance to Santiago harbor. Most of these soldiers were regulars. But there were several volunteer regiments, among them Roosevelt's "Rough Riders." June 24, the soldiers advancing toward Santiago came across the Span-



Wesley Merritt

Santiago,  
June-July,  
1898.

iards, and a hot skirmish took place. In the end the enemy was driven away. The roads were poor. The country was rough. The heat was terrible. To add to all these obstacles the rains set in. Nevertheless, the heroic little army pressed forward, and in a few days was within three or four miles of the city. On July 1 Caney and San Juan (san-hwan), two strongly fortified hills, were carried by assault. The American loss was heavy, for the soldiers were obliged to charge across valleys and up steep hills in face of a murderous fire from the Spaniards stationed in blockhouses and in rifle pits. Reinforcements were hurried to Shafter's aid. The lines were drawn around the city until the intrenchments stretched for eight miles. The Cuban insurgents blocked the roads by which reinforcements might reach the city. The warships threw shells over the hills, and guns were placed in position, commanding the defenses. The garrison surrendered on condition of being transported to Spain at the expense of the United States. With the soldiers actually in Santiago were surrendered others in outlying garrisons in eastern Cuba. July 17 Shafter entered the city.



W. R. Shafter

The surrender came in good time, for the condition of the American soldiers was deplorable. Clad in clothes unsuited to the climate, fed on food equally unsuited to the climate, and often not fed at all, the men stood hour after hour ankle deep in mud, — sometimes knee deep in water, — exposed to the sun and the rain. At night they slept on the water-soaked ground without shelter from the evening mists. Fevers attacked them, and those who recovered

Condition of  
the soldiers.

were often too weak to resist ordinary diseases and the terrible scourge of Cuba, — yellow fever. Other regiments were sent to take their places, and the heroes of Santiago were brought north to a camp on Long Island.

Invasion of  
Porto Rico,  
August, 1898.

Cervera's fleet destroyed, and Santiago captured, General Nelson A. Miles, a veteran of the Civil War and now commanding the United States army, led an expedition to Porto Rico, an island of abounding fertility and of great wealth. Instead of landing near San Juan, the fortified capital of the island, he disembarked (July 28) near Ponce (pōn-thā) on the other side of the island, and the most important town of Porto Rico. Hardly a fight occurred. The Spanish troops withdrew and the inhabitants warmly welcomed the invaders. The Americans, admirably led, pressed on across the island, when the approach of peace stopped further armed invasion.

Capture of  
Manila,  
August 13,  
1898.

As soon as the news of Dewey's brilliant victory was received, soldiers were sent to capture and hold Manila. The command of the army was given to General Wesley Merritt, a great soldier, who, like Miles, had rendered distinguished service in the Civil War. It proved to be very difficult to secure suitable transports on the Pacific coast. The first expedition left California on May 25. But it was the end of July before the land attack on Manila was begun. Meantime the insurgents, for there were insurgents in the Philippines as well as in Cuba, were blockading the city on the land side, while Dewey blockaded it from the water. July 31 the Spaniards suddenly attacked the American lines in the darkness of the night. After a hard fight, in which both regulars and volunteers did splendid work, the enemy was beaten off with heavy loss. Finally, on August 13, after more troops had arrived, Dewey and Merritt made a joint attack. The city surrendered after a slight resistance.

Signing of  
the protocol,  
August 12,  
1898.

**424. Conclusion of Hostilities.** — July 26 the French ambassador at Washington, on behalf of Spain, inquired upon what terms peace might be had. The President stated

the conditions. After some delay on the part of Spain these terms were set down in a preliminary agreement or protocol, as it is termed by the diplomatists. This agreement was signed August 12. It provided in brief (1) that Spain should relinquish all claim of sovereignty and title to Cuba and cede to the United States Porto Rico and all other Spanish West India islands and the island of Guam in the Pacific. (2) The city, bay, and harbor of Manila should be held by the Americans until a final agreement as to the Philippines should be made. (3) Hostilities should immediately cease. The President at once issued a proclamation directing the American armies to cease further aggressive operations.

The  
Philippines.

On December 10, 1898, American and Spanish commissioners signed a treaty of peace at Paris. Following the terms of the protocol Spain gave up all claim to sovereignty in Cuba and ceded Porto Rico and other smaller islands to the United States. Before news of the signing of the protocol could reach the Philippines the American soldiers, aided by the fleet, captured Manila. It was now arranged that Spain should cede the whole Philippine group to the United States and should receive twenty million dollars. For a time the inhabitants of the Philippine Islands, or some of them, desired to be an independent nation and resisted the armed forces of the United States. By 1902, however, peace was established throughout the islands. A new era now opened for the American people. Abandoning their policy of isolation, they looked out from their continental domains and began actively to take part in the affairs of the world.

## SUGGESTIVE QUESTIONS AND TOPICS

### §§ 403-409. CIVIL SERVICE REFORM

- a. Discuss the President's "power of removal." Can his power of appointment be limited by law?
- b. State the good and the bad points of "civil service reform" and

of the "spoils system." Can you suggest any improvements in the present practice?

*c.* What criticisms occur to you as to Cleveland's civil service policy?

#### §§ 410-412, 414, 415. THE TARIFF

*a.* What are the two great sources of national revenue? Explain each and give arguments for and against it. Enumerate other possible methods of taxation and discuss their merits; which of them are forbidden by the Constitution, and why?

*b.* What is the difference between a revenue tariff and a protective tariff? What were the two foremost protective states, and why? What is their attitude to-day, and why? Characterize the arguments in favor of the first tariff; how do they differ from present-day arguments?

*c.* Take the article produced in your town that is most affected by the tariff and state how it has been treated by tariff makers since 1877.

*d.* Is it true that the "tariff is the mother of the trusts"?

#### §§ 418, 419. SILVER LEGISLATION

*a.* Trace silver legislation from 1873 to 1900. What was the "crime against silver"?

*b.* Why did Mr. Bryan advocate the free and unlimited coinage of silver?

*c.* How many kinds of paper money are there in the United States?

#### §§ 420-424. THE SPANISH WAR

*a.* Was the war inevitable? Was it justifiable?

*b.* Had you been a senator or representative, how would you have voted on the resolution of April 19? Give your reasons in full.

*c.* Comment on the statement that "never, perhaps, in the history of the world, has sea power so forcibly and so completely asserted itself."

*d.* Why are the Hawaiian Islands of strategic importance?

*e.* Do you think that the United States should or should not have "colonies"? What are the reasons for your opinion?

#### GENERAL QUESTION

Trace the growth of the United States from 1783 to the present day. State as to each accession the precise reason for securing it and the consequences which have resulted from it.

## CHAPTER XVI

### THE UNITED STATES IN OUR OWN TIMES, 1898-1913

#### Books for Consultation

**General Readings.** — Johnston and Woodburn's *American Political History*; Garner and Lodge's *History of the United States*; Peck's *Last Twenty Years of the Republic, 1885-1905*; Stanwood's *History of the Presidency from 1897-1909*.

**Special Accounts.** — J. R. H. Moore's *An Industrial History of the American People*; D. R. Dewey's *Financial History of the United States*; Beard and Shultz's *Documents on the Initiative*; Munro's *Initiative, Referendum, and Recall*; Bradford's *Commission Government in American Cities*; Bullock's *General Property Tax in the United States*. Definite information may be found in *The New International Year Book*; *The American Statesman's Yearbook*; or *The American Year Book*.

**Sources.** — J. D. Richardson's *Messages and Papers of the Presidents*; MacDonald's *Documentary Source Book*.

**Bibliography.** — *Guide to American History*, §§ 266-274.

**Illustrative Material.** — Roosevelt's *American Ideals* and *The New Nationalism*; W. H. Taft's *Political Issues and Outlooks*; W. Wilson's *The New Freedom*; W. J. Bryan's *The Commoner Condensed*; R. M. La Follette's *Personal Narrative*; T. L. Johnson's *My Story*.

### THE UNITED STATES IN OUR OWN TIMES, 1898-1913

425. **The New Outlook.** — The close of the Spanish War brought upon the United States many new obligations and necessitated a revision of the traditional policies of the nation. The acquisition of territory far removed from the continental domain required a strong army and navy for its defense and a new administrative organization for its government. At home, the new markets that were thus opened and the stimulus given to trade and manufacturing by the war itself and by the action of the high protective tariff

New  
problems.

brought forward many problems that have proved to be very difficult of solution, and are not yet solved.

An enlarged  
army and  
navy.

In recent years the dying down of Indian hostilities had led to reductions in the military forces; but now these had to be greatly enlarged, for the natives of the Philippines had to be reckoned with and the distance of the new territories from the home land required the presence of considerable garrisons. Since 1900, therefore, the army has been kept at seventy-five thousand men or over. The navy also has been greatly increased, so that now the United States maintains, in times of peace, a greater naval force than it had during the war with Spain. Moreover, the cost of the new services is greatly increased owing to the elaborate equipment required and to the high prices that have prevailed in recent years. New naval bases have also been established in Cuba and at several places in the Pacific, and the opening of the Panama Canal will necessitate still further military and naval expenditure.

The "Teller  
Amend-  
ment."

**426. Relations with Cuba.** — At the outset of the Spanish War, the United States disclaimed any intention to exercise sovereignty or control over Cuba, except for the pacification thereof, and asserted that whenever that might be accomplished it would turn over the government of the island to the Cubans. After the close of the war the government of the island was placed temporarily in the hands of army officers, at first General John R. Brooke and, later, General Leonard A. Wood. In 1900 a convention of delegates was held to frame a constitution for Cuba. It soon appeared that the delegates intended to avoid any recognition of the obligations of the Cubans to the people of the United States. Congress thereupon (February, 1901) by an amendment to the Army Appropriation Bill reasserted the determination of the United States to hand over the island to the Cuban people whenever they adopted a constitution providing that the government of the island shall never enter into a treaty which shall impair the independence of the Cubans or give any foreign nation a foothold on the island :

Relations  
with Cuba.



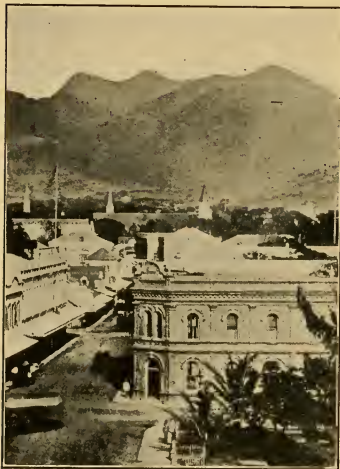
shall recognize the right of the United States to intervene for the maintenance of government adequate for the protection of life, property, and individual liberty, and for the payment of its debts; shall recognize the validity of the acts of the United States during its military occupation of the island; and shall sell or lease lands to the United States for naval purposes and make a treaty embodying these provisions. After much opposition these conditions were incorporated in the Cuban constitution. The island was then handed over to the Cubans (July 4, 1902). These arrangements were also confirmed by treaty which gave commercial privileges to Cuban producers in the markets of the United States in return for lower duties on our products on importation into the island.

In 1906 the re-election of Señor Palma as president of the Cuban Republic was the signal for a fresh insurrection in the island. In September it became evident that the Cuban government could not protect life and property. United States marines were landed and the Cubans were warned that peace must be re-established or the United States would intervene. As the disturbances continued, soldiers and a governor-general were sent to the island. Cuban laws and officers were continued wherever possible and in 1909 the whole government of Cuba was restored to its inhabitants. Since then there has been no actual intervention; but the authorities at Washington have found it necessary more than once to caution the Cuban administration in no uncertain language that it might be necessary again to occupy the island.

**427. The Annexation of Hawaii.** — The Sandwich Islands, or Hawaii, situated in the midst of the Pacific Ocean, had been used by American whalers as a convenient port for obtaining supplies and refitting their ships. Hard in the wake of the whale men had come the missionaries. These converted the natives to Christianity. Their descendants remained on the island and became prosperous producers of sugar. For many years, under the wise rule of the native

Downfall of  
the native  
monarchy,  
1893.

king, the Hawaiians of all races lived happily together. In 1893 Queen Liliuokalani undertook to overthrow the liberal constitution that her father had established. Upon this the whites dethroned her, established a provisional government, and sent commissioners to Washington to seek annexation



A Street in Honolulu

to the United States. A treaty was at once drawn up and submitted to the Senate by Harrison, less than three weeks before the close of his term of office. That body hesitated to act, and the treaty was unconfirmed when Cleveland was inaugurated. He withdrew the treaty and sent a commissioner to Hawaii to try to restore harmony. In this he was unsuccessful because

Liliuokalani would be satisfied with nothing less than the heads of her enemies. These now established a republic which Cleveland was obliged to recognize. After the battle of Manila Bay in the Philippines (§ 422), the Hawaiian Islands became of great strategic importance to the United States and were formally annexed by joint resolution on July 7, 1898.

**428. The Outlying National Domain.**— Besides Hawaii, which has a territorial form of government, there are the Philippines, Guam, Tutuila, Wake, Howland, and Manual, islands in the Pacific; Porto Rico and smaller islands in

Hawaii  
annexed,  
1898. Mac-  
Donald's  
*Documentary  
Source Book*,  
No. 186.

the West Indies, and Alaska with the Aleutian Islands in the Far Northwest. An interesting question has arisen as to the constitutional standing of the inhabitants of these islands. Are they citizens or aliens and what are their rights under the Constitution? The Supreme Court decided that they are not aliens; but that, nevertheless, Congress possesses the power to legislate for the government of the new possessions in any way it deems fitting. The government of these outlying domains is being slowly worked out. The smaller Pacific islands are governed directly by officers of the navy. The Philippines and Porto Rico have representative assemblies which give expression to the wishes of their inhabitants, and each has an elaborate judicial organization. Alaska in 1906 was given a territorial form of government with a delegate in Congress; and in August, 1912, it was given a legislative assembly.

Besides sustaining intimate relations with Cuba, the United States has vague obligations with regard to other American and West Indian states. The attempt of President Cleveland to set aright the relations of Venezuela and Great Britain has already been noted (§ 417). In 1902 Great Britain, Germany, and Italy sent naval vessels to Venezuela. They blockaded some of the ports of that country and the Germans opened fire upon one of the coast towns. This action was taken to compel Venezuela to set apart some of its annual revenue for the payment of debts due to the people of those countries. Understanding that no permanent acquisition of Venezuelan soil was contemplated by these powers, the United States acquiesced in these proceedings. Upon this Venezuela consented to set apart the customs duties collected at certain specified ports for the payment of its debts to foreigners.

Several times the government has landed parties of marines and blue jackets to restrain warring factions in Central American Republics. With the negro republic of Santo Domingo relations have been even more intimate. In the course of years, successive rulers of that island had con-

tracted large debts to European creditors. These it could not repay; nor did the republic meet the interest on the bonds when it became due. In 1905 President Roosevelt brought about an agreement between the Santo Domingan republic and its creditors by which these debts were to be considerably reduced on condition that the customs revenue should be collected by an official from the United States and



Brooklyn Bridge

divided between the government of the island and the foreign creditors. In 1907 this arrangement was embodied in a treaty between the United States and Santo Domingo.

Congested  
centers of  
population.

**429. Growth of Cities and Towns.**—Side by side with these serious problems of government in the outlying domains the American people have had to face many difficult administrative and social problems. One result of the great development in manufacturing that marked the last quarter century has been to crowd manufacturing establishments together in certain regions and to bring thither great masses of operatives. Thus Pittsburgh in Pennsylvania is

the seat of immense steel mills, while Lowell, Lawrence, and Fall River in Massachusetts are crowded with factories for the spinning and weaving of cotton cloth. These examples might be continued almost indefinitely. Moreover, New York, Chicago, Philadelphia, St. Louis, San Francisco, and many other cities have become each the scene of diversified manufacturing enterprises, — the making of women's garments, the turning out of small metal articles, and the canning of partly cooked food stuffs; these and other minor industries have sought the great centers of human life because labor is cheap in those places of congested humanity. Immigration has been very large in these years, but the newcomers have not gone out into the country and worked on the farms. Instead they have closely clung to the great cities and to those towns that are peculiarly devoted to manufacturing. There they live together as closely as in their own homelands. Moreover, there has been a constant inflowing of native born Americans from the farms and towns of the country to the great centers of industry. Indeed, in 1910, six and one half million human beings were living within twenty-five miles of the New York city hall, — fifty per cent more people than there were in the whole United States when President Washington was inaugurated there in April, 1789.

New York,  
1910.

430. **Steel and Cotton.** — In the quarter century covered in this chapter, the increase in the production of steel has been most memorable. Before 1875, the rails that were used on our steam roads came for the most part from Great Britain. By 1892 as much iron and steel was exported as was imported; and a few years later steel was being made more cheaply in the United States than anywhere else in the world. No less than ten billion tons of steel were produced in 1900 as against one billion tons in 1880. This great expansion was made possible by improvements in machinery and manufacturing processes and by a greater intensity of application on the part of the workers. It was due also to the discovery of great bodies of rich iron ore in the country

Steel  
making.

to the west of Lake Superior. These ores are transported by rail and steamer to the furnaces in Ohio and Pennsylvania, and there worked up into steel fabrics of all kinds. The South has shared in this development. In Alabama and Tennessee, large and easily available deposits of iron and coal lie near together. These have been utilized and have led to the rise of great industrial cities in the South.

Southern  
cotton mills.

The most important manufacturing development of the South has been in the spinning and weaving of cotton. Mills have been built near the great water powers and the supply of cotton has been drawn from near-by fields. Northern capital, and, in the beginning, northern officials played an important part. The operatives have been drawn from the poorer portion of the population which has been unable to labor in the fields, side by side with the negroes. These whites lived in the mountains and in the piedmont regions and were very ignorant and very poor. The introduction of manufacturing brought them and their children from the back country into villages where something has been done to bring to them some measure of modern life. What with the establishment of the steel and cotton industries in the South that region is no longer given over to agriculture.

Trolley car  
and auto-  
mobile.

**431. Suburban Development.** — The tremendous growth of cities has been accompanied by the occupation of the surrounding country by great numbers of people for residential purposes. This has been made possible by the application of electricity to the propulsion of street cars and the perfecting of the automobile, until it has become a reliable vehicle for the transportation of passengers and goods. A device for the propulsion of cars by electricity was shown at Philadelphia in 1876 (§ 400), but it was not until a dozen years later that the commercial practicability of the system was demonstrated at Boston. Since then it has spread with great rapidity. As the number of trolley cars has increased and the streets have become crowded, the cars have been run on elevated roads or placed in subways constructed under the streets.



Electric lighting and the telephone.

In the same period the application of electricity to the lighting of streets and buildings has likewise undergone a marvellous development, so that now night is almost turned into day and people work and play long after sundown. The telephone, as an easy means of communication, has greatly assisted the spreading out of the population. Now, the head of a manufacturing or business enterprise can sit in his office and carry on his affairs although his factories and stores may be miles away. But the personal contact between employer and employee has been lost, which accounts in very great measure for the recurring conflicts between labor and capital within the last few years.

**432. Organized Labor.**—Societies of working men and women for the improvement of the conditions under which they live and labor came prominently into notice during the Civil War, but it was not until a dozen years later that they showed great strength. A strike of the railroad employees at Chicago in 1877 was the first great demonstration of the power and community of interest of organized labor.

The Knights of Labor.

Two years later, a society called the Knights of Labor was founded for the ethical and material advancement of all kinds of hand workers. It grew with great rapidity until it had a million names on its rolls. This success was due in very great measure to the wise counsels of its leader, Terence V. Powderly. Then the radicals gained power in many of its branches. Innumerable strikes were undertaken. Some of them succeeded, but others failed. It has been largely replaced by the Federation of Labor which is based on the trades unions. Each branch of industry has its own organization, as the Amalgamated Association of Iron and Steel Workers, which covers the whole country. All these organizations in one city are united through one council called the Central Labor Union. The national federation has its own officers and holds annual meetings of delegates from all over the country. The president of this great federation is Samuel Gompers, an immigrant from England where trades unions have been very strong and successful.

The Federation of Labor.



Within the last few years, still another labor organization, the Industrial Workers of the World, has come into public notice. In this, all kinds of laborers are united for their material advancement. As a rule up to the present time labor organizations in the United States have kept out of politics and have relied upon public opinion for the advancement of their interests.

The Industrial Workers of the World.

**433. The Election of 1900.**— President McKinley was renominated by the Republicans on a platform declaring for the gold standard and generally commending his policy. For Vice-President, the party leaders picked out Theodore Roosevelt. A man of means and education, he had entered political life and had rendered good service to the people as Civil Service Commissioner, Assistant Secretary of the Navy, Lieutenant Colonel of the Rough Riders in the war with Spain and, lastly, as governor of New York. The vice-presidency had come to be regarded as a graveyard for politicians. Roosevelt had no wish to be nominated for that office, which was forced upon him by men who hoped in this way to put an end to his aspirations for the higher place. William J. Bryan was again the Democratic nominee on a platform which advocated the free coinage of silver and denounced imperialism. Besides these nominations, the Prohibition, Social Democratic, Socialist Labor, Mid-Road Populist, Union Reform, and United Christian parties made nominations. The Prohibitionists polled over two hundred thousand votes in a total of nearly fourteen millions and all the other minor parties put together about two hundred thousand more. The fight was between McKinley and Bryan. The former won, receiving 292 electoral votes to 155 for Bryan.

McKinley and Roosevelt.

**434. Assassination of President McKinley, 1901.**— In September, 1901, President McKinley was assassinated while holding a reception in connection with the Pan-American Exposition at Buffalo. His death, on September 14, was the signal for an unparalleled exhibition of feeling. Meetings were held all over the country to pay tribute to his

Death of McKinley, September 14, 1901.

memory. At the moment of his funeral, business ceased and in many places people stood with bared heads during the time of his interment. In England, public meetings were also held as a mark of respect for his memory. Such a tribute had been paid to no one since the death of



William McKinley

Washington, which had been noticed in France; but this was the first time that English people had shown such respect for an American.

On McKinley's death Vice-President Roosevelt became President. He at once announced his intention of continuing his predecessor's policies and asked the members

of the cabinet to retain their places. In a short time he went way beyond what McKinley would probably have sanctioned by advocating a great increase in the exercise of power by the federal government. This was especially noticeable in his interference to end the strike of miners engaged in the anthracite coal industry. This labor dispute began in the spring of 1902, and was still unsettled in the following October.

Great hardship for the lack of fuel was likely to be caused in the North where this fuel was largely used for the heating of houses. President Roosevelt appointed five commissioners to hear the contending parties and to propose, if possible, a basis of settlement between them, on the understanding that, meanwhile, the striking miners should return to work. In



Theodore Roosevelt

this way suffering was lessened and Congress, by voting money for the salaries and expenses of the Commission, ratified the action of the President.

**435. Intervention in Foreign Affairs.**—The United States began to intervene in the affairs of the outer world as it had never done before. The turn of the century saw a rising spirit of unrest in China which ended in a movement against the introduction of foreign methods in modern reform that is known as the Boxer Rebellion (1900). Ultimately this took the form of an attack on the foreign embassies

Roosevelt  
and the Coal  
Strike, 1902.

American  
soldiers at  
Pekin, 1900.

in Peking, the capital of China. The United States, the principal nations of Europe, and Japan united to rescue their representatives from the Chinese. This was done with some difficulty; but the incident is especially interesting to Americans because it was the first time that any considerable body of American soldiers found themselves acting in company with troops from Russia, Germany, France, Great Britain, and Japan, or, indeed, from any foreign country. It marks the entrance of the United States into the arena as a World Power and the breaking down of that policy of isolation which was dear to Washington and to Jefferson; but it is quite possible that if these great men were now living, they would view the matter very differently from what they did one hundred and more years ago.

Treaty of  
Portsmouth,  
1905.

Another example of the interference of the United States in the affairs of the world at large occurred in 1905, when President Roosevelt urged the Russians and Japanese, who were then warring with each other, to put an end to their strife. He thought that it was the "interest not only of these two great Powers, but of all civilized mankind, that a just and lasting peace may speedily be concluded between them." After conferences which continued for nearly a month, a treaty was signed, September 5, 1905. Again, Mr. Roosevelt pressed heavily for the avoidance of war by bringing about the assembling of the Second International Peace Congress at the Hague in 1907. At this meeting many important improvements in international relations were proposed; but few of these have been accepted by Great Britain and other leading powers.

The "seal-  
fishery."

**436. Alaska and its Resources.**—Up to the end of the nineteenth century, Alaska had been valued chiefly on account of the fur seals that were captured on the Pribilof Islands which stand in the midst of Bering Sea. More than twelve million dollars' worth of furs were taken from the seals, but there was constant irritation with Great Britain, for the Canadians claimed the right to capture the seals while on the way to and from the islands. We tried to

meet this by declaring Bering Sea to be an "enclosed water" over which the United States was supreme. The dispute was submitted to arbitration and decided against us. Since then regulations have been adopted for the preservation of the seals. In the winter of 1896-97, gold was discovered along the eastern boundary of Alaska and especially along the Klondike River, a Canadian branch of the



Valdez, Alaska

Yukon River. The latter flows through Alaska for two thousand miles or so but the Klondike is on the eastern side of the boundary. Soon millions of dollars' worth of gold dust began coming from this region and also from Cape Nome on the west coast of Alaska. The easiest way to the Klondike was through United States territory and over the Chilcat Pass to the valley of the Upper Yukon. Disputes at once began as to the precise boundary of the southern extension of Alaska along the seacoast. This also was sub-

Gold on the  
Klondike.

mitted to arbitration and decided in favor of the United States (1913).

Coal.

Besides fur seals and gold, Alaska has proved to be rich in many ways. Recently beds of coal have been discovered there. When these are made available by the construction of railroads from tide water, there will be an abundant supply of coal for the manufacturing establishments of the Pacific slope, for domestic purposes, and for ships of war and vessels engaged in commerce. Many parts of Alaska possess most striking and picturesque scenery. Every year this region is more and more sought by tourists. On some of the islands there are volcanoes of extraordinary activity which have given an added scientific interest to this part of the United States. With the opening of the Panama Canal, Alaska, Hawaii, and the Pacific slope will be more accessible to the people of the older parts of the United States and of Europe.

Panama and  
Nicaragua  
routes.

**437. The Panama Canal.**—Almost from the time of the discovery of the Pacific Ocean by Balboa, proposals have been made for digging a canal across the Isthmus of Panama. The distance between the two oceans at this point is only forty-six miles in a straight line, and the crest of the divide is three hundred feet above tide water. The difficulties offered by the rivers of that region, which are subject to sudden floods, and by tropical diseases which are particularly virulent there, put off the carrying out of this project for centuries and directed the attention of engineers to other possible routes between the oceans. Of these the Nicaragua route seemed to be the most feasible. This was much farther to the north and a navigable lake and river seemed to be designed by nature as an aid to the enterprise. In 1881, Ferdinand de Lesseps, a French engineer under whose direction the Suez Canal had been dug, undertook the cutting of a sea level canal across the Isthmus of Panama. There was great misuse of funds in France and at Panama and tropical diseases wrought havoc with the working force on the isthmus. After a great deal of money had

been spent, this plan was abandoned and a second French company undertook the construction of a canal with locks. By this time the acquisition of Hawaii and the Philippines had aroused the interest of the people of the United States in providing some means of water communication between the Atlantic and the Pacific other than the route around Cape Horn or through Magellan Strait. Commissions were appointed which reported in favor of the Nicaragua route, but one of the reasons for the favorable report was the impossibility of buying out the rights of the French company at any reasonable price. The evident determination of the United States to construct a rival canal induced the Frenchmen to come forward with a proposal to sell the rights that they had acquired from the government of Colombia and the partly dug canal for forty million dollars. President Roosevelt eagerly grasped at this opportunity, but when everything had been arranged with the Frenchmen, the Colombians refused to assent to the transfer unless the United States would pay them a great deal more money than it had proposed to pay. The probable failure of the plan aroused the people of Panama to action. They rebelled against Colombia and established a republic of their own, which was speedily recognized by the United States and later by other powers. President Roosevelt even stationed men-of-war to prevent the Colombians sending troops to Panama, which they could only do by water owing to a mountainous and roadless intervening region. The Panama Republic heartily accepted the offers of the United States and furthermore agreed to cede to the American government a strip of land five miles wide on either side of the canal and whatever other land might be necessary for the completion of the work. For this the United States was to pay ten million dollars down and two hundred and fifty thousand dollars a year, beginning with 1913. This arrangement was concluded in 1904 and work on the canal was immediately begun.

The Panama  
Republic.

**438. Progress of the Panama Canal.** — The main obstacles in the completion of this great work were the climate and the



Culebra Cut



Chagres River. The former was peculiarly favorable to the development of malaria and yellow fever. It had recently been discovered that these diseases were spread by two well marked varieties of mosquito. By the expenditure of millions of dollars under Major Gorgas of the medical department of the army, these diseases have been practically eradicated from the Canal Zone and from Panama itself, with the result that the workmen on the canal have enjoyed a degree of health and vigor such as has never before been associated with labor in the tropics. The Chagres River is fed by streams coming down mountain slopes where the rainfall sometimes is extraordinary. It has been known to rise thirty feet in an almost incredible space of time. It comes out of its mountain valley at right angles to the line of the canal and then follows the same general course to the Caribbean Sea. This problem has been met by building a canal with locks and converting the middle part of the Chagres course into a great lake which will take care of the sudden changes in the amount of the water discharged by the rivers. The task of removing the enormous amount of earth and building the locks and dams necessary for the work has been carried out by a succession of exceedingly able engineers, the last of whom was Colonel Goethals of the regular army. Only the tremendous development of the engineering art in the last quarter of a century has made possible the speedy carrying out of this great task.

Sanitation.

The  
Chagres  
River.

439. **The Election of 1904.** — For the first time in the history of the country a Vice-President who had succeeded to the chief place by the death of the President was himself nominated for that high office. Roosevelt had made a distinct impression by his fearless advocacy of whatever seemed to him to be right, and the death of Senator Mark A. Hanna had removed his principal competitor. At the Republican convention Roosevelt was nominated by acclamation, no ballot being taken. The platform commended his policies and performances and declared unequivocally for the gold standard. The Democrats were hard put to it for a platform

Roosevelt re-  
nominated.

and a candidate. Finally, when they could not agree as to whether they should recognize the gold standard as an established thing or should again proclaim the necessity of silver, they made no mention of either in their platform. Mr. Bryan had been the Democratic candidate on two occasions. He dominated this convention, but a new candidate was determined upon, Alton B. Parker of New York. He was chief justice of the court of appeals of that state and had not been especially prominent in politics. He startled the convention by sending a telegram stating that he was in favor of the gold standard, and if this was unsatisfactory to the delegates, they would better choose some other candidate. After bitter debate word was sent to him that there was nothing in his views to forbid his accepting the nomination. With the Democratic party divided and apathetic and the Republicans united and full of enthusiasm, there was not much doubt as to the outcome of the campaign. Mr. Parker made very few speeches, but just before the election charged the Republicans with having made the most lavish expenditure in political history. Roosevelt received 343 electoral votes to only 133 given to his opponent. Mr. Roosevelt was deeply affected by the great majority given to him. On the evening of the election day he declared that "the wise custom which limits the President to two terms regards the substance and not the form. Under no circumstances will I be a candidate for or accept another nomination."

**440. Roosevelt's Second Term.**—For years there had been on the statute books two laws for the regulation of railroads and corporations engaged in interstate business—the Interstate Commerce Act and the Sherman Anti-trust Law. Up to 1903, slight results had been produced by this legislation. Now, President Roosevelt threw himself energetically into the fight. He sent message after message to Congress, he wrote letter after letter to private persons and to groups of citizens, he made public addresses by the score, and he set on foot prosecutions of corporations that were

Alton B. Parker, the Democratic candidate.

Regulation of Corporations.

Reformation of abuses.

alleged to have infringed these laws. In this way he aroused the ethical sentiment of the nation to demand obedience to the law from all men, that the rich and the poor might have equal opportunities. Public opinion became so strong that Congress passed acts to strengthen the Interstate Commerce Commission, to provide adequate penalties for giving rebates or other advantages to large shippers, and to reform many abuses in the preparation and distribution of medicines and articles of food. Some persons thought that these demands and laws savored of paternalism, in that the general government at Washington, instead of leaving the states and the individual citizens to work out their own salvation, undertook to exercise an overstrict supervision of their affairs. Mr. Roosevelt kept on, however, and the mass of the people seemed to agree with him. Congress also provided by law for a more rigid inspection of immigrants arriving from abroad, and enlarged the list of reasons for excluding undesirable persons. It is noticeable that no effort was made either by President or by Congress to reform the tariff.



William H. Taft

441. **The Election of 1908.** — William J. Bryan of Nebraska for the third time became the Democratic candidate for President on a platform of which a protest against the prevailing imperialism was the most important feature. The Republican candidate was William H. Taft of Ohio. He had proved himself to be an able administrator as

Bryan and  
Taft.

governor-general of the Philippine Islands in a time of great difficulty. At the moment he was Secretary of War. He had direct charge of the construction of the Panama Canal, and was one of President Roosevelt's most trusted advisers. Besides representing the "Roosevelt policies," Mr. Taft stood for the reformation of the tariff, which was put forward in the Republican platform as being distinctly urgent. Taft was chosen by an overwhelming popular vote, and he received two thirds of the electoral votes. In state and congressional elections the Democrats were more successful. One result of this was a serious diminution of the Republican majority in both Houses of Congress. Moreover, on the Republican side were Progressives, who stood for more advanced ideas than were held by the mass of their party associates. All these things pointed to a difficult administration for President Taft.

Another  
tariff revision,  
1909.

442. **The Aldrich Tariff.**—The President at once summoned Congress to meet in special session for the revision of the tariff. The intention of the framers of the Constitution seems to have been to give the initiation of financial matters to the House of Representatives. The Senate was not forbidden to amend money bills, and it has always made extensive use of this right. In this case, when the House tariff bill came to the Senate, that body amended it by striking out the whole of the House bill after the enacting clause, and inserting its own bill in the place of the original measure. This bill had been drawn up by a committee of the Senate, at the head of which was Nelson W. Aldrich, one of the old time Republican leaders. When the amended bill came back to the House, a conference committee of the two Houses was appointed, and it was this body that settled the actual details of the measure as it was passed. At the very end President Taft intervened and compelled a reduction of the duties on lumber, wool, and leather as the price of his approval. The bill as passed effected many important changes in the direction of lower duties and some simplifications; but a great many anomalies

and favors to particular interests were left in the tariff system.

Many people thought that the President should have vetoed the tariff bill and waited for Congress to pass a more acceptable one. Mr. Taft thought, however, that the best plan would be to have a permanent tariff commission to study the question of wages and production in leading manufacturing industries, both at home and abroad. When this information was acquired and laid before Congress, it would be possible to reduce the tariff on one article at a time, giving to American manufacturers enough protection to equalize the cost of goods produced here and abroad, — and no more. Hitherto, tariffs had been remade as a whole. This gave the steel men, the woolen manufacturers, the cotton spinners and the rest a chance to combine and, by joining forces, to secure a majority in both Houses. By taking one industry at a time and proceeding on a definite plan, President Taft thought that the system of protection could be slowly remodeled to give a fair profit to the capitalist, good wages to the operatives, and save a great deal of money to the people at large. The commission was appointed but, owing to the condition of parties in Congress, nothing was accomplished.

**443. Reciprocity and Arbitration.** — Relations with Canada across the northern boundary were by no means as pleasant as seemed desirable. President Taft tried to secure a better understanding with our northern neighbors by negotiating a reciprocity treaty with the Canadian government through the good offices of Mr. James Bryce, the British ambassador at Washington. The number of articles placed on the "free list" as between the two countries was very large. It included some most important commodities which aroused the fears of farmers and manufacturers on both sides of the boundary. Congress reluctantly approved the measure ; but it was rejected by Canada.

President Taft also caused a series of arbitration treaties to be negotiated with Great Britain and other powers.

The Tariff  
Commission.

These too aroused opposition. The Senate made so vital amendments that the British treaty was unacceptable to the President and to Great Britain. In this way these two important projects ended in failure.

Disintegration of the "trusts."

444. **The Regulation of Corporations.** — The most notable feature of Taft's administration was the attempt which he and Attorney-general Wickersham made to enforce the Sherman Anti-trust Law. Several prosecutions had been begun during Roosevelt's term of office. These had not been pushed very far when Taft was inaugurated, but an act of Congress had made possible the expediting of these cases. Efforts in this direction were now redoubled and decrees were secured ordering the dissolution of the American Tobacco Company, the Standard Oil Company, and other trusts. Suits were also begun against many other large corporations whose activities were held by government lawyers to be in restraint of trade. Up to the present time, the remedy provided by this law does not appear to have cured some of the evils that it was designed to meet. The government was also very active in prosecuting individuals and companies that used the mails for securing subscriptions to bogus enterprises.

Railroad regulation.

The regulation of railroads through the medium of the Interstate Commerce Commission was also vigorously carried forward. Standard methods of bookkeeping were devised and imposed on all the railroads. It is in the direction of freight rates, however, that the work of the commission has attracted most attention. It has put an end to many unfair and anomalous charges and has forbidden any increase in rates. The commission has taken up somewhat similar matters in connection with the express companies. The states, too, have strengthened the hands of public service commissions. What with the increase in the cost of living, the rise in wages, and the stringent regulations of many business enterprises together with the increasing strength of labor organizations, it is evident that we are living in a time of transition.

445. **The Election of 1912.** — The earlier Congressional elections of 1910 showed a growing dissatisfaction with the methods and acts of the Republican party. In the Senate, the regular Republicans outnumbered any other political section, but the Progressives and Democrats combined were more numerous, while in the House of Representatives the Democrats outnumbered both the other groups. The result was that little effective legislation was passed and President Taft came to the voters for re-election with scarcely more than the Aldrich Tariff Act and the anti-trust prosecutions visibly to his credit. In the spring of 1912, ex-President Roosevelt announced his intention again to become a candidate for the presidency, this time as leader of the progressive and reform element in the Republican party.

After a prolonged and bitter contest in the convention at Chicago Taft was renominated for another term. Roosevelt and his followers thereupon withdrew from the party and placed him in nomination as candidate of the Progressives. The Democrats nominated Woodrow Wilson, formerly President of Princeton University and at the moment governor of New Jersey. The campaign was conducted with a vigor that has seldom been equaled in our history. When the votes were counted, it was found that Wilson had received a great majority of the electoral votes, although Taft and Roosevelt together had been given more popular votes than had he.

Growing  
Democratic  
strength,  
1912.

The  
Progressives.



Woodrow Wilson

Popular  
unrest.

**446. Changing Tendencies.** — Within the last twenty-five years momentous changes have come over the political and social ideals of the American people. These changes have all been away from the model of government by representation as set forth in nearly all of the early state constitutions and pre-eminently in the federal Constitution of 1787. The drift has been entirely toward more direct rule by the people as a whole. This is seen by the establishment in many states of the direct primary, the initiative and referendum, and the extension of the franchise to women. The adoption of the Seventeenth Amendment to the Constitution, providing for the election of United States senators by the voters of the several states instead of by the state legislatures, also points in the same direction. Moreover, the ratification of the Sixteenth Amendment authorizing Congress to levy an income tax is memorable as putting an end to another "compromise of the Constitution," and also for lessening the power of the states to fill their own treasuries in an easy manner.

Representa-  
tion.

The idea underlying the representative system, as it presented itself to "the Fathers of the Republic," was that a few of the wisest and best men in the community should be elected to study and settle in a legislative body the important affairs of government, while the mass of the people attended to the cultivation of their farms and to the prosecution of their business generally. These able men could be picked out as well by the heads of families as by all the people. The franchise in those days was, therefore, quite restricted. Furthermore, voting was often entirely open. In some states, indeed, any one could get a list showing how every voter had voted by paying the clerk for a copy of the polling books. Since then the franchise has been greatly extended so that now practically all adult males who are born in the United States, or who have been naturalized, have the ballot. This extension of the franchise has resulted in the abandonment of the old open voting system, where every one knew how every one else voted, and the establishment of a secret ballot system where no one is supposed to know how any one else

The secret  
ballot.



votes. The precise form adopted in most states was borrowed from Australia and hence is known as the Australian ballot:

447. **Woman Suffrage.**— With the breaking down of the old representative institutions and the extension of the franchise to all men, there has grown up a demand for the enfranchisement of women. Under the old system, the voter himself was a representative of the community and exercised the franchise as a duty imposed upon him for the public good. Under such a system it was easy to argue for the limitation of the franchise to men and even to certain limited classes of them. With the extension of the franchise, voting is no longer regarded as a duty, it is looked upon as a privilege or a right. Why then should women be excluded from this privilege? or denied the possession of this right?—if it be a right. Many women own more property than many men; many women are better educated than many men; and many women are more capable administrators than many men. Indeed, it is difficult to see why any arbitrary standard should be set for the franchise, for no one can deny that many young men and women of sixteen and eighteen years of age are better fitted to exercise it than many men and women of fifty years and upwards.

The franchise.

For a time at the beginning of the nineteenth century, women in New Jersey had the right to vote equally with men. This was soon done away with and it was not until 1869 that the territorial legislature of Wyoming granted women equal rights in the franchise with men. When Wyoming became a state in 1890, this was included in her constitution. Women now possess the suffrage in ten states, all of them west of the Mississippi and all except Arizona and Kansas west of the Great Plains. While no state east of the Mississippi River has, as yet, granted complete woman suffrage, Illinois has given women the right to vote in all elections except for a few state officers— which cannot be done without an amendment to the state constitution. In more than thirty of the states women are entitled to vote

Woman suffrage.

an irritating constitutional controversy. The Constitution (Art. i, § 9) merely states that the "writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it." Article i relates to the legislative power, and it might be inferred from this that the intention of the Constitution was that Congress should exercise the suspending power. The President ordered the suspension of the writ when Congress was not in session, and there was ground for the argument that unless the Executive exercised this function it could not be exercised at all in very critical moments. In 1863 Congress, by act, conferred on the President the right to suspend the operation of the writ. Since the war, the Supreme Court has decided that the final decision as to the suspension of the writ in a particular case belongs to the courts.

The draft  
riots, 1863.

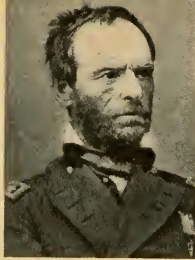
Another cause of opposition was the action of the government in pursuance of an act of Congress passed in 1863. This authorized the general government to have resort to a "draft" or conscription to fill the ranks of the armies. In the summer of 1863 riots directed against the enforcement of this law occurred in several places, especially in New York. The government was now strong enough to bear down all opposition, and the rioters were severely dealt with. The real result of the draft act, however, was to compel the states to fill their quotas of soldiers by paying large bounties to those who would enlist in the army.

Chickamauga, Sep-  
tember, 1863.  
*Battles and  
Leaders*,  
III, 638;  
Dodge's  
*View*,  
172-183.

**364. Chickamauga and Chattanooga, 1863.**—In June, 1863, Rosecrans again took up the task of capturing Chattanooga. By a series of well-planned and admirably executed maneuvers he compelled Bragg to abandon that place. After Gettysburg, the Confederate army in the West was reinforced by two of Lee's divisions, under one of the best commanders, General Longstreet. General Burnside also led a new Union army to eastern Tennessee, and occupied Knoxville. On September 19, 1863, Bragg suddenly attacked Rosecrans at Chickamauga, and nearly routed him. But here, as at Murfreesboro, Thomas saved the day by holding the center of



*W.S. Sherman*



*Phil H. Sheridan*



*G. A. Custer*



*George A. Thomas*



*Maj. E. L. Hancock*

gested that some limitation of the suffrage, without regard for sex, to those who are clearly qualified to exercise it, would be advantageous. Any limitations of this kind are very difficult to arrange and, after all, the declaration of that ancient Puritan that the lowliest man "hath a life to live as well as the greatest he" casts a doubt upon the righteousness of all schemes of reform through a limitation of the franchise. The most popular way of meeting these dangers is by the widespread adoption of some scheme of "direct legislation" by the people themselves and by the concurrent limitation of the powers of the representative legislative body. These devices are grouped under the titles "initiative" and "referendum." Moreover, there is a tendency to give the voters more direct control of administration by giving them the power "to recall," or to retire to private life, elected and sometimes appointed public officials.

Popular  
initiative  
laws.

**450. The Initiative.** — By the word "initiative" is meant the right that is enjoyed by a certain number of voters in a given political community to propose definite bits of legislation and to require that these shall either be at once enacted by the representative legislative body or submitted to the voters as a whole for their approval or rejection. Something like this existed in old days when it was the custom for the voters to instruct their representative in legislature or Congress to do whatever he could to secure the passage of certain measures or to defeat the enactment of other laws, as the case might be. When party platforms first came into use they were looked upon as instructions to the party's representative, in case he were elected, to push forward the enactment of certain specified measures. Instructions have long since gone out of action and party platforms are sometimes not lived up to. Under these circumstances, the "initiative" has come into favor, especially in some of the Western states. Oregon is the leading example. There ten per cent of the voters in the state can order the submission of any proposition to the voters. In the cities fifteen per cent of the registered voters is required to initiate any legislation.

In South Dakota, the number of voters required to set in operation this device is only five per cent. These figures seem small, but it must be remembered that each of these states contains only a small percentage of the people gathered into one great city, like New York or Chicago, and they live sparsely settled over a great extent. It is much more difficult, therefore, to obtain signatures to a petition or memorial in them than it is in the densely settled cities of the Eastern states, — in some of these, signatures can be obtained through canvassers for ten cents apiece.

**451. The Referendum.** — Referring laws to the people for their advice and consent takes one back to colonial times. In Pennsylvania, in the first days, all proposed laws were to be posted in the "most noted places" in the province thirty days before the meeting of the General Assembly that the representatives might know what the people thought of them. Again, in Maryland, at the time of the Revolution, when the proposed state constitution had been formulated by the Assembly, it was submitted to the voters for their approval and suggestion and was then taken up by the Assembly for final action. The Massachusetts constitution of 1778 was the first to be submitted to the voters for direct final action, and was by them defeated. Two years later, in 1780, another constitution was submitted to the voters. It was approved by them and is to-day the fundamental law of that state. It has been several times amended, each amendment being likewise referred to the voters. The reference of constitutions and constitutional amendments to the voters has long since come to be the rule in the states of the American Union. In the emergencies of secession and reconstruction, constitutions of Southern states were drawn up and promulgated without any such reference. More recently, the constitutions of several Southern states have likewise been adopted without any such reference to the voters. As these constitutions contained machinery by which it was hoped that the disfranchisement of the negroes would be brought about, it was not considered advisable to submit them to

Popular  
ratification  
of constitu-  
tions.

the existing body of voters, the greater portion of whom were negroes. It is clear, however, that the "referendum" or something like it as applied to constitutions is nothing new in American political life.

Popular  
law-making.

The referendum as applied to the enactment of ordinary laws is of much more recent devising. It began in America as an easy way by which members of a legislature could avoid responsibility by referring doubtful or unpopular measures to the voters for final decision. In this way, in some states, the question of whether beer, wine, and spirits should be sold or not in towns or counties has been referred to the voters. Matters involving expense to cities, as an increase in pay, or shorter hours of work for the municipal employees, have frequently been referred to the voters of the town or city involved for their final determination. So, too, have new charters of incorporation where they have involved novel or peculiar features of government. The latest form of the referendum, as the word is commonly used, is a device by which a small percentage of the voters can not only state their desires as to the passage of laws, but can have any such propositions placed before the voting body as a whole for final action. An appeal to the voters in any extended way for their determination as to the desirability of proposed legislation necessitates laying before them arguments both for and against the suggested law. This has the great advantage of bringing both sides of a question to the attention of the voters at one time. So far, direct legislation in its completest form of initiative and referendum has had no extended trial. The one recent example that has attracted attention has been that of Oregon in 1910. At that time thirty-two measures were initiated, the state governmental publication explaining these measures contained two hundred and two pages, and the ballot upon which the voters were to record their judgments was six feet in length. All these matters will have to be carefully worked out before the success or the failure of the experiment can be determined.

452. **The Recall.** — The word "recall," as it is now used in American politics, means the right of the voters in any state or municipality to close the term of any elected officer before the end of the period for which he was chosen. This is a modern importation from the political arrangements of Switzerland. Six states have adopted this measure as to all elected officials. It has become much more usual in the conduct of municipal affairs, more than a hundred cities having adopted it. Ordinarily, the recall is initiated by petition in much the same way that laws are, but the percentage of registered voters required is larger, ranging from fifteen to twenty-five per cent. An election is then held in the usual way. If the holder of the office then in question receives the highest number of votes, he continues in office, otherwise he is recalled or retired. The older American method of dealing with this particular problem was to have frequent elections, sometimes as often as every six months, and usually every year. Furthermore, any official might be retired by impeachment or by criminal prosecution. As terms of office have lengthened from one year to two years or more, the necessity of getting rid of incapable or evil-minded officials has grown greater. An interesting experiment is being tried at Boston, where the mayor, under the latest charter is elected for four years, thereby making the office of considerable importance. It happens that the state elections in Massachusetts come in November and the Boston city elections in the following January. In the state election every second year the voters of Boston vote, as a matter of course, whether an election for mayor shall be held at the forthcoming January polling. In case a majority of the registered voters cast affirmative ballots, the existing incumbent is recalled and a new election is held in January, at which he may or may not be a candidate. Whether this experiment will be worth repeating elsewhere, time only can show. The recall has also been applied as to some appointed officers. In a modified form, it has existed in Massachusetts ever since 1780, for the constitution of that

The recall  
of officials.

year provides that the judges may be removed by the governor and council on address by the two Houses of the legislature.

Apathy of voters.

One of the troubles that has been experienced in giving a fair trial to any of these experiments is the great difficulty of getting the voters, whether men or women, to take an active and continued interest in such detailed problems. Even in Oregon, where the conditions are most advantageous, bills have been accepted or defeated by very small proportions of the registered voters in the state. For example, the amendment to the state constitution changing the centuries-old rule requiring unanimity in the verdict of a jury was adopted by a vote of 44,000 to 39,000, the total number of voters in the state being something like 140,000. Only a little over one half of the voters were interested enough in this revolutionary proposition to go to the polls and vote on this question. Various means have been tried to compel voters to deposit their ballots. In one case, in Switzerland, a fine was provided for every absentee. A goodly number of voters came to the polls, but when the boxes were opened, it was found that an extraordinarily large proportion of the ballots were unmarked.

The Galveston plan.

**453. Reform of City Governments.** — One of the weakest spots in American institutions has been the government of cities. In them the representative system has broken down utterly and corruption and jobbery have been particularly rife. The first hopeful attempt at reformation was made at Galveston, by the adoption of the commission form of government in 1900. The situation at Galveston was serious because the city was practically swept away by a tidal wave from the Gulf of Mexico, and its credit had been seriously impaired by years of misrule. To rebuild the city and restore its credit severe measures were necessary. Galveston business men took the matter in hand and reorganized its government on the basis of a large business concern. Under the Galveston plan five commissioners elected by the voters have entire control of municipal affairs. The first of



these is called mayor-president. He presides at the meetings of the commissioners but has no veto power. He also exercises a general supervision over the affairs of the city. The other commissioners have their departments to look after. One of them is at the head of the police and fire department, another of streets and public property, a fourth of water and sewerage, and the fifth of revenue and expenditures. These four exercise a general supervision of their departments, having superintendents under them to take care of details. The commissioners as a board have power to make and remove all city officials, to make and enforce rules for their guidance, to determine all salaries and expenditures, and to grant franchises for the use of the city streets. There is no general referendum under this plan, but the city can borrow money only when authorized by a vote of the majority of the qualified voters who also pay taxes. Slightly different from this is the Des Moines plan of city government. There is a council of five members including the mayor. These arrange among themselves as to the general oversight of the city departments. Under this plan there is an absolute recall for all officials, and the referendum is applied to the granting of all franchises and, in general, to any measure when one quarter of the voters ask to have it so submitted. The Galveston and Des Moines plans of commission government have already been adopted by more than one hundred cities.

The Des  
Moines plan.

Radically unlike these reforms is the plan adopted for Boston in 1909. According to this scheme the mayor is elected for four years, but is subject to recall in the middle of his term, by a majority of the registered voters. There is a council of nine members chosen at large for three years. This is a legislative body and has nothing to do with administration and all its acts are subject to veto by the mayor. This official has little direct executive power, except as to the nomination of the heads of departments, who have to be certified to as competent by a state-appointed civil service commission. Moreover, all minor city employees must be

The Boston  
plan.

taken from lists provided by this same commission. The heads of departments may be removed by the mayor at any time, but they have the appointment of all their subordinates. A permanent finance commission, appointed by the state, examines into all municipal affairs at its discretion and makes public the results of its findings and also any recommendations that it thinks advisable. Moreover, the police department, although supported by the city, is under the sole direction of a commissioner appointed by the state. All these experiments and others which are being made in different parts of the country have not as yet been in operation for a sufficient length of time to determine their value. They seem to be an improvement on the old order of things.

The "federal ratio."

**454. The Sixteenth Amendment.**—At the time of the making of the Constitution (§ 182) the Southern states, where negro slavery was an important factor in social and industrial life, were averse to giving Congress the power to levy direct taxes at will. The Northern states, where negro slaves formed an inconsiderable portion of the population, were likewise opposed to apportioning representation in Congress according to the total population of the states. This would give the Southern whites an undue power in electing members of that body, as the slaves had no votes, but would be counted in the apportionment of representation. It was finally arranged that both representation and direct taxes should be apportioned among the states according to the "federal ratio" by which a slave was reckoned as three fifths of a person. This requirement made it practically impossible to levy direct taxes. Since the downfall of slavery and consequently of the federal ratio, various attempts have been made to devise some form of direct tax that would not have to be apportioned among the states according to population. In 1894 Congress passed an act levying a property tax without trying to apportion it among the states, but the Supreme Court declared this to be a direct tax and therefore unconstitutional. It then substituted for this a tax upon corporations engaged in interstate busi-

ness on the ground, or plea, that this was a franchise tax and not a direct tax. It also proposed a constitutional amendment, giving Congress power to levy a tax on all incomes without apportionment among the several states and without regard to any enumeration of the people (1909). This amendment was ratified by thirty-four states almost at once. The consent of thirty-six states, or three fourths of the whole, was necessary, and this was not obtained until February, 1913, when the amendment was declared in force.

The income tax amendment.

**455. The Seventeenth Amendment.** — At the time of the federal convention at Philadelphia in 1787, there was great jealousy on the part of the states as to giving up any of the powers which they then exercised. One of the compromises which was adopted in order to secure unanimity was that of giving the states equal representation in the Senate regardless of their size or population. The senators were looked upon as peculiarly representing the interests of their states and were to be chosen by the legislatures thereof. Since the Civil War, and especially in the last twenty-five years, the feeling of state pride and of state's rights has suffered great diminution. This is partly due, no doubt, to the ever increasing facilities of travel and the intermingling of the people of the several parts of the country. It is also due to the increasing power of the government at Washington and to the ever growing spirit of nationalism. For these reasons it has seemed no longer necessary to regard the states as political entities and their senators as representatives of political corporations and not of the people of the several states. With the growing distrust of the representative legislative bodies, there came a demand for the direct election of senators by the voters. The Seventeenth Amendment providing for this change in the Constitution was proposed by Congress in May, 1912. It met with immediate popular approbation, was speedily ratified by the necessary number of states, and was declared in force in 1913.

Direct election of senators.

What will be the effect of all the changes that have been described in the preceding sections no one can foretell.

Human nature is much the same now as it was a century and a quarter ago. Some experts tell us that what is needed is not more laws, nor more easily passed laws, but fewer laws and a greater feeling of responsibility on the part of the makers and a more rigid enforcement of all rules of government. Whichever opinion is right, it is certain that the American Nation is now face to face with a graver crisis than has confronted it since the Civil War, and even since the time of Shays's Rebellion, when the Constitution of the United States was extorted from the grinding necessities of an unwilling people.

Growth of  
the Nation.

**456. Population, 1910.**—The census of 1910 gives the population of the continental part of the United States as ninety-one millions against only fifty millions for 1880. Adding to this the population of the Philippines, Hawaii, Porto Rico, and other islands, about one hundred million human beings live under the government of the United States. The immigration in the last ten years has been very large, amounting to nearly nine million souls. One million and a quarter of these came in the single year 1903; more than one half million of them were from southern Europe and Russia. Before the Civil War, immigrants had come almost entirely from countries inhabited by people of Germanic or Celtic blood. Since that time, Italians, Bohemians, Hungarians, Russians, and Greeks have thronged to the United States. So a new element has been introduced into our population. Moreover, these later comers do not go out on the land as did so many of the earlier immigrants. Instead they throng in the cities and manufacturing towns, living there much as they did in their older home on the other side of the ocean.

Statistics.

**457. The American Nation in 1910.**—This great immigration has been the accompaniment of a tremendous increase in the wealth-producing capacity of the nation. In 1860 the federal government took in fifty-five millions of dollars and paid out sixty-five millions; in 1912 the income was nearly seven hundred million dollars and the expen-

ditures about fifty millions less. The exports and imports have more than doubled in the last fifty years; in 1912, the exports amounted to two and one quarter billions and the imports to over one and one half billion dollars. The national debt then amounted to almost exactly one billion dollars or ten dollars and seventy-four cents for each man, woman, and child in the country. It will be interesting in this connection to cite a few figures for purpose of comparison with other nations. They are compiled from the "World Almanac" for 1913.

COUNTRY	MILLIONS OF DOLLARS		AREA (SQUARE MILES)	POPULATION
	Wealth	National Debt		
United States . .	130,000	1,027	3,616,484 (Including Islands)	91,972,267 (Including Islands)
Great Britain (Not including India and the colonies)	80,000	3,527	121,391	45,216,741
Germany . . . .	60,500	1,224	208,830	64,903,423
France . . . . .	65,000	6,280	207,054	38,961,945
Russia . . . . .	40,000	4,650	8,647,657 (Includes Siberia and Central Asia)	160,095,200
Austria-Hungary	25,000	1,055	261,035	49,418,596
Italy . . . . .	20,000	2,669	110,550	32,475,253

The banking capital of the United States exceeds that of Great Britain. There is more gold in our country than in any other and the American post office carries as much mail matter as all the post offices of Europe put together. Finally, the average earnings of an inhabitant of the United States are more than double those of an inhabitant of Europe.

The chief causes of our prosperity in the past have been

Causes of  
prosperity.

the frugality, energy, and personal independence of our people; the rapid development of invention; equality of all men in the eye of the law; free institutions and the breaking loose from the prejudices of European societies. These qualities, inherent in the races from which the American people has sprung, without the barriers to human activity which surrounded them in their old homes, have been combined in the United States with a good climate, splendid soil, wonderful mineral resources, and free trade over an enormous extent of territory. These conditions have made the American people what it is; they are all still present in the inhabitants of the United States and in the country in which they dwell. Great as has been the progress of the American nation in the past, there is every reason to believe that its achievements in the arts of peace have but just begun.

#### SUGGESTIVE QUESTIONS AND TOPICS

##### §§ 425-432. THE NEW OUTLOOK IN 1898

Classify under six heads the problems which met the American people in 1898; make clear statements of each problem in note-book, and enter under it the specific efforts towards solution made between 1898 and the present time. In handling which of these problems has the American people shown marked ability? great lack of intelligence?

##### §§ 433-435. ROOSEVELT'S FIRST TERM

- a.* Why should the vice-presidency be regarded as "a graveyard for politicians"?
- b.* What can we do to prevent the assassination of our Presidents?
- c.* Is it best for the federal government to intervene in labor troubles, or should the matter be left to the states?
- d.* Why should the United States have intervened to end the war between Russia and Japan?

##### §§ 436-438. ALASKA AND PANAMA

- a.* Which is likely to be more important: the discovery of gold in Alaska or the finding of coal there?

- b.* What has been the greatest obstacle in the way of making a canal between the Atlantic and the Pacific?
- c.* Justify the recognition of the Panama Republic. ✓

## §§ 439-445. RECENT HISTORY

- a.* Why was Judge Parker defeated in 1904?
- b.* What is the difference between governmental regulation of railroads and corporations and paternalism?
- c.* Had you been President would you have signed the Aldrich Tariff Bill?
- d.* Would reciprocity with Canada be advantageous to both the United States and Canada? How about Mexico? ✓

## GENERAL QUESTIONS

- a.* Trace the growth of the urban population from 1800 to the present day. How do you account for the increase? In your opinion is the growth of cities favorable or unfavorable to higher civilization?
- b.* Tabulate the growth of the chief manufactures of the states which seceded, between 1865 and the present day. What causes tend to make the South a manufacturing region? What will be the effect of the establishment of the protected industries in the South?





# DECLARATION OF INDEPENDENCE

*In Congress, July 4, 1776,*

THE UNANIMOUS DECLARATION OF THE THIRTEEN UNITED STATES  
OF AMERICA,

WHEN in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the Powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, That whenever any Form of Government becomes destructive of these ends it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. — Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our People, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislature.

He has affected to render the Military independent of and superior to the Civil Power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offences :

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies :

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments :

For suspending our own Legislature, and declaring themselves invested with Power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms : Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free People.

Nor have We been wanting in attention to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by

Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the Protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

JOHN HANCOCK.

*New Hampshire* — JOSIAH BARTLETT, WM. WHIPPLE, MATTHEW THORNTON.

*Massachusetts Bay* — SAML. ADAMS, JOHN ADAMS, ROBT. TREAT PAINE, ELBRIDGE GERRY.

*Rhode Island* — STEP. HOPKINS, WILLIAM ELLERY.

*Connecticut* — ROGER SHERMAN, SAM'EL HUNTINGTON, WM. WILLIAMS, OLIVER WOLCOTT.

*New York* — WM. FLOYD, PHIL. LIVINGSTON, FRANS. LEWIS, LEWIS MORRIS.

*New Jersey* — RICHD. STOCKTON, JNO. WITHERSPOON, FRAS. HOPKINSON, JOHN HART, ABRA. CLARK.

*Pennsylvania* — ROBT. MORRIS, BENJAMIN RUSH, BENJA. FRANKLIN, JOHN MORTON, GEO. CLYMER, JAS. SMITH, GEO. TAYLOR, JAMES WILSON, GEO. ROSS.

*Delaware* — CÆSAR RODNEY, GEO. READ, THO. M'KEAN.

*Maryland* — SAMUEL CHASE, WM. PACA, THOS. STONE, CHARLES CARROLL of Carrollton.

*Virginia* — GEORGE WYTHE, RICHARD HENRY LEE, TH. JEFFERSON, BENJA. HARRISON, THOS. NELSON, jr., FRANCIS LIGHTFOOT LEE, CARTER BRAXTON.

*North Carolina* — WM. HOOPER, JOSEPH HEWES, JOHN PENN.

*South Carolina* — EDWARD RUTLEDGE, THOS. HEYWARD, Junr., THOMAS LYNCH, Junr., ARTHUR MIDDLETON.

*Georgia* — BUTTON GWINNETT, LYMAN HALL, GEO. WALTON.<sup>1</sup>

<sup>1</sup> This arrangement of the names is made for convenience. The states are not mentioned in the original.

# CONSTITUTION

## OF THE

### UNITED STATES OF AMERICA\*

WE THE PEOPLE of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this CONSTITUTION for the United States of America.

#### ARTICLE. I.

SECTION. 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION. 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one

\* Reprinted from the text issued by the State Department.

Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

SECTION. 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

SECTION. 4. The Times, Places and Manner of holding Elections

for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

SECTION. 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

SECTION. 6. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

SECTION. 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if

not he shall return it, with his Objections, to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

SECTION. 8. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;



To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; — And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

SECTION. 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no

Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

SECTION. 10. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing its inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

## ARTICLE. II.

SECTION. 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one

who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—

“I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States.”

SECTION. 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and

Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

SECTION. 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

SECTION. 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

### ARTICLE III.

SECTION. 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their continuance in Office.

SECTION. 2. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; — to all Cases affecting Ambassadors, other public Ministers and Consuls; — to all Cases of admiralty and maritime Jurisdiction; — to Controversies to which the United States shall be a Party; — to Controversies between two or more States; — between a State and Citizens

of another State; — between Citizens of different States, — between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

SECTION. 3. Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

#### ARTICLE. IV.

SECTION. 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

SECTION. 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

SECTION. 3. New States may be admitted by the Congress into this

Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

SECTION. 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

#### ARTICLE. V.

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

#### ARTICLE. VI.

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be

bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

## ARTICLE. VII.

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

## THE AMENDMENTS.

## I.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

## II.

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

## III.

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

## IV.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

## V.

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of

life or limb ; nor shall be compelled in any Criminal Case to be witness against himself, nor be deprived of life, liberty, or property, without due process of law ; nor shall private property be taken for public use, without just compensation.

## VI.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation ; to be confronted with the witnesses against him ; to have compulsory process for obtaining Witnesses in his favor, and to have the Assistance of Counsel for his defence.

## VII.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

## VIII.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

## IX.

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

## X.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

## XI.

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

## XII.

The Electors shall meet in their respective states, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same state with themselves ; they shall name in their ballots the person voted for as President, and in distinct ballots



the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

## XIII.

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SECTION 2. Congress shall have power to enforce this article by appropriate legislation.

## XIV.

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce

any law which shall abridge the privileges or immunities of citizens of the United States : nor shall any State deprive any person of life, liberty, or property, without due process of law ; nor deny to any person within its jurisdiction the equal protection of the laws.

SECTION 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SECTION 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

SECTION 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave ; but all such debts, obligations and claims shall be held illegal and void.

SECTION 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

XV.

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

## XVI.

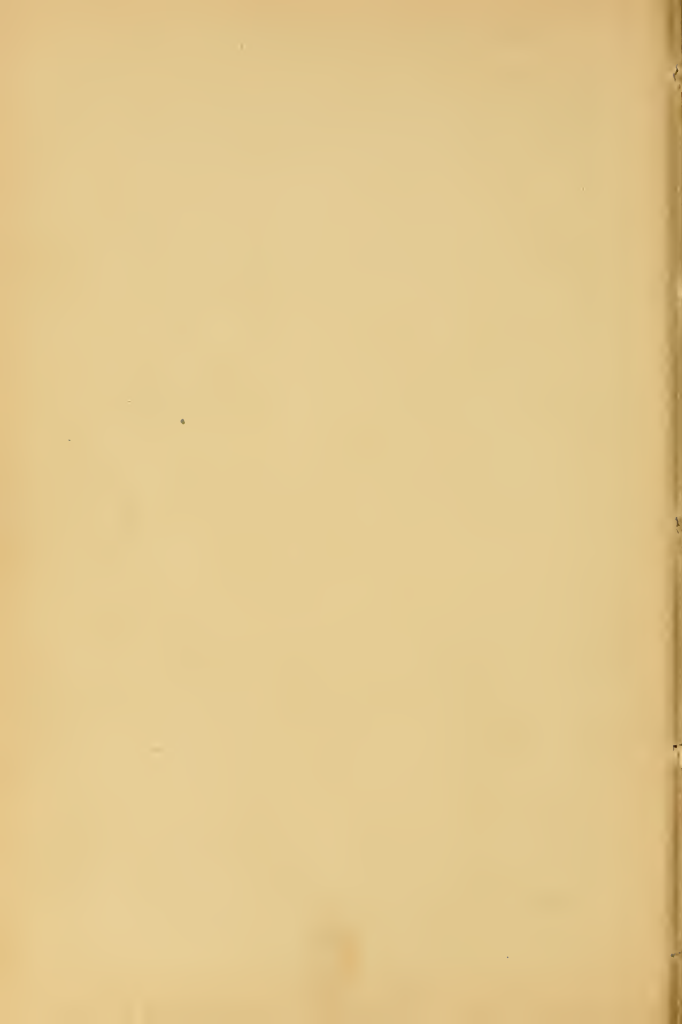
The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

## XVII.

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of each State shall issue writs of election to fill such vacancies: *Provided* that the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.



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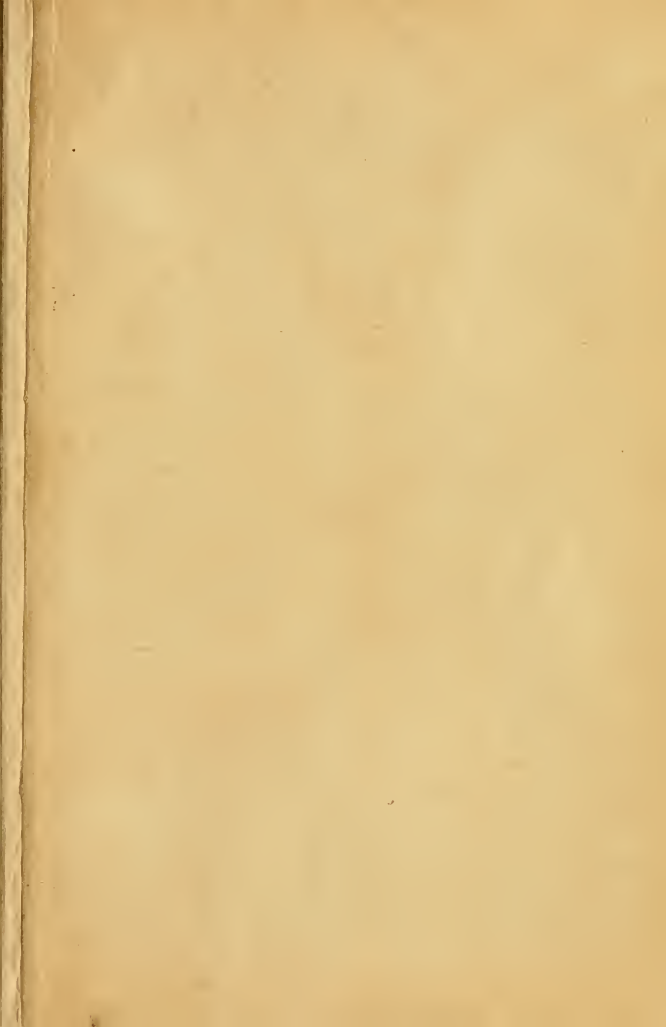
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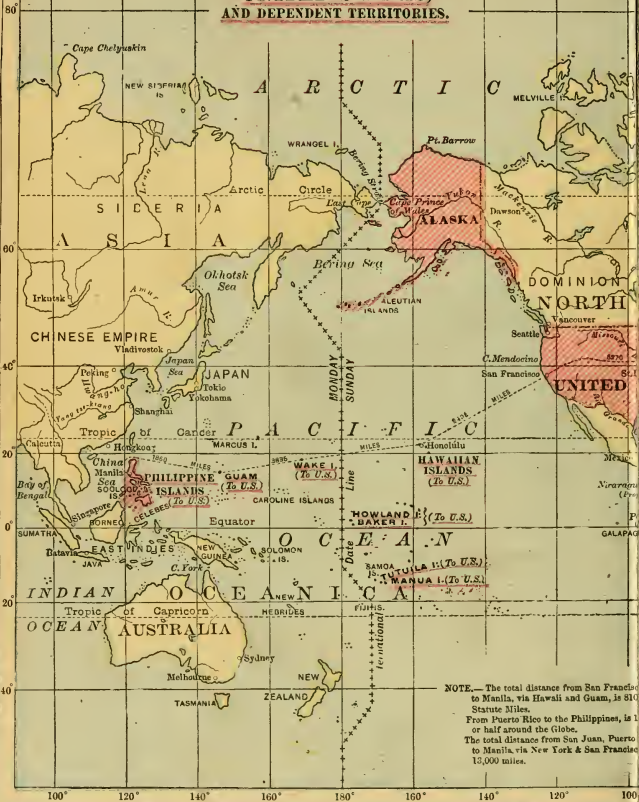


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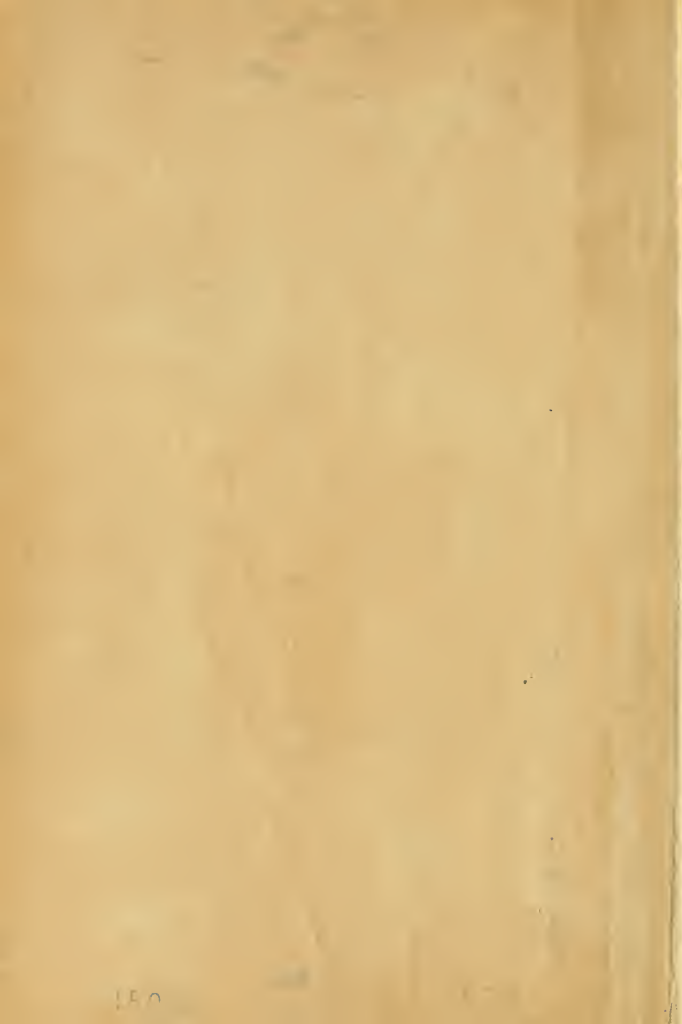
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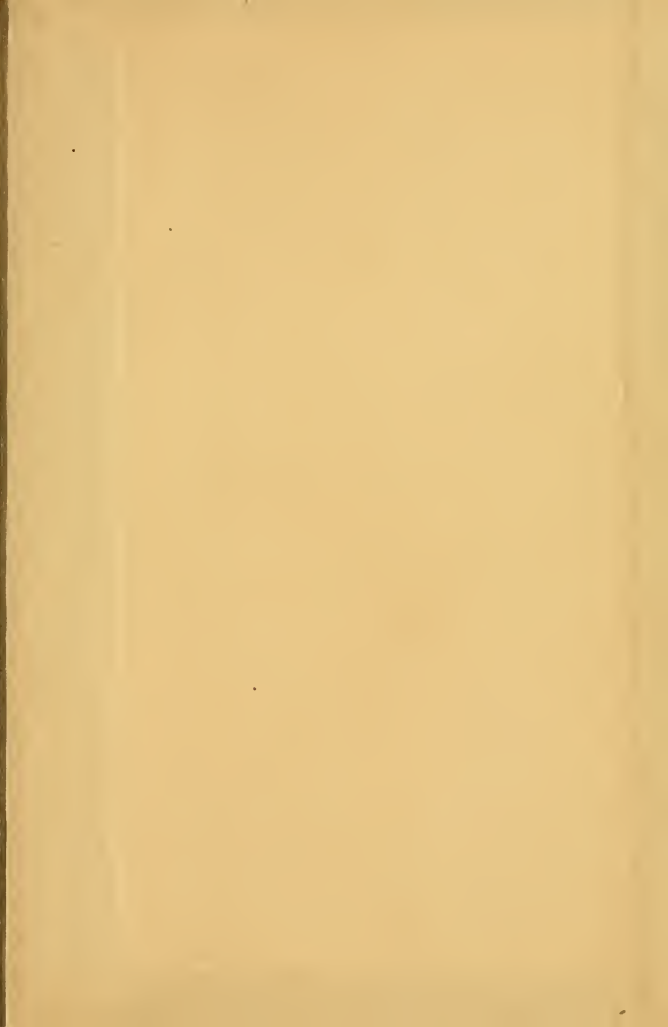












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